



# Yukon Legislative Assembly

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1<sup>st</sup> Session

35<sup>th</sup> Legislature

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October 7, 2021 to December 2, 2021

NOTE

The 2021 Fall Sitting of the First Session of the Thirty-Fifth Legislature occupies two volumes

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# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader* Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Government House Leader* Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

\*Government House Leader: Hon. Tracy-Anne McPhee to November 4, 2021; Hon. John Streicker from November 5, 2021

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# Yukon Legislative Assembly

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Number 12

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Thursday, October 7, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 7, 2021 — 1:00 p.m.**

**Speaker:** I will now call the House to order.

I would like to begin the 2021 Fall Sitting of the Legislative Assembly by respectfully acknowledging all Yukon First Nations and also that we are meeting on the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

We will proceed at this time with prayers.

*Prayers*

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes made to the Order Paper. The following motions have been removed from the Order Paper because they are now outdated: Motion No. 27, standing in the name of the Leader of the Official Opposition; and Motion No. 45, standing in the name of the Leader of the Third Party.

The following motion has been removed from the Order Paper as the actions requested in the motion have been taken in whole or in part: Motion No. 52, standing in the name of the Member for Watson Lake.

Motion No. 19, standing in the name of the Member for Vuntut Gwitchin, was removed from the Order Paper at the request of the member.

Motion No. 81, notice of which was given on May 31, 2021 by the Member for Lake Laberge, was not placed on today's Notice Paper as the motion is outdated.

Motion No. 83, notice of which was given on May 31, 2021 by the Member for Vuntut Gwitchin, was not placed on today's Notice Paper as the action requested in the motion has been taken in whole or in part.

**INTRODUCTION OF PAGES**

**Speaker:** It gives me great pleasure to introduce the legislative pages who will be serving the House during the 2021 Fall Sitting. They are: Cassi Jensen and Sandy Nagarajan from F.H. Collins Secondary School; Andrew Woolridge and Ave Maria Skoke-Burns from Vanier Catholic Secondary School; Brenna Kelly and Agata Poltorasky from Porter Creek Secondary School; and Gabriel Mamer-Roode and Aurora April from CSSC Mercier.

I would ask members to welcome them to the House at this time.

*Applause*

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Silver:** There are a whole bunch of people in the gallery, and I just want to say what a great feeling it is to see them back in the gallery. I will start. I know that there will be a couple of people that I will miss; they are still wearing masks. I am sure some other folks will help me out with that.

I will start with the former Leader of the Liberal Party, Arthur Mitchell, who is with us. We also have former MLA Ted Adel. We have the current president of the Yukon Liberal Party, Karly Carruthers, here. We have a member of the executive, Mike Pemberton, as well. We have Tracey Jacobs as well in the audience, as well as my chief of staff, Jasmina Randhawa.

We also have Sacha Marceau, northern advisor, and my new ministerial advisor, Aaron Casselman. These are just a few of the people in the gallery. I will let my colleagues introduce the rest. Welcome here today.

*Applause*

**Hon. Ms. McLean:** First of all, I would like to welcome my husband Rick McLean to the gallery today. Thank you very much for being here today and for being so supportive.

We have a number of guests here today for a special tribute that we will be doing in recognition of Women's History Month and International Day of the Girl. We have Aja Mason, director of the Yukon Status of Women Council.

From Les EssentiElles, we have Maryne Dumaine, president, and Laurence Rivard, director. We have from the Victoria Faulkner Women's Centre Mandy Jack, Eileen Melnychuk, Raquel Rosel, Elena Ross, and Cindy Allen. I would also like to welcome Staci McIntosh to the gallery. Thank you so much for coming. As the Premier has said, it is wonderful to have folks back in here with us.

*Applause*

**Ms. Tredger:** I would like welcome my mom here today in the Legislature.

*Applause*

**Hon. Mr. Pillai:** I would like the members of the Assembly to welcome folks who are here. We have a great group of individuals who have come from the Yukon Housing Corporation today. We are going to be having a ministerial statement in a few minutes. These folks have been doing incredible, incredible work, and this past week, again, they all stepped up. I just want to welcome Mary Cameron, president of the Yukon Housing Corporation; Philippe Molet, vice-president of corporate services; Colin McDowell, vice-president of operations; Kim Ho, our senior partnership advisor; Laura Lang, senior advisor; Hanna McDonald, senior policy advisor; Kristine Carruthers, acting director of tenancy supports; Paula Banks, our director of policy and communications; Sarah Murray, our acting policy analyst; Marcel Robinson takes care of the dollars and is our director of finance and risk management; Aneesha Singh, senior communications advisor; as well as Darren Stahl, who makes

sure that everything keeps running, our director of capital development. I would like to welcome them here today.

As well, a few individuals from the team that I get to work with — my ministerial advisor, Kim Stavert, as well as Kristin Young — those folks just make everything work and they have an unbelievable work ethic.

*Applause*

**Hon. Mr. Mostyn:** Thank you very much, Mr. Speaker. I do appreciate having people in the House once again. As my colleagues have said, it is really wonderful to see you all here this afternoon.

I would like to welcome this afternoon Staci McIntosh, who is part of our Making Work Safe panel. It is great to see her here, as well as Sunny Patch, who is also on the panel. We have Jacob Wilson here from our communications team. It is nice to see him in the House this afternoon.

Thank you very much.

**Speaker:** Are there any further visitors to be introduced? Tributes.

## TRIBUTES

### In recognition of Women's History Month and the International Day of the Girl Child

**Hon. Ms. McLean:** It is my honour to rise on the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'än' Council today, the first day of the 2021 Fall Sitting of the 35<sup>th</sup> Legislative Assembly, to pay tribute to Women's History Month and the International Day of the Girl Child, which takes place on October 11.

The International Day of the Girl Child reminds us of the need to address the challenges that girls across the world face each and every day. This includes the right to safety, education, health services, and so much more. This is something that is deeply important to me, both as the Minister responsible for the Women and Gender Equity Directorate and as the Minister of Education.

Every October, we acknowledge and celebrate the incredible accomplishments of women and girls throughout our history and today. This month is a time to celebrate the women and girls from our past and present who are contributing to a better and more inclusive Yukon.

It marks a day in 1929 when the historic decision to include "women" in the legal definition of "persons" was handed down by Canada's highest court of appeal. This gave some women the right to increase participation in public and political life, including the right to vote, but it is important to note, Mr. Speaker, that this decision did not include all women. In fact, it wasn't until 1960 that indigenous women received the right to vote, and it wasn't until 2004 that all Canadians who were incarcerated, including women, received the right to vote.

The theme of Women's History Month this year is "Women Making History Now". It recognizes the many amazing women making a lasting impact on our country today, especially during the pandemic and in efforts to advance reconciliation.

The Yukon is full of women making history now, from our many strong female political leaders to business pioneers to mothers leading their families through everyday challenges of a pandemic.

We know that the pandemic has impacted women more than any other group. In so many cases, mothers have had to make huge sacrifices over the past year to keep their families safe and well.

Women have been the driving force here in Canada behind the national movement for reconciliation. These women are making history, as we saw the first National Day for Truth and Reconciliation on September 30. These women call on us to do better, to do more, to move faster toward equity and equality.

I think of all the indigenous women and girls who were murdered or who have gone missing, whose opportunity to make their own history was stolen from them. It is because of the work of the strong female leaders that a National Inquiry into Missing and Murdered Indigenous Women and Girls came to be and that the Yukon was the first jurisdiction in Canada to provide a comprehensive response.

It is because of the front-line work that so many indigenous women are honoured and supported. I want to express my deep thank you to these indigenous women's organizations: the Yukon Aboriginal Women's Council, Whitehorse Aboriginal Women's Circle, and the Liard Aboriginal Women's Society. Thank you also to the many equality-seeking organizations for the work that you do to make a lasting impact on our territory, including the Victoria Faulkner Women's Centre, Yukon Status of Women Council, Les EssentiElles, Yukon Women in Trades and Technology, Queer Yukon Society, and All Genders Yukon.

As the Minister responsible for the Women and Gender Equity Directorate, I remain committed to building a territory where all women, girls, and two-spirit people can live their lives with equal opportunity and free of violence. So, during this Women's History Month, I encourage all Yukoners not only to celebrate the achievements of the ground-breaking women and girls who came before us, but also to consider the history being made now in the current moment and to support the women around us and their ongoing fight for recognition and equality.

Thank you, Mr. Speaker.

*Applause*

**Ms. Clarke:** Thank you, Mr. Speaker. I am pleased to rise on behalf of the Yukon Party Official Opposition in recognition of Women's History Month, which is held in Canada during October. This year's theme is "Women Making History Now", which recognizes and honours women whose contributions can more rightly be referred to as "history in the making".

There are so many women in the Yukon championing efforts to make our territory more inclusive, the rights of women and girls, including freedom from violence and abuse, as well as equal opportunities in areas such as law, education, nutrition, and health care.

Let me name a few of the movements that Yukon women are involved in that are making history now: Yukon's female engineers committing themselves to increasing the representation of women in engineering; Yukon Women in Mining who continue to encourage, empower, educate, and elevate through advocacy; Yukon Women in Trades and Technology, which believes that gender should not be a barrier to pursuing career opportunities in trades and technology jobs; Victoria Faulkner Women's Centre, which offers refuge to women and their children experiencing violence; Les EssentiElles, which aims to improve the quality of life of francophone Yukon women; Liard Aboriginal Women's Society, which works to heal the legacy of physical and sexual abuse in residential schools; the Yukon Status of Women Council, an advocacy and awareness group for local and national women's issues; Yukon Aboriginal Women's Council, which advances the interests of women of indigenous or Inuit ancestry in the Yukon, including status and non-status indigenous peoples and Métis; Whitehorse Aboriginal Women's Circle provides a platform for all aboriginal women to voice their concerns and to seek support and guidance from each other; the women behind the Hidden Histories Society Yukon, which recognizes black and Asian women; and so many more.

For me, the women who run these programs are making history now and are contributing to a better Yukon. They are the unsung heroes of our community. I would like to recognize and thank those women.

October 11 marks the International Day of the Girl Child. On this day, we celebrate girls and young women who continue to make an impact on our communities.

While we continue to make great strides toward closing the gender gap, we recognize that inequalities still exist. By raising strong girls, we are helping to shape the future and tackle those inequalities. This month corresponds with the celebration of Persons Day. It was on October 18, 1929 that Canadian women were first declared to be legally considered as persons, giving women the right to be appointed to the Senate of Canada and paved the way for women's increased participation in public and political life.

Thank you to all the women, past and present, who have made and continue to make the Yukon an amazing place to call home.

*[Member spoke in Tagalog. Text unavailable.]*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to Women's History Month and the International Day of the Girl Child.

A few months ago, the Liard Aboriginal Women's Society released a report about women in mining. A staggering 73 percent of women whom they interviewed about their experiences in mining camps had experienced harassment, discrimination, and violence at work. If we ever needed proof that Yukon women are not exempt from the discrimination faced by women around the world, this is it. From our communities to our workplaces, to our homes and our most intimate relationships, women face the threat of violence,

poverty, and more. It is even more stark for women of colour, trans women, and women with disabilities. But being a woman also means more than experiences of discrimination.

Let me tell you that women are going to remake the world; women already are remaking the world. The Yukon has a rich history of women working for change in every area of our lives. Our society has so much to learn. If we want to dismantle our systems of injustice, we need to listen to people whose voices have been marginalized, and that includes listening to women. I can't tell you exactly what it is that we will hear, because women are not just one thing; there are a million different experiences of what it means to be a woman. The experiences of indigenous women, women with disabilities, trans women, queer women, poor women — they are all so incredibly different, and each of them is valuable.

I dream of a world that does so much more than keep all these women safe. I dream of a world that values and learns from their voices, from history and the present. I dream of a place that tosses out our destructive vision of gender as a way to control, a world that says we can do better. I believe that, slowly but surely, we are inching closer.

Sometimes we move forward; sometimes we move back, but our world is changing because of the relentless work of so many women, including extraordinary work by women and women's organizations here in the territory. Acknowledged or not, they have been working for a long time. Their voices are sometimes fierce, sometimes soft, sometimes angry, sometimes calm, but always, always persistent. So, today I want to celebrate Yukon's women and girls. For every woman who in her own way has resisted and created, I am so proud. I am so proud to be one of you. I am so excited about all of the things we are going to do.

*Applause*

## TABLING RETURNS AND DOCUMENTS

**Speaker:** Under tabling returns and documents, the Chair has for tabling the *Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sittings of the Legislative Assembly and its Committees*, dated October 7, 2021; *Report of the Clerk of the Legislative Assembly — Membership of the Special Committee on Electoral Reform*; *Yukon Conflict of Interest Commission Annual Report to the Legislative Assembly for the period from 1 April 2020 to 31 March 2021*; *Report of the Auditor General of Canada to the Legislative Assembly of Yukon — Mental Health Services in Rural Yukon — Department of Health and Social Services*; *Report of the Chief Electoral Officer to the Legislative Assembly — 2020 Annual Revenue Returns Contributions Made to Political Parties — January 1, 2020 to December 31, 2020*; *Getting Ahead of the Curve: Meeting the challenges to privacy and fairness arising from the use of artificial intelligence in the public sector — Joint Special Report No. 2, June 2021 — Ombudsperson British Columbia, Office of the Information & Privacy Commissioner for British Columbia, Yukon Ombudsman, Yukon Information and Privacy Commissioner.*

Are there any further returns or documents for tabling?

**Hon. Mr. Streicker:** I have for tabling today a legislative return in response to written questions from the Member for Copperbelt South that were tabled on the last day of the Sitting of the spring Legislature.

**Speaker:** Are there any further reports or documents for tabling?

Are there any reports of committees?

## REPORTS OF COMMITTEES

**Hon. Mr. Clarke:** Mr. Speaker, I have for tabling the *First Report of the Standing Committee on Appointments to Major Government Boards and Committees*, dated July 27, 2021.

**Hon. Mr. Mostyn:** I have for tabling the *First Report of the Standing Committee on Rules, Elections and Privileges*.

**Speaker:** Are there any further reports of committees to be presented?

Petitions.

## PETITIONS

### Petition No. 1 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 1 of the First Session of the 35<sup>th</sup> Legislative Assembly, as presented by the Member for Whitehorse Centre on May 31, 2021.

The petition presented by the Member for Whitehorse Centre meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 1 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation.

Therefore, the Executive Council response to Petition No. 1 shall be provided on or before October 21, 2021.

### Petition No. 2 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 2 of the First Session of the 35<sup>th</sup> Legislative Assembly, as presented by the Member for Vuntut Gwitchin on May 31, 2021.

The petition presented by the Member for Vuntut Gwitchin meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 2 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation.

Therefore, the Executive Council response to Petition No. 2 shall be provided on or before October 21, 2021.

Are there any petitions to be presented?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 202: *Second Appropriation Act 2021-22* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 202, entitled *Second Appropriation Act 2021-22*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 202, entitled *Second Appropriation Act 2021-22*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 202 agreed to*

### Bill No. 7: *Act to Amend the Family Property and Support Act (2021)* — Introduction and First Reading

**Hon. Ms. McPhee:** I move that Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 7 agreed to*

### Bill No. 5: *Act to Amend the Territorial Lands (Yukon) Act (2021)* — Introduction and First Reading

**Hon. Mr. Streicker:** I move that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Energy, Mines and Resources that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 5 agreed to*

**Speaker:** Are there any further bills for introduction?  
Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT, for the duration of the 2021 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

(1) be recognized to speak in debate, notwithstanding Standing Order 17;

(2) be permitted to vote, notwithstanding Standing Order 25;

(3) contribute to constituting quorum in the Legislative Assembly, under Standing Order 3 and the *Yukon Act*; and

(4) be considered to have attended the Sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

Mr. Speaker, I also give notice of the following motion:

THAT, for the duration of the 2021 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of the opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and in the Votes and Proceedings.

In addition, Mr. Speaker, I give notice of the following motion:

THAT, for the duration of the 2021 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one other House Leader together may request that the Legislative Assembly meet virtually by video conference with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

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

THAT this House urges the Government of Yukon to address the impact of significant staff shortages at many Yukon schools as a result of absenteeism, due in part to the impacts of COVID-19 protocols, by:

(1) working with stakeholders to increase the availability of teachers on call;

(2) taking steps to address staff burnout among classroom teachers; and

(3) ensuring that adequate numbers of specialist teachers, including but not limited to educational assistants, counsellors, and learning assistants are available throughout the year.

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

THAT this House urges the Government of Yukon to work with industry stakeholders to investigate changes to insurance options for condominium corporations in Yukon that include:

(1) significant cost increases for condominium insurance in the Yukon;

(2) decreasing availability of providers of condominium insurance; and

(3) decreasing risks that are covered by condominium insurance.

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

THAT this House urges the Yukon government to recognize the acute shortage of family physicians and the large number of Yukon citizens without a family doctor by:

(1) reinstating the physician recruitment and retention officer position in the Department of Health and Social Services;

(2) working with the Yukon Medical Association to review and improve recruitment and retention programs and incentives;

(3) working with the Yukon Medical Association to improve supports for physicians seeking locums from outside the territory; and

(4) assisting physicians who are planning to take extended leave, including maternity or parental leave, to find appropriate coverage.

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

THAT this House urges the Government of Yukon to consult with the Association of Yukon Communities as well as directly with municipal governments before making legislative changes to facilitate the creation of a new home energy retrofit program.

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

THAT this House urges the Government of Yukon to fully support and assist the ongoing systemic review of school safety and supports at Hidden Valley Elementary School that was launched by the Yukon Child and Youth Advocate on July 29, 2021.

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

THAT this House urges the Government of Yukon to create an industry working group to review the impacts of the Government of Canada's proposed Clean Fuel Standard, which is currently published in the *Canada Gazette* and subject to consultation between the federal government and provincial and territorial governments.

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

THAT this House urges the Government of Yukon to act on call to action 3 of the Truth and Reconciliation Commission of Canada by fully implementing Jordan's Principle.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 5 and call to action 12 of the Truth and Reconciliation Commission of Canada by developing:

(1) culturally appropriate parenting programs for aboriginal families; and

(2) culturally appropriate early childhood education programs for aboriginal families.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 17 of the Truth and Reconciliation Commission of Canada by waiving administrative costs and the revisions of official identity documents for residential school survivors and their families, such that they can reclaim their names changed by the residential school system.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 18 of the Truth and Reconciliation Commission of Canada by:

- (1) acknowledging that the current state of aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools; and
- (2) recognizing and implementing the health care rights of Aboriginal people as identified in international law, constitutional law, and under treaties.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 22 of the Truth and Reconciliation Commission of Canada by recognizing the value of aboriginal healing practices and using them in the treatment of aboriginal patients in collaboration with aboriginal healers and elders where requested by aboriginal patients.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 23 of the Truth and Reconciliation Commission of Canada by:

- (1) increasing the number of aboriginal professionals working in the health care field;
- (2) ensuring the retention of aboriginal health care providers in aboriginal communities; and
- (3) providing cultural competency training for all health care professionals.

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

THAT this House urges the Government of Yukon to act on call to action 26 of the Truth and Reconciliation Commission of Canada by introducing amendments to the *Limitation of Actions Act* to ensure that it conforms to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 30 and call to action 38 of the Truth and Reconciliation Commission of Canada by:

- (1) committing to eliminating the overrepresentation of aboriginal adults in custody over the next decade;
- (2) committing to eliminating the overrepresentation of aboriginal youth in custody over the next decade; and
- (3) issuing detailed annual reports that monitor and evaluate progress in doing so.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 31 of the Truth and Reconciliation Commission of Canada by providing stable funding to implement and evaluate community sanctions which provide alternatives to imprisonment of aboriginal offenders and respond to the underlying causes of offending.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 33 of the Truth and Reconciliation Commission of Canada by:

- (1) recognizing as a high priority the need to address and prevent fetal alcohol spectrum disorder, also known as FASD; and
- (2) developing, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 36 of the Truth and Reconciliation Commission of Canada by working with aboriginal communities to provide culturally relevant services to inmates on issues such as:

- (1) substance abuse;
- (2) family and domestic violence; and
- (3) overcoming the experiences of having been sexually abused.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 40 of the Truth and Reconciliation Commission of Canada by creating, in collaboration with Aboriginal people, adequately funded and accessible aboriginal-specific victim programs and services with appropriate evaluation mechanisms.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 43 of the Truth and Reconciliation Commission of Canada by fully adopting and implementing the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.

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

THAT this House urges the Government of Yukon to act on call to action 47 of the Truth and Reconciliation Commission of Canada by:

- (1) repudiating concepts used to justify European sovereignty over indigenous peoples and lands, such as the doctrine of discovery and terra nullius; and
- (2) introducing amendments to those laws, policies, and litigation strategies that continue to rely on such concepts.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 55 of the Truth and Reconciliation Commission of Canada by providing annual reports for any current data requested by the National Council for Reconciliation.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 57 of the Truth and Reconciliation Commission of Canada by providing education to public servants on the history of Aboriginal peoples, including:

- (1) the history and legacy of residential schools;
- (2) the *United Nations Declaration on the Rights of Indigenous Peoples*;
- (3) treaties and aboriginal rights;
- (4) indigenous law; and
- (5) Aboriginal-Crown relations.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 63 of the Truth and Reconciliation Commission of Canada by maintaining an annual commitment to aboriginal education issues, including:

- (1) developing and implementing kindergarten to grade 12 curriculum and learning resources on Aboriginal peoples in Canadian history and the history and legacy of residential schools;
- (2) sharing information and best practices on teaching curriculum related to residential schools and aboriginal history;
- (3) building student capacity for intercultural understanding, empathy, and mutual respect; and
- (4) identifying teacher training needs relating to the above.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 64 of the Truth and Reconciliation Commission of Canada by requiring publicly funded denominational schools to provide an education on comparative religious studies, which must include a segment on aboriginal spiritual beliefs and practices developed in collaboration with aboriginal elders.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to act on call to action 87 of the Truth and Reconciliation Commission of Canada in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations by providing education that tells the national story of aboriginal athletes in history.

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

THAT this House urges the Government of Yukon to support Yukoners living with cystic fibrosis by providing full coverage for the drug Trikafta under the Yukon Drug Formulary.

**Speaker:** Are there any further notices of motions?

Is there a statement by minister?

## MINISTERIAL STATEMENT

### Yukon housing summit

**Hon. Mr. Pillai:** Like many jurisdictions across Canada, the Yukon is experiencing housing shortages across the spectrum. Our strong economy over the last several years, including during the pandemic, continues to attract people to the Yukon. Robust economic activity, which is keeping our private sector busy, coupled with an increasing population and unprecedented cost of building materials due to the global pandemic, have contributed to rising housing prices and rental rates.

Together with our partners, our government has taken significant action to increase housing options for Yukoners in recent years. There are many important initiatives underway throughout the territory, but it is clear that more needs to be done.

To identify solutions and actions that address the Yukon's key housing pressures, our Liberal government brought together housing sector representatives and community stakeholders earlier this week for the Yukon housing summit 2021.

The goal of this summit was to inspire new collaborations and partnerships between the various housing stakeholders across the territory. We all have a role to play working together in finding a new way forward.

Approximately 100 delegates from governments, development corporations, private development companies, non-profits, First Nation governments, municipal governments, and community organizations participated in the summit. It provided an important opportunity to raise awareness about housing complexities and challenges unique to the territory. It also provided a platform to create new partnerships focused on increasing the housing supply.

We heard about key housing data and how housing contributes to individual wellness. We discussed barriers to the development of housing and innovative ideas for housing initiatives that can make a real impact in our communities.

Some of the key opportunities identified include continued partnerships with First Nation development corporations to increase housing options in communities and in Whitehorse, potential development of a community land trust that would present a new model of affordable home ownership in the Yukon, and Yukon First Nations that are exploring models for home ownership on settlement land.

I would like to thank our presenters who shared their experience and knowledge. Thank you to: Chief Smith of the Champagne and Aishihik First Nations; Evelyn Pollock, project manager and Community Economic Development officer at Klondike Development; James Moore, policy planning manager for the City of Kelowna; Zain Abedin, director of community development for the Rural Development Network; and Kailer Mullet from the Department of Finance.

The summit paved the way for collaborative approaches, improved communication, public awareness, leadership, and specific actions to address Yukon's housing challenges.

The housing summit would not have been a success had it not been for the participation of all the delegates and the hard work and dedication of the staff of the Yukon Housing Corporation.

Thank you to everyone who made the summit a success as we look forward to our next conversation in six to eight months.

Thank you, Mr. Speaker.

**Ms. Clarke:** Thank you for the opportunity to speak to this, Mr. Speaker. I appreciate the updates from the government on this initiative. This sounds like it was a very interesting and productive conference. I would also like to thank all the participants who gathered for the 2021 Yukon housing summit.

The minister noted that it is time to do more for housing in the territory and we couldn't agree more. As many have seen, the housing crisis has grown in recent years, with the average price of a home in Whitehorse now roughly \$650,000. For many people, this means that the dream of home ownership is now no longer realistic, so it is clear that the government needs to do more and act more quickly on this important issue. We have heard that the Liberal government's decision to bring in the rent control policy this spring has resulted in hundreds of rental units being taken off the market. Further, we have heard that it has led to many renters being evicted. The Liberals will need to explain why they are forcing this harmful policy on Yukoners.

The government has contributed to the shortage of lots. Yukoners are hopeful that the time for talking and conferences is coming to an end and that the time for action is here. As you know, the current Liberal government has been talking about action for five years now. The report from this conference will be crucial to judge the eight-month review committed to by the government.

There also remain key projects in the territory that have not been addressed by this government. We know that Vimy Heritage Housing is a not-for-profit that is also looking to build an assisted living facility in Whitehorse. We know that all three caucuses met with Vimy representatives prior to the start of this current Sitting for an update on this project. Was Vimy discussed as a project at the Yukon housing summit? Was the shortage of staff housing in rural Yukon communities discussed?

In July of this year, the Canada-Yukon housing benefit was maxed out and turning applicants away who were requesting assistance. Were solutions discussed?

With that, Mr. Speaker, thank you for the opportunity to speak on the topic of the Yukon housing summit and our Yukon housing crisis.

**Ms. Tredger:** It's good to be getting up to talk about housing for what I am sure will not be the last time this Sitting. As summer ends and the weather gets colder, our housing crisis is intensifying. Yukoners who are making do by living in campers and tents over the summer are running out of time. The businesses reducing their hours because they can't find housing for their staff — they are out of time. The parents trying to find

a stable home for their children before they started school — they have been out of time for a while. We're out of time.

But what we do have is the creativity and resourcefulness of Yukoners. It is amazing what can happen when they come together. At the summit on Tuesday morning, at my table alone, there were people from construction, people from advocacy groups, and people from government. This is an example of what the government should be doing — looking outside of themselves for ideas from Yukoners.

The next step, of course, is action. First Nation governments have already been doing that work. Community groups have been doing the hard work of advocating for projects like the community land trust. It is good to hear the government committing to supporting those projects. It will be even better to see real action and resources toward these goals.

Best of all, of course, will be seeing Yukoners with safe, warm places that they can call home.

**Hon. Mr. Pillai:** Mr. Speaker, I just want to once again thank everyone who participated in the Yukon housing summit who made it a success. There were many organizations involved, including the Skookum Jim Friendship Centre, the Village of Carmacks, the Village of Teslin, the City of Whitehorse, the Yukon Anti-Poverty Coalition, the Association of Yukon Communities, Safe at Home Society, Habitat for Humanity, the Northern Community Land Trust, Grey Mountain Housing Society, and so many others.

I would also just like to thank Yukon Housing Corporation for their extensive work supporting and working alongside the Vimy Heritage Housing Society, as we look for solutions there, and the work of Economic Development that has not stopped for the last four years to get them to a good spot to realize their dream. Thank you to all of these folks for sharing their insight and again coming to the table to discuss how we can work together to address housing challenges. My sense is that, when you bring folks like this together who have not had that opportunity, it is not just a conference; it is really a key component in planning and building the right partnerships.

The housing shortage in the territory is not something that any one government or organization can solve, and I thank my colleagues from across the way for identifying that. We absolutely have to work together on this, and that was part of my message at the summit. I also made it clear that the Government of Yukon is a willing partner. Our Liberal government has taken significant action in increasing housing options for Yukoners in recent years, so I think that there has been tremendous action. We have invested in the development of over 600 homes during our previous mandate. We built the first Housing First residence to provide barrier-free housing to those most in need. We are completing a new community housing project in Whitehorse that will provide 47 new safe and affordable homes for Yukon families and individuals.

We have supported the Challenge Cornerstone project, a supported and affordable housing development that will provide another 50 homes in Whitehorse. Thanks to robust partnerships, we have supported the River Bend project and Boreal Commons projects. We've also joined forces with the

private sector on a new supported housing development for seniors in Whitehorse. Folks can see that there's a crane high above Takhini, and you'll see that it is part of the infrastructure that's in place to build 84 new homes.

The Yukon housing benefit that was touched upon in comments was launched last year and directly supported over 200 Yukoners to afford their rent. Again, I thank the Yukon Housing Corporation for being innovative and moving dollars that we had in place to top that up to make sure we maximized the number of folks who would receive that. So, yes, again, innovation — we are moving and are agile.

We have also made historic investments in lot development across the Yukon. This last year, we worked with the City of Whitehorse to release more than 250 lots — the largest ever lottery and tender of lots in Whitehorse. We continue to work with our partners across the territory to develop land for housing. We recognize that more needs to be done — we absolutely do.

Action is happening as we speak. We are seeing the largest investment in affordable housing in Yukon's history right now. 2020 was a record year for residential building permits, but what's incredible is that, in the first three quarters of 2021, that has already been surpassed.

The goal of the summit was to foster the partnerships needed to keep this momentum going, and I believe that working together will be key, not anything divisive around partisanship. We truly, in this Assembly, have to come together for the greater good of Yukoners.

Again, I look forward to my colleagues keeping tabs on our commitments, because we need to be accountable to the Assembly and to Yukoners. Thank you, Mr. Speaker.

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

**Speaker:** Leader of the Official Opposition.

#### **MOTION OF URGENT AND PRESSING NECESSITY NO. 4**

##### **(Standing Order 28)**

##### **Sexual abuse within elementary school**

**Mr. Dixon:** Mr. Speaker, I request the unanimous consent of the House to move a motion of urgent and pressing necessity, pursuant to Standing Order 28 of the Standing Orders of the Yukon Legislative Assembly:

THAT this House urges the Government of Yukon to waive Cabinet confidence and immediately release all briefing notes and documentation related to when Cabinet first became aware of the allegations of sexual abuse at Hidden Valley Elementary School and who made the decision not to notify the public of allegations of sexual abuse of a child within an elementary school.

I have the requisite number of copies here, Mr. Speaker. I believe that the Standing Orders permit me to make a few brief comments about this motion.

I think it goes without saying, given the subject matter, that this is indeed urgent and pressing and that Yukoners deserve to see the full breadth of information that's available from the Yukon government related to this issue.

Since this issue came to light this summer, we have — as have Yukoners across the territory — been pushing for openness and transparency and for answers and accountability. That begins with the open sharing of all the relevant documents and information pertaining to this matter.

Mr. Speaker, this motion would set about to have the government release all the relevant information and share it publicly so that Yukoners can see the facts about this and make an informed decision about what happened.

**Speaker:** The Leader of the Official Opposition has requested the unanimous consent of the Assembly to move a motion of urgent and pressing necessity.

Is there unanimous consent?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

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

**Speaker:** This then brings us to Question Period.

#### **QUESTION PERIOD**

##### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Over the past several months, Yukoners have been deeply upset and disturbed by the government's obvious mishandling of the situation involving the sexual abuse of students by a former educational assistant. What Yukoners have been seeking throughout this scandal have been answers and accountability.

Mr. Speaker, let's begin with answers. When did the current Minister of Education learn of the sexual abuse of a student at the Hidden Valley school?

**Hon. Ms. McLean:** I welcome the opportunity to rise in the House today to speak about this very difficult matter that, at the heart, involves our children. There is nothing more important than the well-being, safety, and protection of students when they are in our care. This is a devastating situation for absolutely everyone involved. Again, we acknowledge that there has been a breakdown in trust — we have acknowledged that — between the families, the Hidden Valley Elementary School, the Department of Education, and Yukoners as a whole, but I think that at the heart of this are our children.

Since this is the first question today in this Sitting, I want to remind the members opposite that we are in fact talking about children. Something very devastating has happened in this circumstance, and I want to remind them of this. These matters are very sensitive, Mr. Speaker, and I want to ask people to try to tread lightly with this.

We are absolutely committed to rebuilding the trust.

**Mr. Dixon:** I appreciate the minister's sentiments here and her comments, but my question was very simple and very clear: When did the minister first learn of the sexual abuse of a student at the Hidden Valley school?

**Hon. Ms. McLean:** Mr. Speaker, again, these matters are very, very sensitive and involve a lot of Yukoners. We acknowledge that there were mistakes made and that other parents in this situation — when we became aware of these matters in 2019, the individual involved was immediately

removed from the care of children and has not been in the care of children since 2019.

The Hidden Valley school administration has changed some of their protocols, as well, to increase the safety of students and reinforce accountability.

At the time of the incident, Mr. Speaker, we informed the RCMP. We expected them to undertake a complete and thorough investigation at that time. The Yukon RCMP have initiated a complete review of its own investigation, so I am very pleased about that. There are also ongoing investigations into this matter, which brings me to my point that there are matters still before the court. I really want to ensure that folks in this Legislative Assembly are well aware of that.

I have launched an independent review of our government's response to this incident.

Thank you, Mr. Speaker.

**Mr. Dixon:** Mr. Speaker, we are aware that the government has admitted that a grave mistake happened, and we are aware that there are matters before the court, but the question I am asking today is not one of those.

The question I am asking today is: When did the current Minister of Education learn of the sexual abuse that occurred at Hidden Valley school? When did she learn of that fact, Mr. Speaker?

**Hon. Ms. McLean:** I will finish the part that I was talking about in terms of where we are at with the independent review of our government's response to this incident. This will look at internal policies and protocols to respond to incidents of this kind. I am very pleased that we have hired Amanda Rogers, who is very skilled and knowledgeable, and she will be taking a very deep look at what happened in 2019. This review will involve parents and guardians — and I made that commitment to parents at a closed meeting at the Hidden Valley Elementary School. There are a lot of questions around this matter, Mr. Speaker, and I am committed to ensuring that we review everything thoroughly and bring the answers back. I know that the member opposite is looking for something very specific here, in terms of my knowledge of these matters. I did not become aware of them until the media reported on them. They were not part of the initial briefings within — our early briefings coming into the position as new ministers.

I will continue to answer questions as we go forward.

#### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Mr. Speaker, I would like to follow up. The minister has just told us that she didn't learn about this particular matter until it was reported in the media. It has been reported to us that the minister told that very fact to parents as well at the Hidden Valley school at a meeting. I would like the minister to confirm for us once again: Is it true that the minister did not learn about this until after the media reported on it?

**Hon. Ms. McLean:** I just answered that question, and I am going to continue to talk about the work that we are doing, going forward. Again, these are very delicate matters that involve a lot of people, and I want to be very careful and cautious about that, in that we still have matters before the

courts, and there are still active investigations going on, Mr. Speaker.

I have launched an independent review of our government's response to this incident as well as looking at the internal policies and protocols to respond to incidents of this kind. The review will involve all of the parents and guardians at Hidden Valley. This, again, Mr. Speaker, is a commitment that I made to the Hidden Valley Elementary School.

We are also supporting and working with the Child and Youth Advocate on a review that she is conducting. We share the Child and Youth Advocate's interest in ensuring the safety and protection of our Yukon youth and ensuring that policies and supports are in place to do what they are intended to do, which is to keep our children safe, Mr. Speaker. The advocate's review will focus on Education's policies, protocols, and actions taken after the allegations were brought forward and determining whether the actions —

**Speaker:** Time.

**Mr. Dixon:** Mr. Speaker, I appreciate the minister's comments, but the facts of this matter are extremely important, so I want her to be absolutely clear with Yukoners.

Prior to the CBC report on July 16, the minister is saying that she never received any briefing notes, any briefing materials, or had any correspondence with the department or her colleagues about this matter. Is that true, Mr. Speaker? Did she not receive any information about this until after the CBC report in July?

**Hon. Ms. McLean:** I do take some issue with the preamble in that question. I think that the member opposite is accusing me of not telling the truth. I have already answered the question that has been posed to me.

Again, Mr. Speaker, I really want to focus on the work that we are doing going forward. We have two reviews of this matter that will go in depth into what occurred in 2019. We are also aware that the RCMP is launching an investigation and review of what happened with their investigations in 2019 and have spoken clearly about some of the issues that happened and, more importantly, things that didn't happen in the 2019 investigation.

So, there are three investigations going on in this matter. I have assured the parents, the community, and Yukoners that we will have the answers available. I am very committed to having the questions answered as well.

**Mr. Dixon:** I appreciate that the minister has a number of things to say about this, but I am interested in some very clear facts. What she has told us today is that the minister did not learn about a statement of claim that was filed in the court that alleged pretty serious allegations about the Yukon government on July 14.

So, she is telling us that she didn't hear anything about this from her department or staff — that a claim had been filed in court alleging that the Yukon government was liable for the abuse and failed to properly vet or supervise the assistant and protect the student.

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

**Point of order**

**Speaker:** The Hon. Ms. McPhee, on a point of order.

**Hon. Ms. McPhee:** Mr. Speaker, I have been surprised, frankly, by the question that the member opposite is bringing forward. There is clear indication in our Standing Orders that questions and, frankly, answers about ongoing investigations and court matters before the court system here in the territory — and perhaps even otherwise — are not appropriate questions. We are happy for him to ask other questions. We have no issue with that, but he is seeking information about evidence and, in particular, contrary to Standing Order 19(f) — I will just confirm that — and that is not an appropriate line of questioning here.

I am sure he knows that, Mr. Speaker, but I think it is important to direct that matter to you now.

**Speaker:** The Member for Lake Laberge, on the point of order.

**Mr. Cathers:** I believe that there is no point of order. My colleague, the Leader of the Official Opposition, is being very careful to ask about matters that are not directly before the court and, in fact, are not related to what the court is reviewing at this point in time. What is more, the minister knows it.

**Speaker's ruling**

**Speaker:** With regard to Standing Order 19(f), there is no point of order.

**Mr. Dixon:** Mr. Speaker, to conclude my question, it is hard to imagine a more serious and pressing issue facing the department or this government. It seems unbelievable that the minister would not learn of such an incredible thing before the courts.

So, can the minister once again clarify that she had no knowledge prior to July 16 of the allegations or the charges at Hidden Valley school?

**Hon. Ms. McLean:** Again, I think I will go back and review some of what I have said today in terms of actions that were taken in 2019. These are not matters that we take lightly; this is a very serious matter.

In 2019, as soon as Education officials learned of allegations, the individual in question was removed from the school and has not worked in our schools or with students since then. They are no longer an employee of the Government of Yukon, of course, and the Hidden Valley school administration has made significant changes to their protocols to increase the safety of students and reinforce accountability.

We have two reviews underway, Mr. Speaker. I have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley Elementary School. This was a commitment that I made to parents and the Hidden Valley Elementary School community in a private, closed meeting. We are following through on that. We are also participating and cooperating with the Child and Youth Advocate's review, which will shed light on other matters within the case.

**Question re: Sexual abuse within elementary school**

**Ms. White:** Mr. Speaker, the handling of the situation at Hidden Valley school was all over the news. The minister offered an apology to parents and caregivers, but we all know that this was too little and it was too late, because so many questions remain unanswered.

Information gathered under ATIPP paints a picture of individuals at the highest levels of government choosing to withhold information from families.

Mr. Speaker, will the minister explain why the Department of Education chose to withhold this information and why families at Hidden Valley school were left in the dark about sexual abuse in their school until after it was publicly reported in the media nearly 18 months later?

**Hon. Ms. McLean:** Thank you, Mr. Speaker, and thank you again for the questions. I know that it is on the minds of Yukoners, and I appreciate the questions coming forward and the opportunity to stand and talk about where we are at and where we are going with this.

I know that there is nothing more important than the well-being, safety, and protection of our students. This is devastating, and we acknowledge that there has been a tremendous breakdown in trust with families, with Hidden Valley school, the Department of Education, and, at the heart of it again, our children.

We committed to rebuilding and ensuring that this does not happen again. That really is at the heart of two reviews that are underway and a third with the RCMP in terms of how the investigation unfolded — what some of the parameters were around the publication ban and information related to that, Mr. Speaker, and I will continue down that path a bit on the second question.

**Ms. White:** The government had the opportunity to make the right choice when the abuse was first disclosed in the fall of 2019. They again had the opportunity to make the right choice when the offender was first convicted. They again had the opportunity to make the right choice this July when the story made news headlines, but it took them another month or so of public pressure to just decide to do something. Both ministers failed over and over again to do the right thing. Just last night, the Minister of Education announced an independent review.

Mr. Speaker, can the minister explain why parents and Yukoners should start trusting her government to do the right thing and stop withholding information when they have failed to do so multiple times already?

**Hon. Ms. McLean:** There is a lot in that question. I know that the trust has been broken with families and with Yukoners. At the heart of where we are moving toward with these two reviews is to get to the bottom of it. I made that commitment to families and to the school community to ensure that we get the answers. I acknowledge very sincerely that I know the trust has been broken and we have a long path to restoring the faith within our department. We are very committed to doing that. I have committed personally to walking that path with parents, and I will stand by that. I know

that, when I stand and answer these questions, I think about the families, I think about the anguish that was shared with me in a private meeting that really, at the heart of it, had a tremendous amount of grief, anger, fear, shame, guilt, and everything else that you can imagine. I do not take any of this lightly, and that's who I am answering to today.

**Ms. White:** It's unfortunate. I wish that the Department of Education had that same thought and care back in 2019. The government waited until the evening before the first day of the Sitting to announce that an independent review of the response to the initial incident at Hidden Valley school will be undertaken. In the release, it was stated that a report would be coming back to the Minister of Education in 2022.

Can the minister tell Yukoners when in 2022 they can expect this report, and can she assure Yukoners that the report in its entirety will be made public?

**Hon. Ms. McLean:** Thank you for the question. We are still in the process of developing the full terms of reference, which we will release publicly. I am committed to releasing the findings of the report publicly. That is the point of it — to get to the heart of what happened and to be transparent and accountable to Yukoners, but first and foremost to those families and the Hidden Valley community and again, at the heart of it, the children.

I am absolutely committed to transparency around this matter, and as soon as those documents are available, I will release them.

#### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** I would like to continue on where my colleague, the Leader of the Official Opposition, left off in our attempt to begin confirming important details that the public has a right to know about the government's handling of the Hidden Valley school matter.

It is hard to imagine a more serious and pressing issue facing the Department of Education and the government as a whole than the Hidden Valley sexual abuse matter, yet the minister has indicated that she did not become aware of this until after the media reported it in July.

Can the minister confirm that she is actually telling us that between May 3, when she was appointed as Minister of Education, and July 16, she was not informed by anyone what had occurred at Hidden Valley school?

**Hon. Ms. McLean:** I have answered that question already.

Again, I am going to focus on what we are doing going forward. I cannot say it enough and I know that I will have a lot of opportunity during this session to say this — that there is nothing more important than the well-being, safety, and protection of students in our care. That is not something that anyone should ever take lightly. I know, first and foremost — and people have heard me say this many, many, many times in all sorts of venues — that I am first and foremost a mother. That is the reason why I do anything and everything in my life. I am also an auntie, and I take those roles very seriously. So, as we

go forward, I know that I am going to have a lot of opportunity to talk about this matter.

It's devastating to everyone involved. It's devastating to the families of Hidden Valley. Again, as I just said in the last answer, I keep the families at the forefront and I'll continue to do that. Mr. Speaker, that's who I am speaking to when I stand and speak about the Hidden Valley matter.

**Mr. Cathers:** Mr. Speaker, we're after facts and accountability. We've heard the minister indicate that, during the time period from May 3 to July 16, she was not informed by anyone of this serious matter at Hidden Valley school, even though it's hard to imagine a more serious and pressing issue facing her department and the government as a whole than the Hidden Valley sexual abuse matter.

Can the minister explain why her department, the deputy minister, or the former minister did not brief the new Minister of Education about this issue according to what she told this House earlier this afternoon?

**Hon. Ms. McLean:** As I've said here today a few times now, we have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley Elementary School. This is a commitment that I made to parents at the Hidden Valley Elementary School.

The independent review will look into the internal and interdepartmental processes of 2019 when allegations of child abuse were brought forward to the Department of Education staff. It will also include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communication to address serious incidents in Yukon schools. It will include reviewing how the Department of Education, Health and Social Services, and Justice work together to respond to serious incidents in schools and their interaction with the RCMP.

Parents, families, and guardians of students at Hidden Valley Elementary School will be involved in this review, along with partner organizations and agencies, including the RCMP. This is a commitment that I've made. Further to that, there is another review from the Child and Youth Advocate that we will be participating with and supporting.

**Mr. Cathers:** We're after facts and accountability here. It is hard to imagine a more serious and pressing issue facing the Department of Education and the government as a whole than the Hidden Valley sexual abuse matter. Yet, according to the minister, she was not aware of it until after media reported it during July.

Can the minister explain to us why her department, the deputy minister, or the former minister did not brief the new minister about this issue? I asked the question already; the minister did not answer it. We want the facts.

**Hon. Ms. McLean:** Thanks again for the question. I think that I have answered that we have launched an independent review to in fact look at all of what happened in 2019 as a result of this matter.

I will go over it again. The independent review will look into our internal and interdepartmental processes of 2019 when allegations of child abuse were brought forward to Department of Education staff. It will also include a broad and

comprehensive review of established government policies and procedures around operations, reporting, and communications to address serious incidents in Yukon schools. It will include reviewing how the Department of Education, Health and Social Services, and Justice work together to respond to serious incidents in schools and their interaction with RCMP.

Parents and families, of course, will be involved in this review, Mr. Speaker, and our partner organizations, agencies, and, again, the RCMP. I have committed today in the Legislative Assembly, and I committed at the family meetings at Hidden Valley, to be transparent and ensure that these reports that are forthcoming will be released to the public. The answers will be in those reports.

**Question re: Sexual abuse within elementary school, Child and Youth Advocate review of**

**Mr. Kent:** Mr. Speaker, shortly after the story about what happened at Hidden Valley Elementary School broke, the Child and Youth Advocate announced a review. At the time, however, the Minister of Education pronounced very publicly that the Child and Youth Advocate did not have the legislative authority to conduct a review of this. She said — and I quote: “... it is the view of the Government of Yukon that the Child and Youth Advocate office does not have the legal authority to conduct the kind of review that has been proposed.”

Can the minister tell us who gave her that advice at that time?

**Hon. Ms. McLean:** Again, this is a very serious matter that we’re speaking about today. I have had a lot of opportunities so far to speak about the matters and incidents that happened at Hidden Valley school in 2019.

There is nothing more important than the well-being, safety, and protection of students when they are in our care. We share the Child and Youth Advocate’s interest in ensuring the safety and protection of Yukon youth and ensuring that policies and supports are in place to do what they are intended to do to keep our children safe. At the heart of it, that is what it is about. The advocate’s review will focus on Education’s policies, protocols, and actions taken after allegations were brought forward and determining whether the actions taken followed established protocols.

We have been working with the Child and Youth Advocate since July to clarify the terms of reference and scope and work that will focus on the policies, procedures, and actions taken after allegations were brought forward.

Again, there are also ongoing RCMP investigations related to this matter, and it is critical that we protect the integrity of those investigations.

**Mr. Kent:** Again, I will quote what the Minister of Education said at the time when the Child and Youth Advocate first announced that she would like to conduct a review of the serious situation at the Hidden Valley Elementary School. She said, again: “... it is the view of the Government of Yukon that the Child and Youth Advocate office does not have the legal authority to conduct the kind of review that has been proposed.”

So, again, my question to the minister previously — and I will ask her again because I didn’t get an answer: Who gave the minister that advice at that particular time?

**Hon. Ms. McLean:** Again, we have been working with the Child and Youth Advocate since July to clarify the terms of reference and the scope and work to focus on the policies, protocols, and actions taken after the allegations were brought forward. There are ongoing RCMP investigations related to this matter, and it is critical, of course, that we protect the integrity of those investigations.

We are pleased to see that the advocate will ensure the review does not interfere with the ongoing criminal and civil proceedings that are related to the matter. We will be cooperating, of course — I have said this a couple of times now and maybe more than a couple — with the Child and Youth Advocate office throughout the review to ensure that it is effective. This is an important step to identifying any actions that can be taken to better protect students. The advocate’s review is specifically focused on the Department of Education’s response. We thought a broader independent review of government’s response was necessary, including how we work with the RCMP in these cases. This will be a comprehensive review — the independent review — that lays out the facts around what happened in 2019.

**Mr. Kent:** Again for the minister, when this story first broke and the Child and Youth Advocate office first announced that they wanted to conduct a review of it, she said that they did not have the legal authority to conduct the kind of review that has been proposed. I asked a very simple question about who gave the Minister of Education that advice at the time. She’s either unable or unwilling to provide us with that.

Obviously, from that point in time to the announcements made yesterday at 4:30 and some of her comments about the Child and Youth Advocate investigation going forward, something changed.

Can the minister tell us what exactly changed from her earlier statements where she said that they did not have the legal authority to conduct the kind of review to yesterday when now they are, all of a sudden, partners in the review with the Child and Youth Advocate?

**Hon. Ms. McLean:** As I’ve said a few times today, we’ve been working with the Child and Youth Advocate since July to clarify the terms of reference and scope of work to focus on — which is now focused on policies, protocols, and actions taken after allegations were brought forward.

I have personally met with the Child and Youth Advocate. Our deputy minister has worked hard to ensure that we are moving forward in a good way together and that we are working in cooperation. This is an important step to identifying any actions that can be taken to better protect students. The advocate’s review is specifically focused on the Department of Education’s response, which is why, again, we thought that a broader independent review of the government’s response was necessary and we have launched that as well.

I’ve committed today — in this Question Period today, you have heard me talk about the release and transparency of these reports. When they are available, I will absolutely be releasing

them. What we're looking for, Mr. Speaker, are really solid recommendations as well.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Ms. White:** I request the unanimous consent of the House to move, without notice, and notwithstanding Standing Order 12(2), a motion "THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly."

### Unanimous consent to move without notice a motion to extend the Special Committee on Electoral Reform's reporting deadline

**Speaker:** The Leader of the Third Party has requested the unanimous consent of the House to move, without notice, and notwithstanding Standing Order 12(2), a motion "THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly."

Is there unanimous consent?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

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

**Hon. Ms. McPhee:** Mr. Speaker, I move that the House do now adjourn.

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

*Motion agreed to*

**Speaker:** The House now stands adjourned until 1:00 p.m. on Tuesday.

*The House adjourned at 2:35 p.m.*

### The following sessional papers were tabled October 7, 2021:

35-1-9

*Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees* (October 7, 2021) (Speaker Harper)

35-1-10

*Report of the Clerk of the Legislative Assembly — Membership of the Special Committee on Electoral Reform* (October 7, 2021) (Speaker Harper)

35-1-11

*Yukon Conflict of Interest Commission Annual Report to the Legislative Assembly for the Period from 1 April 2020 to 31 March 2021* (Speaker Harper)

35-1-12

*Report of the Auditor General of Canada to the Legislative Assembly of Yukon — Mental Health Services in Rural Yukon — Department of Health and Social Services* (June 7, 2021) (Speaker Harper)

35-1-13

*Report of the Chief Electoral Officer to the Legislative Assembly — 2020 Annual Revenue Returns Contributions Made to Political Parties — January 1, 2020 to December 31, 2020* (Speaker Harper)

35-1-14

*Getting Ahead of the Curve: Meeting the challenges to privacy and fairness arising from the use of artificial intelligence in the public sector — Joint Special Report No. 2 June 2021 — Ombudsperson British Columbia, Office of the Information & Privacy Commissioner for British Columbia, Yukon Ombudsman, Yukon Information and Privacy Commissioner* (Speaker Harper)

35-1-15

*First Report of the Standing Committee on Appointments to Major Government Boards and Committees* (July 27, 2021) (Clarke, N.)

35-1-16

*First Report of the Standing Committee on Rules, Elections and Privileges* (October 7, 2021) (Mostyn)

### The following legislative returns were tabled October 7, 2021:

35-1-8

Response to Written Question No. 8, Written Question No. 9 and Written Question No. 10 re: compensation for placer and quartz mining claim holders, successor resource legislation, and land withdrawals and staking bans (Streicker)

### Written notice was given of the following motion October 7, 2021:

Motion No. 113

Re: amendment to Standing Order 76 (Dixon)



# Yukon Legislative Assembly

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Number 13

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 12, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 12, 2021 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Ms. McPhee:** Mr. Speaker, I would like to ask my colleagues to help welcome a number of visitors that we have today for the tributes. We have with us Val Pike, who has worked for many, many years on the Run for Mom campaign, and we have Karin Stephens, who has worked with the Paddlers Abreast teams.

We also have Tharian Botting who is the president of All Genders Yukon Society. We have Tiffanie Tasane who is the executive director from the Canadian Mental Health Association, and we have Chris McKee who also works with the Canadian Mental Health Association Yukon Branch. Welcome to you all.

*Applause*

**Speaker:** Are there any tributes?

## TRIBUTES

### In recognition of Breast Cancer Awareness Month

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker. I rise today on behalf of the Yukon Liberal government to ask my colleagues to join me in recognizing October as Breast Cancer Awareness Month. This annual campaign raises awareness about the impact of breast cancer. This year's theme is: "Rise: Rally in screening, supporting, and serving everyone".

Together, we can help uplift women in need of our support. It is estimated that one in eight Canadian women will be diagnosed with breast cancer, and it is now the most common cancer among women and third most common cancer among all Canadians, as well as the leading cause of cancer deaths in women. Those of you who might be as old as I am can remember when that number was one in nine Canadian women.

Almost all of us have been touched by breast cancer in one way or another. Many of us have loved ones in our lives who have been diagnosed with breast cancer, and we know the importance of being vigilant.

In the Yukon, nearly 25 women per year are diagnosed with breast cancer. Those 25 people are asked to put their lives on hold while they undergo treatment. Their families and friends are affected by the diagnosis too; 25 people diagnosed can easily be hundreds of people impacted, as well as our community. That's why support is so important.

I would like to thank all Yukoners who work to support cancer patients. To the family and friends who provide immeasurable support to people diagnosed with breast cancer, I thank you. To the health professionals and volunteers who work tirelessly and tirelessly to ensure that we are reducing the impact of breast cancer in our community, thank you. To the families that show support by making Run for Mom one of the parts of their annual Mother's Day celebrations, thank you. To everyone involved in fundraising for Karen's Fund, which provides financial aid to women with breast cancer, thank you. To the volunteers and staff at the Yukon Hospital Foundation who tirelessly work to fundraise for Yukoners cancer care fund, thank you. To the staff at the Yukon Women's Midlife Health Clinic who allow access to information for women to address many of their health needs, thank you.

This issue, Mr. Speaker, touches people deeply. We are so fortunate to live here in the Yukon Territory. Yukoners are caring, supportive, and generous, always willing to help out and make sure that everyone is cared for. Work has been done to increase the rates of detection, and new technology is being employed at Whitehorse General Hospital, which means we are able to diagnose patients earlier and give them new options for care and treatment. Early detection can be life-saving. One important method of detection is a monthly self-exam. Please ensure you do a breast self-exam once a month. Look for any changes in your breasts, such as a change in the size, feeling a lump, dimpling or puckering, or changes to the skin. If you notice any changes, see your health care provider as soon as possible.

As Yukoners, we also have access to screening at Whitehorse General Hospital. Please ask your health care provider about a mammogram. Get the appointment and keep that appointment. It is a scary thought, but early screening and detection is always better and can save your life. Take care.

Thank you, Mr. Speaker.

*Applause*

**Ms. McLeod:** Mr. Speaker, I rise on behalf the Yukon Party Official Opposition to recognize October as Breast Cancer Awareness Month. Each year we stand here in the House in tribute, not as a duty, but as an opportunity to reach as many Yukoners as possible.

Breast cancer, while being the cancer with the highest rate of diagnosis, is also one of the easiest types to detect. Both men and women need to be aware of this. Individuals should perform self-checks at home and report any irregularities to a health professional for further diagnosis.

According to the Breast Cancer Society of Canada, one in eight women is likely to develop breast cancer in her lifetime, and that is one in eight of your family members and friends. This number is staggering. It's estimated that 27,400 women and 240 men will be diagnosed with breast cancer every year in Canada. This is representative of 25 percent of all new cancer cases in women.

I would like to thank the Breast Cancer Society of Canada for providing all members of the House with these beautiful lapel ribbons this year.

Yukoners who are recently diagnosed with breast cancer and who receive treatment at Whitehorse General Hospital, or who must travel Outside for care, may be eligible for financial assistance through Karen's Fund. Money raised through donations and fundraising efforts is directly allocated to Yukoners to assist with the financial demands they experience while undergoing treatment.

I want to thank the incredible oncology professionals that we are fortunate to have working here in the Yukon to help Yukoners navigate their health care journeys. To all women and men: Please take the time to check yourself regularly.

*Applause*

**Ms. Blake:** Mr. Speaker, I rise on behalf of the Yukon NDP to acknowledge October as Breast Cancer Awareness Month. Breast cancer is one of the most common and aggressive forms of cancer in women, with one in eight Canadian women being diagnosed every year. Breast cancer and all the treatments that come with it is a hard, painful, and scary experience. It has a way of chipping away at who you are and what makes life joyful and worth living. Today, I want to acknowledge all the efforts made by Yukoners to not only raise awareness but also those who have built a community of support in their own uniquely Yukon way. Twenty years ago, Ava Christl founded Paddlers Abreast, an organization for survivors in the Yukon and northern BC. Every year, this group has been a pillar for folks who have survived breast cancer. Together, they have paddled and participated in the annual Yukon River Quest.

For Rachelle Zral, who is the organization's current president, the boat is magic. In an interview she said: "The healing only starts when you are done treatment." The intensity of the surgery, chemo, and radiation means you don't have time to process it. However, being around the women in Paddlers Abreast has helped to heal from it.

I often say that being out on the land is its own kind of medicine. The land is a place where we go to find quiet, to find peace, to connect with others and be our most genuine selves. The land and the natural environment give us a sense of connection to our spirituality. It is a place where we can feel our most vulnerable while finding and building our inner strength.

Paddlers Abreast has given this to so many survivors. Even in the face of COVID-19, Paddlers Abreast's resilience has shown through, gathering in whatever ways they could to mark their 20<sup>th</sup> anniversary. Today, in honour of Breast Cancer Awareness Month, I want to celebrate the work that Paddlers Abreast has done. I look forward to many more decades of cheering them on.

*Applause*

### **In recognition of World Mental Health Day**

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government to recognize World Mental Health Day, which took place this past Sunday, October 10. Mental health is an important component of overall health and well-being and should be a priority for everyone.

This year, as last, our mental wellness has been affected by the pandemic. A major impact on people's mental health has come with our isolation, concern about illness, and new ways of interacting with people, places, work, friends, and family — one more reason for us to be mindful and encourage Yukoners to take the time to care for their mental health. Learning more and more about the need to look after our mental health and wellness is the way of the future. The collective knowledge of the importance of mental health and wellness is becoming a reality rather than a topic to which we have for many years paid lip service. We must recognize that mental health issues are on a wide spectrum.

We all have a responsibility to ensure that Yukoners have access to quality mental health care wherever they live. Expanding mental health services through the mental wellness hubs across the territory has been a priority. Our team at Mental Wellness and Substance Use Services provides many services for people living with all manner of mental health issues, including counselling services and more targeted, wraparound supports that are often key to helping people manage their illness. Mental Wellness and Substance Use Services also provides support and services to those caring for people with severe mental illness.

Here in the territory, through the Canadian Mental Health Association Yukon Division, All Genders Yukon, CAIRS Yukon, and various other counselling and support-oriented organizations, we care for Yukoners. Collectively, these services shine a light through the dark with their counselling services and support groups, and our mental health hubs in the communities ensure that we are meeting Yukoners where they are.

I would like to take the time to thank Yukon's mental health professionals, support workers, and those who continue to advocate for mental health services for their tireless dedication. When leaders in our community, like Montréal Canadiens' star goalie Carey Price, take the courageous steps to get help, we all benefit. Like many of you, I saw his teammates and others across the league speak about the importance of taking care of the human being before any concerns about his job. This shift in attitude is much needed and contributes to a better society. Please take care of yourself. Listen to your body and your mind, and find ways to practise self-care that are meaningful to you.

On October 10, the Department of Health and Social Services launched a campaign called "To Feel Well". It involves asking six Yukoners what they do to feel well. You can see them via short, animated videos at [yukon.ca/en/feel-well](http://yukon.ca/en/feel-well).

Wellness looks different for everyone, as does the means of coping with life's stresses and more serious issues. I encourage all Yukoners to take care of their mental health and each other. Take a few moments to admire what you are already doing. Think about what else you can do for yourself and others, and I encourage you to take a moment to celebrate yourself. It is a bit like the instructions that we used to get on airplanes, if anyone can remember what those look like; we must look after ourselves first before we can help others. If you

need help, please reach out, ask for help, take care of yourself, and be kind.

*Applause*

**Mr. Cathers:** I rise today on behalf of the Yukon Party Official Opposition to recognize October 10 as World Mental Health Day. The theme this year is “Mental health care for all: let’s make it a reality”. Unfortunately, due to a number of factors over the last number of years, we have seen poor mental well-being on the rise: unemployment, income decline, increased costs, and skyrocketing mortgage and rental costs have all contributed significantly to stress, including increased rates of substance abuse and an overall decline in mental wellness. This has happened and been exacerbated during the pandemic as well.

Yukoners have taken to social media to share stories and experiences of navigating supports and finding help with housing and other necessities. Many of these stories share a common theme: that there is not enough support and that some people are falling through the cracks. For some, costs are too high, housing is not available or not affordable, and there are too few mental health practitioners, no streamlined process for accessing help, and challenges accessing it are increased in rural Yukon. Those working in mental wellness are experiencing a higher than normal volume of clients, and wait-lists for supports are increasing.

In the meantime, people are struggling to care for themselves and their families. We have seen more strain put on people throughout Canada, and indeed around the world, during the pandemic.

While we work to rebuild our economy and balance health care and pandemic recommendations, we have also come to realize that there is a silent struggle for many that is getting worse and that we must work to address it as soon as possible.

I would like to take a moment to thank those mental wellness professionals who work daily to support Yukoners. Thank you, as well, to local organizations, support workers, and volunteers for the work that you do to promote mental well-being throughout our communities.

*Applause*

**Ms. White:** Mr. Speaker, I rise on behalf of the Yukon NDP to add our voice to the important topic of mental health.

There are many crises at play in the Yukon right now, from housing shortages to opioid deaths, lack of family doctors, to the pandemic. We are not without our challenges.

Mental health and wellness is not something that was publicly talked about as I was growing up, and I am relieved that this is changing. Talking about mental health is one thing, but making sure that the resources are there when and where they are needed is something else.

Rural communities in the Yukon are struggling under a burden of grief, addiction, and a sense of hopelessness. They are living in a mental health and addiction crisis. I think about the people whom we have lost to addiction or suicide, the lives and the stories of those we love stolen from our communities. It is heart-wrenching.

Right now, we should all be concerned about our men and boys, because they are disproportionately affected by our current mental health crisis. How do we — as a society, as a community, as humans — let our men and boys know that they are valued, that they are seen, and that their absence would be felt by all?

The Yukon NDP is grateful for those on the front lines of this mental health pandemic, and we know that you are doing all that you can, but we also know that you wish that there was more being done. Destigmatizing mental health is important, but so is having access to the supports where and when they are needed. Mental health is supported by a wide variety of supports: poverty reduction, housing security, food security, addictions supports, and more.

If we truly believe in mental health care for all, it is time that we ask communities what they need and that we, as decision-makers, move heaven and earth to make it happen.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. McLean:** Mr. Speaker, I have for tabling the terms of reference for the independent review of the Hidden Valley Elementary School incident response.

**Speaker:** Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 6: *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*

**Hon. Ms. McPhee:** I move that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Minister of Justice that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 6 agreed to*

**Speaker:** Are there any further bills to be introduced? Notices of motions.

## NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to ensure that there is a full-time qualified school counsellor in every school in the Yukon.

**Mr. Istchenko:** I rise in the House today to give notice of the following motion:

THAT this House urges the Minister of Community Services to recognize the importance of providing communities

with nearby garbage disposal options by listening to Yukon citizens and keeping the Silver City solid-waste transfer facility open.

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

THAT this House urges the Government of Yukon to ensure direct and accessible access to the Whitehorse vaccine clinic by:

(1) publishing in advance updated hours for the Whitehorse vaccine clinic on all of the clinic's channels, which accurately reflect open times and dates; and

(2) ensuring direct and effective lines of communication between the government and vaccine clinic staff.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Flooding in Yukon

**Hon. Mr. Mostyn:** This year, the Southern Lakes and Lake Laberge experienced record high-water levels due in large part to the highest ever recorded snow pack in the upper Yukon River basin, approximately double the average value.

Abnormally heavy snow across the territory resulted in high-water events elsewhere, including Teslin Lake and the Yukon River at Carmacks. Flood responses began in Carmacks and Teslin on June 14, in partnership with the villages of Carmacks and Teslin, the Little Salmon Carmacks First Nation, and the Teslin Tlingit Council.

The Southern Lakes and Lake Laberge incident management team for the flood response mobilized the week of June 22. More than 200 people from across the Yukon government, including flood specialists from Alberta, Manitoba, and Saskatchewan, and approximately 100 members of the Canadian Armed Forces were actively engaged in flood response and mitigation. Thousands of local residents and volunteers stepped up to help, filling sandbags and building berms for their friends and neighbours. More than 50 local contractors provided heavy equipment, delivering sand and sandbags for flood mitigation and providing engineering support while Yukon First Nations Wildfire assisted on the front lines.

The water peaked on July 10 and 11 when Bennett, Tagish, and Marsh Lake all measured more than 20 centimetres above levels reached during the historic flood event of 2007. Lake Laberge hit more than 40 centimetres higher than the flood peak in 2007. Approximately 120 properties were under evacuation alert and one property received an evacuation order. Thankfully, those residents have since been able to return to their homes and begin the recovery process. Not a single residential property was lost.

Mr. Speaker, this was the largest flood relief effort in the Yukon's history. More than 550,000 sandbags and 2,000 super sandbags were deployed in Southern Lakes and Lake Laberge, including roughly 5.5 kilometres of berm at a height of up to 2.4 metres, in some cases, at Army Beach and M'Clintock.

Without these mitigation measures, flooding in the Southern Lakes and Lake Laberge would have been

catastrophic. More than 100 homes could have been flooded and many more may have been lost. In these times, when housing is so important, protecting what we already have is critically important. Our government is now working with technical experts on the development of a flood remediation and recovery plan to assist homeowners with their properties and to help determine next steps for cleanup and long-term mitigation. We are engaging directly with property owners to understand the scope of support needed now that the worst is behind us.

Mr. Speaker, we thank the countless Yukoners who supported the relief efforts, along with many dedicated public servants who contributed to this historic response. This was a great demonstration of how helpful and supportive Yukoners are when their neighbours are in need. Thank you very much, Mr. Speaker.

**Mr. Cathers:** On behalf of the Official Opposition caucus, I would like to begin by thanking everyone who volunteered to help out with the flood response. Seeing so many Yukoners take the time to help friends, neighbours, and people they had never met was heartwarming and showed true Yukon spirit in action.

We would also like to thank the government staff, private contractors, and military personnel who helped out with the flood response. If it were not for the efforts of these individuals, it is very likely that the effects of the flooding would have been much worse. To see our community come together like that was certainly a good sight to see, and it reminds you that we are all Yukoners and in this together.

I would also like to thank officials from the departments who took time out of their days to brief opposition MLAs and staff, as frequently as weekly during the height of the flooding, so that we could all ask questions and provide information directly to our constituents.

I do appreciate that some ministers also took additional steps to reach out to us personally, setting aside partisan differences, to work together on the process and appreciate the fact that government did make those briefings available, as I mentioned.

Again, thank you to everyone who responded to the flood and who helped to ensure that MLAs and the public were given information throughout.

Mr. Speaker, part of our job as the Official Opposition is also to identify where there is room for improvement, so I would like to provide some constructive advice to the government on how they can improve going forward. One issue that we heard from many constituents was that there was not adequate preparation in advance of the flooding. As we are all aware, we were receiving record snowfalls through the winter, and it was clear that we would likely have record melts as a result. Many constituents who have had their properties affected have indicated frustration with what they see as not properly anticipating the melt and acting quickly enough.

As one Marsh Lake resident mentioned during the government's public Zoom meeting, he and other residents were raising concerns about the potential for flooding in the

winter, and I believe he indicated that it was as early as January. We have also heard from officials who expressed frustration with the snap election call and the delays that resulted in getting government running again afterward, as this contributed to delays in the early days of preparations. As an example, Mr. Speaker, on April 1, government knew that the snow pack feeding into the Southern Lakes and Lake Laberge was almost twice the normal level and that, on May 1, it was 210 percent of normal.

Since next year is thought to also pose a risk of flooding, it is very important that we learn both from what was done right and where improvements can be made this year.

Some other suggestions that we have, based on what we heard from residents, include that information should have been provided to at-risk property owners much earlier about how to build berms and protect their own property. Property visits by government staff could start earlier.

Sandbags and plastic should have been ordered sooner to avoid the situation that we had this summer of there being no sandbags available for purchase in the territory as people were rushing to prepare their properties, as occurred at one point in July.

With respect to the Laberge area, the road to homes at Jackfish Bay could have been raised before the water crossed it and could have been done at much lower cost than ended up happening once it was under water. Instead, unfortunately, both the Minister of Community Services and the Minister of Highways and Public Works dismissed my request on behalf of constituents and showed a lack of understanding of the situation on the ground there just days before issuing an evacuation alert for 16 properties.

I would also like to note that my colleague, the MLA for Kluane, wrote the Minister of Community Services in June with several suggestions, and three weeks later, he received a reply from the minister that ignored his suggestions. As well, my colleagues and I also heard from owners of six properties that ended up on the Marsh Lake side of the super berm, and one homeowner told me that he felt the situation could have been avoided if ministers had been more willing to listen to him and his neighbours.

In conclusion, since my time is growing short, I want to again express our sincere thanks to all the Yukoners who helped out with this response.

**Ms. White:** Mr. Speaker, the climate is changing, and this year many Yukoners had a front-row seat to these changes. With record snowfall in 2020, we saw record water levels this past summer. Flooding and flood risks affected those in Teslin, Tagish, Marsh Lake, Carcross, Lake Laberge, the industrial areas in downtown Whitehorse, Carmacks, and down the Yukon River. We saw hundreds of Yukoners faced with the overwhelming task of having to protect their property from the rising waters and thousands more volunteering to help them.

In 2007, 14 years ago, the Yukon experienced a flood that affected many at the same locations, and knowing the speed at which our climate is changing, many are speculating that the next big flood won't be in another 14 years but sooner.

So, what have we learned? What did the Yukon government learn from the experience in 2007? Was there a debrief report completed that is publicly available that questioned both those personally affected and those who responded, and did it make recommendations similar to the December 2020 emergency operation centre debrief report that was completed for the Cariboo Regional District?

You may be asking yourself why I focus on a situation from 14 years ago, and that is easy to explain. It is about lessons learned. Was the knowledge gained from the 2007 flooding carried forward to support the government's response in 2021, and did those lessons help us better prepare for the 2021 flood? If not, why not?

I know that there was a lot of confusion on the ground. There weren't clear directions or contact information to request additional resources at sandbagging locations until the end — or near the end — of the effort. We did, however, see great leadership at some of these locations in some communities, and I know that there were a great number of folks who did not have the physical strength to fill and move sandbags but who would have been able to assist in other ways had the Yukon government only asked.

There wasn't an essential place or sign-up sheet at sandbagging locations for homeowners to say where they were located and what support they needed. That meant that some folks who were able to leverage social media effectively had lots of help, whereas those who were unable to share their needs struggled to get timely help. There were no porta potties or bathroom access at sandbagging stations, and this was brought to my attention on more than one occasion.

There was confusion about what the Canadian military was here to do and who would receive their help. I know that there were folks who just kept hoping that the bodies and the response that they saw shared publicly would eventually make it to them, but it never did. Had the Yukon government clearly communicated what the military and other Outside officials were here to do, expectations and hopes wouldn't have been left unanswered. Local decision-making by property owners might have been different.

What has the Yukon government learned after now dealing with both the 2007 and now the 2021 flood events? What will we do between now and the next time? Is the Yukon government completing an analysis that will be publicly available? Looking back, there are many, many things that Yukoners should be proud of, but they also know that there is plenty of room for improvement.

**Hon. Mr. Mostyn:** I thank the opposition for their thoughts this afternoon. I will note that even today, as we start deliberations, there is an open house going on in Marsh Lake. It is open until 8:00 p.m. tonight, and it's talking about actions going forward. It is being held by the Department of Community Services, and there will be more meetings held next week. They have already been scheduled and notifications have gone out to the public.

It was important to people living in various flood plains that we worked to save their homes. As I said in the statement,

it was doubly critical to the territory that we did so. We need homes in the territory, Mr. Speaker, and to start 2021 with the loss of 100 or so homes would have been a calamity. Thanks to the efforts of many, we protected what we had successfully. It was a relief that those homes were saved, and to the wider territory as well. I thank everyone who had a hand in that effort.

Our climate is changing, and we are seeing the effects of that every year. Climate scientists are now calling our climate “coastal”. When I arrived in 1989, it was semi-arid. In the last 14 years, we have had two record-setting floods, as my colleague, the Leader of the Third Party, mentioned. The first was the worst in 200 years and the second was far worse than that. The fire danger is getting more extreme, and the markers were bad this year. Thankfully, the rain and lightning never aligned to make our lives particularly interesting — more interesting — this summer.

The importance of all this is that the time for sitting on our hands is long past. The Yukon has declared a climate emergency and adopted *Our Clean Future* — our nation-leading plan — to curb CO<sub>2</sub> emissions.

We cannot delay any longer. We must collaboratively take action to curb our greenhouse gas emissions in this territory. Energy retrofits, biomass heating, new hydro, wind, solar, battery storage, geothermal, electric bikes and cars, walking — we all have to recognize the impact that the decisions we make daily have on the planet and to act to mitigate those effects.

Change like this isn't easy, Mr. Speaker. It takes more thought and more work. It's often inconvenient or demands sacrifice. We have to change our ways. Why? Well, we saw first-hand why this summer. We are not that experienced with floods in the territory. Certainly, we're very experienced with wildfires, but not so much with floods. We learned an awful lot this year. We're going to continue to learn. There will be a debrief — there has been a debrief within the department. There is going to be public notification and a report on how we can proceed with flood mitigations in the future and how we can do better.

We learned some lessons this year. We know things that we didn't know in April and May, and it cost us. It cost us money, and we're looking for an additional \$11 million in the supplementary budget, which we will be discussing this afternoon, to handle this year's flood and the cost of dismantling our effort and planning for long-term mitigations.

But it cost us dearly in another way too, Mr. Speaker. At a time when we were already tired from the pandemic, we had to deal with floods and fires. People stepped up and staged an incredible relief effort, but it took a toll on the civil service, on citizens and communities, on contractors and businesses, on our wildland fire and First Nation fire teams.

For that sacrifice which saved people's homes and possessions and staved off a worsening of the territory's housing crisis, I thank you all.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Dixon:** Last week, the Minister of Education told Yukoners that she did not learn about the issues related to sexual abuse of students by an educational assistant at Hidden Valley school until she heard about them in local media in July. The Minister of Education stated clearly that this issue was not something that she was briefed on either during transition or at any point before July 16 when the CBC story was published.

This means that, for two days, no one made her aware of the major lawsuit against her department that was filed on July 14, and it also means that, for over two months, no one made her aware of these serious charges and allegations that took place in a school that she is responsible for.

Can the Minister of Education offer any explanation as to why she was left out of the loop by her department, her deputy minister, and the former minister on this issue?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker, and thank you for the question. I stated last week that that is in fact when I found out about the incidents that were involving the Hidden Valley Elementary School — very serious incidents. I want to reiterate what I said last week: that there is nothing more important than the well-being and safety of our children, especially when they are in our care. At the heart of this, children have been harmed, which is why we have launched — we want the answers that folks are looking for, which is why we have launched the independent review. I tabled those terms of reference today.

What is important are the steps that we are taking to address the situation. The independent review will help provide answers to these questions. The independent review will look at our internal and our interdepartmental processes in 2019 when allegations of this very serious child abuse were brought forward to Department of Education staff. I am committed to walking through this journey with family members, with the school community, and with Yukoners.

**Mr. Dixon:** Thank you, Mr. Speaker. If what the minister has told us is indeed true, then I actually have a bit of sympathy for her, because the minister's role is to provide oversight and direction to her department. The principle of ministerial accountability holds that the minister is responsible for all of the actions of their department. So, it is difficult to hold the minister accountable if she didn't even know what was going on in her own department.

So, I will ask again: Can the Minister of Education explain to Yukoners why she was kept in the dark by her department about this pressing issue facing the Yukon government?

**Hon. Ms. McLean:** I will continue to talk to Yukoners about what happened in 2019. I have launched an independent review into what happened at the Hidden Valley school in 2019. This is a commitment that I made to the parents at Hidden Valley school. The independent review will look into our internal and interdepartmental processes in 2019 when allegations of child sexual abuse were brought forward to Department of Education staff. It will include a broad and comprehensive review of established government policies and

procedures around operations, reporting, and especially communications to address serious incidents in Yukon schools.

This will include reviewing how the Department of Education, Health and Social Services, and Justice work together to respond to serious incidents in schools and also their interaction with the RCMP, and parents, families, and guardians of Hidden Valley Elementary School will be involved in this review, along with partner organizations and agencies, including the RCMP. This is, again, a commitment that I stand by, and I look forward to further questions.

**Mr. Dixon:** While I appreciate all the information that the minister just read, that is not what I asked. What I asked was how she can possibly explain why she, as minister, was not informed of this by her department and by her colleagues. As a former minister, it is difficult to understand why a department would keep this sort of pressing information from a minister. It would seem that this is the type of issue that would come up in the transition briefings that all ministers are provided, when they are appointed, to get up to speed with their departments. It would help us to get to the bottom of this if the Minister of Education would simply release the transition binder that she received upon taking the role of Minister of Education.

So, Mr. Speaker, will she do that? Will she release the transition binder that shows that the department did indeed keep her in the dark about this issue?

**Hon. Ms. McLean:** As I have stated a couple of times today, we have launched — I have launched — an independent review into all of the matters that I have tabled today — terms of reference that give Amanda Rogers the go-ahead to start this review. It is starting immediately and will look into all of the processes within government and what happened specifically in this incident — and the relationship and communication especially. I think that is definitely a question that I know parents have — I know that the school community has and Yukoners have. I am committed to ensuring that we explore everything that happened, and I've also committed to releasing this report, this independent review, to Yukoners.

I released today the terms of reference, before I tabled them in the Legislative Assembly today, to the school community. I think that one of the things that is really important is that, at the time of these incidents, immediate actions were taken. The individual who harmed the children was immediately removed. I think that is something that we need to — that good steps were taken.

### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** With all due respect to the minister, I appreciate the information that she's providing, but it's not answering the question that I am asking, which is: Why was she was not informed about this by her department?

The principle of ministerial accountability is that the minister is responsible for the actions of her department, and so the question that I asked — and the question that I am asking now in this question — is: Why was the minister not informed of this, and how can we hold her to account for the actions of the department when she did not even know that was going on?

With that, Mr. Speaker, we have asked for her transition binder to be released in full. As it happens, we have requested the minister's transition binder and spring session binder through access to information and received copies. The only problem is that a significant portion of these binders are heavily redacted.

Will the minister release the full, unredacted version of her May 2021 transition binder, as well as her spring session binder?

**Hon. Ms. McLean:** Mr. Speaker, as I have stated a few times today, I have launched an independent review of Government of Yukon's response to the situation at Hidden Valley. Documents will be reviewed throughout that independent review, which is why we have a person of independence — I have tabled the terms of reference today, which give this individual access to and permission to go where the investigation needs to go. We are committed to that, Mr. Speaker, with the point being that I want to work toward transparency in this. That is exactly what we will endeavour to do in this investigation.

I want to reiterate the commitment that we made to the Hidden Valley Elementary School and to the parents especially. I want to assure Yukoners that we are taking the necessary steps to get to the bottom of what has happened here, including the lines of communication. All of those documents will be reviewed in this independent review.

**Mr. Dixon:** Mr. Speaker, if the minister is so committed to openness and transparency, why doesn't she just release the transition binder that will corroborate her point of view and her recollection of events here? If the minister simply releases an unredacted copy of these binders, it will corroborate what she has told us, and we can move on to other aspects of this issue. Unfortunately, the copies that we have received through ATIPP have significant portions redacted. Not only are the notes themselves redacted, but even the items and titles of the briefing notes in the table of contents are redacted.

So, if the minister is as committed to transparency as she says she is, will she simply release an unredacted copy of the transition binder that she received in May and her 2021 spring session binder, which corroborates her version of events here, Mr. Speaker?

**Hon. Ms. McLean:** Again, today I tabled the terms of reference for the independent review of these matters. In item 4, at the conclusion of the review process, I will submit in detail a timely report to the Department of Education, which will include findings of fact related to responses of the Department of Health and Social Services, the Department of Education, and the Department of Justice in the incidents of 2019 at the Hidden Valley Elementary School. This will include a timeline, Mr. Speaker, of communications and recommendations and further goes on to another point, which is a recommendation for improving government-wide policies and procedures to better support Yukon school communities.

I have committed to releasing this report once it is complete. The target date, I would like to add, is January 31, 2022. At that time, I will be releasing the findings. In the meantime, we are working with the school community

around support and ensuring that they have what they need as we go through this very difficult time.

**Mr. Dixon:** With all due respect to the minister, I am not asking about the independent report; I am not asking about the independent investigation. She has indicated that the independent investigation is set to look at the events that happened in 2019. What I am asking about is what happened with this minister in 2020 and how she could possibly have not learned about this pressing issue facing her department from her own staff, her own department, or the former minister — her colleague.

If she wants to be open and transparent, it would be very simple for her just to release these binders that include the unredacted versions of the notes and table of contents, which would corroborate her version of events in this. Mr. Speaker, these pieces of information are very important because they give Yukoners a sense of when the minister learned — and what she learned. They shouldn't have to wait another year for an independent investigation.

Will the minister release these binders and be open and transparent with Yukoners about what she knew and when she learned it?

**Hon. Ms. McLean:** I think that it's clear. My answer to these questions today is that we have — I have launched an independent review. I will ensure that Yukoners get the answers that they are looking for but particularly, Mr. Speaker, the families and the school community. That is my commitment. I made that commitment directly to the families. I will ensure that we have a full accounting of what has happened, and I will ensure that the report is released to Yukoners.

Again, I just want to say that at the heart of this are our children. There's nothing more important than the safety and well-being of our children. At the heart of this, children were harmed. That is something that I keep in mind each and every day. I will ensure that the answers are there for them and that I will continue to walk with the school community through this and do whatever I can, as the Minister of Education, to support them.

### **Question re: Sexual abuse within elementary school**

**Ms. White:** I think it's important to note that children are at the heart of these questions, because no one wants to be here asking these questions.

Since July, our office has been talking and listening to parents whose children attend Hidden Valley school. They are angry about how the situation was handled. They are angry that information was held back by officials at the highest level, and they are angry that they had to wait years and then again months before hearing any real communication from the government.

But this issue goes beyond students and families directly involved in the Hidden Valley situation. All parents in the Yukon are angry, and all parents in the Yukon are concerned and wondering what other incidents or investigations haven't been disclosed by the Department of Education.

What concrete steps is this government taking to ensure that all schools in the Yukon are following the safe at school

plan? What protocols have been put in place to ensure that parents will be informed in a timely manner should a similar situation occur?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker, and thank you for the question. I do want to be speaking about the well-being of our children. I know that at the Hidden Valley school, with respect to safety and working with students after the 2019 events happened, the principal immediately implemented a practice where staff text to notify others when they need to be alone with a student. That was an immediate measure that they took directly right at the school.

The principal also implemented no alone zones where staff would not be alone with students. If someone suspects or sees an adult with a child alone in one of these areas, there is a duty to inquire further. Many other supports were put in place and the supports are intentionally dynamic. All children and families are unique in how they react to various experiences. We listened to the concerns to respond in an appropriate manner with the best direct supports to address the concerns. Supports have been available to families and staff, including on-site support, coordinating via a school community consultant through a trained social worker. I will answer more questions as we go forward.

**Ms. White:** It is hard to imagine the stress and anxiety that families, students, and staff are experiencing because of this government's mishandling of the Hidden Valley situation. The decisions made by the Department of Education left students without the supports that they deserved for 21 months. Parents are angry and rightfully so. They send their children to school, trusting that they will be safe, and that trust has been broken.

What concrete steps have been taken to support students and their parents right now? Do parents and children finally have access to counselling, and what other steps will be taken to help them through this awful time?

**Hon. Ms. McLean:** Again, at the heart of this is the well-being of our children, and nothing is more important than, when they are in our care, that they are safe and that their well-being is protected.

I want to just say clearly that, as soon as the school was aware of allegations in 2019, the individual was immediately removed from Hidden Valley school and no longer worked with students or in Yukon schools. The individual is no longer an employee of the Government of Yukon, of course. I would like to also point out that the RCMP said that, in terms of the investigation that happened — because the matter was turned over immediately to the RCMP — they have admitted that mistakes were made in 2019 in terms of follow-up with other students. There is also a review happening as a result of this as well.

In terms of supports for students — again, it is intentionally dynamic because the community is so different. I am assured by the school that the necessary supports are being put in place and that we are working on a one-to-one, individual basis as well.

**Ms. White:** Schools are supposed to be safe places for children to learn and grow. It is painfully obvious that the

government failed to do this. This government needs to be held responsible and to make sure that this never happens again. Parents and caregivers can't wait for a report to be published in January 2022 for the government to act. We need schools to have open and safe layouts that provide a clear line of sight so that children are safe. We need windows on doors, we need locks on closets, and we need actual physical changes to school spaces.

When is the government going to make concrete changes to all Yukon schools to ensure the physical safety of all students?

**Hon. Ms. McLean:** As I have stated, some of those changes that the member opposite has laid out have been made. I am assured that the families are being worked with on a one-to-one basis. The school administration and student support services have and will continue to work closely with staff and families to address their individual needs, including providing health and wellness resources and education supports on important topics, including sexual health and reporting sexualized abuse. As part of the physical and health education curriculum, there are topics as well in the school that help to teach children about these matters and ways to deal with them if they come up.

Again, I attended a closed meeting with the families on September 22. I heard them and I am committed to a restorative process and working with them to rebuild that trust and relationship. This is a very difficult matter. I want to hold up the administration and staff at Hidden Valley. They have a really beautiful school. It is devastating that it has been impacted in this way.

**Question re: Sexual abuse within elementary school, Child and Youth Advocate review of**

**Mr. Dixon:** My question is — earlier I asked the Minister of Education if she would release her transition binder from earlier this year. The reason I ask that, Mr. Speaker, is that we have, through ATIPP, requested a copy of that binder and received a document that includes significant redactions. Some of the issues that are notable to us are that the issues that are redacted relate to, one, critical issues, and several fall under the heading of “educational assistants”. It is pretty clear to us, Mr. Speaker, that this information is relevant.

What we're asking is if the minister will release those transition binders unredacted so that we can see how those matters affect this issue.

**Hon. Ms. McLean:** Again, thank you for the question. I have launched an independent review. Amanda Rogers has been hired to do a review of the incidents at Hidden Valley in 2019. It will include a full review of all necessary documents and will result in a comprehensive report of fact finding and recommendations to the Department of Education and Government of Yukon. I have committed to releasing that fully to the public.

I also want to speak about the Child and Youth Advocate's review. We are working and supporting the child advocate's review as well, which is happening at the same time. There are further reviews of the RCMP's investigation.

Again, Madam Deputy Speaker, I am committed to ensuring that Yukoners get the answers that they need. I will be happy to continue to answer questions.

**Mr. Dixon:** Madam Deputy Speaker, I appreciate that this investigation and the independent investigation by the lawyer that the minister has hired will look at these things, but the minister doesn't need to wait. The minister can release this information now. In all likelihood, this binder is sitting in her office right now upstairs; she could go up and get it and release it. It includes important issues related to educational assistants and what the department deemed critical issues, both of which were redacted in the documents that we received through ATIPP. I don't think that Yukoners need to wait any longer. I think that the minister could simply go up, grab this document, and release it to us so that we can all see what information she was provided in her transition binder in 2021.

**Hon. Ms. McLean:** The review is underway, Madam Deputy Speaker. I want to be clear with Yukoners that I think, again, at the heart of this is getting to determining the facts around this situation and further looking at very clear recommendations for improving government-wide policies and procedures to better support Yukon school communities.

The review is underway as we speak, and all of the necessary documents that will need to be reviewed will be reviewed. I have committed to releasing this report once it becomes available to me. In the meantime, as in the previous questions that have come forward today, we will continue to support our school community. I think at the heart of it, that is where a lot of my effort will be, and that of the Department of Education, as this review unfolds.

**Question re: Sexual abuse within elementary school, Child and Youth Advocate review of**

**Mr. Kent:** Mr. Speaker, shortly after the story about what happened at Hidden Valley broke, the Child and Youth Advocate announced a review. Responding to media, the Minister of Education stated publicly, and I will quote: “It is the view of the Government of Yukon that the Child and Youth Advocate office doesn't have the legal authority to conduct this kind of a review.”

Last week, I asked the minister three times to tell Yukoners who gave her that advice and told her to say that. Three times, she refused to provide an answer. I would like to give the minister another opportunity to answer that. Who told the Minister of Education that the Child and Youth Advocate did not have the legal authority to conduct this review?

**Hon. Ms. McLean:** Mr. Speaker, as I have stated more than a few times, I am supportive of the Child and Youth Advocate's work on this review. We have been working with the Child and Youth Advocate since July to clarify the terms of reference and the scope of work to focus in on the policies, protocols, and actions taken after allegations were brought forward. There are ongoing RCMP investigations related to this matter, and it is critical that we protect the integrity of those investigations. We are pleased to see that the advocate will ensure that the review does not interfere with ongoing criminal and civil proceedings related to the matter. The advocate's

review is specifically focused on the Department of Education's response, which is why we felt that a broader, independent review of government's response was necessary, including how we work with the RCMP in these cases.

As I have stated several times today, that independent review is now underway, and we will continue to work with the Child and Youth Advocate to support the review that she is conducting.

**Mr. Kent:** Mr. Speaker, it is important to note that perhaps now the minister is supportive of the Child and Youth Advocate, but when first asked about this, she felt that the office did not have the legal authority to conduct this kind of review.

Mr. Speaker, our office has obtained a copy of internal e-mails about this issue. They show quite clearly that it was in fact political staff from the Premier's office who directed the minister to tell media that the Child and Youth Advocate did not have the legal authority for this review.

Can the minister confirm that it was indeed political staff from the Premier's office who directed her to criticize the review launched by the Child and Youth Advocate and to claim that the advocate did not have the legal authority to conduct such a review?

**Hon. Ms. McLean:** Mr. Speaker, I want to continue to tell Yukoners that we share the Child and Youth Advocate's interest in ensuring the safety and protection of Yukon youth and ensuring that policies and supports are in place to do what they are intended to do: keep our children safe.

The advocate's review that is underway focuses on Education's policies, protocols, and actions taken after allegations were brought forward and determining whether the actions taken follow established protocols. We have been working with the Child and Youth Advocate since July to clarify the terms of reference and scope of work to focus on — and now our focus on policies, protocols, and actions taken after allegations were brought forward. We will continue to support the work of the Child and Youth Advocate, again, in the best interests of our children. That is what is at the heart of all of this, Mr. Speaker.

I know that the opposition would like to continue to make this a very political issue. Really, at the heart of this is our children and their well-being.

**Mr. Kent:** So, let us take a look at the timeline here. On August 3, the Child and Youth Advocate announced that they were launching a review into the Hidden Valley situation. On August 6, the Minister of Education conducted a number of interviews with media to criticize the Child and Youth Advocate and claim that they did not have the legal authority to conduct such a review. As I mentioned, documents that we have obtained from the morning of August 6 revealed that the Premier's office wrote the talking points for the minister directing her to tell the media that the Child and Youth Advocate did not have this legal authority.

The question for the minister is: Did she question the direction from the Premier's office about this at the time, and what new advice has she received that has caused her to change her position on this issue?

**Hon. Ms. McLean:** Mr. Speaker, again, we've been working with the Child and Youth Advocate since July to clarify the terms of reference and scope of work to focus on in terms of the policies, protocols, and actions taken after the allegations were brought forward in 2019. I myself met with the Child and Youth Advocate. We have worked through this and we now have that review underway, along with an independent review that I have also launched that will be broader in scope and will include the review of many documents and interactions. It will also include interviews with families and those directly impacted by these incidents. I just want to reiterate to Yukoners that the Child and Youth Advocate and the Department of Education — we share the interest of ensuring the safety and protection of our Yukon youth and ensuring policies and supports are in place to do that.

Again, at the heart of it, Mr. Speaker, is to keep our children safe.

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

### Notice of opposition private members' business

**Ms. Tredger:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, October 13, 2021. It is Motion No. 112, standing in the name of the Member for Vuntut Gwitchin.

**Mr. Kent:** Mr. Speaker, pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Official Opposition to be called on Wednesday, October 13, 2021. They are Motion No. 113, standing in the name of the Member for Copperbelt North, and Motion No. 87, standing in the name of the Member for Copperbelt South.

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

## ORDERS OF THE DAY

### GOVERNMENT MOTIONS

#### Unanimous consent to move without one clear day's notice Motion No. 84

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 84, one of the three motions today to do with COVID-19 and the Legislative Assembly.

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 84.

**Speaker:** Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### Motion No. 84

**Clerk:** Motion No. 84, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2021 Fall Sitting, any Member of the Legislative Assembly who is unable to attend Sittings of the House in person due to COVID-19 symptoms, illness or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

(1) be recognized to speak in debate, notwithstanding Standing Order 17;

(2) be permitted to vote, notwithstanding Standing Order 25;

(3) contribute to constituting quorum in the Legislative Assembly, under Standing Order 3 and the *Yukon Act*; and

(4) be considered to have attended the sitting of the Legislative Assembly, with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

**Hon. Ms. McPhee:** I won't take up much time at all, other than to say that this motion is identical to a motion that was considered important by the Members of the Legislative Assembly back in 2020 when we were first dealing with the effects of COVID-19.

We have had much success here in the territory in the meantime, but nonetheless, we are trying to be cautious. Again, we hope — as I've said before in this House when dealing with these motions — to never have to use them, but in the event that we do, it is an important precaution. Our colleagues across the north in the Northwest Territories and Nunavut have already had difficulties with members of their legislative assemblies either having symptoms or needing to be away for testing — those kinds of protocols.

I believe that this is timely, and we have discussed it at House Leaders. I understand that it will be supported by all members. I encourage them to do so.

**Mr. Kent:** Just to add to what the Government House Leader said, it was, of course, discussed at House Leaders, and the Official Opposition will be in support of this motion and the other two that we are going to be debating here today.

I would like to thank the Clerk's office for drafting the motions for us, which are similar, if not identical, to what we had approved last fall coming in after the shortened Spring Sitting because of the pandemic, and helped us to operate safely and effectively last fall.

Again, I thank my House Leader colleagues for their support of this and the Clerk's office for the drafting. As I mentioned, the Official Opposition will support this motion.

**Ms. White:** In speaking in support of this and the other two additional motions, it is important that all Members of the Legislative Assembly have the ability to participate if they can't be here for reasons beyond their control.

With that, we will be supporting this and the following two motions.

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

*Motion No. 84 agreed to*

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. I have two further motions.

I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 85.

**Unanimous consent to move without one clear day's notice Motion No. 85**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 85.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

**Motion No. 85**

**Clerk:** Motion No. 85, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2021 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Hon. Ms. McPhee:** As I noted earlier, there are three such motions, all designed for the purpose of allowing the Legislative Assembly to continue its work in the event of a COVID-19 situation that would affect this particular Legislative Assembly. Again, we have discussed this at House Leaders. I expect all members to agree that this is an appropriate motion to be passed here today and I encourage them to do so — unanimous consent, not only for the discussion of this motion, but on the motion itself.

**Mr. Kent:** Mr. Speaker, as mentioned, the Official Opposition will be supporting this motion as well. While this motion was brought forward to deal with absences primarily due to COVID-19 protocols, I am hoping that the Standing Committee on Rules, Elections and Privileges — SCREP — will take a look at this and make it part of our Standing Orders so that these pairings — whether they are now or going into the future — if they are provided to the Clerk's office prior to noon, they are recorded in Hansard, regardless of the reason for the pairing. I'm hoping that, again, SCREP takes a look at that and the possibility of adopting that into the Standing Orders.

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

*Motion No. 85 agreed to*

**Hon. Ms. McPhee:** My last and final motion for today: I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 86.

**Unanimous consent to move without one clear day's notice Motion No. 86**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 86.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

**Motion No. 86**

**Clerk:** Motion No. 86, standing in the name of the Hon. Ms. McPhee.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2021 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request the that Legislative Assembly meet virtually by video conference, with all of the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

**Hon. Ms. McPhee:** Mr. Speaker, this being the third and final motion that I have noted today, I'm again hoping that we do not need to use the terms of this motion. I encourage all members to support it. Again, it has been discussed at House Leaders.

**Speaker:** Are you prepared for the question?  
*Motion No. 86 agreed to*

**GOVERNMENT BILLS**

**Bill No. 202: Second Appropriation Act 2021-22 — Second Reading**

**Clerk:** Second reading, Bill No. 202, standing in the name of the Hon. Premier.

**Hon. Mr. Silver:** I move that Bill No. 202, entitled *Second Appropriation Act 2021-22*, be now read a second time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 202, entitled *Second Appropriation Act 2021-22*, be now read a second time.

**Hon. Mr. Silver:** Mr. Speaker, I am pleased to rise this afternoon to speak to the first supplementary estimates for 2021-22. When we stood in this House over one year ago, I detailed a vast number of programs rolling out supports for Yukoners — supports that continue to make sure that businesses can keep their doors open, supports that allow Yukoners to take the time necessary off work for loved ones, to seek testing, to rest, or to recuperate if they get sick, supports that have helped to reinvigorate our tourism industry, which has

not escaped the pandemic effects that have been felt by other world-class destinations around the globe as well.

While we are now aware of many of the most acute needs for help and factored them into our main estimates this past spring, we continue to support Yukoners dealing with the challenges of COVID-19.

While our recovery from COVID-19 continues to be a top priority for this government — and for all Yukoners, for that matter — this budget updates supports for Yukoners in the face of other unexpected circumstances as well. This includes record flooding, which I will speak to later in greater detail. There is also funding in this bill for Yukon families as we develop accessible, affordable, quality early learning and childcare.

We believe that all families should have access to high quality, affordable childcare, and this budget update further delivers on that goal.

I will also detail, Mr. Speaker, funding for other initiatives that lead to healthier, happier lives in the territory. This government remains committed to providing Yukoners with the services that they need and expect while managing funds responsibly.

These supplementary estimates build on the foundation of responsible spending that we established in the 2021-22 main estimates where we were able to table a modest deficit despite the effects of the pandemic.

Before I dive into the numbers, Mr. Speaker, I'm going to say a few words of thanks first, please.

This appreciation extends to all Yukoners who have come together to make sure that we emerge from the pandemic on a path that makes us stronger and healthier as a territory. To all the medical professionals and the health care workers who continue to care for Yukoners, inform our decisions, and keep Yukoners safe, your work remains vital to our success. To those who looked after and cared for the 10 Yukoners who tragically lost their lives to this virus, we recognize your sacrifice and honour the exemplary care that you've given to so many over the past 19 months. There are no words for our level of gratitude that this government and all residents have for your work.

We are also extremely grateful to every group, every individual who played a role in the fire and flood season this year in the Yukon, from Government of Yukon personnel, to municipalities, to First Nation governments, incident management teams from our territory and from out of our territory, flood specialists, engineers, the Canadian Armed Forces, property owners, community members, and all the volunteers.

To the public servants who have worked, and will continue to work, tirelessly around the clock to ensure that Yukoners have access to programming like the previous Yukon business relief program, the tourism relief recovery package, paid sick leave, and numerous other programs, your work has been absolutely invaluable. It has ensured that Yukoners have a robust safety net to weather the effects of this pandemic.

Lastly, to all Yukoners who have heeded and continue to heed the advice of this government and the chief medical officer of health, those who have kept gathering sizes small, who have travelled to the communities respectfully, and who

have received their vaccination, thank you — thank you for doing your part to reduce the spread of COVID-19 in the territory.

The past year has been a collective effort, and the actions that I've seen from all Yukoners have made us the envy of the country. Yukoners are a special bunch, and I'm eternally proud to call Yukon home.

With that, I would like to now outline the budgetary changes that we are proposing between the main estimates and the supplementary estimates. In total, the 2021-22 first supplementary estimates contain \$72.2 million in additional gross spending.

It can be broken down to \$58.4 million in gross operation and maintenance expenditures and an increase of \$13.8 million in gross capital spending. The result is a revised deficit of \$18.2 million in the 2021-22 fiscal year, or a change of \$11.6 million from the forecast in the 2021-22 main estimates. The first supplementary estimates also show revised net debt of \$183.1 million, an increase of \$13.5 million from the revised May estimates.

At the same time, this government's ability to leverage its excellent relationship with the federal government ensures that appropriate recoveries are in place wherever possible. This guarantees that we see maximum value for every dollar that is spent here in the Yukon. The result of this positive relationship is \$49.4 million in total new recoveries, offsetting almost 70 percent of the new spending.

The spring budget contained \$15 million in COVID-19 contingency, which was reserved in the government's fiscal framework to fund further potential support without affecting the surplus deficit position. That \$15 million was already baked into the mains. These estimates include a reduction of \$4.5 million from the COVID-19 contingency fund to support the tourism sector, the COVID-19 call centre, and additional cleaning requirements in buildings. On top of that, we are trying to be cautious and preserve the ability to respond to new pandemic needs, including possible future waves. This is why we're keeping over \$10 million in the COVID contingency line for future use.

Mr. Speaker, I would now like to provide a breakdown of O&M changes for members, beginning with an update of COVID-related spending. As I mentioned, new O&M spending will represent \$58.4 million in new spending. The result is \$20.9 million in additional COVID relief O&M spending and \$37.5 million in non-COVID spending. Part of this increase includes \$16.9 million with the Department of Health and Social Services. The largest portion of this increase, or \$10.7 million, is being used to address additional COVID-19 pressures. While not exhaustive, the remaining non-COVID amount in Health and Social Services will go toward various other significant initiatives.

The amount of \$515,000 will go toward the implementation of midwifery in the territory. This money will fund two midwives and one administrative assistant. Integrating midwives into the Yukon health care system will provide Yukon families with access to additional high-quality maternity options.

The amount of \$2.4 million in this supplementary budget represents carry-forward amounts under the territorial health investment fund, and \$1.3 million will go toward cultural activities for children in and out of home care. This latter initiative represents an ongoing shift in Yukon's child welfare practices and philosophy. At the core of our collaborative work is ensuring that all children have the right to be healthy and emotionally, physically, and spiritually safe and to feel loved, valued, and respected in their culture.

Finally, Health and Social Services is including funding for a supervised consumption site. Supervised consumption sites provide a safe and supportive place for people who use drugs to consume illicit substances in the presence of trained health care professionals. Like the rest of Canada, Yukon is experiencing an opioid crisis and continues to see an increase in opioid and overdose deaths. Supervised consumption sites help to reduce overdose deaths and increase the number of clients accessing addictions treatment services.

The Department of Highways and Public Works also requires a further \$5.8 million in funding to cover costs related to the pandemic. Of this funding, \$5.3 million represents a distribution of federal funds flowing through the Government of Yukon to support air carriers in order to maintain essential air services to the communities. This amount of money is entirely recoverable.

The remaining COVID-related spending within this department includes \$220,000, which will go toward cleaning supports for rural schools, and \$300,000 for the COVID call centre contract.

As we continue to deal with the impacts of this pandemic, this government will also continue to prioritize economic programs in support of Yukon businesses in order to mitigate the impacts on local employees, employers, and organizations. COVID-19 support programs continue to be recognized as the best and most generous in the country in supporting those who need it the most.

As of September 21, we have provided close to \$11.5 million to nearly 600 businesses across the territory through the Yukon business relief program.

In the supplementary estimates, we are including \$4 million to continue supporting Yukon businesses and individuals through the tourism accommodation sector supplement and the tourism non-accommodation sector supplement, otherwise known as TAS and TNAS respectively.

These programs help visitor-dependent Yukon businesses remain solvent by providing funding up to the point of break even. The tourism accommodation supplement provides up to \$400 per room each month up to the point of break even for eligible accommodation businesses. Under the tourism non-accommodation supplement, businesses can receive up to \$60,000 between October 1, 2021 and March 31, 2022 to cover eligible expenses up to the point of break even. This extends the total amount eligible for non-accommodation businesses from \$60,000 to a total cap of \$120,000 in the 2021-22 fiscal year. As of September 23, these programs have provided \$4.4 million to support businesses.

As one of the major backbones of our economy, Mr. Speaker, the extension of this program will ensure that the tourism operators are here for visitors to enjoy these world-class experiences once travel returns to pre-pandemic levels. This is also why government is extending the Great Yukon Summer program. The Great Yukon Summer Freeze is a continuation of the summer program and will function the same way, with Yukoners paying the full price up front and then applying for a 25-percent rebate for eligible tourism packages offered by local operators. These experiences will take place between November 1, 2021 and March 31, 2022. I encourage all Yukoners to get out there and enjoy all that the winter in Yukon has to offer.

We also extended the paid sick leave rebate from September 30, 2021 to September 30, 2022. Since being launched in March 2020, over 180 businesses have benefitted from nearly \$850,000 in support from the paid sick leave program. Beginning October 1, workers and self-employed individuals may receive up to 10 days of additional paid sick days if they have COVID-19 symptoms or are caring for other household members with COVID-19. This is the third intake of the program since it was launched in March 2020. While this COVID-related spending is not negligible, it does represent a reduction compared to last year's first supplementary estimates. This is a result of improving case counts, increasing vaccination status, and the overall economic rebound that we are experiencing.

We expect COVID-related costs to continue to develop as we move forward, barring the emergence of any new variants or unexpected circumstances. We hope to see decreases in those costs.

Moving to non-COVID-related expenses, Mr. Speaker, I would like to speak to the record flooding that was seen in the territory this summer. The effects of this flood were felt by many Yukoners over the past few months, but perhaps no one more than the homeowners who dealt with the threat of losing their homes.

Mr. Speaker, I would once again like to thank everyone who did step up and offer assistance with mitigating efforts to make sure this outcome was avoided. While we are not always able to predict how climate change and other factors will affect Yukoners in any given season, we are starting to see extreme weather events that challenge what we have come to know and expect when it comes to fires and flooding in Yukon.

When I was out volunteering, one of the homeowners said, "I used to use these words — a '200-year event'. I used that in 2007, and I will never use that expression again as we sit here in 2021 battling something that dwarfed the events of the previous flooding."

This year was a historically complex and long season. Well, 2019 was definitely complex for the long fire season that we had, and followed by 2020, this season saw the lowest number of fires and hectares burned that we have on record. This is extreme in its own way. We are grateful that we didn't see fires added to the floods, but again, to go from a historically complex season in 2019 to our lowest number of fires in 2020 — we are seeing extreme weather patterns.

This year, we are also responding to both fires and floods at the same time, which is not a typical scenario, putting another strain on Government of Yukon resources. As part of this supplementary estimate, approximately \$11 million will go toward flood mitigation and response efforts as well as \$250,000 toward efforts to enhance First Nation firesmart projects.

Looking forward, we must plan for extreme weather. We need to plan for these extreme weather events by creating wildfire- and climate-resilient communities and by investing in infrastructure that protects us from climate disasters.

In the boreal forest, this means managing fuels surrounding communities and creating firesmart areas and fuel breaks as well.

Our government is working with local leaders and stakeholders to create community wildfire preparedness plans for Yukon communities.

As we think about our environmental future, we must also think about the well-being of all of our citizens, Mr. Speaker, and that's why Community Services is making a new investment of \$1.1 million toward Emergency Medical Services for additional staff. The Yukon is unique in that we have a small population spread out over a vast amount of distance. The structure and staffing of our Emergency Medical Services programs reflect the statistics from our 17 EMS stations across the territory. This additional staffing will ensure that the Yukon EMS is able to continue to provide the critical services in our territory.

Mr. Speaker, \$9.9 million will go toward costs associated with universal early learning and childcare in the government's Department of Education. As I mentioned earlier, we believe all families should have access to high-quality, affordable childcare. The new universal childcare system in Yukon provides children an opportunity for learning and development in the early years. It also provides a curriculum in a child's education, while putting more disposable income into the hands of families, allowing parents and guardians to have more choices if they want to work outside of the home.

The universal childcare model is possible due to collaboration between Government of Yukon, Yukon First Nations, childcare operators, and partners across the Yukon. Mr. Speaker, I'm very pleased to report that every penny of this funding is recoverable from Canada.

The amount of \$375,000 will be included in this supplementary budget as part of a transfer agreement with Queer Yukon Society for the Pride Centre. The Yukon Pride Centre is a major initiative of Queer Yukon Society that is community driven and collectively imagined with a goal of creating a physical space where community members can gather and access resources, programs, and support.

We are also supporting Yukoners through policy changes, Mr. Speaker. On September 16, the Government of Yukon changed the name of the former Women's Directorate to the Women and Gender Equity Directorate. Changes like this are important to reflect the important work that is already happening to advance and to support women, girls, and the LGBTQ2S+ community.

There is also an additional \$620,000 in the supplementary estimate in the Department of Environment's Fish and Wildlife branch for moose surveys in the Sifton-Miners Range, Whitehorse South, Quiet Lake, and Nisutlin River regions. These surveys are updated on a 10-year basis, and these locations are due to be updated. Determining moose populations in the Yukon supports the development of appropriate regulations and keeps the moose populations in the territory healthy and sustainable.

While there are other spending challenges reflected in the supplementary estimates, these changes reflect the most significant variances on the O&M side of things.

Let's talk capital. We are continuing to make progress on our capital program. There is also a small number of changes to projects included in the plan for this year. On the capital side, COVID-19 continues to have an impact on the implementation of the program through pandemic-related delays and cost pressures. Changes in this area ensure that we effectively respond to these challenges while delivering on the government's strategic investments that support the growing economy and delivering valued government services.

In this supplementary estimate, we will see increases for the Mayo-to-McQuesten transmission line and the battery grid project as well. The amount of \$6.4 million represents funds that were deferred from 2020-21 to this year as a result of COVID-19 delays. That work can now proceed. The grid-scale battery storage system will help to balance daily demand for electricity, while the transmission line upgrade will improve services in the Mayo region and provide renewable energy to the Eagle Gold mine site, reducing its greenhouse gas emissions by up to 53,000 tonnes annually. Mr. Speaker, these projects support our goals set in the *Our Clean Future* strategy by reducing diesel reliance and supporting renewable energy projects. This funding is also 100-percent recoverable.

This supplementary budget also includes additional funding for modular classrooms at Robert Service School in Dawson City and for the Whitehorse housing complex at 4<sup>th</sup> Avenue and Jeckell Street. These projects will require an additional \$2.4 million and \$3.6 million respectively, with the modular classrooms being fully recoverable.

There is also \$1 million in this budget for program increases under the renewable energy initiative. It will allow more applications to be approved, helping to increase the supply of renewable energy and reduce diesel consumption in the Yukon. An additional \$5.8 million will also go toward capital costs in the Department of Health and Social Services, with a portion of these costs helping the Yukon meet its goals under *Putting People First*. This includes \$2.3 million from Canada Health Infoway and \$1.5 million for Meditech, both under the 1Health program. Launched on June 1, 1Health is the Yukon's new electronic health record system.

This allows for secure, instant, and seamless exchange of health information between teams in our hospitals, and in the coming months, it will serve other health care providers across the territory, including long-term care, home care, and continuing care, among others. For Yukoners, this means that only health care providers caring for you have access to this

information and that it is securely stored all in one place so that you no longer have to re-tell your story at each point of care.

This \$5.8 million also includes \$1.7 million for renovations needed at Copper Ridge Place.

There are also some decreases in capital spending. Most notably, Mr. Speaker, is a \$6-million decrease in spending for urban land development. This decrease resulted from the repackaging of the Whistle Bend phase 7 tender. This change allowed us to accelerate rural lot development so that there is a \$3.7-million increase in spending for developed rural lots in places like Haines Junction, Watson Lake, and Dawson City.

Our government remains committed to providing housing options across the housing continuum throughout the territory. This shift in spending will ensure that housing options exist for Yukoners, not just in Whitehorse, but in all communities. In Whitehorse, Whistle Bend lots will continue to be released over time.

There are also changes to recoveries included in the first supplementary estimates. Earlier, I mentioned our positive relationship with the federal government, and I am pleased to say that a result of this work with our federal partners means that, of the \$13.8 million of new capital spending, nearly all of it — \$12.3 million — is recoverable. This ongoing work with our partners is crucial in ensuring the maximum value of every dollar that is spent here in the Yukon.

On the O&M side, recoveries are just as favourable in that, of the \$58.4 million in new spending, \$37.1 million is offset by new recoveries. The largest portion of these recoveries is the result of COVID-related expenses. I look forward to detailing all of these recoveries during Committee of the Whole.

It is not surprising that in-year changes also result in some adjustments to our anticipated revenues. The 2021-22 first supplementary estimate reflects a decrease of \$10 million in revenues. The most significant impact on the Yukon's revenues is reflected in the \$8.5-million decrease in proceeds associated with sales of lots and lot development. As I mentioned earlier, this is a factor of the reduced spending in urban land development to accurately reflect the timing of when we expect lot sales.

The remaining decreases in revenues are associated with supports to Yukoners and Yukon's various industries. In some industries, fees including aviation fees were waived or reduced, decreasing those potential revenues. As well, there will be less revenues from the fees associated with outdoor pursuits as fewer tourists were able to use our campsites or our campgrounds or purchase angling licences. These temporary adjustments resulted in just under \$1 million in reduced revenues.

There is no change anticipated to our regular annual transfers from Canada, as per note.

Today we are also releasing the interim fiscal and economic update. In 2021-22, the interim fiscal and economic update represents updated expectations on Yukon's finances and the economy since March 2021 — the fiscal and economic outlook at that time.

The outlook for the Yukon's economy remains very positive. This document gives us a further glance into the

current forecasts and reveals that, following estimated growth of 1.1 percent in 2020, the Yukon's real gross domestic product, the GDP, is forecasted to grow by six percent in 2021 and 8.1 percent in 2022. This is a direct result of our strong mining sector, as mineral production is a key driver of growth in both years. It is also a contributing factor to job growth, which is now forecasted at 1.4 percent in 2021 — a figure that is expected to pick up further next year, along with the recoveries in the tourism sector.

I am happy to report, in fact, that employment gains are expected in every year of the outlook, with total employment expected to return to the 2019 levels in 2023.

While COVID-19 has dampened economic forecasts around the world, the interim update tabled today reveals an outlook that is less clouded by uncertainty. There is significant optimism as the Yukon emerges from the impacts, the immediate effects of the pandemic.

I want to note, for the record, an error that was related to the budget tabled in the spring during the 2021-22 budget exercise. The amount of \$32,000 of capital funding was allocated to the Department of Finance for office furniture and equipment. The 2021-22 main estimates reflect this allocation to the Department of Finance. In error, the bill reflected that the \$32,000 was allocated to the French Language Services Directorate instead of the Department of Finance. This error did not impact the total appropriation amounts. To correct this error, the *Second Appropriation Act 2021-22* includes an appropriation of \$32,000 to the Department of Finance with an offset by a corresponding \$32,000 deducted for the French Language Services Directorate.

The 2021-22 main estimates and schedule A of the *First Appropriation Act 2021-22* were misaligned. The *Second Appropriation Act 2021-22* is presented to reflect the intent of the vote requirements.

I would like to conclude my remarks by reflecting over the last six months. While the territory has continued to face challenges related to COVID-19 with new clusters and rising case counts over the summer and fall, we also have much to be optimistic about heading into winter. With the guidance of our medical professionals, the office of the chief medical officer of health, and our partners, Yukoners have been able to begin resuming many of their regular routines in a safe and responsible way.

As of last month, more than 80 percent of Yukon's total population was fully vaccinated against COVID-19. This leaves us well positioned to meet the challenges arising out of a fourth wave. While this latest wave continues to be one that primarily impacts unvaccinated individuals, our vaccination program will remain open to all those who are wishing to get vaccinated.

At the same time, this government continues to support Yukoners and businesses impacted by COVID-19 through the various programs introduced in 2020 and renewed in the 2021-22 budget. The last year has been an immense collective effort, and I want to thank everyone who has contributed to Yukon's success in navigating this new environment. We are on a good path and I look forward to seeing further recovery in

our tourism sector, in our business sector, and in our broader economy as well.

So, Madam Deputy Speaker, today our government presents a responsible first supplementary estimate that responds to unexpected challenges in a way that ensures Yukoners are supported in their health and also in their finances. I invite members to treat Committee of the Whole as an opportunity to request further details on any of the areas included in the supplementary estimates.

**Mr. Cathers:** I am pleased to lead the responses from our side today as the Official Opposition Finance critic. I would like to begin, first of all, by again thanking my constituents in Lake Laberge for the continued opportunity to work with them and for them. I am also pleased here today to have the opportunity to continue serving as the Official Opposition critic for Finance as well as Health and Social Services, Agriculture, and Justice. I would like to thank the Leader of the Yukon Party for that opportunity and thank all of my caucus colleagues and staff for their continued work and support.

This spring we had a very short Sitting, which left us with just 11 days in total. It was insufficient to be able to ask the questions that we had about the budget and, indeed, that Yukoners wanted us to ask on their behalf about the budget. We will continue here in the Legislative Assembly to do our best as the Official Opposition in holding the government to account for their decisions, and that includes both acknowledging where we agree with them and criticizing them where we feel that change is needed and things should be done better.

Among those concerns is that, on top of spring, which saw this Liberal government going further into the red with increased spending, they have added to that this fall with increases in the supplementary estimate comprising a total of \$58.4 million in new O&M spending on top of what was estimated in the spring and an additional \$13.8 million in capital. That sees the deficit for this year increase — almost tripling — from the projected \$6.6-million deficit in the spring to \$18.2 million in the fall supplementary. It sees the estimated net debt at the end of the fiscal year increase from \$169.6 million to \$183.1 million.

With large numbers like millions and billions, I know that they sometimes seem out of reach for people, but I would remind Yukoners that this is for a territory of just over 40,000 people. Those numbers, when broken down on a per-person allocation, are quite significant. We see as well, according to the handout that government provided with the supplementary estimates, another significant increase in the number of government employees. Madam Deputy Speaker, I remind you that this is on top of the significant increase that we already saw in the spring.

According to their handout, the increase on top of the increase we saw in the spring is 110.5 full-time equivalent positions — so, 110.5 new government employees. They have indicated that 87.3 of these are due to pandemic management. I have asked and will ask again for more clarity on that spending, because it is difficult to understand how the Yukon government could have seen such an increase in the resources

required for pandemic management since the previous fiscal year, since the spring that would require another 87-plus employees on top of what were already there.

Now, I do understand and recognize that resources continue to be required for the pandemic, but the significant ramp-up that occurred last fiscal year and again the additional amounts provided this spring were already in place. It is difficult to understand why there would be such an additional requirement since the spring of 87 new positions. It does lead to some question on my part of whether other positions that are being created are simply being pushed under the banner of “pandemic management” in an effort to blame all new costs on the pandemic rather than answering for those costs on an individual basis and defending those costs on their individual merits or lack thereof.

I would also point out that it does seem somewhat ironic that, on the one hand, this government talks regularly about a housing crisis, and then part of their solution to that housing crisis is their continued pattern of hiring hundreds of new full-time equivalent positions and, in many cases, bringing those people in from outside the territory to compete for the already limited housing. I’m not disagreeing that in some cases new resources may be required, but when the growth continues at the rate it has, it is part of the problem — and not just the spending problem but the housing availability and affordability problem.

Mr. Speaker, in touching on a few other issues, I would note as well that, in the area of pandemic response, we in the Official Opposition appreciate the efforts that continue to be made by people across government departments, as well as in the Yukon Hospital Corporation and in medical clinics across the territory, as well as pharmacies and indeed throughout the private sector to deal with various aspects related to responding to the pandemic or to simply dealing safely with the pandemic.

It has posed a significant challenge for many, many Yukoners. It has caused some businesses financial difficulty, and for many others, it has simply meant additional costs, challenges, and hassles. But we recognize that, for people across the territory, it creates challenges and it also — as I noted earlier, in speaking to World Mental Health Day — in some cases, increases mental health pressures for some people. We need to work together to be part of trying to assist those in need, both financially and through areas such as mental health supports.

I would like to thank everyone who is part of the ongoing work by government and the ongoing work by the private sector in the health care sector in responding to this.

A couple of other areas I would like to touch on, Mr. Speaker, include — as I mentioned on the first day of the Sitting, I read a motion into the record regarding the issue of the thousands of Yukoners who don’t currently have a family doctor. We in the Official Opposition are calling on the government to do more in this area, including to establish a better working relationship than they have had in the past few years with the Yukon Medical Association, and to work with them jointly on improving our approach as a territory to

physician recruitment and retention. There is a problem and more needs to be done.

Years ago, during my time as Minister of Health and Social Services — at the time, we responded to issues then by developing the health and human resource strategy, which included working with the Yukon Medical Association to develop incentives to encourage physicians to move to the territory. One of the things that is necessary today is, first of all, for the Liberal government to recognize that they have not done very well in the past in their relationship with the Yukon Medical Association. They need to improve that and they need to recognize that working with the physician community to develop an appropriate package of incentives and recruitment strategies to get more doctors to the territory is very important. In fact, for the thousands of Yukoners who don’t have a family doctor, for some of them, this issue is critically important.

I am pleased that the government has again included money in this budget for the Meditech replacement project called “1Health” and I do appreciate that the Premier is now extoling the virtues of the project, because as you will recall, when we first began debating the need for this project back in 2017, we had many hours of disagreement on the importance of this where we have advocated for the government to advance this project, and it took them quite a while to get around to actually doing so. I am pleased that they are addressing it here today. As members will recall, I would like to recap the fact that, in our election platform during this spring’s election, health care was a priority for us, and this included supporting the needs of the Yukon Hospital Corporation.

As the Premier’s colleagues will recall, we have, in many Sittings — in fact, every year since the spring of 2017 — criticized the government for their record of chronic underfunding for the Hospital Corporation, and we will continue to advocate for priorities, including enhancing supports for our Yukon hospitals, taking action to reduce wait times for essential health procedures, and implementing a wait-time reduction strategy.

As noted by the Leader of the Official Opposition during the election campaign, quality health care is timely health care, and we will push the government to take action to reduce wait times and to ensure Yukoners get the care they need when they need it.

We will also push the government to do as we committed to do, and that is providing the Yukon Hospital Corporation with stable and predictable funding. It needs to deliver quality care, including an annual increase to the funding.

I will just take a brief segue from that to note that, in looking at the additional money in these supplementary estimates, we don’t really see much there in terms of resources for the Hospital Corporation. While we do see significant increases to address pandemic-related pressures in the Department of Health and Social Services and elsewhere, the same does not seem to be in place for the Hospital Corporation, so we will be asking some questions about that. The number one question being: Why?

Just moving on to the next area in my notes, I will, in my introductory remarks here, touch on a number related to my

critic responsibilities, but there are a number of other items that I will address later on during departmental debate.

With regard to the pandemic, I would note that one question I have heard from a number of Yukoners is about the availability of a booster shot for people — particularly for seniors. As the Minister of Health and Social Services and colleagues may know, the Northwest Territories has taken some steps in that area.

The Yukon did recognize and make that available for some immunocompromised individuals, but I would note that the Northwest Territories has gone further, including according to what the Premier of the Northwest Territories told CTV last week, I believe. She had indicated that they were making booster shots available to seniors 75 and older who wished to receive them. While I don't have detailed information on what the Northwest Territories is doing, we would appreciate it if the government could provide clarity on what is being done here in the Yukon, what is planned next, and how that compares to other jurisdictions, including the Northwest Territories. This is an area of active interest to immunocompromised people and senior citizens who are wondering, based on some of the available information through media and other sources, whether their own immunity may be declining if it has been six months or more since their shot and are looking for the best available information about what is known about that and what the government plans to do in terms of making available a booster shot to them if and when that becomes advisable and they wish to receive one.

Mr. Speaker, I would just also like to again touch on the flood response. We do see additional spending in here related to that. As I noted earlier while responding to the ministerial statement on the topic, we do appreciate the work that was done by department staff, by volunteers, by private contractors, and by the military in terms of dealing with the flood response and recognize that much was done well. However, there also were some areas where things could have been done better and our job as the Official Opposition includes to note what was done well and also identify where mistakes were made and point out where there's room for improvement.

I would also note, as the Leader of the Third Party mentioned earlier when she made reference to the importance of a post-flood analysis, that I agree that it is important, particularly since government is indicating that, as we deal with climate change, we may see future flood years as early as possibly 2022. Because of that, it is especially important for a robust post-flood analysis to be done that gives a frank assessment of what was done well, what could have been done better, and what can be done about it in the future to ensure that, in future years, we avoid making some of the mistakes that were made this year, as well as identifying some of the more at-risk sections of infrastructure where government investment on doing things such as building up certain roads or areas may prevent a problem from occurring in future years.

This includes some roads in the Marsh Lake area as well as — the Jackfish Bay Road is an example of where it is quite clear that, if the road is not raised up and widened to a level

above where it flooded this year, it is going to be an obvious problem in future years.

I just want to again remind ministers, as I did through a recent e-mail, that in fact, after the super-bag berm was taken away, government unfortunately did not do as I had suggested at the time and take that opportunity to also fully widen the road and build it up. Right now, what I've heard from a number of my constituents down that road — they are concerned about the current access to their homes. The road itself — I drove down recently — is quite narrow where it crosses the area that was flooded. It's wide enough for a light truck to cross or for a car, but it's questionable whether it's even wide enough right now for a fuel truck or for a fire truck. Certainly, if the road isn't widened before the winter, a situation is likely to occur where vehicles either won't be able to get there or may slip off the road in slippery conditions. So, I would just like to again flag that for ministers and note that this problem is very solvable, but it would be better done before too many more days or weeks pass and we're fully into winter.

Mr. Speaker, moving on to the next area that I wanted to touch on here today, I would note that, while the Premier made reference to additional resources in the budget for EMS, there continue to be concerns in rural communities about the gaps in coverage that occur in rural Yukon. I know that a number of my colleagues have written to government about this in the past and raised issues. I know that this is an issue of importance for the Member for Watson Lake, the Member for Klwane, and the Member for Pelly Nisutlin. I would again just emphasize that, while the additional resources in this budget are welcome from my perspective, they don't seem to do anything to address the needs of rural Yukon in terms of gaps in coverage and the increasing pressure and, to some extent, instability in coverage, which is occurring in some Yukon communities.

We do recognize the challenge of providing this service, and I want to express my appreciation for the volunteers across the territory who make this service available in their communities, but it is incumbent on government to recognize that the current model has more gaps in it than are acceptable. If government doesn't work with our volunteer EMS providers to come up with a solution to this, unfortunately, where this is inevitably headed is that those gaps in coverage will lead to serious problems, and even potentially fatalities, as a result of not having that coverage in place.

It is not that the government hasn't tried to deal with this issue, but what has been tried to date isn't working well enough. I know that my colleagues have heard concerns from constituents repeatedly. I have heard concerns from people across the territory, and I would just emphasize to the government that this is an important issue to deal with. While it falls under Community Services, instead of the Health and Social Services critic area for which I am responsible, it is one that is very directly linked and is an important part of our health care system. If we continue to have large gaps in coverage for emergency medical services in Yukon communities, unfortunately, the result of that is predictable and in some cases will be tragic.

I hope government will take my appeal to heart and do more in this area to work with rural volunteers and figure out solutions to the problems that we are seeing today.

Another area in terms of rural supports that is very different from EMS, but is also important to people living in the area, is the issue of access to get rid of their garbage. While it is not perhaps an exciting issue, it is one that, for people who are a long drive from the nearest alternate facility, the government's plans to shut down the Braeburn transfer station for waste, the Silver City transfer station for waste, the Johnson's Crossing transfer station, and the Keno station are causing great concern to people in those communities.

What the government hasn't seemed to recognize as well is that the effects of this are myriad. It affects small businesses that are trying to earn a living. In some cases, due to the pandemic and other factors, they are struggling to survive in rural Yukon. Taking away accessible garbage disposal options either places them in a situation where they are forced to stockpile garbage until they are able to drive a long distance to the nearest facility — which, of course, increases the risk of a wildlife conflict — or it puts them into a situation where the temptation to either burn garbage or dump it illegally is increased directly as a result of government slashing these rural services.

As I touched on also in the spring during budget debate, this has an effect on what government has referred to as "aging in place" in that, for seniors who are living in rural Yukon, losing access to the garbage disposal option that was there when they bought their home — for some, this creates a significant problem. I have heard that from constituents in Braeburn. I know that others have heard that in other areas. I would point out that, although it may seem like it's a cost efficiency to government, if you or a member of your family had bought a home in a rural Yukon community, planned your sunset years, and then found that government was yanking away the garbage bins down the road from you, you not only would not be very happy about it, but you wouldn't see that as very fair. Using the example that I am most familiar with — my own constituents in the Braeburn area — for people to have to drive all the way from there to the Deep Creek dump and only be able to go there four days a week during certain hours is a hardship for some people in those areas.

A related note that I touched on in the spring and that the government has yet to resolve — so I will bring it up again — is that government, despite talking a good game on aging in place, actually cut the in-territory medical support for some Yukoners travelling to Whitehorse. This is something that I've heard especially from seniors living in the Braeburn area who are upset about the fact that they have to travel into Whitehorse multiple times for specialists and other appointments because of the inability of the system to allow them to book all of those appointments on one day. For some, it means travelling in multiple times in the week between visiting the lab for testing and seeing the specialist. For a senior on a fixed income, those costs typically all come out of pocket. The government cut the support, and I am again urging them to reinstate it and am reminding them that, if they are actually committed to the line

that they talk about aging in place, it includes recognizing the importance for Yukoners who are living out in rural Yukon and outside of communities or in small communities — if they lose access to financial support that helps them to get the health services they need, they not only are not helped to age in place, but it puts them at greater risk of having a problem that results in them ending up in a hospital or continuing care facility at an earlier date.

Again, using the example of Braeburn, the combination of losing that in-territory medical travel subsidy and losing a transfer station just down the road from them and being forced to try to time their trips to a dump that is only available four days a week — two of them on weekends — with specialist appointments and doctor appointments, it starts to become an additional hassle and there are significant additional costs entirely created for them by this Liberal government.

That is not something that the government should feel good about, and they can solve it, so I urge them to actually do that.

Mr. Speaker, I would also note that, while I centered on the affect of withdrawing garbage service from the Braeburn area, there have also been letters written by my colleague, the Member for Kluane, who has had constituents writing upset letters and circulating a petition regarding how upset they are about the Silver City facility being shut down as well as their view of the minister's attitude toward their concerns. I would also note that the member for Mayo-Tatchun is probably well aware of the fact that several people from Keno have written letters to the government and letters to the editor about how upset they are about losing this service.

I'm going to move on to a few other areas here. I would note as well, as I touched on in the spring, that there are many Yukoners who are upset about the new rules that the government imposed on agriculture land. The government did take a step back after receiving criticism from me, from some of my colleagues, as well as from individual Yukoners, but what we haven't heard publicly is what the next steps are in terms of consultation, et cetera. This has been a bit unclear. If the government has simply decided to back down on the rules that they initially brought in on April 1, 2021, then that is good news.

If the government is planning to bring something else in place, then it's incumbent on them to be clear with people about what they are looking at doing and what the opportunities will be for public consultation. It is important to emphasize that, when you apply rules retroactively to people's property, to put them in the situation where they bought property and it has negatively affected their ability to get a building permit — in some cases, even for a primary residence — it has made it difficult to get building permits for farm buildings and has required them to jump over a higher bar to be able to either develop buildings or to subdivide their property. It has taken a situation where, if someone makes — very likely — the largest investment of their lives in their property — and they do it on the basis of an understanding of what their rights and opportunities are — and then government comes in after the fact, unilaterally changes the rules, and leaves that Yukoner left owning something that is not as valuable as it was before

government came in — and when their rights to even develop their property have been impeded to the point where, as members will be aware — as the minister may be aware, in his own riding, there was a situation earlier this year where the sale of an agricultural property fell through because the people who were looking at purchasing it found that, under the current rules, they would not be able to build a primary residence on an agricultural lot that did not have a cabin or house on it. They found that they would not be able to complete that for two years. Based on what was explained to them about the rules, they chose not to purchase the property. As a result of that type of uncertainty that is created, it negatively impacts both the housing availability and the agricultural sector.

Again, I would urge the minister to provide us with an update on the status of those rules, and particularly, I want to emphasize the importance of ensuring that government consults with people about any proposed zoning changes and does not bring in changes that take away, in any significant manner, the rights of property owners.

I would also like to touch on the agricultural policy itself. During the election campaign, I heard on the doorstep from Yukoners who were concerned about the details of it and noted that, while there is some good stuff within it, the government did not consult very widely on the details of the policy and did not do public consultation. There was some very early stage consultation on concepts, and then the government sat on that, did work behind the scenes, and came out with a policy a year later than they promised and skipped consultation with people who were affected by it. That was not the right way to handle it. The new Minister of Energy, Mines and Resources has the opportunity to fix this problem by actually doing consultation on details of that policy.

As well, I'll be looking for updates from the Minister of Energy, Mines and Resources on the status of Shallow Bay zoning, as he is well aware that the approach that was taken previously by the government was very upsetting to a number of property owners there and particularly considering that the government was actually both, with a proposed riparian buffer, applying on titled property, which was unprecedented — and a reduction of some of the current zoning rules — they were creating a situation where people were losing a significant portion of rights that they had before the Liberal government came into office.

Mr. Speaker, I would also just like to, before wrapping up my remarks here, touch briefly on a few other issues and areas. I would note that this summer seems to have been a particularly bad one — probably in part because of precipitation — for secondary roads, for rural roads having potholes, washboards, et cetera. I've heard repeatedly from constituents about roads, including the Braeburn road, the Jackfish Bay Road, and Takhini River Road — again, I continue to urge the government to invest in a major upgrade to that road. I'm sure that my colleagues, when they rise, will talk about some of the roads in their ridings that are in need of improvements. I do note that one of the takeaways from the conclusion that increased precipitation may come with climate change is that government may need to do more to invest in maintenance to rural roads.

I also should have mentioned earlier, but I will add now, that the Old Alaska Highway was another one that had a significant amount of potholes on it.

While this may sound to people who don't live down those roads as a minor inconvenience, in some cases, depending on the severity of the potholes and how muddy the surface is, this can be a serious safety issue if a fire truck or an ambulance needs to travel down the road. After it has deteriorated, that can be an issue. Again, I would emphasize that Takhini River Road has continued to be particularly notable in how bad that road gets after precipitation. Considering the high population of people living down there, it is in need of investment.

Another area that I would like to touch on is the ongoing issue of lack of cell service and the gaps in that. It continues to be an issue and a priority for people in my riding and the Grizzly Valley, Deep Creek, and Fox Lake areas as well as Ibex Valley where they have seen a deterioration in cell service. It also affects sections of the Takhini Hot Springs Road. I know that colleagues have also asked for increases in services to areas such as Junction 37 and Mendenhall. Again, we have reminded the government of the list in the past, and this continues to be an issue of importance for people for emergency services as well as convenience. Unfortunately, this is one that the Liberal government has simply paid lip service to in all the time that we have been raising it.

Moving on to another issue that the government has paid lip service to, I would note that the ongoing elk problem continues to be in need of action. My colleague, the Member for Kluane, and I wrote jointly to the Minister of Energy, Mines and Resources and the Minister of Environment this summer regarding this problem, urging the government to make the entire Takhini valley area an elk-exclusion zone, which, as they know, is a request that came from the Yukon Agricultural Association. Unfortunately, we saw a situation where, first of all, the Leader of the NDP joined us in going with farmers on a tour of affected properties — ministers did not see fit to join, nor did they take offers from farmers to book that later in the summer — and, in follow-up to the letter that the Member for Kluane and I sent and the request from the Yukon Agricultural Association, they did hold a virtual meeting with the Yukon Agricultural Association and other farmers that — “they”, I should specify, was the Minister of Environment, the Minister of Energy, Mines and Resources, and senior officials. I think that the polite way of wording the response of the Yukon Agricultural Association to how they felt they were heard and treated is that they were profoundly disappointed.

The letter that the Member for Kluane and I sent urging the government to make the entire Takhini valley an elk-exclusion zone was dismissed out of hand by both ministers. We got very much of a blow-off response in reply. This continues to be a serious issue for my constituents as well as for constituents of the Member for Kluane. We will continue to work on behalf of our constituents and bring forward the importance of coming up with a better solution to managing the elk than the government has been proceeding with.

Mr. Speaker, another issue that I would just remind the government about, as I did in the spring, is that not only do

government tipping fees at dumps continue to be a problem, the problem that was created last summer in commercial garbage service outside city limits being impacted by the Government of Yukon and City of Whitehorse not having a structure between them that allows predictability for commercial waste providers is something that is having a serious cost impact on some farmers as well as other business owners in the Whitehorse periphery. While government did one thing, they didn't work with the city to come up with a clear, predictable structure that would actually facilitate the service being provided.

I would point out to government that this is creating a situation — I've said this in the past, but I have to remind them again — where the status quo sees a situation where the structure encourages farms down the Takhini Hot Springs Road to personally take their garbage to the Deep Creek dump, taking their waste on a 40-mile side trip instead of going straight into the Whitehorse landfill. That is not a very efficient structure financially, and from a climate-change perspective and emissions-reduction structure, it is certainly going in the opposite direction of reducing emissions.

I would also just touch on the fact that we've seen serious delays this year in the permits for firewood that government has made available. This is entirely a government-created problem, which is leading to challenges for people getting firewood for the winter, significantly increased costs, and wood being brought in from BC instead of being used here in the Yukon.

I recognize that in the area of wildfire reduction in the communities, we have been calling for government to do more. They have taken some steps, but there is a very real opportunity for the government to work with First Nations, municipalities, and the private sector to use targeted harvesting in your communities to not only reduce wildfire risk but improve fuel-wood access. That could be one part of addressing the fuel-wood need. Additionally, in the other areas, as we have heard from Yukoners across the territory, the biggest thing that government needs to do is stop delaying the issuance of fuel-wood permits, because this is causing a problem for small businesses, it is causing a problem for citizens, it is causing a problem for seniors and many others, and it has resulted in an illogical situation where some fuel-wood providers find it easier to import from BC instead of harvesting locally.

Mr. Speaker, I could go on for a while about other priorities and concerns, but I think I will leave that there for the moment and turn the floor over to someone else. As I mentioned, I look forward to addressing a number of these issues at greater length in individual department debate.

I would just conclude by following up on the subject that we have raised during Question Period on both days that the House has been back in session. I have raised it with the Minister of Education multiple times in a letter — that being the importance of the Hidden Valley school situation and government being transparent with parents and the public about it, including providing answers to the questions that parents have and being accountable for their own actions, including what they knew, when they knew it, and what they did about it. I have to warn the government that this issue is not going away.

It would be a lot easier to actually be open and accountable to Yukoners and provide them with the information that they deserve.

**Ms. White:** Mr. Speaker, what a lesson — it has been a day full of lessons.

For the Member for Lake Laberge, as reference, I did not attend a farm tour with him. He attended a farm tour with me, as it was my suggestion to the Yukon Agricultural Association. I said that, with everyone having a common language and understanding, it would be great, and I was pleased to see it, although I will echo his thoughts that it was disappointing to not have the ministers at the time, but I do look forward to them going on the farm tour and seeing the elk damage.

I would also point out at this point in time that the Member for Lake Laberge was also a minister when there was an elk problem and nothing happened then, although I am hopeful — forever optimistic — that we will deal with this issue. Elk in the Takhini River valley are a problem. They are a problem for agriculture, and if we say — and we have — that there is a climate emergency and if we are committed to food security in the north, these are things we need to talk about. They are not necessarily easy or comfortable, but they do need to change.

Some of the questions and concerns I will have over the next while have to do with the COVID support programs. When they were initially announced and they had timelines, some dates that were included made a lot of sense. For example, the paid sick leave program, when it was initially announced, said that you needed to have a business that had been registered prior to March 13, 2020. That made sense for the first part of the program to make sure it wasn't abused and that the support funding wasn't used, for example, for new businesses to start up. Knowing that the program has now been extended means that folks who have been in business and just hadn't registered by that date are being affected and are looking to access the paid sick leave program. I'm hopeful that this has just been an oversight. Knowing that some of those programs initially were announced way back in 2020 and here we are at the end of 2021 and those programs have been extended — which is important. It is important that we have the proper supports in place.

There are many, many questions with the supplementary estimates, which I am looking forward to discussing with the ministers as we get into those departments. Some things that maybe won't be there that I would like to be there — this is just a heads-up for the Minister of Highways and Public Works — the temporary anti-slip paint that goes on the wooden walkway outside of the Yukon tourism information centre has worn off. It was put on about a month or six weeks ago, and in places where it has worn off — it turns out that the railway tracks that go through the Millennium Trail are actually the responsibility of the Department of Highways and Public Works — they are really slippery with the frost. I can attest to that as I am a new convert to bike commuting. I pass those trails every day, and I'm nervous about both crossing the tracks and that wooden surface. Although that was a measure that was put in place to take us through winter, it's already wearing off.

When we talk about supplementary estimates and we talk about additional changes to budgets, it is important to note that there definitely are things that won't be there. We have been contacted by folks who have concerns about wait times for MRIs at the Whitehorse General Hospital, so we are looking forward to the hospital appearing here as witnesses.

There are different things that were brought forward. If we have nearly 3,000 people — I think it is 2,600 people — on a wait-list for a family doctor — I have been asked by someone who doesn't have a family doctor if health care is truly universal. If you don't have access to a doctor and you have to go to the emergency room, is health care truly universal? It is a question that we should answer. Knowing that folks without a family doctor at this point in time are having a hard time getting prescription medication, because sometimes that prescription medication needs to be under supervision — so, by a doctor — but if you don't have a doctor, it makes this challenging.

Knowing that there have been recent decisions made by the residential tenancies office that affect mobile home parks, making sure that the information is shared widely with folks in parks but also making sure that one decision covers other parks that are doing similar things that have been found to not have been done correctly in respect to the legislation —

So, although there will be many departments called forward for the supplementary estimates, ultimately, I look forward to actually being able to engage with the Premier and being able to ask the questions and get the answers, because being here like a talking head is, I don't feel, the most effective way to get my point across. I look forward to engaging with the ministers responsible for different departments. In the case where those departments won't be up for debate, I'm looking forward to having these conversations with the Minister of Finance because budget times are times to ask questions about how departments make decisions and how decisions are made.

With that, Mr. Speaker, I look forward to hearing from my colleagues, and more than that, I look forward to Committee of the Whole.

**Hon. Ms. McPhee:** Thank you for the opportunity to address the Legislative Assembly today. As I begin, I would like to take a second to thank my family and friends for their endless support and understanding. As everyone who has done this job, or maybe even contemplated doing this job, knows, being a member of the government and of this House takes a toll on relationships. It is wrong, Mr. Speaker, but the demands on your time mean that your family and friends regularly take a back seat, and they don't have you in some of the everyday moments of their lives, as much as they, or as much as you, might like.

When we ask our neighbours and our constituents in our communities to send us here to represent them and their issues, our families and friends also make that commitment. Managing through a world pandemic only makes that commitment and that workload more intense.

Mr. Speaker, the people of Riverdale South have sent me here to represent them and to bring forward their concerns and to help resolve their issues and those issues that are of the

greatest interest to them and to all Yukoners. That honour, Mr. Speaker, is mine.

Individually, Yukoners took the time to express their votes and participate in our democratic process and make sure that there was a representative sent to this Legislative Assembly. They took the time to do that in the first of what turns out to be three elections this year and to send someone to represent them to this Legislative Assembly.

I also appreciate — let me say it this way: I hope that Yukoners will not lose stamina with elections and will turn out in record numbers to support municipal mayors and councils in the next number of weeks, that election being on October 21 here in the territory.

Mr. Speaker, my notes from last year describe it as an unusual and challenging year for everyone. We had all hoped for a strong return, maybe to our pre-pandemic lives, and unfortunately, that is not yet the case. We continue to live through a moment in history. It is with patience, kindness, and mutual support that Yukon communities are working to keep us all safe and resilient.

I've said many times before that governments must understand their responsibility to the people of this territory. Our government works every day with that in mind.

Sometimes a supplementary budget is required when there are changes to the main budget for one reason or another. It won't surprise anyone that anticipating what the costs might be for certain things, particularly in relation to the COVID-19 pandemic, would be unusual and perhaps need adjustment.

The supplementary budget includes spending due to the COVID-19 pandemic and what our government spent and continues to do to address and assist Yukoners in multiple necessary areas.

Mr. Speaker, in making these decisions, we turn our minds to the question of what is in the best interests of Yukoners. This supplementary spending reflects that question and approach. What is the help that Yukoners need and are asking for? What can we do to keep Yukoners safe during this unusual time?

I will turn my comments to the supplementary budget focused on Health and Social Services for 2021-22. I am going to take a moment first, please, to thank the officials of the Department of Health and Social Services, in particular, the deputy minister, Stephen Samis, and his team of amazing assistant deputy ministers: Amy Riske, Karen Chan, Mary Vanstone, Shehnaz Ali, and Sharon Specht. They, along with the department, have been instrumental in ensuring that we develop a budget that supports Yukoners. I want to thank them for their dedication and their hard work.

It is clear that COVID-19 comes and continues to have a significant impact on all Canadians and all Yukoners. Keeping Yukoners safe has been our government's top priority since this deadly virus first appeared more than 19 months ago. In fact, the first real COVID wave only arrived here in the Yukon in June of this year. While we weathered that gamma-variant-fuelled storm, it was not easy. As we are seeing across Canada, the delta variant is now a threat to Yukoners.

That is why our chief medical officer of health continues to recommend that we get vaccinated and practice the "safe six

plus one". Our ongoing pandemic response is, of course, guided by our *Forging Ahead* document, which outlines two goals and six pillars to support Yukoners. The two goals are to enhance Yukoners' well-being and protect populations that are vulnerable. The six pillars, Mr. Speaker, are supporting First Nations and community partnerships, vaccinations, testing and surveillance, surge capacity, social supports for vulnerable people, and public health measures.

Through this supplementary budget, as we continue our efforts under each of these pillars, our work is not yet done. It is only through ongoing, sustained efforts that Yukoners will be able to live and cope with COVID.

We continue to support our hospitals and meet their financial needs related to COVID, and this is also included in this supplementary budget. We know that we must continue with robust contact tracing and provide supports and self-isolation options for some Yukoners.

Most importantly, we must continue our territory-wide vaccination efforts. Vaccinations are our best defence. Scientific evidence shows that raising our vaccination rates even by a single percentage point helps reduce the risk of breakthrough cases for the fully vaccinated and of community transmission. For those who have not yet chosen to be vaccinated, I urge you to do so. Each additional person who chooses to get vaccinated helps to protect us all.

For the Department of Health and Social Services, protecting and enhancing the well-being of Yukoners during a global pandemic has been both challenging and expensive, but through the dedication and hard work of all our front-line health and social support workers — from doctors and nurses to continuing care workers to personal support workers to cleaning staff, and to all those who support our efforts, along with the acting chief medical officer of health — we have continued to offer the services and supports that our citizens rely on. Our vision of healthy, vibrant, sustainable communities continues even during a global pandemic.

Mr. Speaker, in addition to all of our efforts combating this pandemic, we have continued moving forward with *Putting People First*, the final report of the comprehensive review of health and social services, which has been endorsed by the government.

In this budget — some of this has been mentioned by the Premier, but it is worth noting — we are requesting a supplemental appropriation of \$22,764,000. This represents a 4.6-percent increase to the overall budget of Health and Social Services. This additional funding is required for not only our pandemic response and our ongoing health system transformation but also the legislated and required service that we provide to all Yukoners. Approval of this funding will allow the Department of Health and Social Services to continue meeting the requirements of essential health and social programs while continuing our response to the pandemic.

For COVID specifically, the department is requesting \$10,674,000. This includes a significant request, as noted by one of the members opposite, of 87.3 FTEs to support COVID. It is really our people who do the work to protect us — the front line of the pandemic and services. It is the screeners, the nurses,

the greeters, the social workers, the epidemiologists, the rapid response teams, and public health experts who are keeping us safe. Without the necessary human resources, we cannot meet the needs of Yukoners. These funds will be used in part to continue our ongoing vaccination efforts. This includes making vaccines available throughout the territory for everyone who wants them. It also includes booster shots for our long-term care residents and immunocompromised citizens.

There were some comments earlier to me to draw attention to perhaps whether or not those are questionable at this time. Immunocompromised citizens, as listed on yukon.ca, are able to get booster shots as we speak and have been able to for some time. There was a small hiatus from the vaccine clinic here in downtown Whitehorse so that booster shots could be delivered to all long-term care residents last week, which was done, and we have returned to five days this week at the vaccination clinic available to Yukoners.

We also expect that Health Canada will soon approve a vaccine for children, ages five to 11. We will need to be ready — and we will be ready — to administer these vaccines to Yukon children as soon as the vaccines are approved. We need to be ready for booster shots, further than the ones that have already been delivered.

Funds will, of course, be used to support our acting chief medical officer of health in monitoring the environment, including assessing epidemiological models and providing recommendations to Yukoners — all vital to combating the virus.

As mentioned, effective testing and contact tracing are also crucial to prevent community spread. We plan to continue operating the essential services provided by the COVID testing centre in Whitehorse and our mobile testing and vaccine teams in communities. The COVID testing centre has a staff that includes nurse practitioners, nurses, administrative support, greeters, and cleaners.

Given the upcoming flu season, testing is especially important, and we expect the number of people to be seeking tests to increase when the flu arrives.

We are seeking funding to continue our vaccination clinics, which will also administer flu shots here in Whitehorse. Both influenza and COVID-19 cause serious respiratory illness. The combination of both diseases could be life-threatening, especially for some vulnerable people. Community Nursing will continue to hold clinics in communities across the territory. Additionally, pharmacists in Whitehorse will once again be able to deliver seasonal influenza vaccine to Yukoners over the age of five. This will allow more access to Yukon citizens. Funding will support the hiring of auxiliary-on-call nurses, greeters, cleaners, and administrative staff to support those clinics.

During the pandemic, like everywhere in Canada, we have been paying particular attention to our most vulnerable populations. These are Yukoners living in our continuing care residences, people living with disabilities, those on social assistance, and those who are precariously housed or homeless.

Due to our vulnerable populations and the number of 24/7 facilities that the department manages, some of our additional

funding continues to be spent on cleaning and screening to ensure that we comply with best practices and the recommended guidelines from the office of the acting chief medical officer of health.

Continuing Care alone has approximately 300 long-term care beds and more than 700 home care clients. The Whitehorse Emergency Shelter and its guests also continue to be greatly affected by the pandemic. We are mitigating the risk of transmission among this vulnerable population through enhanced cleaning and infection control measures and the implementation of social-distancing measures. For example, the department continues contracting with local hotels to house clients who are unable to be accommodated at the shelter due to the physical distancing requirements.

In addition to responding to COVID, there is an additional \$1.2 million for social service supports. This includes \$650,000 for the John Howard Society to operate the Housing First residence on Wood Street for individuals who are experiencing homelessness and who may require support due to mental health or substance use challenges. Additionally, there are funds for increased demand for the Yukon seniors income supplement. It also includes funding for increases in individual respite agreements and for two full-time disability service social workers to offset increased caseloads.

The pandemic has also had an impact on Canada's other ongoing public health crisis — opioid poisonings and deaths. As we all know, Yukon has not been immune to these impacts. This year, 14 Yukoners have already died due to opioid overdose. This is a 40-percent increase from the year — and it's not over.

This supplemental budget includes 3.5 FTEs and operational funds for the equipment for the Whitehorse supervised consumption site, which opened last month. This is about harm reduction, and this new initiative will save lives.

To get our much-anticipated midwifery program up and running this fall, we are seeking approximately \$673,000. This includes funding for equipment and funds to hire two midwives and a part-time support staff.

This supplemental budget request includes a significant amount of money, which is fully recoverable from the Government of Canada. For example, there is a \$2.438-million adjustment to carry forward funds from the territorial health investment funds that were not used last year. These funds support innovation and transformation, including implementing *Putting People First* initiatives, and are 100-percent recoverable.

There is \$3,769,000 for IHealth, which is Yukon's electronic health information system that launched in June of this year and has new locations coming on each month over the next number of months. Once fully implemented, this integrated health information system will connect health care settings across the territory, increase access to care, and improve the delivery and coordination of care. Of that amount, more than \$2,300,000 is fully recoverable from the Canada Health Infoway. There is also a proposed increase of \$1.3 million to support cultural events and activities for First Nation children in out-of-home care and cultural programming

for their families. Of this proposed increase, nearly \$1,200,000 is recoverable through Crown-Indigenous Relations and Northern Affairs Canada.

Everything that we do within the Department of Health and Social Services is to maintain and improve the well-being of Yukoners. I will be pleased to answer any questions in Committee about the important work that is currently underway. Thank you for the opportunity to address this Legislative Assembly today.

**Hon. Mr. Clarke:** I rise today to respond to the second reading of the *Second Appropriation Act 2021-22*, Bill No. 202. As the second session of the 35<sup>th</sup> Legislature begins, I would like to relate how these funds are being spent and also about all the dedicated and innovative work that my departments are doing for Yukoners.

First of all, I would like to start with the *Our Clean Future* report. This is our government's response to the global climate emergency that we are facing with 131 action items provided as progress markers. This is a priority for me every day. I try to apply this lens to my decision-making and all of my work on behalf of all Yukoners. I am proud to be a part of a team that shares this vision.

Recently, we increased our reduction target to Yukon's greenhouse gases to 45 percent by 2030, below 2010 levels. This aligns with Canada's international commitments to be credibly ambitious at reducing emissions and building a greener economy.

We need to urgently reduce our carbon footprint. This is a challenging task; however, doing nothing is not an option. It is now globally common ground among a large majority of climate scientists that aggressive measures need to be taken in order to have a chance to keep global warming below an increase of 1.5 to 2 degrees Celsius by 2023, thereby potentially avoiding the direst consequences of climate change.

Specifically, this summer, I spoke on a number of occasions of an impending tipping point as it relates to electric vehicles versus internal combustion engines. In Norway, they are already there, with the overwhelming majority of new vehicles sold in that country being BEVs, or battery-electric vehicles. In one recent month this past summer, only 10 percent of vehicles purchased in Norway were internal combustion engine vehicles. I checked this as recently as today, and there is an article on the site *drive.com* from Australia indicating that Norway is projected to hit 100-percent electric vehicle sales early next year. This is clearly an aspirational goal. We must aim for these types of paradigm-shift tipping points in the Yukon. This is about our personal choices and, as well, it is about steering our Yukon government ship in that direction. We do not have another choice.

As we move toward cutting our emissions, I want the Yukon to be a leader in climate change adaptation and mitigation in Canada — and, in fact, globally. In that regard, I am encouraged that our government established, among other things, the youth panel on climate change. This panel represents youth voices from across the Yukon who have demonstrated active leadership on climate change advocacy and policy. Over

the last summer, the Minister of Energy, Mines and Resources and I met with the two co-chairs of this panel. I was impressed with their enthusiasm and devotion. I am looking forward to meeting the entire group to hear their recommendations and potential climate change and mitigation solutions this upcoming Friday.

In addition, our government is excited to see the establishment of the first Yukon Climate Leadership Council, which will include members from different sectors and from across the Yukon. This council will draw from the *Our Clean Future* recommendations as a framework to develop plans to reach the stated 45-percent reduction goal. This ambitious target will require concrete and significant plans. I would note that it has been fruitful to be working on this initiative with my colleague from across the floor, the MLA for Whitehorse Centre. The Yukon Climate Leadership Council will commence its important work within this next month.

As we move forward, I have directed the Department of Highways and Public Works to accelerate the implementations of *Our Clean Future*. One example will be advancing on multiple fronts to identify and implement key energy projects such as biomass and solar in order to reduce the greenhouse gas footprint of Yukon government's physical operations.

Whether it is the newly installed and impressive sun-angle-adjusting solar panels at the Tombstone Interpretive Centre, which I had the privilege of visiting this summer, or, in the future, our plan to retool or repurpose currently diesel-operated remote grader stations along the Dempster Highway by installing significant solar arrays — when piloted, with respect to the grader station, we anticipate that 80 to 90 percent of diesel use can be offset between February and October annually.

We are striving to get where we want to be quicker and credibly. As minister of both Environment and Highways and Public Works, I'm excited to be able to prioritize and witness the important synergies of these two departments. I am proud that it is under my watch that this government will be implementing a ban on single-use plastic bags that will come into effect this January. We need to reduce the amount of waste and decrease the release of emissions and by-products associated with the manufacturing of single-use bags. I was particularly impressed with the level of detail on this consultation which ultimately determined the date of the implementation of this regulation.

I would like to take this opportunity to thank the public, retailers, and other key stakeholders for sharing their perspectives on the optimal way to proceed. As we move toward bans on both plastics and paper bags, I would like to commend those Yukoners who have already chosen — in some instances, years ago — to consistently bring their reusable bags to go shopping.

Returning to *Our Clean Future* and the issue of climate change, Yukon's climate is changing, impacting the water and land. We know that elders lived through winter temperatures that our children may never experience. Wildlife and plant species are claiming habitat in places they have not before. In some locations, water levels are low and water systems are

taking new paths as glacial sources retreat. Flooding may be more severe and frequent in other areas. Species like the pine beetle, which kills pine trees, are making their way to Yukon forests while outbreaks of spruce bark beetles already kill spruce trees in the territory. More dead flammable trees in our forests could contribute to wildfires becoming more frequent and intense.

In Old Crow, the Vuntut Gwitchin are on the frontlines of climate change and a declared state of emergency. Both the City of Whitehorse and the Government of Yukon followed suit and declared their respective climate emergencies.

In the Yukon, climate change has had real impacts on the communities we call home. Like the landscape we live in, Yukoners are changing too. We are modifying the way we build, finding new ways to travel, and exploring more sustainable energy sources. All Yukoners have a part to play in addressing climate change. Together, we are adapting to the effects of climate change, reducing our emissions, and establishing the future of a changing Yukon.

The Government of Yukon is monitoring and studying the changes around us so that we can make informed decisions about the actions we take, and we are not doing it alone. The Government of Yukon is an active member in climate change action for our region, our nation, and our world. We support Canada's commitment to the United Nations 2015 *Paris Agreement*. Nationally, the Yukon's perspective was a part of shaping the *Pan-Canadian Framework on Clean Growth and Climate Change*. We also worked with the Northwest Territories and Nunavut on projects specific to climate change in the north. Canada and the Yukon continue to partner on taking tangible climate action in the territory.

In budget 2020-21, the Government of Canada committed \$25 million to support the Government of Yukon's climate change priorities. This new funding will support initiatives in *Our Clean Future*, such as community-based renewable energy projects, low carbon transportation infrastructure, building retrofits, and renewable heating projects, as well as hazard mapping and emergency preparedness initiatives.

Here at home, we lead a coordinated approach to reduce our emissions and adapt to current and future climate change impacts. *Our Clean Future* is the Government of Yukon's answer to the climate emergency. We are working in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon communities to implement the strategy. *Our Clean Future* and our recent increase to Yukon's greenhouse gas reduction target to 45 percent by 2030, below 2010 levels, aligns with Canada's international commitments to reduce emissions and build a greener economy. We know that, as our population continues to grow, we will require more energy. At the same time, we need to reduce our carbon footprint and ensure economic stability and energy security.

We want to be leaders in climate change adaptation and mitigation in Canada and around the world. Those leaders are not just in government. Youth, for example, are playing a significant role in climate leadership. Yukoners aged 12 to 25 are now meeting regularly to engage, support, and empower their fellow young people to learn about and take meaningful

action on climate change. These youth will provide advice and perspective to government on issues related to *Our Clean Future*.

Additionally, we are excited to see the establishment of the first Yukon Climate Leadership Council, which will include representation from different sectors and members of society from across the territory. Using the current *Our Clean Future* strategy as a framework, the council will develop plans to reach the 45-percent reduction target and submit a report of recommendations to the government by May of 2022. There is no doubt that this ambitious target will require significant action across the territory.

Mr. Speaker, adapting our approach to climate change is essential. The Government of Yukon is assessing how best to accelerate climate action in order to prepare and respond to the climate emergency. Gathering input from those experiencing climate change first-hand is just one way this government will continue to take action on climate change.

We completed several key actions in 2020 that are reducing the Yukon's greenhouse gas emissions, enhancing energy security, increasing resilience, and growing our green economy. These include new rebate programs for zero-emission vehicles and electric bicycles. Since the initiative launched, we have helped 31 Yukoners purchase electric vehicles and 197 Yukoners purchase electric bicycles. That reduced greenhouse gas emissions from transportation. I understand, as well, Mr. Speaker, that recently the total registration of plug-in electric and battery-electric vehicles may in fact have surpassed 100 vehicles in the Yukon; that is certainly encouraging.

We have also increased the rebate for smart electric heating systems, incorporated climate change impacts into hydroelectricity generation forecasts, and progressed geohazard mapping for communities, as you have heard in some of the debate already with respect to the unprecedented flooding of this past summer. This includes continuing our new zero-emission vehicle and e-rebate rebate programs established in 2020.

We are launching a pilot project to test the use of medium- and heavy-duty electric vehicles for commercial use, and with my hat as Minister of Highways and Public Works, I am excited about integrating medium- and heavy-duty electric vehicles into the Yukon government fleet where appropriate and operationally sufficient for the government's purposes.

We have begun working on a requirement for all new residential buildings to be built with the necessary infrastructure for electric vehicle charging. We are also working to access moveable, clean-air shelters that we will deploy in Yukon communities that are experiencing very smoky conditions due to forest fires.

We are also working on longer term projects to increase our supply and use of renewable electricity, improve fuel efficiency and supply of renewable fuels, and support building retrofits to make buildings more energy efficient.

Another key initiative for 2021 is incorporating a climate change lens into the decision-making process for major Government of Yukon projects, policies, and programs. The

climate change lens will make sure that greenhouse gas emissions and climate resilience are considered on a regular basis when decisions are made across government. At the same time, we are also working on climate change training for Government of Yukon staff. This will help staff to apply a climate change lens and integrate climate change considerations into their work.

When it comes to preparing for the impacts of climate change, we are completing a Yukon-wide climate change risk assessment. This will prioritize our needs and inform the planning necessary for climate change adaptation. The risk assessment will also help inform how to measure progress toward our target of being "highly resilient to the impacts of climate change by 2030". Our partners in climate change science, like Yukon University's climate change research team, are integral to finding new, made-in-Yukon solutions to address the challenges of climate change. They also help to make climate change information more accessible so that Yukoners can make informed decisions when they are considering climate change.

Through the federal government's climate change preparedness in the north program, we have received \$2 million over four years to undertake projects that help the Government of Yukon adapt to the impacts of climate change. Some of the projects include: undertaking a climate change risk assessment; mapping permafrost along the Dempster Highway and around Whitehorse; tracking the impacts of a warming climate on wildlife and their habitats; understanding how climate change threatens human health; and identifying best practices for food security in a changing climate.

Another important aspect of successful climate action is making sure that Yukoners are aware of climate risks and the role they play as we build a clean future together. During engagement sessions for *Our Clean Future*, Yukoners highlighted the need for more information about climate change and how they can participate. Later this year, we will launch a Yukon-wide social marketing campaign to provide clear, useful information about climate change and energy issues in Yukon. This will include ways that Yukon families, businesses, organizations, and individuals can be part of the solution. I know that Yukoners listening do want to be part of this solution.

In the Yukon, transportation and heating buildings are the biggest sources of emissions. As part of the Government of Yukon's commitment to reducing our carbon footprint, we are tracking and reporting the territory's greenhouse gas emissions. While the Yukon's emissions are a small percent of Canada's emissions, our per capita emissions are the sixth highest by jurisdiction in Canada. The Yukon will do its part to tackle this global challenge, which is already affecting our lands and our people. We will reach our reduction targets by implementing the actions in *Our Clean Future*, reviewing and updating our actions as needed, and adopting new emission reduction technologies as they become available.

With the Yukon government, we are also tracking greenhouse gas emissions from our operations and activities, which account for approximately five percent of Yukon's overall emissions. By effectively tracking and monitoring

emissions, we are better able to understand and evaluate and provide our own personal report card on our progress toward the goals outlined in *Our Clean Future*. We look forward to continuing our work with our partners to lower greenhouse gas emissions, meet increasing energy demands, adapt to the impacts of climate change, and build a green economy.

All that is to be said, Mr. Chair, is that we are committed to meeting the needs of Yukoners while responding to external spending pressures and balancing those pressures with our plans in a fiscally responsible way. Moving forward, the Department of Highways and Public Works and the Department of Environment will continue the vital work of keeping our vital transportation systems moving, our information flowing, and our buildings running safely and reliably all year-round.

I will conclude my comments by thanking the hard-working, dedicated, and creative individuals at the Department of Environment and the Department of Highways and Public Works. It is an honour to serve as their minister.

**Hon. Ms. McLean:** I am pleased to rise today in response to the 2021-22 first supplementary budget, presented by the Premier on behalf of our government today, October 12, 2021.

Mr. Speaker, it remains a complete honour to represent Yukoners in the 35<sup>th</sup> Yukon Legislative Assembly and particularly to represent the citizens of the Mountainview riding. I am deeply grateful for their continued support in my role as their MLA. It is my honour to represent them and be their voice in this Legislative Assembly.

Thank you to my family and friends for your continued love and support, particularly my husband, Rick McLean, and my sons, Colin and Jedrick Dendys. I am truly grateful for my circle of family and friends. You hold me up; you keep me grounded.

Since the election of 2021, we hit the ground running. In both of my portfolios, for sure, I have been pleased to see exciting changes and new projects come up, which are now coming into reality. This includes changing the name of the Women's Directorate to Women and Gender Equity Directorate, as well as receiving the review of inclusive and special education through the Department of Education and working forward in the implementation of this.

I have a few reflections from the summer that I wanted to share with the Legislative Assembly today. September 30 was the first National Day of Truth and Reconciliation in Canada. It is important that all Canadians reflect on the history and legacy of residential schools. A clear awareness of the past along with an acknowledgement of the harm that has been inflicted is critical to inform our actions going forward as a society. Our government remains committed to supporting indigenous communities and Yukon First Nations in their efforts to bring to light and recover from the harms of residential schools.

We also continue to support the implementation of the Truth and Reconciliation Commission calls to action. Thank you to the Third Party for bringing those motions forward on the first day of the legislative Sitting. We each have a role to

play in addressing our tragic history, supporting healing efforts in our communities, and advancing reconciliation. I encourage all Yukoners to read the Truth and Reconciliation calls to action and reflect on how we can bring a brighter future to our country.

Just a few short days after this important day, we participated in the Sisters in Spirit walk for missing and murdered indigenous women and girls. I want to just be clear, of course, that when I reflected at the fire around the Truth and Reconciliation Day of Action, there may be a few days in between these two events, but they are very much the same. Violence against indigenous women and girls is a direct result, in so many ways, of the residential schools and our past history. I really want to highlight these particular events.

I also want to reflect on the beautiful new monument that we have on our waterfront. I was able to attend that unveiling and be part of the ceremony. I am very proud of the indigenous women's groups and all of the partners that played a role in making this happen. It is embedded in our strategy for missing and murdered indigenous women and girls in the Yukon. There is a tremendous amount of work that went into that. I am really proud to have that monument overlook Rotary Park, welcoming folks and as a reminder to this tragic part of our history.

I will now take a few moments to highlight for Yukoners some of my priorities going forward in both of my departments. I will start with women and gender equity. I am pleased to present the Women and Gender Equity Directorate supplementary budget for 2021-22. As I mentioned, it is no longer the Women's Directorate. This fall, we officially changed the name and mandate of the Women's Directorate to the Women and Gender Equity Directorate.

The work of the directorate expands so much further than just advocating for women, though that remains a very important aspect of the work that they do. We have now expanded their formal mandate to intentionally include sexual orientation. The new name and the formal mandate also align with the understanding that gender is a spectrum.

This fulfills a mandate commitment and is something that I have been advocating for since I first came into the portfolio in 2016. This supplementary budget reflects that work. The Women and Gender Equity Directorate has done incredible work over the past few years in advocating for gender inclusivity here in the Yukon. A great example of this is our LGBTQ2S+ action plan that was released this past summer. We have some exciting initiatives planned with our community partners. The action plan is divided into nine sections with more than 100 actions on health care, education, youth, community and culture, inclusive governance, public facilities, Yukon government as a work place, gender data, and tourism and culture. Many of these actions are already underway.

A physical space was one of the top priorities in the LGBTQ2S+ community — one of the high priorities for the community that was shared with us during the public engagement. We were told that having a physical space that can be used as a gathering place for education, programming, resources, and a place for community and connection should be a priority. That is why we are providing \$375,000 in operational

funding for Queer Yukon Society to support the establishment of the Pride Centre — the first ever in Yukon.

Work continues on advancing Yukon government's commitment to missing and murdered indigenous women and girls and two-spirit-plus people. I am one of the three co-chairs of the Yukon Advisory Committee on Missing and Murdered Indigenous Women and Girls and Two-spirit+ People. We are working closely on the creation of the implementation plan for *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-spirit+ People Strategy*, which was released on December 10. We are on target to have this implementation plan completed by December 10, 2021.

I am particularly looking forward to an upcoming event in February, the first missing and murdered indigenous women and girls two-spirit-plus accountability forum, which will be an opportunity for all our partners who signed on to the plan to share the progress that they have made on advancing this important goal.

Mr. Speaker, there are so many impacts of the COVID-19 pandemic that are still being understood. We know that the pandemic has had a significant impact on the safety and security of marginalized populations, including women and girls and two-spirit+ people. Home is not a safe place for everyone.

As Minister responsible for the Women and Gender Equity Directorate, I am so grateful for the grassroots work of local Yukon organizations that create and run programs that provide critical services and spaces to many women and children in our community. That is why, this year, the Women and Gender Equity Directorate will be providing an increase of funding of \$65,000 to the Yukon Aboriginal Women's Council to continue the Sally and Sisters program. Sally and Sisters has been operation in Whitehorse for nearly 10 years, providing a safe environment to meet emergency needs for food security. This funding will support the expansion of services from twice a week to four days a week.

Moving on to Education, it is a challenging and transformational time in the Department of Education. The 2019 report of the Auditor General of Canada on kindergarten to grade 12 education and the 2021 review of inclusive and special education and the Child Advocate review of attendance all highlight that we can do better. This is my commitment to Yukoners: We will do better. We recognize that we cannot make systemic changes alone. We need to work collaboratively with students, families, First Nation governments, school communities, and other education partners. To this end, we are working with our partners to identify, commit to, and carry out meaningful action that will achieve real change for our students. This includes collaborating with the First Nation Education Commission and the advisory committee on Yukon education. We are supporting the Chiefs Committee on Education and the Yukon First Nation Education Directorate on their road to establishing a First Nation school board.

We are working quickly to establish a work plan to implement the recommendations of the review of inclusive and special education. We will be hosting an education summit on

November 12 to further advance this work at the community level with our partners.

I would be remiss if I didn't speak to the very concerning situation at the Hidden Valley Elementary School. As it is the topic of this legislative Sitting so far, I will not dwell — but I do want to speak for a moment directly to parents. I absolutely hear and feel your pain, your anguish, and know that we let you down. I am committed to walking with you on this long path of rebuilding your trust with our school system. I am confident that, with the many reviews underway, this will lead to policies and procedures that will ensure that this never, ever happens again and that this terrible situation is left behind us.

The supplementary budget for the Department of Education reflects how the department is working to achieve its priorities for education as we move through the pandemic. This includes: ensuring the health and safety of students and staff; ensuring learning continues for all students; supports for students with diverse learning needs and those in need of additional supports; and support for students, teachers, and support staff for flexible learning, including access to technology tools and training. We are making investments in capital infrastructure, which are required to address our aging infrastructure, meet growing enrolment, and create modern learning environments and community spaces.

In the supplementary budget request, we have requested an increase of \$13,216,000 in O&M. Nearly all of it is recoverable, with recoveries of \$13,211,000. Therefore, we have a net increase of only \$5,000 in O&M. We are also asking for a net increase of \$119,000 in capital. As we move further into debates on the supplementary budget, I will go further into details.

Mr. Speaker, I would like to conclude with some thank yous. It has been a very challenging year for students, parents, teachers, and administrative staff navigating how we educate during an unforeseen pandemic, and then being faced with the reality that we have significant work to do to improve our systems is daunting.

I want to personally thank Yukon educators and the administrative staff for never giving up, even though we face many challenges. I know that each and every one of you believes in the progress that we will make. Each of you is an incredibly important part of the solution and need to come with us. We need to go on this journey together, because at the end of the day, this is about our children and we can never forget the critical part we now play in making sure their futures are as bright as they possibly can be.

I thank you, Mr. Speaker, for the opportunity to speak to the supplementary budget. I look forward to the debates that will happen in Committee of the Whole and to answer any questions that folks may have on the details.

Again, I thank my family and I thank my friends for being there and being supportive. I look forward to the debate with all of the folks from across the way during further Committee of the Whole debate.

**Hon. Mr. Mostyn:** I hope everyone had a wonderful, low-key Thanksgiving weekend. Personally, I was glad my

riding dodged rain and snow until late Monday. Heck, I even managed to run my mower one more time — giving the rabbit and chickens a nice pile of fresh clippings. They love those clippings — just love them. I can't remember the last time I ran the mower in October. I can't remember the last time it was warm enough and dry enough in the second week of October to do it. It is, to me, unusual.

These are themes — environment and climate change — that I will come back to again and again this afternoon and in the coming weeks. So, we've established that it is October and that means, like clockwork, it is supplementary budget time here in the Legislative Assembly, so let's begin.

I have spoken to my constituents in Whitehorse West a lot this year, through two election campaigns and many chats on the dog trails and at the end of driveways — their thoughts on lot development, housing, affordability, retrofits, the environment, climate change, land use planning, childcare, energy, mental health, substance abuse, safe injection sites, the fentanyl crisis, midwifery, the hospital operation, the labour shortage, sheep counts and hunting issues, and dozens of other pressing things. As always, these conversations were informative and personally invigorating.

I carry your thoughts, concerns, and ideas with me daily as I navigate this role as minister in Cabinet and as your representative in the House. I seek to imbue my remarks with your thoughts and opinions. If I am successful, you will hear yourself reflected in this Chamber. I thank you, all of my constituents in Whitehorse West, for the trust that you have placed in me. I also want to thank the staff at the Yukon Workers' Compensation Health and Safety Board and the Department of Community Services. Your professionalism and your compassion as you serve Yukoners is an inspiration, so I thank you.

I also want to thank my colleagues on both opposition benches. This House is a forum for ideas and broad perspectives in the pursuit of a better society for us all. Mr. Speaker, we forget that at our peril. There is enough ugliness, intolerance, and bullying in our society without elected leaders thoughtlessly heaping more onto the pile. Each of us has been chosen by Yukoners to represent their interests with grace, empathy, and tolerance and more than a pinch of good humour. The opposition is the whetstone against which a government hones its policies to a precise edge, and I appreciate your questions, however difficult they may be. I also look forward to hearing all your preliminary thoughts on the supplementary budget this afternoon. I am sure that they will be insightful.

Mr. Speaker, it was a heck of a summer. As I recounted earlier this afternoon, within a few short weeks of being sworn in, we had flooding in Carmacks and Teslin, and a couple of weeks later, the torrent hit the Southern Lakes and Laberge. Water levels rose daily, a disaster in slow motion threatening more than 100 houses. This was deeply disturbing to residents living in these flood zones, of course. It was also troubling on a macro level. The territory faced the loss of more than 100 houses at a time when it needed thousands of new ones. The territory mounted the largest flood mitigation effort in history.

Thanks to an extraordinary effort by civil servants, residents, volunteers, local contractors and businesses, Yukon First Nations Wildfire, flood specialists from Manitoba, incident management professionals from Alberta, Saskatchewan, and Yukon, and the Canadian Armed Forces, we didn't lose a single residence; I showed you a map the other day — not one. Working as a team, this group deployed almost 600,000 sandbags, maintained pumps, and planned and built other flood prevention infrastructure.

I'll have more to say about this when we discuss the department's spending in Committee in the coming weeks, but floods are expensive, and the response, its dismantling, and long-term plans will cost an estimated \$11 million. This makes up the largest chunk of Community Services' supplementary budget this fall. What I want to highlight is the root cause of the floods, fires, and other threats to Yukoners, our communities, and infrastructure.

The climate is changing, and the effects are coming into sharper focus every single year. We drafted *Our Clean Future* to lay out a nation-leading plan to do our part to reduce greenhouse gas emissions. As I heard this spring and summer in the neighbourhood, the time for analysis is over; Yukoners want action.

So, we will reduce our carbon footprint. There are hundreds of millions of dollars in actions identified in *Our Clean Future*, and we will deliver these actions as Yukoners have demanded.

On the COVID front, earlier this year, we ended the state of emergency under the *Civil Emergency Measures Act*. While the danger has not passed, with our vaccination rate one of the best in the country and our procedures and PPE well in hand, we have moved beyond the state of emergency. Despite the end of that emergency, I want Yukoners to know that we are still focused on keeping them safe. We encourage everyone to get vaccinated if they have not already done so. We ask that people continue to wear masks when proper distancing is not possible, and we want people to stay home whenever they show symptoms of a possible COVID-19 infection. We have not, and will not, take this pandemic lightly.

As the supplementary shows, we will act to keep Yukoners safe, whether it is from COVID, natural disasters, or something unforeseen — God forbid. We always put people first; we always will. That approach has differentiated ourselves from places like Alberta, Saskatchewan, Manitoba, and Ontario. I also firmly believe that our government's approach differentiates us from our colleagues in the Official Opposition.

Generally speaking, this budget is further evidence of our sound fiscal management and action that Yukoners have come to expect from their Yukon Liberal government. It also shows that this government is willing to spend what is necessary to confront immediate threats and longer term challenges like climate change.

I will take a moment to acknowledge some of the great work done by my former department, Highways and Public Works. I have had the pleasure of working with some of the amazing public servants in that department during my tenure as minister. Getting the full First Nation procurement policy into

effect this month is a noble achievement and no small feat. A special thank you to all the civil servants, First Nation representatives, and business leaders for their work on this file and to the Minister of Highways and Public Works as well for his work shepherding it to fruition.

The new voice-over IP system, which is currently being rolled out throughout the government, will save it millions of dollars and essentially bring us into the 21st century when it comes to communication. The northern fibre link to Inuvik will provide Yukon with needed redundancy and is being built as we speak. The online service folks did a great job on the vaccine certification process, which is elegant in execution and easy to follow. I want to thank the team in ICT for their incredible work on these important files. There is much incredible work done by Highways and Public Works, but I felt that it was important to congratulate the department and my colleague for these initiatives.

I've touched on Community Services' incredible flood response, and I've heard the opposition's praise for that effort. That praise is well deserved. Of course, there are other initiatives in this supplementary budget. Getting back to the details, Community Services is seeking \$12.89 million — let's say \$13 million in round figures — for operation and maintenance expenditures. About \$11 million of that is for our flood response and recovery efforts, as I have said. More than \$6 million of that money went to local contractors for their much-valued work. Our thanks again to them for their contributions to our response. We had more than \$700,000 that went to Yukon First Nations Wildfire, which built and maintained flood infrastructure in various locations. We thank them as well for their efforts. I must also acknowledge federal Minister Bill Blair who responded quickly with a pledge to help after I personally reached out to him this summer. There is no question that without the troops and resources provided by Canada, our efforts would have been less successful, and I suspect we would be having a far different conversation today.

I also want to thank Brigadier General Godbout and his Joint Task Force North for their incredibly quick deployment and professionalism in helping hold back the fast-rising waters this summer. This is also true of the emergency management teams that we received from Alberta, Saskatchewan, and especially Manitoba. They were absolutely essential to our efforts.

Madam Deputy Speaker, Community Services will be seeking an increase of \$250,000 for First Nation firesmaring projects. This, of course, ties into what I was saying earlier about the costs of climate change. Higher temperatures and winds bring an increased wildfire risk, and so keeping up and even expanding our firesmaring work is absolutely vital to the territory.

Also included in the supplementary budget is \$1.1 million to enhance Yukon emergency medical services in Watson Lake and in volunteer recruitment and retention throughout the 17 EMS stations across the Yukon. As I've heard on the doorstep and within the department itself, paramedics are a hot commodity across the country. They are hard to find and

important to keep. This investment is critical to supporting our paramedics who support Yukoners throughout the territory.

It is also part of our FTE count, which was just recently criticized by the Member for Lake Laberge. I look forward to seeing how he reconciles that criticism with our incredible first responders and the work they do.

I will add that both the municipality of Watson Lake and Liard First Nation indicated that EMS services were one of their top priorities. I heard that remark when I was down there on my community tour, and I hope that the MLA for that area supports this supplementary budget, which has so many important, critical services for her constituents.

We are requesting \$549,000 for the Yukon northern wellness project. This funding targets support for active healthy living initiatives, training and programs, tobacco cessation and prevention, and the immunization partnership fund in the territory. My good colleague from Laberge has weighed in on the transfer station issue this afternoon. I am grateful for the opportunity that presents. I know that we will talk more about it in the coming weeks. I have heard the complaints first-hand, but I have yet to hear tangible solutions from the Official Opposition on the issue of garbage. I have yet to hear how they will plug the hole in a system that free and monitored bins pose to a user-pay model that municipalities have asked us to implement.

Let me shed light on the issue this afternoon just for a moment. Garbage disposal is expensive. I would rather be spending precious government money on people than on personal garbage disposal. We want those generating garbage to pay a part of the cost — roughly a dollar a bag for residential waste. Everybody in society is generating more trash. Municipal costs are skyrocketing as are long-term liabilities.

In 2017, the Association of Yukon Communities asked us to act, and so we have. This issue is not new; it has been in process since then — 2017. We have spoken to all communities about this plan, even Destruction Bay. We have spoken to them several times, in fact, over the last four years. The Yukon is following best practices of the rest of the country and adopting a user-pay system at waste management facilities. We want to ensure that people generating garbage have to pay something. There is a cost pressure to encourage people to manage their waste better. The goal is to better manage waste facilities to reduce environmental pollution and the contamination of groundwater and soils. Also, we want to ensure that all facilities are supervised and fees collected so the system is fair to everyone. If we keep small sites open and unsupervised, people will drive and dump their nasty waste in those sites to avoid tipping fees. We have seen it in Whitehorse; we have seen it in the communities. It will not stop until we plug that hole.

So, we are supervising every site in the territory except the smallest four; those four will be closed. They are all in reasonably close proximity to other landfills. I have heard from Yukoners on this issue. I have heard the difficulties with this approach, which is a best practice across the country.

As is the case with other initiatives I am involved in, I intend to implement the policy that serves the good of the territory while exploring solutions to the individual problems

that surface as a result of that wider policy. I appreciate the feedback that I have received from the community so far. Bottom line — we are asking Yukoners to do their part to reduce waste, dispose of it properly, and protect the environment. I know that everyone wants to look after our beautiful Yukon. I have heard that loud and clear in every community that I visited this summer.

I will close by once again thanking the constituents of Whitehorse West for allowing me to represent them here in the Legislative Assembly. I also want to thank the rural citizens who have been so welcoming and thoughtful in their discussions of issues that matter to them during my recent community tour. The conversations that I have had in those communities on the doorstep, over the phone, and through e-mail continue to guide me in my role today and will continue to do so as I move forward.

Thank you all very much.

**Hon. Mr. Streicker:** It is my pleasure to rise as the MLA for beautiful and soggy Mount Lorne-Southern Lakes. Today, while I enjoy being in the Legislature — and it is a privilege, of course, to represent folks here — I wish I were in my community. Today, we are having the first of several open houses. This one is in Marsh Lake. It is running from noon — running right now — and I think that next week there is one in Carcross, Tagish, and Laberge.

It has been quite a summer, and I just want to begin by acknowledging how tough it has been for folks in my communities and in Laberge, dealing with flooding on top of COVID. It has been very challenging. I understand that, as of 3 o'clock today, the high-water advisory was cancelled, so another step.

I reached out to neighbours this past weekend. I have a list of about 120 people whom I'm corresponding with about the flood fairly regularly, and I let them know that we were almost back down to average water levels.

I'll talk more about the flood in a bit, but I just want to say that it has been a very stressful time for folks dealing with this risk of flooding. I just wanted to begin by thanking everybody who contributed to keeping people safe. It is so appreciated. The residents themselves, their neighbours, Armed Forces, Wildland Fire folks, and many of the members of this Legislature volunteered, and a lot of Yukoners gave up their time, so thank you so much to everybody — and this while we had a pandemic going on.

Let me just acknowledge that, since we were here last, we've seen the largest wave of cases here in the Yukon. It happened between the third and fourth waves of the provinces, but it was really our first wave. Thank you to everybody who helped keep us safe during that time.

As we debate the budget, probably we won't hear the French Language Services Directorate get up, and we probably won't have questions, but I would just like to take a second to give a shout-out to the folks at the French Language Services Directorate for the work they did. They did a lot of extra translating this past year and a half around COVID and around flooding and around keeping Yukoners safe, so I would just like

to say thank you, merci, for their work. I will just say, from a budget perspective, that this year the French Language Services Directorate budget has increased again, and I would like to thank the federal Government of Canada for that. Over the past several years, we've tripled the budget. I think it's up to \$5.25 million this year; it's up to \$5.5 million, and next year I think it's going up to \$5.75 million, and that is wonderful.

I also would like to make a few comments about the Department of Energy, Mines and Resources. Right now, the Dawson regional land use planning commission has put forward their draft plan. I encourage all Yukoners to put forward their comments to the commission. They are due by the end of November. I just want to remind everyone to be part of that, if you are interested.

As well, I would like to just give a little acknowledgment to the ongoing work on successor legislation for both the *Placer Mining Act* and the *Quartz Mining Act*. Those acts are a century old. They need an overhaul and we have been talking about this for many years. It was the work of the mineral development strategy, which followed from the mining MOU with First Nations. We are now there. There was a great turnout to the first steering committee meeting — super well-attended. I understand that last week we had the first industry table meeting with non-governmental organizations. I am getting reports back that the work is progressing well and people are excited to dive in. It doesn't mean that it won't be challenging — it will be — but I'm glad to see that work ongoing.

Sticking with Energy, Mines and Resources, I want to talk a little bit, as others have, about *Our Clean Future*. I would like to acknowledge that all three of the parties during the last territorial election embraced *Our Clean Future* and talked about how important it is. I thank them for that. There are many aspects underneath that, and I will just touch on a couple of them very briefly.

First of all, agriculture — we really do want to promote more agriculture. Agriculture has been doing great here in the territory, although there are some challenges — for example, with elk and our farmers in the Takhini valley. I would just like to acknowledge the Member for Lake Laberge and the Member for Takhini-Kopper King. They mentioned a tour that was set up. The Minister of Environment and I unfortunately sent our regrets. I was meeting with chiefs in northern Yukon to talk about several issues that they had invited me to ahead of the farmers. Unfortunately, I was not able to switch that meeting with several chiefs, and I think that the Minister of Environment was meeting with the Canadian minister of environment and colleagues from across the provinces to discuss climate change and other issues. We happily worked to try to find another time to connect. I will just acknowledge that the issue is outstanding. It is still a challenge. As I said at the time, we are happy to work with farmers to try to find a good solution.

Another challenge that we faced this year was wood, whether that is timber or firewood. We have had some real challenges. I would just like to thank the forest resource branch for working very hard, since we met with the Wood Products Association, to try to find solutions to get more supply available

for Yukoners. I am sure that we will discuss that when we get into the budget a bit more.

Just for a second, I would like to echo some of the comments from my colleague, the Minister of Environment. I have worked on the issue of climate change for decades. I think I am more than 30 years in now on this issue, and it is a little tough to see an issue that, over tens of years, has not really moved, and I would like to give a shout-out to the youth, many of whom were born after I started working on this issue, but who have invigorated this dialogue and are helping us as a society to move forward, and I would like to thank them for that energy that they are bringing — that renewable energy that they are bringing to this issue. It is really wonderful to see. For the first time in my career working on this issue, I feel like we are about to take a leap forward — that this shift of the energy economy is about to happen, and I am looking forward to it.

One of the things — as the Member for Riverdale North noted — is that our two biggest sectors for emissions are not actually how we generate electricity but rather how our transportation dominantly — and also how we heat our buildings. But, of course, as we shift to electricity with those sectors, we need to then develop renewable energy so that it all goes together.

I was really excited just a couple of weeks ago to get to see the electric vehicle discovery day. It was held up at the Transportation Museum. It was just really wonderful to see everybody starting down that path. Whether it is an e-bike or a plug-in hybrid or a pure electric vehicle, we are working to support that and I look forward to further conversations here in the Legislature on that.

I want to make a few comments, Mr. Speaker. I was thinking about this issue when I was thinking about climate change. About 15 years ago, I was involved in helping to produce the Intergovernmental Panel on Climate Change 2007 report.

I was asked to speak to this at a series of universities in the United States, to talk about the north, about the three territories and what is going on. Just at that time, the vice-president of the United States stood up and said, “Well, we know climate change is happening, but we don’t know what’s causing it. There is no agreement about what is causing it.” Where I sat, as a scientist, I recognized that, no, actually, we were very clear about what was causing it, and we are even more crystal clear. This summer, the latest Intergovernmental Panel on Climate Change report came out, and they basically said that we are in code red as a world and that we needed to act.

Back then, in 2007, when that happened, I said to myself that democracy deserves that we maintain a lot of integrity around how information is shared. It is a challenging thing. So, I want to talk about a few numbers today, because when I listened to the Member for Lake Laberge, I heard some things that didn’t feel quite right to me, so I grabbed the handout that was given to the Official Opposition to look through, because he referenced it. He talked about how we are spending an additional \$58 million in this budget, and that is correct, but, of course, the bottom line is that most of that money is being recovered. So, yes, there is additional money being spent, but

most of it is money that we are able to recover, and it is not a net burden on Yukon taxpayers.

For example, the COVID assessment centre, the COVID response unit, testing, contract tracing, PPE, and support for vulnerable populations, \$10.7 million — all recoverable. Early learning and childcare agreements — \$9.9 million, all recoverable. The Mayo-to-McQuesten energy transmission project and battery storage project that the Premier was discussing — \$6.4 million, all fully recoverable.

That is great news. I hope that we don’t present these as negatives, unless, as the members opposite disagree with these projects — terrific. Then that is fine, but we should not present them as being a burden to Yukon taxpayers. Where did we spend extra money in this budget that is not recoverable? Flooding. Mr. Speaker, that is \$11.2 million of which \$0.3 million is recoverable — so far, anyway. So, effectively, that is the \$11 million that is the difference between what we originally broadcast as our deficit and where we are today with this supplementary budget.

The Member for Lake Laberge also talked about us hiring 100 new people, so I took a look to try to see where that is, and here it is: 87.3 are on pandemic management and they are term employees — in other words, temporary employees. They were here during that wave of COVID that we had. They were here to help Yukoners, and it’s not that this is a growth of government; this was a response to a pandemic to keep people safe. Those are not ongoing full-time employees.

There are some in here that are ongoing full-time employees — for example, several for midwifery, nine — or 8.7 — for EMS for our ambulance system, and 3.2 of those, I note, are for Watson Lake and for EMS there. I have had letters personally from the Member for Watson Lake in her advocacy to seek more support there for EMS, and I heard the Member for Lake Laberge talk about that too. I hope that is supported by the members opposite.

Let me turn back, in my last couple of minutes, to talk about the flood. I remember the 2007 flood. I was running the Marsh Lake Community Centre at that time, and my job was to try to help people get informed. What happened during that flood and what happened this time is really quite distinctly different. Both times, we got hit with a flood that was sort of off the charts. Both times, there was a tremendous response from Yukoners and residents, and both times, I think, we needed to learn lessons. I agree with the members opposite that there are important lessons to be learned, but there always, always is room for improvement, and there sure was this time as well.

But here’s one of the ways that it was different in 2007. I remember talking to the government at the time to explain that this is, in all likelihood, exacerbated by climate change. I was told, “No, no, no, it’s not” until finally I mentioned that this would also make the flood response an adaptation, and then, right away, it was, “Yes, okay, great. It was climate change.”

At that time, people might not have understood that I was a climate change researcher because I was running a community centre, but I did try to pass that information across.

During the 2007 flood, when the response started to happen, it wasn't really a government response at first. We, the community of Marsh Lake, hired a flood specialist from Manitoba to come up and try to advise us as neighbours and residents about how to respond well.

The government got upset at us for doing that, and we said, "No problem, just pay us for the person. We just want to make sure that there is someone here who knows about floods." This time around, what happened was that the flood response came, but it still took a little while to get it up and running. What caught us off guard wasn't just that it was a higher flood than 2007 — that one-in-200-years flood, which clearly is going to be more frequent now with climate change — it was how fast it came up. All the models — this was brand new for them, so yes, there is a learning process that needs to happen. It really does need that extra work now. I think that we are going to have to develop that expertise. Anyway, I really appreciate the work that happened. There is a lot to do, and the Department of Community Services has already committed to doing a review, looking at the whole process.

Mr. Speaker, I just want to say thank you. I am just going to use a couple of examples. The first one is to the Filipino association. The weekend — at its height, the Canadian Filipino Association of the Yukon came out — I don't know, but I think there were more than 50 people that day. It was a huge number. They had made food. They were there at the fill station between Army Beach and South M'Clintock. Then we would get a call that there was one residence that was really in trouble, and a half a dozen folks would go there. Then we would get another call from down the road that someone needed to move a deck, and a half a dozen people came along. That day, I saw the MLA for Porter Creek Centre. I saw the Premier. I saw the Minister of Health and Social Services. I was there volunteering. There were a lot of people there volunteering. I just want to say thank you. It was so heartwarming to see that effort.

The day before — I want to give a shout-out to a young fellow. He is four years old and his name is Bennett. He came to Tagish to help out and brought his mom, dad, their skid steer, and their trailer. Bennett was there helping to fill those sonotubes with bags. He had a real shovel and was shovelling it in there. He made us all work a little bit harder. It helped that he was named after Lake Bennett and we were helping to fill sandbags to protect homes around Bennett, Tagish, Marsh, and Laberge that weekend.

It is beyond words how much we appreciated all the help in our community. It was just so welcome, and I can't say enough thanks to Yukoners who came up and helped the residents. It just really was so heartfelt for us, and I think that, on behalf of my constituents, I just want to say thanks to all Yukoners.

Thanks, Mr. Speaker.

**Hon. Mr. Pillai:** I appreciate the opportunity to touch on a couple of points around our supplementary budget and just an opportunity to also identify some of the activities that have occurred over the summer, like colleagues here in the Assembly have done in their earlier responses.

Again, it is my privilege to rise today as the MLA for Porter Creek South in the Yukon Legislative Assembly to speak to the 2021-22 supplementary estimates. I would first like to take a brief moment to thank the people of Porter Creek South for their many conversations over the last several months. Of course, this is your seat and I appreciate the opportunity that you have given me to sit and represent the community. Again, I am immensely grateful for that opportunity.

Since we last sat in the Assembly, I have taken the opportunity to meet with many stakeholders, business owners, community groups and organizations, municipalities, and First Nations to discuss their issues, goals, and priorities as we continue to navigate life with COVID-19.

Aside from living with the ongoing impacts of COVID-19, two major challenges stand out. Whether I am in Watson Lake, Beaver Creek, Whitehorse, Carmacks, or Pelly Crossing, labour and housing seem to be a very consistent theme of challenges — not just that the private sector is having but also even our municipalities and our First Nation governments that are trying to make sure that they have the appropriate amount of staff available.

Again, there is no simple solution for these complex and intertwined issues, but again, I am committed to working in partnership with all levels of government, NGOs, and the private sector as we look forward.

There was a lot of conversation in the previous mandate, as we were in 2020, around what COVID was doing to our economy and really about ensuring that we had the right strategy to ensure that we got Yukoners back to work and that those folks who had lost employment during COVID had that opportunity to come back. I'm happy to say that, on a month-to-month basis, what we are seeing now is that, if you take the total amount of individuals who are unemployed and they're out there looking for opportunities, the jobs that are available outweigh that. There are more jobs available right now than folks looking for jobs. We've been averaging around \$25 per hour in those jobs.

Also, working with my colleague, the MLA for Mount Lorne-Southern Lakes, we've also taken a look at statistically where we land in the amount of, essentially, wages that are being paid in totality in the Yukon, and we're marking that. What we're seeing now is that we're actually about five percent above where we were when COVID struck. So, not only are there more wages being paid in the territory, we've actually increased that.

We've also seen not just a significant rise in job opportunities, but we also saw gross domestic product, GDP, growth during that period of time.

For all intents and purposes, we need to ensure that we aggressively deal with the housing challenges, not just in Whitehorse but in all of our communities. Mr. Speaker, going to the community you represent, the same thing — there is a need in all of our communities.

During those many visits through the summer, one of the things that I've tried to do in my conversations is just lay out the opportunity for collaboration and for partnership, whether it be directly with municipalities, private sector folks,

entrepreneurs who want to help us with our housing challenges, or with First Nation development corporations. To be very transparent with the Assembly, those conversations are essentially: How can we sit down and work with a development corporation, per se, where we can provide a commitment to them on leasing maybe a portion of the space on a new build?

We have over 900 units at the Yukon Housing Corporation that we have to look after. In those, we have both staff housing and we also have affordable housing. You'll find in almost every community in the Yukon that there's a scenario where, if there is a First Nation government, they also have an obligation to their citizens to provide affordable housing.

There is also that collaboration that has always happened around staff housing. Most First Nation governments, whether it be our self-governing nations or our other governments in Watson Lake, Ross River, or Beaver Creek — they are also grappling with making sure they have the right housing options so they can recruit folks if they need them.

It is actually a great opportunity for us to work together. As we get into the supplementary budget, we will touch on some of these challenges, but at the same time, that is really what the summer — it has been sitting down with folks, saying, "Look, these are the ways for us to de-risk your project, make it bankable, build an asset on your balance sheet" and all the while really helping all of us to achieve a greater set of options when it comes to housing in our communities, as well as in Whitehorse.

We touched on the flood that was reflected on by colleagues. As one of the members touched on this morning, I think there was some really significant, non-partisan collaboration. Of course, we come back and reflect on what played out, but that was very, I think, refreshing for all of us. It was really about just making sure that neighbours were looked after and that we had the right resources deployed where we could. People were extremely patient. MLAs were patient. You had MLAs on both sides of the House who were under a tremendous amount of pressure. Whether you are the MLA for Mount Lorne-Southern Lakes or the MLA for Lake Laberge, you are under a lot of pressure from the people you represent, and so I thought that those individuals were class acts in how they handled it, and they worked with all of us to try to figure out how we could come with solutions. I appreciate the comments today about lessons learned and that we have to be prepared. I think everybody is walking away from this more knowledgeable about how we approach future years.

I know how hard folks worked. People just worked until the work was done, and that part I truly respect.

For the record, and for Hansard, it is important. When we were looking at our summer — the most vulnerable part of our economy was around the tourism sector, and that is why we have increased programs. We will talk a bit about our programs over the next 30 days and how they are reflected and how they affect the supplementary budget.

More importantly, we wanted to be extremely respectful of Yukoners who were going through challenging times. I commend the Department of Tourism and Culture. We were monitoring on a daily basis how to communicate the marketing

of tourism. In June, as you can imagine, we were ready to launch some of our domestic programs to make sure that there was cash flowing through the sector, but at the same time, we were cognizant of the fact that our COVID numbers had risen considerably, and we wanted to be respectful of what people were going through and how folks move throughout our territory. At the same time, we were dealing with the flood. It is hard to tell people to go and have a great experience when their neighbor is trying to save their home.

The incredible thing about Yukoners is that there are Yukoners who spent two or three or four days of the week working extremely hard to help people in their community, and then they would take a day and go and make sure that they got out for their own health and well-being and mental health. They would go and do an activity, and then they would be back at it helping other folks. Yukoners were just incredible in how they balanced such a challenging summer, and again, we also dealt with some communities having some pretty significant fire pressure.

In the morning, we would brief up and have a discussion about the next two or three days and how we were going to market. We would have it loaded to go, but we would monitor to that level. I just want to commend folks on how agile they were and really how sensitive they were to what everyone was going through but also trying to support the tourism sector.

I spoke again on the importance of housing. We brought folks together at the start of October. That was trying to bring people into the room. There was a lot of advice from the private sector and from different stakeholders who weren't necessarily in the room together. I think back to the sessions that Yukon Housing hosted a number of years ago. It started at the Yukon Inn with a tremendous number of stakeholders from different areas. That was a discussion focused on the 10-year strategy.

We are now well into that, but we thought it was important to bring in the other players that have a role and that is the private sector entrepreneurs, the surveyors, the bankers, and all of the other folks who play such a critical role. We needed to communicate that, whether you are a manager of a lands department at a First Nation, you are working in the Justice department at Land Titles, or you are an entrepreneur, everybody has a critical role in trying to move these things. When one part of the ecosystem is not moving efficiently, it can really have a domino effect on our success. I think that was the first of many check-ins or accountability frameworks in place, and as we spoke about and as I was questioned about, we will be coming back with a report of that first session with some short-term commitments. Certainly, one of the commitments was to get hands in the private sector raw land so they can begin to do their good work.

We are taking aggressive action with historic investments in lot development across the Yukon. We have talked a lot about that over the last number of years. It was largely the investment in affordable housing as well. Do we need to do more? We do, but I think it is also important to commend those folks who were here from Yukon Housing Corporation. I know that there has been a role from Health and Social Services and others. You just have to drive into our communities or through

the city and you are going to see really significant investment. You are going to see, at one point, one or two cranes in the air building very significant structures. This is going to lead to hundreds of new units over the short run, both from the standpoint of affordability — it's going to support our seniors, and we are seeing that demographic continue to grow — and a number of other different options. Again, it's a big investment. We know in our previous mandate how much was dedicated to lot development. In one period of time, I think we had 24 months where that outstripped the previous four years — just those two years of investment. What I'm going to try to do in this role with Yukon Housing Corporation is try to also keep pace on making sure that the private sector has an opportunity as well to put units out there and parallel that to the work that's being done by the Minister of Community Services and the Minister of Energy, Mines and Resources.

Again, we are seeing GDP growth forecasted in a positive light. We are seeing 8.1 percent in 2022. With the activity that is happening, we are very happy to see that. A lot of our challenges have been brought to us by a great economy and having a place that a lot of people believe is the best place to make their home — not just in this country, but in the world. Those are drivers that are causing us some of the challenges that we have. Retail sales, as well, have recovered, which is great to see. We are seeing in our forecast that we are just under \$980 million for 2021 — so, just under \$1 billion in retail sales out of this territory of 40,000 people.

Almost every industry has gained jobs since the pandemic job losses peaked in May 2020, with most either recovered or well on their way to recovery.

Again, as we talked about, despite these positive trends, tourism is the one sector that has not grown at the same rate. I think that it is important to say what we are hearing on the ground right now, and in the fall, we have some of our hotel properties that are about to hit record months. I think that is very positive. Again, we are closely working and aligning ourselves with Destination Canada and how they look at the coming — not just year, but years — to recover and are ensuring that our agencies of record, both Cossette and Aasman, have a very clear picture of what Destination Canada, as a corporation, is going to do as well. We have had a chance to sit with them and what we have heard is that the Yukon kept its foot on the pedal a bit throughout this period of time where other jurisdictions have had starts and stops. Because we did that, what we are seeing in our analytics is that the Yukon brand is still very much in people's minds. We haven't lost that, and that puts us in an advantageous position as we move forward and we start to reactivate tourism opportunities.

We will continue to provide two important programs. The Department of Tourism and Culture is tabling a supplementary budget of \$43.1 million. That is an increase of just under \$4 million. The increase will mean that from October 1 to March 31, 2022, tourism-related businesses will be eligible for a new round of supports. Again, that is extremely significant because there is no jurisdiction that, in my research or my briefings, comes anywhere close to how the Yukon is supporting the private sector. I think that this shows in our

economy and it shows in the fact that we have more businesses now than we did before COVID, and if anybody looks at any other jurisdiction, that's just not what they're experiencing, whether it be Ontario, Québec — you name it — a completely different story.

We all know someone whose livelihood depends on the tourism sector. Again, as we've announced the Great Yukon Summer program — we now have our winter program. Please — there are folks even in this Assembly whose families are tied to those winter tourism opportunities — please make sure that either you go out and take advantage of that experience or that, if you have family or friends who do visit, you have them out. But more importantly, with all the folks who have taken part in these programs, we now have 1,500 new ambassadors for different tourism products. We think that's really important.

Now, not only can somebody say that this is a great opportunity — no, you know what? Last summer, I flew to Mount Logan and what an exceptional experience it was. You have to do it if you're visiting here. That's really what we wanted to try to create — to have those ambassadors.

We also wanted to see a cash flow increase and we wanted people to be able to at least start to staff up and to get things moving. I think we've seen a seven-figure injection from that program that has happened, and in turn, people are in a position where they can start to recover. For some businesses that have been really impacted — in the previous year, such as our aviation industry — those folks have had the opportunity to really have — I think what I'm hearing — an exceptional summer. In talking to those operators, it seems as though they did.

Again, I look forward to lots of discussion around housing this fall, being able to debate the supplementary budget in Tourism and Culture and what's happening there and the recovery that's underway.

I'll just finish by thanking the folks at Yukon Housing Corporation for their agility in supporting me getting ready and Tourism and Culture for their collaboration and their very efficient ability to support the Yukon private sector and be leaders in policy development and execution here in Canada. Thank you, Mr. Speaker.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Mr. Dixon:** Mr. Speaker, I am pleased to rise and speak to this appropriation bill that is before the House now.

The nature of my comments will be specific to those departments that are —

**Speaker:** Order, please.

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

*Debate on second reading of Bill No. 202 accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following document was filed October 12, 2021:**

35-1-7

Independent Review — Department of Education —  
Terms of Reference, letter re (dated October 8, 2021) from  
Amanda Rogers, Dispute Resolution, to Hon. Jeanie McLean,  
Minister of Education (McLean)

**Written notice was given of the following motion  
October 12, 2021:**

Motion No. 117

Re: terms of reference for independent review of  
Department of Education (White)



# Yukon Legislative Assembly

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Number 14

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 13, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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** — Emily Tredger, MLA, Whitehorse Centre

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Ranj Pillai	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### 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
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Wednesday, October 13, 2021 — 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 changes made to the Order Paper. Motion No. 117, standing in the name of the Leader of the Third Party, has not been placed on the Notice Paper at the request of the member.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Silver:** Mr. Speaker, I would like to ask my colleagues in the Legislative Assembly to help me in welcoming some folks here today for Jack Cable's tribute. Please forgive my eyesight. You may not be in the gallery, but I have your name. We have Faye Cable, Jack's wife. We also have Dan Cable, who is sitting here. He's a little busy today, so he's not in the gallery, but I would also like to recognize that he is the son of Jack and the Clerk of the Legislative Assembly. We also have Sue Edelman, daughter of Jack and former MLA for Riverdale South. I believe that we have Spencer Edelman, who is the grandson of Jack, son of Sue and Brian. We have Tristan Edelman, great-grandson of Jack and son of Spencer. We have: Bryna Cable, Dan Cable's wife; Kelly Eby, who is Faye Cable's son; we also have Laura Eby, who is Kelly's wife. Ron Veale, the former Chief Justice of Yukon; Lorne Austring, a lawyer and colleague and friend of Jack Cable's; Fred Smith, a close friend of Jack's, connected through the United Way; we also have Arianna Warner, who is the daughter of Sue and Brian Edelman; and if there's a baby in her arms, the baby is Luca; and we also have Pat Duncan, the current Senator for the Yukon, also a former Yukon Premier. Somebody whom I affectionately call "mom" — we have Judy Layzell, a long-serving Yukon Liberal staffer.

Thank you everyone for coming today.

*Applause*

**Hon. Mr. Mostyn:** Thank you very much, Mr. Speaker. I appreciate that. This afternoon I would like to welcome three people to the House: Mark Pike, the chair of the Yukon Workers' Compensation Health and Safety Board; Catherine Jones, also from the board; and our president, Kurt Dieckmann. Please welcome them.

*Applause*

**Hon. Mr. Clarke:** Mr. Speaker, I would like to take this opportunity to introduce my deputy minister, Manon Moreau,

assistant deputy minister, Christine Cleghorn, as well as Diane Gunter and Bryna Cable, one more time, as they are here for the ministerial statement on the elimination of plastic bags.

*Applause*

**TRIBUTES**

**In remembrance of Jack Cable**

**Hon. Mr. Silver:** I rise today in the Chamber to pay tribute to a great Yukoner, known for his community spirit, his volunteerism, and his decades of service that have helped make our Yukon Territory the way it is today and the way we love it.

I rise to honour former Commissioner Jack Cable, who sadly passed away in July. Jack helped to write the history of the Yukon in a number of different ways with a number of different roles: a lawyer, with over two decades of practice in the territory; a public servant dedicating his power and energy to Yukon's power and energy; a member of this Legislature, representing the former constituency of Riverside for eight years; a leader, guiding the Yukon Liberal Party in an interim capacity; a volunteer with groups like the Royal Canadian Legion, the Salvation Army, and the Learning Disabilities Association; a territory-wide representative serving as an esteemed Commissioner for five years as well; and an inaugural inductee of the Order of Yukon, joining others who have been bestowed the highest honour for significant contributions to the advancement of Yukon society.

While these are some of the roles that Jack held throughout his life, he is held in our hearts for more personal reasons: for his kindness, for his charm, and for his humour; his bipartisanship and the respect that he garnered from individuals of every political stripe; his commitment to bridging communities together, as shown by his ecumenical and interdenominational work with the Braeburn camp, for example; his mentorship to those who have gone on to shape the territory, including many of the people who are in this room today, and undoubtedly whom he influenced and who will continue to improve and build upon the Yukon in the years and decades ahead because of his mentorship.

Speaking of this room, Mr. Speaker, we can see first-hand the legacy of Jack Cable right here. His son currently serves all MLAs with remarkable professionalism as the Clerk of the Yukon Legislative Assembly, and we are all grateful for his hard work every day. His daughter, whom Jack had the pleasure of serving alongside as an MLA — also representing residents of Riverdale as a member — joins us here today as well. His grandchildren, the finest example of a legacy that anyone can demonstrate, honouring their grandfather's legacy with their presence here today — we are so appreciative to them for what Jack gave to all Yukoners.

Commissioner Cable was a role model. He was a mentor. I remember reading a statement issued from former Member of Parliament Larry Bagnell after Jack left us, which expressed how the Commissioner had been a long-time advisor for Larry and also a friend, and he had even been the one to convince him to enter into politics to begin with. I think that many of us feel very similar to Larry — that we can all think about how Jack convinced us about public service if you had the opportunity to

talk shop with him. On behalf of Yukoners, that's one of the greatest callings and responsibilities that one can find and take on in life.

On a personal note, Mr. Speaker, I'll remember Jack for his fairness. I know that there are lots of stories about going for lunch with Jack. As the lone Liberal — and he was the lone Liberal — we had a lot to talk about in my first few years. It was always interesting because he would never let me just outright pay for the meal. "We'll flip for it, sport" is usually what he would say. I see other people recognize that as well.

Even though I gained a lifetime of knowledge in those conversations with his kindness and his knowledge that he generously gifted me, he still wanted to be fair in who pays the tab.

So, on behalf of all my colleagues, and the rest of the Yukon Liberal government, I extend my deepest condolences to all friends and family of Jack on his passing. While we are saddened by the loss of Jack, we can take solace in knowing that, thanks to his immense service to Yukon, the Yukon is a better place. Thank you very much, Mr. Speaker.

*Applause*

**Ms. Van Bibber:** I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Ivan John (Jack) Cable.

He was born in Hamilton, Ontario, on August 17, 1934. Perhaps being born on the Klondike Gold Rush anniversary is the reason he was meant to come to Yukon.

Jack was a scholar. He had a bachelor's degree in chemical engineering, a master's degree in public administration, and a law degree. Jack was also a commanding officer of the Royal Canadian Engineers battalion militia in Kitchener, Ontario in the 1960s. He was a major, and the military helped to fund his education.

In 1970, he arrived in Whitehorse to work with the firm Neilson, Hudson, and Anton. Jack was sure that he was doing the right thing for his family.

Later he formed a partnership with Lueck, Pitzel and Cable and served many years in the law business. He was involved in many other endeavours, such as president of the Yukon Energy Corporation and the NCPC director. He was very active in the United Church. Jack was attracted to the political goings-on, and he expanded that interest by running for political office. He put his name forward and was first elected in October 1992 as MLA for Riverside and was the interim Liberal leader as well during that time. He ran a second time and retained his seat until the year 2000. He was appointed Commissioner of Yukon under the leadership of Premier Pat Duncan.

After five years, 2000-05, of events and speeches, he was happy to retire to his ranch on Takhini Hot Springs Road, growing potatoes, veggies, and the stand of Christmas trees where the proceeds from the tree sales were donated to charities.

I had the pleasure of being the Administrator of Yukon under the guidance of Jack Cable. On meeting him, I joked and I teased. At first, I wasn't sure if he had any sense of humour.

Oh, he did — a dry sense of humour — and we had many laughs together.

One story of a time in history — I was a newly appointed Administrator, and Jack left for the Governor General's annual gathering for Lieutenant Governors and Commissioners in Ottawa. My job was to fill in, should I be needed to sign official documents and attend events should Jack be invited, and also to fill in to ensure that the territory's business didn't stop. On September 11, 2001, I received a call from the Executive Council Office with a message to stand by. We had a hijacked Korean plane in our airspace, and I might have to sign emergency documents. Everywhere in town was in chaos as Whitehorse tried to understand what was happening, where to go, where their children were, and the list goes on and on. With US fighter jets circling high overhead, the Korean jumbo jets, not one but two — a cargo and a passenger plane — landed, casting a giant shadow over our little town. As we know, it was a misunderstanding, but it woke us to the reality that we are world connected, and it could have been something entirely different.

On Jack's behalf, I spoke at a memorial gathering several days later in this building to pay respect to the people of New York.

On his return, he complimented me and said, "I hear you have been speechifying." We then shared what it was like in different spots of Canada on that day.

Jack was very kind and generous to me. His wisdom and mentoring helped me to step into the Commissioner's role when he retired and I was appointed. By giving me opportunities that other administrators generally don't get, he had me attend with him on many occasions so that I could experience first-hand what was going on within his office.

In memory, we must always remember that there is a family behind any public figure, and we thank all of Jack's family for sharing him and supporting him. I was honoured and blessed to have his friendship, and I know that people will remember him as a quiet, direct Yukoner.

Rest in peace, Jack.

**Ms. White:** I rise on behalf of the Yukon NDP to tribute and celebrate the life of Jack Cable. Since his passing, stories of his accomplishments in life have filtered through the community, and looking up into the gallery, I realize that it was far more connected than I ever realized.

So, today, as I listen to my colleagues speak of his many accomplishments, both as a member of this Assembly and as the Yukon Commissioner, there is a lot to ponder, but I know that there are even more stories of him as a father, as a husband, uncle, brother, and especially grandfather and great-grandfather.

I offer thanks and appreciation for all of the contributions that Mr. Cable made throughout his life and offer our sincere condolences to his family and to the broader community who miss him.

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

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

## INTRODUCTION OF BILLS

### Bill No. 8: *Workers' Safety and Compensation Act* — Introduction and First Reading

**Hon. Mr. Mostyn:** I move that Bill No. 8, entitled *Workers' Safety and Compensation Act*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister responsible for the Workers' Compensation Health and Safety Board that Bill No. 8, entitled *Workers' Safety and Compensation Act*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 8 agreed to*

**Speaker:** Are there any further bills to be introduced?  
 Notices of motions.

## NOTICES OF MOTIONS

**Hon. Mr. Mostyn:** I rise to give notice of the following motion respecting committee reports:

THAT the Standing Committee on Rules, Elections and Privileges' first report, presented to the House on October 7, 2021, be concurred in; and

THAT the amendment to Standing Order 11 of the Standing Orders of the Yukon Legislative Assembly, recommended by the committee, limiting tribute speeches to three and a half minutes be adopted.

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

THAT this House urges the Government of Yukon to fully cooperate with the systemic review of school safety and supports at Hidden Valley Elementary School, after the conviction and sentencing of an educational assistant formerly employed at the school, by the Child and Youth Advocate by:

- (1) waiving Cabinet confidentiality to allow the Child and Youth Advocate access to Cabinet documents;
- (2) disclosing all ministerial briefing material related to the issue;
- (3) providing any and all other materials requested by the Child and Youth Advocate;
- (4) waiving all solicitor-client privilege for the purpose of allowing the Child and Youth Advocate access to legal advice provided from August 2019 to October 2021 in respect to the arrest and conviction of the former educational assistant at Hidden Valley Elementary School; and
- (5) completing all of the above within 14 days of the passage of this motion.

I also give notice of the following motion:

THAT this House urges the Minister of Education to release an unredacted copy of the minister's 2021 post-election transition briefing binder and a copy of the 2021 Spring Sitting briefing binder.

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

THAT this House urges the Government of Yukon to complete the regulations pursuant to the *Condominium Act, 2015* and finally bring the act into force.

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

THAT this House urges the Minister of Community Services to work with the residents of Keno City and Johnsons Crossing to ensure that they have adequate access to a solid-waste facility in their respective areas.

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

THAT this House urges all ministers in the Liberal government to recognize the importance of responding to the people of the Kluane area by:

- (1) acknowledging that they have received correspondence from citizens who have written letters to ministers; and
- (2) responding to their concerns in a timely and respectful manner.

I also give notice of the following motion:

THAT this House urges the Premier and the Minister of Community Services to respond to letters from people in the Kluane area who have written to them about their plans to shut down the Silver City transfer station.

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

THAT this House urges the Government of Yukon to avoid the imminent closure of the City of Dawson's recycling centre by working with the Conservation Klondike Society and funding the building of a modern recycling depot for the City of Dawson.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to delay the closure of the transfer stations at Silver City, Keno City, Braeburn, and Johnsons Crossing and work with Yukon's heritage communities to develop creative solid-waste solutions.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to postpone legislative amendments to the *Municipal Act* and *Assessment and Taxation Act* regarding the creation of the energy retrofit program until the Association of Yukon Communities and Yukon municipalities and communities have been briefed and consulted on:

- (1) the impact these changes will have on administration and staffing workloads; and
- (2) how each community will be fairly compensated for this extra administrative work
- (3) and have signalled their readiness to implement the program.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Single-use shopping bags

**Hon. Mr. Clarke:** Waste is an issue here in the territory and around the world. Disposing of waste is expensive, requires significant effort, and, when not done properly, negatively impacts our environment. We know that single-use shopping bags are now just one aspect of the waste problem that we face today, but reducing their use and disposal is an important step that we can take to address waste in our territory.

As of January 1, 2022, single-use shopping bags will be banned in the Yukon. Reusable bags, as well as other reusable products, are in most of our homes already. We all just need to use them more. This is about making new habits. This is why we are giving Yukoners three months to get into the habit of bringing their own bags with them every day.

We are also giving retailers enough time to adapt to these new changes and to use up their supply of single-use bags. We have a suite of signs, posters, and stickers that retailers can get from the staff of the Department of Environment to help people remember to BYOB — bring your own bags.

The simple fact is that plastic waste is a problem, whether it's the bags strewn in trees around our waste management facilities or the microplastics in our waterways. Paper bags are not so great, either. While they do not create the same stress on the waste management systems, as a biodegradable option, paper bags are resource-intensive to make. Their production contributes to the release of chemical by-products, pollution, and emissions, and their transportation to the Yukon from producers in the south only adds to their overall emissions.

A ban on paper shopping bags will come into effect a year later, on January 1, 2023.

Either way, the message is the same: We can all do better. We can all think about decreasing our reliance on single-use products that quickly end up in the trash. The ban on single-use bags is just one of the steps that we are taking toward a broader ban of single-use plastics in the Yukon.

It also aligns with the Government of Canada's plan to achieve zero plastic waste by 2030, and it aligns with what we heard from Yukoners. Since 2019, we have been talking to Yukoners, First Nations, businesses, and organizations about this issue. Our initial engagement asked about charging a fee for single-use bags. What we heard was that, generally, people preferred a ban to a surcharge, and last year our government made a commitment to ban single-use bags.

Yukoners can be proud to be part of our efforts to reduce waste in the territory. You can find out more at [yukon.ca/bagban](http://yukon.ca/bagban). We can all do some heavy lifting by using reusable bags.

**Mr. Istchenko:** Thank you for the opportunity to respond to this ministerial statement, Mr. Speaker. First of all, I need to acknowledge that solid waste is a big concern in my riding and in others around the Yukon. We're all doing our part to reduce our waste — recycling, composting, using free stores.

Kluane residents do care about the environment. The Yukon Party wants to do our part to reduce the waste that we produce.

On this topic today, this is another example of the Yukon government dropping the ball on consultation. Much like the transfer station issue, there has been a lack of consultation with the single-use bag ban. In this case, instead of residents who are up in arms over a lack of answers from the government, it's business owners who are left literally holding the bag, wondering what's going on. The order-in-council making the single-use bag ban was puzzling to anyone who read it. The OIC signed on September 29 changing the *Environment Act* gave two potential dates for the ban to take effect. One was October 1, 2021; the second date listed, according to the OIC, had the new rules taking effect on the day the OIC is filed with the registrar of regulations.

A press release issued on mid-Friday afternoon on the potential first day of the new rules listed the effective date for the ban on the plastic bags as January 1, 2022. Paper bags would be outlawed a year later. This is another example of the government forgetting to communicate until after they have brought a policy forward. We did a quick check with a few of the shops that use single-use bags and they were completely unaware of when and how the ban was taking effect. They didn't know what their obligations would be or what they would be expected to do. Even with the new date of January 1, they were not consulted on how the ban would be implemented.

With all due respect, while the members across the way say that three months is enough time for the businesses to adapt, how would the minister even know since he never even spoke to or consulted any of the businesses before bringing the policy into effect? Telling people what's good for them and failing to meaningfully engage Yukoners has been a bit of a common theme here with this Liberal government during their past five years in office. The lack of consultation with Yukoners has been worse since the CASA as the Liberals implement some of the NDP's priorities.

So, on behalf of affected business owners, Mr. Speaker, how does the Liberal government plan on hearing their concerns about implementation? How will they incorporate their concerns?

In the meantime, Mr. Speaker, a separate OIC amends the *Summary Convictions Act* to make the unlawful supply of single-use bags an offence. So, after January 1, if a business has customized single-use plastic bags left over, what do they do with them? They can't send them back to the supplier and they break the law if they use them, so businesses will be left to throw out single-use bags without them having a single use.

While we agree that we all need to reduce our reliance on single-use items, we do take issue with the lack of consultation and the lack of planning by the Liberals. This government needs to do a better job of engaging with affected Yukon people, organizations, and businesses.

**Ms. Tredger:** To understand the true impact of plastic, we need to think about its entire life cycle. There is the oil used to make it. We also have to factor in the extraction of the oil with all the environmental and social damages that these

projects cause. Then there are the pipelines transporting the oil to the factories and all the leaks along the way. There is the lengthy process of turning the raw material into plastic. Then there is where it ends up. Is it recycled or is it incinerated, releasing more greenhouse gases? Does it end up on a beach or shredded into pieces that work through our waterways?

We have known for a long time that reducing our use of plastics is a priority for Yukoners. In the past years, we have heard over and over again that Yukoners were leading the way, and they were waiting for government to catch up. Mayo, Dawson, and Carmacks already had single-use plastic bans in place, but when the Yukon NDP brought forward a motion to do the same, the government told us that a ban wasn't possible.

Later, we were told that it was possible, but it would take a while. In November 2019, my colleague, the Member for Takhini-Kopper King, tabled another motion, this time urging the government to stick to its original timeline of a ban by the spring of 2020. They said that they thought they could do it by the fall of 2020. Both timelines sailed past.

When we were negotiating with the Liberals, we made it one of our priorities along with dental care, aggressive climate change targets, and a minimum wage increase. We secured a commitment to ban single-use plastic bags in the Yukon. When the political will is there, it's amazing what can happen.

Now, our current supply of plastic bags isn't going to disappear overnight, so we also need to make sure that the plastics we still rely on can be recycled. That means recycled by everyone, not just Yukoners living in Whitehorse. Unfortunately, that is not the direction that the Liberal government seems to be going in. Dawson's Conservation Klondike Society announced just yesterday that they are closing Dawson's recycling centre. Let me say that again: The hub of recycling in central and northern Yukon is closing. Why? According to them, a decade of meetings, red tape, and ultimately empty promises — this committed group of volunteers has been left on their own to manage recycling in their community. After a decade of fighting for support, they can't continue, so Dawson and the nearby communities will no longer have a place to recycle.

Meanwhile, in communities across the Yukon, transfer stations are being closed, so Yukoners living in these places don't even have a safe place to take their garbage, never mind their recycling. What kind of standard of living are we providing our citizens when they don't even have a place for their garbage? How can we possibly say that we're acting to protect our environment when we aren't even supporting our citizens with basic waste management?

So, yes, I am proud that the Yukon NDP has secured a ban on single-use plastic bags, but I hope that every step of the way toward meaningful climate action and environmental protection will not be such a fight.

Yukoners have made it clear that they want action. They want action to support rural and urban Yukoners with waste management and recycling. They want action on environmental protection and action on our climate. Yukoners are clear: We have shown that when there is political will, it can happen. It is time for our government to listen.

**Hon. Mr. Clarke:** Thank you, Mr. Speaker, and thank you for the comments from the Member for Kluane and the Member for Whitehorse Centre. They actually agree with each other in my view, because one says that it took too long and the other says that there was not enough consultation. In fact, it was because there was a great deal of consultation, so in some respects, the members are agreeing with each other.

Mr. Speaker, we have engaged with Yukoners and businesses extensively about this issue. Back in 2019, we were considering introducing a fee on single-use shopping bags. We proposed the idea and solicited feedback. What we heard from industry, retailers, and Yukoners was that they would prefer a simple ban on bags. In response to that, last year, our government made a commitment to ban single-use bags. We went back out to speak to Yukoners and stakeholders again at the start of this year. We made it clear that the bag ban was happening and what we really needed were specifics on the rollout. We asked how we should do it — timing and exemptions — because it was no longer a matter of “if” but “how” and “how soon”. We wanted to make sure that we had a good understanding of how we would implement this in a way that worked for our industry partners. We all have a role to play in waste management in our territory, and we need to work together.

We advertised in social and traditional media. We engaged directly with stakeholders, including stores, restaurants, chambers of commerce, local governments, and other interested groups, including the Whitehorse Chamber of Commerce and the Association of Yukon Communities. I would like to thank all the officials at the Department of Environment for their work on this important engagement. We heard that folks still support the ban, but we wanted to ensure that there were clear and reasonable exemptions for things like take-out food, automotive tires, and prescriptions, among some other exemptions.

We also heard “plastic first; paper later”. The ban comes into effect for plastic bags on January 1, 2022, and the ban for paper comes into effect one year later on January 1, 2023. This is all documented in the “what we heard” report and was incorporated into the regulation that we passed last month to bring this into force.

Alleging that we introduced the ban secretly without telling businesses is not responsible, and nothing could be further from the truth. This is not the leadership that Yukoners expect of our territory.

We have heard clearly that we need to take leadership on improving waste management in our territory. This is what we are committed to doing with our partners. Please be aware that the estimated average amount of waste generated per person in 2018 in Whitehorse was 620 kilograms and was reduced slightly to 570 kilograms per person in 2019. The Canada-wide goal to reduce, to meet our 2030 targets, is 490 kilograms, which is still a lot of weight per person, in my view.

In any event, I am excited to be part of a government that is striving to be part of the solution to reduce our waste.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse in elementary school

**Mr. Dixon:** Over the past number of days, we have asked the current Minister of Education to offer some sort of explanation for why she was allegedly kept in the dark by her Cabinet colleagues and her deputy minister about the sexual abuse of students by an educational assistant at Hidden Valley school. So far, the minister has been unwilling or unable to offer any sort of explanation, so I would like to turn my questions now to the Deputy Premier.

It is clear from documents uncovered by the CBC that the former Education minister clearly knew what was going on. So, can the former Minister of Education explain why she did not let the current minister know what was going on?

**Hon. Ms. McLean:** I welcome the opportunity to stand once again to speak to the parents and speak to Yukoners about this very serious incident that happened at Hidden Valley in 2019 and to express to Yukoners how seriously our government has taken this situation. Over the last day or so, I have spoken a great deal about what has happened and the steps that we are now taking to address the situation.

I want to go back. As soon as Education officials learned of the allegations in 2019, the individual was immediately removed from the school and has not worked with children since and, of course, is no longer an employee of Government of Yukon. Hidden Valley school administration changed their protocols to increase safety to students and reinforce accountability. We informed the RCMP, and we expected them to undertake a complete and thorough investigation of this matter. Yukon RCMP have initiated a complete review of their own investigation.

Mr. Speaker, there were mistakes made in 2019. Again, we are working toward a full and thorough investigation into these matters.

**Mr. Dixon:** With all due respect, the Minister of Education has made it very clear that she had no idea about this, and so it really shouldn't be her answering the question. The question is specifically for the former Minister of Education, the current Deputy Premier. She was the Deputy Premier and was the Minister of Justice and the Minister of Education at the time.

We know, from the briefing notes and materials uncovered by CBC, that she had letters and briefing notes sent to her about this issue right up until the election. So, we know that she was well aware of what was going on.

The question is: Why, when a new Minister of Education was sworn in and took over the file, did the former minister choose to cover this up and keep her colleague in the dark and not brief her?

**Hon. Ms. McLean:** I think, again, what Yukoners need to know, for sure, is that what is very important are the steps that we're taking right now to address this situation. The independent review will help provide answers to all of these questions. The independent review will look into our internal and interdepartmental processes in 2019 and up until now,

when allegations in 2019 of child abuse were brought forward to the Department of Education staff.

It will also include a broad and comprehensive review of established government policies, procedures and operations, reporting, and, of course, communication, which is what is at the heart of the questions that the member opposite is asking, to address serious incidents in schools.

I am committed to seeing this through in a timely manner, Mr. Speaker. I tabled the terms of reference for the independent review yesterday. The work has started. We are also supporting the review from the Child and Youth Advocate, which is also underway, and as I have said, the RCMP are reviewing their investigative process in 2019.

**Mr. Dixon:** It's difficult to understand why the minister who, by her own admission, knew nothing about this is now being hung out to dry on this, and the minister who actually knew about it is staying silent. It's difficult to think of a better way to undermine your colleague than to cover this up and leave her in the dark about such an important and pressing issue.

If the current minister wasn't aware of what was going on, then she shouldn't be the one answering for this; it should be the former minister.

So, I will ask again: Why didn't the former minister let her colleague know what had happened?

**Hon. Ms. McLean:** Mr. Speaker, I will repeat probably exactly what I just stated. I think that what is important to Yukoners, the families, and the school community to know are the steps that we are now taking to address this situation and to get to the bottom of the questions that are being posed. The independent review will look into the internal and interdepartmental processes of 2019 until now, when allegations of child abuse were brought forward to Department of Education staff. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communications to address serious incidents in schools.

I am committed, as I have stated many times, to seeing this review through to get the answers for Yukoners and to bring that information back to the families, school community, and Yukoners in a timely manner. The terms of reference point to a target date of January 31, 2022. If we can complete the review before that, we will endeavour to do so and we will bring it forward to Yukoners.

### Question re: Sexual abuse within elementary school

**Mr. Cathers:** Through access to information, CBC has uncovered briefing notes and documents that went to the former Minister of Education in relation to sexual abuse at Hidden Valley school. One letter, drafted in late 2019, was to be sent to parents at the school to let them know what was going on.

Can the former Minister of Education, the Deputy Premier, tell us why she did not ensure that this letter was sent to parents?

**Hon. Ms. McLean:** Thank you again for the opportunity to stand and speak to these important matters that are facing our

Yukon families, particularly at the Hidden Valley Elementary School and the Department of Education.

We have acknowledged that it was a mistake that other parents were not made aware of the situation and that steps could have been taken at that time to better inform and support families. Apologies have been made. I have made those apologies directly to families in a closed meeting on September 22. I did so in the humblest way that I could possibly do it — as a mother, as an auntie, and as a person who spent their lifetime, Mr. Speaker, working to protect children and to protect vulnerable people.

In 2019, if the RCMP had done a full and comprehensive investigation, we would not be in this situation. The RCMP have now admitted and apologized for failing to properly investigate this matter. That's a fact.

Thank you very much, Mr. Speaker.

**Mr. Cathers:** We see the Deputy Premier continuing to hide behind her colleague, but she was the minister at the time and people deserve to hear the answers from her. It has become clear that there were staff at Hidden Valley school and in the department who were trying to do the right thing and let parents know what had happened at the school so that they could talk to their children about it. But somewhere along the line when the letter arrived in the hands of those responsible for running the department, a decision was made not to send the letter to parents. From the documents uncovered by CBC, it is clear that the minister would have been aware of the letter.

So, can the former Minister of Education, the Deputy Premier, please explain why this letter was not sent?

**Hon. Ms. McLean:** Those are all very important questions. Thank you very much for posing them. I have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley school in 2019. This is a commitment that I have made to the parents of Hidden Valley school. The independent review will look into our internal and interdepartmental processes, which will include, of course, a comprehensive review of established government policies and procedures around operations, reporting, and communications to address serious incidents in Yukon schools. It will include reviewing how the departments of Education, of Health and Social Services, and of Justice work together to respond to serious incidents in schools and how they interact with the RCMP. I think that this is the key point here — in terms of how the communications happen when there are publication bans and restrictions.

I am committed to seeing this review through. I will walk with the families, the school community, and Yukoners through this process, and we will have a thorough report.

**Mr. Cathers:** Parents have a right to answers from the Deputy Premier about what happened when she was Minister of Education. We know that the principal had a letter ready to send to inform parents in late 2019. Staff wanted to do the right thing, but then the former minister got involved. We know she was briefed on the issue, and undoubtedly, she saw the draft letter.

Did the Deputy Premier, the former Minister of Education, give the direction to not send that letter to parents — yes or no?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker. Again, I will continue to do my best to answer the questions on the floor. I am now leading this Department of Education, and we are taking action to rebuild the trust and to restore confidence in our school system. We have acknowledged that it was a mistake that other parents were not made aware of the situation and that steps could have been taken at the time to better inform and support families.

Mr. Speaker, again, I have launched an independent review. I am not going to go over that again right now because I have already said it several times today. We are also cooperating with the Child and Youth Advocate on the review that she has launched, and there is a review of the RCMP's investigation, or lack of investigation, in 2019. I am committed to seeing these reviews through and to being accountable to the families and, of course, the children of Hidden Valley and to Yukoners.

### **Question re: Sexual abuse within elementary school**

**Ms. Blake:** The situation at Hidden Valley is just one example of the government's indifference and inaction, but it is not the first. For years, Yukon families who have suffered abuse have been left to deal with the devastating impact of trauma with no support. There are just so many gaps in the system. In this House, the minister has repeatedly evaded questions by saying how hard this has been for parents and children, so let's talk about Yukon families.

Can the minister tell us exactly why it took her almost two months after the abuse was made public to start directly talking with parents, and why, after four months of public pressure, are we still hearing from families who say that support is lacking?

**Hon. Ms. McLean:** As I have stated repeatedly — and I have talked a little bit about my commitment, of course, as a mother, as an auntie, as a person who has worked their entire career in the protection of children or those who are vulnerable — there is nothing more important than the well-being, safety, and protection of students when they are in our care. We are focused on moving forward in a way that supports the children and families of Hidden Valley school. We acknowledge, of course, that mistakes were made, and we have apologized for that.

The RCMP have acknowledged their failures in this and have launched their own review. As soon as Education officials learned of the allegations in 2019, the individual was removed from the school. I've talked about that.

Changes have been made to protocols to increase safety to students. This includes no alone zones and other actions that the school has put in place. We have ensured that additional supports are available at the school including an on-site social worker to coordinate supports, providing health and wellness resources, providing education supports around sexual health, and reporting sexualized abuse. I will continue to build on this answer as we go forward.

**Ms. Blake:** While we look forward to the outcomes of this review, the government must act now. For years, parents, students, and teachers have asked for counsellors on school

sites. The Child and Youth Advocate and so many other organizations have repeatedly asked for counsellors and more support for children and youth that are responsive and accessible, yet it took a media leak for government to finally scramble to action. Trauma does not wait for independent reviews or non-action from the department.

I will ask more clearly this time around: What actions will the minister take to support Yukon parents and students before the independent review is published?

**Hon. Ms. McLean:** I'll continue on with the answer that I was giving in the last question.

We have ensured additional supports are available at the school, including an on-site social worker to coordinate supports, providing health and wellness resources, providing education supports around sexual health, and reporting sexualized abuse. This work is being supported by public health nurses as well. These are steps that have been taken to protect and support the students at Hidden Valley Elementary. I have launched a comprehensive and independent review of our government's response to the incident.

We'll continue to work closely with the Hidden Valley school community. I will ensure that we get to the bottom of what happened.

I know that you're talking about the supports now. There is nothing more important than that — supporting the children and families and the community and helping them to move forward.

I think that is something I have heard directly from families. They really want to move into the school year in a good way, and they have a long healing journey ahead of them. I am prepared to walk with them through that.

**Ms. Blake:** Mr. Speaker, when a child is harmed, they require immediate support, but government is selective when it decides to support our children. Over and over again, they have failed to support our children in Yukon. When children in this territory come forward to report harm, the government has disbelieved them, cast them aside, and refused to offer real help. From youth who came forward about group homes in 2018 to the current situation at Hidden Valley school, government needs to do better.

Is the minister going to wait for another crisis, or will she make real changes now to help Yukon children and youth?

**Hon. Ms. McPhee:** Mr. Speaker, ensuring the safety and well-being of children is, as my colleague has said, one of our top priorities. Family and Children's Services and Mental Wellness and Substance Use Services — both units in the Department of Health and Social Services — continue to be available to provide support to all Yukon families and the families at Hidden Valley Elementary School.

The Department of Health and Social Services is working closely with the Department of Education to provide resources to students, families, and staff and to respond to any additional needs and concerns that they identify, taking their lead.

The Mental Wellness and Substance Use Services branch is available to provide families with assistance, such as counselling and mental wellness services, and includes services offered by the child, youth and family treatment team,

including counselling, outreach, and youth intensive treatment services.

Mr. Speaker, on-site counselling and outreach services are being provided at Hidden Valley Elementary School by Mental Wellness and Substance Use Services.

#### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** Mr. Speaker, we know, as a result of documents received through ATIPP, that when the current Deputy Premier was Minister of Education, she was briefed on the Hidden Valley school situation. Those briefing notes are from late 2019 and from 2020. She knew about it, yet we have heard repeatedly from the current Minister of Education that she was unaware of the serious situation until she heard about it from media reports in July 2021.

The Deputy Premier also serves as Attorney General. As Attorney General, she has the duty to tell all of her Cabinet colleagues and to advise them of any important legal matters that she becomes aware of, especially regarding her portfolios.

Why did she not tell her colleague, the new Minister of Education, about the Hidden Valley school abuse situation?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker, and thank you again for the opportunity to speak to this very important matter and to speak to Yukoners. I think what is very important are the steps that we are taking to address the situation. The independent review will help to provide answers to all of these questions that have been posed. The independent review will look into our internal and interdepartmental processes in 2019 and to now, when allegations of child abuse were brought forward to Department of Education staff.

It will also include a broad and comprehensive review of established government policies and procedures around operations, reporting, and, of course, communication to address serious incidents in schools.

As I have stated several times, I'm very committed to this process and seeing it through. This will include reviewing how the departments of Education, of Health and Social Services, and of Justice work together to respond to serious incidents in schools and how we interact with the RCMP. Of course, parents, families, guardians, and students at Hidden Valley Elementary School will be involved in the review along with partner organizations and agencies, including the RCMP.

**Mr. Cathers:** It's time for the Deputy Premier to stop hiding behind her colleagues. Yukoners deserve answers. We all know that, in late 2019, the current Deputy Premier and Attorney General was fully aware of the Hidden Valley school situation and charges filed against the offender. She was briefed again in 2020, yet we have learned from her colleague, the current Minister of Education, that her colleague, the Deputy Premier, never told her about this important legal matter when she took over from her. The Attorney General kept her colleague in the dark for over two and a half months after she took over the department, and the Minister of Education learned about this serious matter from CBC.

How can the Attorney General justify covering this up and not informing her colleague of this very serious legal issue?

**Hon. Ms. McLean:** Again, I want to speak to Yukoners, speak to the families, and speak to the Hidden Valley school community when I stand to speak about this important matter. I know that every time we are speaking about this, it's impacting the community. What is very important are the steps we are taking to address the situation.

Again, our commitment is to put our efforts into the independent review, which will help to provide answers to these questions. The independent review will look into our internal and interdepartmental processes in 2019 when allegations of child abuse were brought forward to Department of Education staff. It will also include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communications to address serious incidents in Yukon schools.

I have committed to see this review through and deliver it to the families, to the Hidden Valley community, and to Yukoners by early 2022. The target date for this is January 31. I look forward to continuing to have this discussion with my colleagues.

**Mr. Cathers:** Mr. Speaker, the Deputy Premier knows very well that, as Attorney General, she is the senior legal advisor to her Cabinet colleagues and has a duty to ensure that her colleagues are informed of any important legal matter that she becomes aware of, especially legal matters involving their portfolios. Yet the current Minister of Education has repeatedly told this House that she knew nothing about the Hidden Valley school sexual abuse matter until she heard media reports in July 2021.

I will ask again: How can the Attorney General possibly justify not informing her colleague, the new Minister of Education, of this very serious legal issue involving her department for months after she took over the portfolio?

**Hon. Ms. McLean:** I want to again go back to what is at the heart of this discussion that we're having here on the floor of the Legislative Assembly; it is the well-being of our children. I think that when we started this legislative Sitting, I asked folks to tread lightly, to be kind, and to be sensitive to what it is that we are discussing here today, and that is child sexual abuse that happened in our schools. We know that many people have been deeply impacted by this. Mistakes were made. That has been acknowledged, Mr. Speaker.

I have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley Elementary School. I have made this commitment to families, to the parents, and to the school community. The independent review will look into our internal and interdepartmental processes in 2019 up to today, when allegations in 2019 of child abuse were brought forward to the Department of Education. I will see this through and Yukoners can rest assured —

**Speaker:** Order.

#### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Mr. Speaker, the Minister of Education has acknowledged that mistakes were made and she has apologized for them. But she's not the one who should be apologizing, nor

is she the one who should be answering these questions. These are questions for the former minister: the questions about when the decision was made not to send a letter to parents and the decision about why the former minister didn't brief the current minister about the situation.

My question is very simple for the government: Why is the Minister of Justice — the Deputy Premier — refusing to answer these very straightforward questions that she has the answers to?

**Hon. Ms. McLean:** Again, I welcome the opportunity to stand and speak as the Minister of Education. I am now leading this department and we're taking —

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

**Speaker:** Order, please. The member has the floor. I need to hear what she has to say.

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker. I am now the leader of this department, and we are taking action to rebuild the trust and restore competence in our school system.

We, as has been stated many, many times, acknowledge that mistakes were made in 2019. What is important are the steps that we're taking to address the situation. The independent review will help to provide answers to these questions that have been posed over the last several days. The independent review will look into our internal and interdepartmental processes in 2019 when these allegations of child abuse were brought forward to Department of Education staff. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communication. I think that's the key part here today — the communication to address these serious incidents in our Yukon schools.

Thank you very much, Mr. Speaker.

**Mr. Dixon:** Mr. Speaker, the Minister of Education has said that we need this independent investigation to get to the bottom of this. Well, we can get to the bottom of it right now, Mr. Speaker, if the Minister of Justice would simply answer these questions.

Why didn't she inform the Education minister upon her appointment as Minister of Education about this issue? Why did the letter that was drafted by the school administration, sent up through the department to her desk, not get sent to the parents?

These are questions that the minister can answer, and she is choosing not to. She is choosing to let the Minister of Education wear this instead.

Why won't the Minister of Justice — the Deputy Premier — answer these questions?

**Hon. Ms. McLean:** Again, I am so proud to be the Minister of Education and to serve Yukoners. I am now leading the Department of Education, and we are taking action to rebuild the trust and restore confidence in our school system. The steps that we are taking now are important steps to address the situation. The independent review will help to provide the answers that are being sought. The department review, again, will look into our internal and interdepartmental processes in 2019 when allegations of child abuse were brought forward to

Department of Education staff. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communication to address serious incidents such as this. It will include a review of how the departments of Education, of Health and Social Services, and of Justice work together to respond to serious incidents in schools and their interaction with RCMP.

We are also working, of course, with the Child and Youth Advocate. The result of these two reports, plus the report and recommendations from the RCMP, will inform real change in our system, and I look forward to that.

**Mr. Dixon:** Mr. Speaker, we have heard from the Minister of Education that she knew nothing about this issue. We have heard that nobody told her in the department — and her Cabinet colleagues. Nobody told her about this issue, yet she is being forced to stand up here and read those notes prepared for her when she knows that the person who can answer these questions is sitting right beside her. The Minister of Justice, the Attorney General, and the Deputy Premier knows the answers to these questions and she is refusing to answer.

Why was the letter not sent to parents? Who made that decision? Why did the Justice minister not brief her colleague, the Minister of Education, about this important and pressing issue? These are issues that we don't need an independent investigation to solve. The minister sitting right there can answer them right now, and while the Premier is talking, he can get up also and answer how he can sit there and listen to his minister provide no new information when the minister who does know about this is sitting right beside him.

**Hon. Ms. McLean:** Again, I believe that the steps that are being taken now are important steps, and I would refer to the terms of reference that I tabled yesterday in the Legislative Assembly.

Item 4 — at the conclusion of the review process, the reviewer will submit a detailed and timely report to the Department of Education, which will include findings of fact related to the response of the Department of Health and Social Services, the Department of Education, and the Department of Justice to the incidents in 2019 at the Hidden Valley Elementary School and recommendations for improving government-wide policies and procedures to better support Yukon school communities. Again, our target is January 31 to have this report in hand.

I have spoken today about the supports that are in place for families who are affected by this incident and for the school community. We will continue to respond to that and to ensure that our department is providing what is necessary for the families and that we begin a process of healing.

I had spoken about this at the closed meeting on September 22 — about a restorative way of approaching this — and I'm committed to that.

**Speaker:** The time for Question Period has now elapsed, but I have one request from the Leader of the Third Party. She wanted to introduce some guests who arrived.

## INTRODUCTION OF VISITORS

**Ms. White:** I would like to invite my colleagues to welcome two very special people today in the gallery. We have Amy and Seamus Labonte. They are the very public faces of Cystic Fibrosis Yukon. The Cystic Fibrosis Yukon organization has raised way more money than you would ever expect. The community of Watson Lake — full kudos to the community of Watson Lake — has singlehandedly raised more than any small community across the country. Amy and Seamus are here today for very specific reasons, because, although they are the public face of cystic fibrosis in the Yukon, they are just representing many others. They are here today for a very important debate that they have worked very hard to get here. So, please welcome them as they sit here and participate.

*Applause*

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

## ORDERS OF THE DAY

### OPPOSITION PRIVATE MEMBERS' BUSINESS

#### MOTIONS OTHER THAN GOVERNMENT MOTIONS

##### Motion No. 112

**Clerk:** Motion No. 112, standing in the name of Ms. Blake.

**Speaker:** It is moved by the Member for Vuntut Gwitchin:

THAT this House urges the Government of Yukon to support Yukoners living with cystic fibrosis by providing full coverage for the drug Trikafta under the Yukon Drug Formulary.

**Ms. Blake:** Mr. Speaker, I would also like to acknowledge Amy Labonte as president of Cystic Fibrosis Yukon and her son, Seamus, who can also be seen in the gallery today. They are looking forward to seeing us do the right thing by covering Trikafta under the Yukon Drug Formulary.

First, I would like to give the House some background information on cystic fibrosis and Trikafta. Cystic fibrosis is a chronic illness. It affects the lungs and digestive system, because the body produces too much mucus. People with cystic fibrosis are on a constant rotation of medications, treatments, inhalations, surgeries, and more. Yukoners living with cystic fibrosis are required to travel down south regularly to see specialists and have a wide range of surgeries. That means that parents like Amy are constantly on the go to support their children's health.

Families' whole lives can be dictated by the health care routine and many other demands of cystic fibrosis. In a pandemic, people like Seamus are much more vulnerable to COVID. As I am sure you can guess, Seamus is a specialist with social distancing and guidelines for COVID, and yet he is still more vulnerable than many other Yukoners.

While we talk about this medication, the people who need it most are sitting in the gallery above us. These are real people, real Yukoners with families and stories and lives. They are

sitting here today to remind the government that they matter. They are here to see this government take action. They are here to see this House come together and pass our motion to provide full coverage for Trikafta.

We have been hearing a lot about putting people first. By covering Trikafta, we will put people with cystic fibrosis first.

Trikafta is a revolutionary drug. For decades, doctors and pharmacists have been treating the symptoms of cystic fibrosis. Those drugs and therapies can only do so much. Trikafta is a brand-name drug with no generic alternative. This drug costs up to \$300,000 US per year. No individual can afford that. None of us can afford that, so how can we stand here and expect families living with cystic fibrosis to afford it? Without coverage under the Yukon Drug Formulary, this miracle is out of reach for Yukoners living with cystic fibrosis.

Cystic fibrosis is one of the illnesses covered under the existing chronic disease program in Yukon, so why isn't this life-saving drug covered? Other provinces, like British Columbia, Ontario, Alberta, and Saskatchewan, have all made the right decision to cover Trikafta. Cystic fibrosis patients have celebrated these decisions across Canada. These decisions are giving them hope.

This drug doesn't just offer people with cystic fibrosis more time; it enhances all aspects of their quality of life. It completely changes life as they know it. This is why covering Trikafta would put people first. A drug like this means less surgeries, less trips to the hospital, less therapies, more quality time at home with their loved ones, and, hopefully, a more normal life.

**Mr. Cathers:** As the Official Opposition critic for Health and Social Services, I am pleased to rise in support of this motion. As members may be aware, I have also sent a letter recently to the Minister of Health and Social Services, urging the government to fund coverage of this medication for Yukoners who need it. I believe the total right now is four provinces that have already moved down the road of providing coverage for it. Quite simply, from my perspective, this is part of providing health care for citizens who need it, ensuring, as well, that if the treatment they need includes medication that would be beyond the reasonable means of citizens to cover, that government look at what they can do to provide the appropriate coverage to ensure that we don't have any Yukoners — or, indeed, any Canadian citizens — unable to receive the health care treatment that they need.

With that, I will conclude my remarks. Again, we will be supporting this motion.

**Hon. Ms. McPhee:** I'm pleased to rise today to speak to this important motion. I would like to note — as we have encouraged all along during the time that this government has been in office, encouraged the members opposite to speak to us about motions — matters — that they might find of importance and see whether or not we, too, support those processes — that one of the parts of the importance of having those kinds of conversations is that motions often ask this Legislative Assembly to make decisions that would bypass government

processes or the legislation that's required to be dealt with. I should note that we have been working on this important issue, despite the fact that it is very new, and the submissions made to this Legislative Assembly by the members opposite might recognize that.

What I would like to take some time to discuss is cystic fibrosis generally and then talk more specifically about the opportunities that are here before us.

As might have been noted, cystic fibrosis is the most common fatal genetic disease affecting Canadian children and young adults, Mr. Speaker. Who does not want to make that different?

Cystic fibrosis is a rare, progressive, life-threatening disease in which the formulation of thick mucus builds up in the lungs, digestive tract, and other parts of the body. It can lead to severe respiratory and digestive problems, as well as other complications, such as infections and diabetes.

Cystic fibrosis is caused by a defective protein that results from mutations in the cystic fibrosis transmembrane conductance regulator gene. While there are many known mutations of this gene, the most common is the F508del mutation. It's estimated that one in every 3,600 children born in Canada has cystic fibrosis. One in 25 Canadians carry an abnormal version of the gene responsible for cystic fibrosis, and when a child inherits two abnormal genes, one from each parent, the genetic disease occurs in a child.

Symptoms and the degree of severity of cystic fibrosis differs from person to person, but the ongoing infections and the loss of lung function eventually lead to death in the majority of people who have this terrible disease.

Mr. Speaker, the process for approval of drugs in Canada is an important factor in this motion. All drugs in Canada follow a standard review and approval process, with each step informing the next. This process involves: Health Canada approving a drug for use in Canada; the Canadian Agency for Drugs and Technologies in Health evaluating a drug and issuing a recommendation on whether to list the product on the drug formulary or list it with conditions or not list it; and the pan-Canadian Pharmaceutical Alliance negotiates pricing and criteria with drug manufacturers, as informed by the Canadian Agency for Drugs and Technologies in Health's recommendations.

The Yukon is a member jurisdiction and participant in the pan-Canadian Pharmaceutical Alliance.

Trikafta was accepted for priority review with Health Canada and received a positive final recommendation by the Canadian Agency for Drugs and Technologies in Health on August 30, 2021. On September 17, less than a month ago, Mr. Speaker, the pan-Canadian Pharmaceutical Alliance and the manufacturer of Trikafta completed negotiations and signed a letter of intent regarding the terms and conditions for funding this life-saving medication to treat patients with the most common cystic fibrosis mutation.

In the Yukon, the decision to list the drug for coverage is typically based on the pan-Canadian Pharmaceutical Alliance recommendations, along with British Columbia and Alberta listings. We closely work with them, because individuals can

have medical treatments in those jurisdictions, as well, so it makes sense that we would follow their lead.

This process of listing a product is initiated by working with the manufacturer on the listing agreement, prior to officially listing the drug on the drug formulary.

Once these processes are complete, the Yukon's formulary working group here in the territory will choose to list a medication on the Yukon Drug Formulary. This process includes doing a jurisdictional scan and usually following other jurisdictions, primarily British Columbia and Alberta, as I have said.

Yukon's drug formulary is often aligned with British Columbia to ensure a consistent level of care for Yukoners who may be prescribed drugs while out of the territory for medical travel. The federal government's non-insured benefits program does not follow the Yukon Drug Formulary, although we are hoping to work on that issue as well.

Trikafta is a triple combination of medications. It is used for the treatment of cystic fibrosis and has been shown to slow progression of the disease, to improve lung function, and to increase the median age of survival of a child born with cystic fibrosis by almost nine years. The chief scientific officer of Cystic Fibrosis Canada, Dr. John Wallenburg, has called Trikafta the "... biggest innovation in cystic fibrosis treatment..." and research suggests the drug could be effective in 90 percent of patients. Dr. Wallenburg says that Trikafta could have profound health benefits because it targets a faulty protein that causes the buildup of mucus that clogs the lungs and digestive system. I would like to take just a moment to quote Dr. Wallenburg: "This is a drug that by its mechanism of action is different from anything that most people with cystic fibrosis have been able to access in the past..." "We've been treating the symptoms of the disease for decades, and we've done great doing that, but this is a drug that goes in and corrects the basic defect."

To date, we have seen six other Canadian jurisdictions, all in less than a month, confirm funding for Trikafta for patients with cystic fibrosis: Alberta, Ontario, Saskatchewan, Québec, British Columbia, and just hours ago, New Brunswick have agreed. New Brunswick is the first Atlantic province to announce this funding, and Yukon is on track to be the first territory to cover this life-saving, life-changing medication. While eligibility criteria have not yet been published by Health Canada, the Canadian Agency for Drugs and Technologies in Health has issued a draft recommendation that would make the medication available to patients with less than 90-percent lung function.

Mr. Speaker, I recently heard from the president of the local Cystic Fibrosis Yukon chapter — and we have had Amy Labonte introduced here in the House. I am very happy that you are present with Seamus. The information that I received from Ms. Labonte was asking that Trikafta be covered in the Yukon.

Mr. Speaker, we all know that our lives have changed over the last 18 months due to the COVID-19 pandemic and how we have all had to adjust to doing things differently: staying six feet apart, wearing masks, and other things that we have all gotten used to.

This is nothing new, as has been mentioned earlier, for families living with cystic fibrosis. They live six feet apart, they wear masks, they wash hands, they stay home when they get sick, and they are all too familiar with the flu and how one episode can send them back to the hospital and to BC Children's Hospital.

Mr. Speaker, BC Children's Hospital is a place where I have spent many hours as a mother when I had a young child who was dealing with health issues, and I can only imagine a fraction of the stress that is brought by those visits to the BC Children's Hospital. It is a wonderful place; it has wonderful services, but nonetheless, the stress of dealing with a medically compromised child is perhaps unimaginable. It is something that I, too, have lived through, of course, in a different context, but something that my family had to deal with on a regular basis. While we are truly thankful for BC Children's Hospital, nobody ever wants to have to visit.

Some families living with cystic fibrosis are all too familiar with what has now become the new normal. I am pleased to advise that our government has been in the process prior to this motion being brought, prior to the House even sitting, but we have been working on a process to take the steps necessary to ensure that Trikafta is available for Yukoners with cystic fibrosis.

The Yukon government will be listing Trikafta over the next couple of months — I hope sooner. We are currently working on a product listing agreement with the vendor, and listing it on the formulary will follow. I note that, as has been said here already, the estimated retail price for this medication is over \$23,000 for 28 days — roughly \$300,000 per patient per year.

We truly hope that the Yukoners who are struggling with cystic fibrosis will be individuals who will benefit from Trikafta and the treatment that it brings. While we are not able to provide a definitive number — maybe it is something that Ms. Lebonte could do — of how many patients are here in the territory or who might be eligible, their medical teams will help — their medical professionals — will determine how this opportunity, I hope, will bring peace and a new opportunity for a lease on life and for experiences to Yukon families.

As I have noted, Cystic Fibrosis Yukon has been working closely with Cystic Fibrosis Canada to get Trikafta to Canadians living with cystic fibrosis. Clearly, as I have noted, New Brunswick just a few hours ago has determined that this is in fact something that they will provide as well.

I am supportive of this motion. I only caution that, if these kinds of motions could be presented or we could discuss them — we are certainly open to doing that, more importantly, so that everyone can understand that, when there are questions about these kinds of very important issues — I would like to be able to say without necessarily the formality of this process that we are in fact working on it, that we are in fact supportive, and that we are in fact very pleased that we will be quite likely the first territory to provide this kind of medication to the families who are so deserving. It is my hope as well that this medication will have the desired effect. The effect that has been quoted is

truly life-changing, and, of course, we are supportive of that and hopeful that Yukon families will benefit from that as well.

**Ms. Tredger:** On the first anniversary of Trikafta's approval in Canada, people wrote on Twitter about their experiences. They wrote about being able to sleep through the night without coughing and being off oxygen. They wrote about a whole year without hospitalizations, which hadn't happened to them in more than a decade. Someone wrote: "Because of Trikafta, I'm feeding tube free, after living with one for 20+ years."

I bring these up because I want to bring this conversation to people and their stories. When we talk about processes and the way things should happen, the way things move through government, and the steps that should be taken, I want us to come back to talking about people — the people who are living with cystic fibrosis and the people who will be affected by whatever decisions we take in this House.

I have a few stories that I would like to share. One blogger wrote about her experience. She wrote about how we all have heard the quintessential story of how a normal life is supposed to unfold: starting in childhood, when things are easy and carefree, moving through life and taking on more challenges until we reach old age.

She wrote: "I have essentially lived my life in reverse. I started my story in an unhealthy body and have worked hard during my teens and 20s to try to keep up with my friends and family who have lived their lives on opposite timelines.

"I have always been up for the fight to keep going, but the fight always came with consequences: missing time with family and friends, skipping out on events and travel, and living an overall careful, and sometimes timid, life to keep my sickness at bay. Then, everything changed for me."

She writes: "... I swallowed two small orange Trikafta pills. Although the drug was described as a 'game-changer' and a 'transformative medication,' I made sure to keep my expectations realistic. After only a few days on the new drug, my airways began to clear, the bags under my eyes began to vanish, and I started to feel a brand-new definition of healthy. I couldn't believe it. Now, here I am six months later, and I have not had a single CF exacerbation. I wake up with energy, I laugh without coughing, I can speak my mind without having to constantly clear my throat; but more than anything else, I've gained so much energy to live the day-to-day with intention and purpose ... If you were standing at the beginning of an obstacle course and knew you wouldn't be able to see your family and friends, explore the world, or accomplish your goals unless you climbed walls and jumped over hurdles, would you do it? Cystic fibrosis just happens to be my obstacle course, and Trikafta continues to break down the walls and hurdles I've fought through for the last 28 years."

Another person wrote her story, and I would like to share that. Her name is Samantha Roy. She talks about first being diagnosed with cystic fibrosis at age nine and then, through her life, things becoming more difficult as her illness worsened and worsened. She became very sick after her first pregnancy, improved a little bit after her second pregnancy. She was

hospitalized for nearly 90 percent of her second pregnancy. At that point, her health continued to decline and she spent most of her time in hospital.

She writes: "This really took a toll on both me and my family. My husband and mother tried their best, but there were many times when their best just couldn't compete with CF."

Then she writes about trying to get access to Trikafta. She writes: "When I first applied for Trikafta through the manufacturer's compassionate care program, my lung function hovered between 22-28% and antibiotics stopped working. I was in and out of the hospital, with little to no improvement ... After an anxious wait, I received the news: my application was denied."

She writes: "I always prided myself on my strength to find hope and keep pushing forward. But the compassionate care program denial was a difficult blow. I was the lowest I had ever been, physically and emotionally. Knowing that a drug existed and my life depended on getting it, but I couldn't access it or do anything about it, was so difficult."

Luckily this person was, later on appeal, able to get access to Trikafta, and within three hours of her first dose, she said that she noticed a noticeable difference. She writes: "Trikafta has saved my life, has given my kids a mom, and my husband an equal partner. Trikafta has given me a future that I couldn't see any more. Trikafta has given me the ability to do the simplest of tasks without effort, like sleeping, walking, and breathing.

"There are no words to describe what a miracle this has been for me."

Then she writes about how infuriating it is that there are still people who cannot access this drug, who are being told, like she was, that she couldn't access this thing that has changed her life.

She writes: "There is no excuse. Nobody should have to become as sick as I did in order to get access. We need to go further and do everything we can to provide justice for all Canadians currently suffering." That is what we have the opportunity to do here today.

I would like to leave you with one more story. "Becoming healthy and having stability is not something I could ever have imagined." This is written by a blogger with cystic fibrosis. She writes: "I haven't had a hospital admission in more than two years. Sure, I had a relentless hope that something would change, but to fathom what life would look like with stable health was incomprehensible to someone who had never had that. What do you do when you have lived your whole life diagnosed with a terminal illness and then are suddenly diagnosed with new health?"

She writes: "For me to say I pursued wild dreams with a chronic and terminal illness is empowering, and provides perspective for the mundane problems before me..." The mundane question is: "... what do I do with my life now?"

We have the opportunity today to give people the chance to ask themselves that question — what to do with their full lives ahead of them when they have coverage, when they have access to a miraculous drug like Trikafta. I really hope we all come together to do that.

**Ms. White:** It is not very often that, in this position, we can stand on the cusp of such a big decision. Although it may seem minor — and I appreciate the Minister of Health and Social Services saying it could have been done in different ways, but I signalled this in October 2020 when I tabled the motion, saying that the Yukon government cover the drug Trikafta.

It was because it was after the briefing that was facilitated with Ms. Labonte, with CF Canada, and it was then explaining to me how important it was.

When we talk about how the work that we do here — sometimes it doesn't feel like it makes a direct impact, but this is an example of a direct impact. The minister pondered how many people exist in the territory who could benefit from this right now, and I can say, with confidence, that we know for sure of five, but that's five individuals and five families and five sets of friends; that's five experiences, and that's maybe five separate schools, and it goes on and on.

So, this decision — this signal, this conversation — is critically important. I think about the lessons that I've learned from Seamus about patience, about adaptability, about how good you can be at playing videogames with FaceTime and technology at the same time, because, when COVID happened, Seamus' mom, Amy, explained that they were pros at isolation, because they lived a life where they had to isolate. If there was a cough or a flu going around, they really needed to bring it in because they needed to be cautious, because it wasn't worth the effects.

When we are on this point of making this kind of decision, I think this is the time when we should feel proud of the work that we do here in this Assembly, because there are not so many times that we will necessarily agree. I'm hopeful that this is one of those times, because the decisions that we make here will affect not just five Yukoners and their families, and their extended friend groups, but it means that future Yukoners — it means that people can choose to move here from other jurisdictions and not be limited by whether or not we cover this drug.

So, it's an incredibly heavy and big thing to be standing here today, knowing that we're on this cusp, knowing that we have a mother in the gallery who, after her son was born, 10 days later understood that life would be different. It's really exciting to be standing here and to say, well, life can be different again.

Seamus — it's a pretty big deal, and I look forward to hearing about all the effects and those changes.

Again, it's important to know that we have two folks here who are the face of cystic fibrosis in the Yukon, but they represent others. They made a really conscious decision that they wanted to share stories, and they wanted to share an understanding so that people could understand the challenges. Lots of folks aren't so public with that sharing because it's hard and it's vulnerable and it's open.

I look forward to the blog posts about the adventures that happen and the changes that happen and those things.

With that, Mr. Speaker, I'm incredibly proud that we are having this conversation here from different spectrums and different perspectives, and I'm optimistic for the vote.

**Hon. Mr. Mostyn:** Good afternoon, everyone — particularly Seamus and Ms. Amy Lebonte. Today we are talking about cystic fibrosis. We have all heard what others have had to say. We are also talking about funding Trikafta, a drug that can change the lives of people with that illness.

I'll tell you, it is a pleasure to speak to this important motion, sponsored by the Third Party, and I believe everyone in this Chamber will be supporting this motion this afternoon. That kind of cross-party cooperation is great to see, especially on life-altering matters such as this.

For those with a loved one struggling with this disease, this motion — the support it brings — will be welcome news and, I imagine, a relief. Throughout western society these days, Trikafta is transforming the lives of cystic fibrosis patients for the better, and we have heard from the Health and Social Services minister this afternoon how another jurisdiction in Canada has just signed on to offer this drug.

I want to note, for the record, before I get started, that my colleagues and I strive to improve the lives of Yukoners every day through our actions and our mediums — in this case, the Department of Health and Social Services. I don't think that it is a stretch to say that is why we are all — every one of us — in this Chamber this afternoon.

For those who are not aware of what cystic fibrosis is and how it affects the human body, please allow me a few moments to echo my colleagues in the House this afternoon. We are talking about a debilitating genetic disease that afflicts the lungs and digestive systems of the body. People with cystic fibrosis — people like Seamus — have trouble breathing and eating, or so I am told, and those are two of the most important functions of our bodies. Glands that usually produce thin, slippery secretions render thick, sticky ones instead. Bottom line, vital body functions — breathing and digestion, or both — are impeded. I am told that it is awful — I can only imagine what that must like.

There is no cure at the moment for this chronic disease. Lung transplants are often required, and the lifespan of those with this disease in the developed world is between 35 and 40. Forty, Mr. Speaker. That is less than half the lifespan of the average Canadian.

Worse, half of the Canadians with cystic fibrosis who died in the past three years were younger than 34. I am a father of two sons, and I don't fully understand the implications of life with a child struggling with cystic fibrosis, but I can empathize with those who do have children suffering from this disease. My heart goes out to them. There is a good chance that most of those parents will outlive their child. That, Mr. Speaker, is every parent's worst nightmare.

This afternoon, we can provide a little hope and perhaps some relief. I am gladdened we are all willing to work together to do so. As noted this afternoon, it is estimated that one in every 3,600 children born in Canada has cystic fibrosis. To be honest, this is not something I have turned my mind to simply

because I have been fortunate — lucky. The spectre of this rare disease hasn't touched my life until recently. I have never been exposed to it. I expect that the same story applies to many Yukon and Canadian families. Sometimes it is easy to not see things, especially when there is no cure for the disease and you feel powerless to help. Today, as MLAs, here in this Yukon Legislative Assembly, we are not powerless.

Mr. Speaker, this afternoon, I am not powerless. This afternoon, we are going to help some of these families. How? Well, as we have heard, Trikafta has been described by the president and CEO of Cystic Fibrosis Canada — a man by the name of Kelly Grover — as the single greatest innovation in cystic fibrosis history, with the power to transform the lives of thousands of Canadians. The origins of this drug go back to the late 1980s, when the genetic code was cracked. Through the wonders of science — wonders that we take for granted far too often in this society — we now have a drug that can provide some help.

According to Cystic Fibrosis Canada, Trikafta can treat up to 90 percent of Canadians with cystic fibrosis. It's a triple combination precision medicine, I am told, made up of three pieces that are almost impossible to decipher, let alone pronounce. I am not going to do that this afternoon. Suffice it to say, it works.

Trikafta targets the basic defect from specific genetic mutations that cause cystic fibrosis. As I said, that code was cracked in 1989, and it has taken this long to get this drug to market. By 2030, this drug could reduce the number of people living with severe lung disease by 60 percent and reduce the number of deaths by 15 percent.

Findings show a significantly slower disease progression, with an 18-percent increase in people with mild lung disease and 19 percent fewer hospitalizations or home intravenous antibiotics, for the coughs and other lung impairments these people commonly suffer. Unfortunately, Vertex has a monopoly on the drug, and the price they charge is princely. Most people could never afford the treatment on their own. The cost is more than \$300,000 per year per patient, which is why this motion is on the floor of the House today.

Given the price of Vertex's drug, government is obligated, on compassionate grounds, to step in and provide for those in need, and we intend to do so. In this case, I certainly agree with the Member for Takhini-Kopper King and the Member for Lake Laberge that it is the right thing to do, and I thank them for their passionate support and advocacy on this subject.

Yukon's drug and extended benefit programs ensure access to drugs and equipment for many Yukoners. Some Yukoners lack drug coverage, and these gaps could be filled by a national pharmacare program. Such a program has been talked about for literally decades. It doesn't exist yet, but we will continue on collaborative work with our federal and territorial partners to come up with ways that we might save a little money with this drug, when we provide this drug.

Mr. Speaker, it is my hope we can get this new drug into the hands of Yukon families who need it as soon as possible. I also hope that this new drug lives up to its promise. I do so for

Seamus and Amy and the thousands of other families and their friends who depend upon it for an improved life.

Before closing, I would like to recognize the great work of Cystic Fibrosis Canada. This organization was founded in 1960 and generally funds cystic fibrosis research and care. Its mission statement is simple: to end cystic fibrosis. In its words: "We will help all people living with cystic fibrosis by funding targeted world-class research, supporting and advocating for high-quality individualized cystic fibrosis care and raising and allocating funds for these purposes."

We have heard how successful the Yukon chapter has been, especially down in Watson Lake. Again, they should be commended.

Cystic Fibrosis Canada has 50 chapters throughout the country and is recognized as one of the world's top three charitable organizations committed to improving and lengthening the lives of people living with cystic fibrosis. I cannot think of any goal more worthy. Thanks in large part to their work, the life expectancy has more than doubled in Canada over the last 60 years. As they note, that is still not good enough, but it is certainly a great improvement over where we were.

Prior to the existence of Cystic Fibrosis Canada, I shudder to think what the standard of care was, but things are improving, Mr. Speaker, and we are taking strides today.

**Hon. Mr. Pillai:** Mr. Speaker, I would like to thank the Member for Vuntut Gwitchin for bringing this motion forward for debate today in the House.

Our Yukon Liberal government has been focused on improving health outcomes for all Yukoners since first being elected in 2016. My colleague, the Minister of Health and Social Services, spoke to the important work that was undertaken through the *Putting People First* report, the work that has already been done to implement the findings, and the actions that will be taken as we move forward.

I would like to highlight that one thing we heard through the process was that the cost of prescription drugs is an issue, and many expressed general support for more universal drug coverage that will minimize patient costs. Specific feedback included not being able to receive prescribed treatment, because the participant could not afford it. This, of course, is a very real concern. Imagine knowing that a drug existed that had the potential to change, extend, or save your life.

After doing some research on what access to Trikafta would mean for those living with cystic fibrosis, I found the following information. According to the Canadian research published in the *Journal of Cystic Fibrosis*, providing access to Trikafta this year has the potential to reduce the number of people living with severe lung disease by 60 percent and reduce the number of deaths by 15 percent by 2030.

The research also notes that there is a significantly lower disease progression, with an 18-percent increase in people with mild lung disease and 19 percent fewer hospitalizations or home intravenous antibiotics for pulmonary exacerbations. The estimated median age would increase for folks with CF by over nine years.

In the *Putting People First* report, a snapshot of Health and Social Services spending is given. It notes that health spending has been increasing for decades, with spending in the Yukon increasing at a faster rate than the rest of the country, despite our younger demographic. It also notes that most of Yukon's health spending — approximately 65 percent in 2019 — comes from the Government of Yukon, with the rest coming from private sources, such as health insurance for out-of-pocket spending, or directly from the federal government and a small part coming from other sources, such as social security and municipal governments.

The Government of Yukon spends more on the Department of Health and Social Services than any other area of government — over \$461 million in 2020-21. The Health and Social Services share of the government's overall budget has been steadily growing, from 27.8 percent in 2014-15 up to 30.1 percent in 2018-19. As Health and Social Services takes up more room in the budget, it means that there is less left over to spend in other areas.

A breakdown of the 2019 expenditures shows that eight percent of the spend is on drugs. *Putting People First* goes on to recommend that the Government of Yukon improve the management and efficiency of pharmaceutical benefit programs. When Yukoners are in the hospital or a long-term care facility, any drugs that they need are provided free of charge.

In addition, Yukon has several pharmaceutical benefit programs with differing eligibility criteria. So, groups who can access these benefit programs include seniors, children, social assistance recipients, and those with designated chronic diseases. Having different programs with different policies has led to unnecessary system costs, inconsistencies, and confusion for providers and patients who are eligible on what is covered.

The cost of providing these programs is directly affected by the price of drugs in the territory. Other jurisdictions have strict limits on the amount that drugs can be marked up above the manufacturer's list price. Overall, Yukon pays the highest price for drugs in Canada. The rest of Canada limits drug markups to eight percent, on average, while Yukon's pharmaceutical markups range from 30 to 48 percent.

As the population ages and as more specialized and expensive drugs become available, providing pharmaceutical benefits will become more expensive. Without changes, these programs will be unsustainable in the Yukon. So, by introducing fair limits on pharmaceutical price markups and improving the organization and administration of pharmaceutical benefit programs, Yukon government will realize substantial savings — savings that can be used to fill gaps in coverage for Yukoners without drug insurance or other extended benefits.

The report goes on to suggest a number of recommendations that will reduce costs and increase the efficiency and effectiveness of the system for delivering pharmaceuticals. Mr. Speaker, it's important to mention that these sections of *Putting People First* speak to the areas of our health care system that need improving and offer a number of recommendations on how to best approach improvements.

Our Yukon Liberal government is committed to implementing this strategy. It was committed to in our previous mandate by the former Minister of Health and Social Services, and it was committed to in the election and is highlighted throughout all of our mandate letters as a priority.

What it also stated in our mandate letters is that — and I quote: "... decisions must be made that prioritize the collective benefit for Yukoners. In your work as a member of Cabinet, you have a responsibility for ensuring decisions are made in the best interest of all Yukoners. In making these decisions, care should be put into targeting spending to the highest priorities while ensuring value for taxpayers' dollars."

Now, I want to stress that I agree that we should be supporting the use of Trikafta. I want to thank you — Amy, who is with us here today — for her interview this week on CBC. It was very informative, and I appreciate her leadership as a community leader — and also on this very important topic while supporting her family.

I also want to note that it is extremely important, as government, in response to all Yukoners, that we do our due diligence, which is underway. I just want to state for the record that, in my position, I am fully supportive of what we are doing, but I also believe that, when we do our due diligence on these particular decisions, the information that we unearth and the information that we can glean can help us be even more effective in how we implement it.

Mr. Speaker, there were times when the previous Member for Whitehorse Centre loved to press me on ensuring that I had done my due diligence and what methodology I used to get to that decision and the process. I think that, in this case today, we understand that other jurisdictions have supported this. I think we have all stated our support here. That is my sense, but I also think that there are other things that I would like to learn. I know that some of this will come out and some of the work is being done. I would love to understand how many people currently need this drug in the Yukon. I want to understand what, when this drug is prescribed and the cost is covered, savings are we going to see within the hospital system? I think that even makes a stronger case for being able to support this. I want to know what our strategy is, looking at the other jurisdictions that have already accepted this, when it comes to a collaborative purchasing process through Canada. What are some of the thoughts around that?

All of that work — I want to be very cautious and sensitive to the fact that we know that jurisdictions are supporting this and that is the direction that we are going in, but I also think that it is always good, no matter what decision we are making — whether about Trikafta or other items — that, when we are having those debates, we have all the information. I think that it's appropriate to do your due diligence, no matter what you are doing. These are big expenditures. In some cases, the due diligence is going to make an even stronger case for folks, like Ms. Labonte, who will have that information to be able to share and show why we need to do this work.

It was in June of this year that Health Canada issued a notice of compliance approving Trikafta for sale in Canada for people aged 12 and up with cystic fibrosis and at least one

F508del mutation. This was the first step forward toward the drug approval and reimbursement process.

Following that, there are processes taken at the national level and within each province and territory. Canada's public drug programs negotiate the price of the drug through the pan-Canadian Pharmaceutical Alliance. This was completed on September 17, as the Minister of Health and Social Services said, just under a month ago. Following this, each province and territory makes a decision as to whether or not Trikafta is funded. We are taking the appropriate amount of time to review the recommendation and to do the analysis of the financial implications. We are working to ensure that Trikafta is accessible to Yukoners with cystic fibrosis.

The team of officials at the Department of Health and Social Services will work diligently to understand the costs, which are estimated to be over \$300,000 per patient — I believe it was in US, we heard today — and we will work to understand how many patients would receive Trikafta, based on the situation. That is information that will be forthcoming.

This work is, of course, important in remaining accountable to Yukoners for our actions, and we look forward to seeing the results of this work and to joining Alberta, Ontario, Saskatchewan, British Columbia, New Brunswick, and Québec in providing Trikafta to Yukoners living with cystic fibrosis.

**Hon. Ms. McLean:** It's my honour to rise today to speak to this important motion. I would like to thank the Member for Vuntut Gwitchin for bringing this forward, and I want to acknowledge Amy Labonte and her beautiful child, Seamus, for coming here today. I found myself emotional at different times, listening to the debate. It brought back some really specific memories for me. Several years ago, my nephew had a very serious ATV accident. I brought him to the BC Children's Hospital in Vancouver. I literally slept by his bed for more than six weeks and helped to take care of him. There was this young boy — his name was Richard — who was in the next bed. We got to know him quite well over time and then beyond, as we went down for checkups later. He had cystic fibrosis, and he was 15 years old and just this amazing young man. As I was listening, and doing the research and getting ready for this motion, thinking about what a difference that would have made for him — he is no longer with us, but I think about him often, and it brought back that memory today and what it would have meant to him.

One of the other points though that I want to make is that he really didn't have a lot of support from family or extended family. I know that you have the whole Watson Lake community behind you, and I think that it is a strength in itself. I know Watson Lake; I lived there among the people for a number of years, and I know how strong and how resilient they are and how, when they get something that they are passionate about, they work hard and they are fierce about it, so I know that you have a lot of folks behind you. I thank you very much for coming and for being here and to Seamus for so much patience. That is a lot of talking to listen to, so I will try to make my comments a little bit briefer, but it is really important and I

do want to have my voice on this important motion that we are debating here today.

I wanted to speak briefly today about how this government is adaptive in supporting the needs of Yukoners. This government listens to Yukoners, and we are not afraid to create change. I think that our record speaks for itself in this regard. In 2018, we went through a comprehensive independent process of reviewing our health care system. As our colleagues touched on a little bit earlier — they have already touched on that, but I am going to touch on it a little bit more because I think it was so important and such an important process that we went through. We fully accepted those recommendations of the *Putting People First* report, which will result in a complete overhaul of the health care system. As my colleague, the Minister of Economic Development, has reflected on, it is in each and every one of our mandate letters as an overarching priority for each of us as Cabinet ministers.

This report identifies — and we agree — that we need to take a holistic approach to supporting Yukoners. To quote the *Putting People First* report: "A strong primary health care system takes a whole-of-society approach to health and wellbeing, and focuses on the holistic needs and preferences of individuals, families and communities. It is the first point of contact for health and wellness services, coordinating each person's services in a way that ensures continuity and ease of movement across a system." This is found on page 4 of *Putting People First*.

A great example of this government being innovative and progressive in our supports for Yukoners is our increased focus on access to publicly funded vaccinations; this was a direct response to the *Putting People First* report. Starting in January 2021, the Yukon became one of the first Canadian jurisdictions to fund the shingles vaccine, Shingrix, for individuals aged 65 to 70. We have expanded the eligibility of the HPV vaccine to include all Yukoners up to the age of 26 and have begun offering coverage for the PrEP medication for Yukoners at risk of contracting HIV. The Shingrix and HPV vaccines can be administered by a pharmacist at no cost. Shingrix requires a prescription from a physician or nurse practitioner. The HPV vaccine does not require a prescription. Yukoners can receive a prescription for PrEP from their health care provider and receive the medication from either a community health centre or the Yukon Sexual Health Clinic in Whitehorse.

Before I go into some comments from the education perspective, I wanted to reflect on the national level. I know that my colleague has already done some of that, but I want to make note that, in September 2020, the previous federal government committed to prioritizing national universal pharmacare in its September 2020 Speech from the Throne. From December 2020 to July 2021, the provincial and territorial health ministers approved a federal, provincial, and territorial engagement strategy for high-cost drugs for rare diseases, and engagement took place. A report entitled *Building a National Strategy for Drugs for Rare Diseases: What We Heard from Canadians* was released. Current federal, provincial, and territorial meetings are on hold right now,

pending the announcement of new federal ministers and mandate letters. Work on this is expected to continue on a national strategy for high-cost drugs for rare diseases this fall. That is great news — more accessibility for Yukoners and Canadians overall.

In terms of coming back to education, this holistic approach to supports for Yukoners goes beyond just our health care system. As the Minister of Education, I wanted to briefly talk about the *Review of Inclusive and Special Education in the Yukon* report that was released this past June. This report tells us that we need to do better. We need to rethink how we are supporting students and delivering timely and effective supports for their learning needs.

In her report, Dr. Nikki Yee describes an education system that is disjointed in its approach to supporting students with diverse learning needs. To quote Dr. Yee: “Overall, respondents suggested that inclusive and special education programs and services in Yukon are not currently supporting vastly diverse and dynamic student needs ... Generally, students experience low-quality education based on chaotic and disjointed structures in schools and across the educational system...” — and this is found on page 28.

We have accepted Dr. Yee’s report and are moving forward with creating an implementation plan to ensure that our system is holistic and responsive to the needs of Yukon students. There is much work ahead of us to address the findings and the shortcomings of the education system and to identify how we can make meaningful changes. That work is underway, and I’m so confident that we will make the changes we need to make for our children. I see a strong parallel between this new approach to our education system and the new approach to our health care system.

I would also like to draw the attention of this House to our support of Yukoners who are living with type 1 diabetes, because, again, it is a great example of how this government has been adaptive and flexible in our approach to supporting the needs of Yukoners.

Just about a year ago, we announced that we would fully cover continuous glucose monitoring systems for type 1 diabetes, becoming the first jurisdiction in Canada to do so. This came after significant community advocacy, particularly from families with children impacted by type 1 diabetes. I see a strong similarity in advocacy in this particular case, as we consider Trikafta, Mr. Speaker. It has been inspiring to see and, again, an emotional debate to listen to today.

As a mother, I know too well that there is no length a parent will not go to in ensuring that their children are protected and healthy. Again, I see a parallel with the inclusive and special education report that I already mentioned. Dr. Yee describes the fierce advocacy of Yukon parents when it comes to ensuring their children have access to supports at their school.

I am pleased to see the fierce advocacy of Yukon parents make its way into the Yukon Legislature here today. I am very proud of that, and I am pleased to support this motion today, which will be life-saving for some Yukoners. I am proud to be part of a government that is adaptive and responsive to the needs of Yukoners.

Thank you very much for the opportunity to speak today and to be able to have my voice heard. As a Member of the Yukon Legislative Assembly and the MLA for Mountainview, I am proud to add my voice to this. I always hold Watson Lake very close to my heart. I have a lot of friends and family and people I care deeply for in Watson Lake, so thank you again, Amy Labonte and Seamus, for coming to the Legislature today. I know that it will be part of your healing journey going forward — something that I am always definitely mindful of.

**Speaker:** If the member now speaks, she will close debate.

Does any other member wish to be heard?

**Ms. Blake:** Mr. Speaker, I am hopeful that what I have heard is that this motion will be supported and that Yukon will provide coverage for this life-saving medication. Yukoners who live with unique health issues face a wide variety of challenges that may be foreign to us sitting in this House.

As leaders, it is our responsibility to use our power and our privilege to help Yukoners like Seamus. It is our job to listen to advocates like Amy.

As decision-makers, I urge all of you to vote for this motion. Thank you, Mr. Speaker.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yeas, nil nays.

**Speaker:** The yeas have it.

I declare the motion carried.

*Motion No. 112 agreed to*

**Motion No. 113**

**Clerk:** Motion No. 113, standing in the name of Mr. Dixon.

**Speaker:** It has been moved by the Leader of the Official Opposition:

THAT Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended by deleting all instances of the words “Government Bill” and substituting in their place the words “appropriation bill”.

**Mr. Dixon:** Thank you very much, Mr. Speaker. It’s a pleasure to rise today to speak to this motion. The nature of this motion is to amend our Standing Orders here in the Legislature and, more specifically, to amend a particular clause of the Standing Orders that has come to be known as the “guillotine clause”. This particular clause in the Legislature is one that affects the timing of bills that are before the House and when they are voted upon.

By way of a brief background, the changes to the Standing Orders that brought this particular clause forward occurred in the 2000-02 government. The reason for that — my understanding, at least — was that there was no certainty about sitting dates, and so there was the potential for matters before the Legislature to take a great deal of time and thereby delay the passage of certain bills.

Obviously, we have seen what that can look like when we look down south to the United States, when we see certain budget bills that get debated and become political footballs that can cause and have caused — at least in the United States — government shutdowns.

My understanding, at least, of what the issue of the day was, was a solution to that problem and the potential problem of causing the delay in passage of appropriation bills that would affect the payment of government’s bills, the payment of its employees, and the ongoing operations of the Yukon government.

Of course, there were arguments for and against the guillotine clause at the time. Naturally, there is a concern about the basic democratic nature of a legislature fully debating and considering a piece of legislation before passing it. This would fundamentally change that.

Over the course of the last 21 or so years — the last couple of decades — there have been a number of instances of the usage of this clause. Of course, I was a member of the government from 2011 to 2016. I can personally say that, while I was a Cabinet minister, there were bills that I brought forward and the guillotine clause was used to pass them. At the time, I didn’t think that there was much wrong with it, but this is an issue that I have had some time to look at and think about and to consult with a number of people about. I realized that some changes to this particular clause are needed.

The nature of my motion today doesn’t remove the guillotine clause altogether; it simply changes the scope of it. It changes the scope from all government bills to strictly applying to appropriation bills. I think that the argument that was made back in the early 2000s by the previous Liberal government then was a fair one — that government does need the certainty

to pass its legislation. It does need its certainty to pass its appropriation bills because the functioning of the Yukon government depends on those appropriation bills. While I appreciate that when it comes to appropriation bills, I don’t think that the guillotine clause should continue to apply to non-appropriation bills. I believe that non-appropriation bills — other legislation — should be debated thoroughly. It should receive second reading, it should go through Committee, it should be voted on at that stage, and it should be passed or not passed at third reading before it’s given to the Commissioner for royal assent.

Mr. Speaker, like I said, the original intent was to give that certainty at a time when there was very little certainty about the Sitting lengths. Since that time, a few other things have changed. Our Standing Orders have changed to give a great deal more certainty around the timing, length, and duration of the legislative Sitting. We now have a fixed number of days that the Legislature will sit in a year. We have a maximum and a minimum that it will sit in a given Sitting. I think that there is a great deal more certainty than there was back in 2000 when this was first passed.

We have also seen, I believe, governments become a little fast and loose with how they use this clause. Like I said, I concede that I was a part of governments that used this clause to pass legislation, and I have also seen it used by the current government.

Prior to the election of the 34<sup>th</sup> Legislature, I know that the guillotine clause was used to pass a number of bills related to the way we conduct our elections. For instance, last year, an act to amend the *Elections Act* was put forward by the government. Rather than seeing it debated thoroughly and debated thoughtfully and having an exchange of ideas about it, the guillotine clause was simply used to bring it to a vote without any sort of debate.

Now, that particular issue was related to the implementation of fixed election dates. Obviously, at the time, I think a more thoughtful debate about that in Committee of the Whole would have been useful because it would have allowed us to better understand the government’s intent behind it. As we all know, the government then proceeded to break the intent of that legislation by calling a snap election earlier this year, which was not in alignment with the fixed election date that they had brought in themselves only a few months before.

Of course, we know that another usage of the bill has been to increase the pay for the Premier and his colleagues. That was a bill that was brought forward early in the 34<sup>th</sup> Legislature. Rather than seeing it debated on the floor, debated in Committee, it was guillotined, which expedited the passage of it as it proceeded through the Legislature and was brought to a vote, which did pass with the former Liberal majority.

Mr. Speaker, we have seen a number of instances of this guillotine clause used. I have used it, the Liberals have used it, and I think it has gotten a little too fast and loose with the way we use this guillotine clause. It needs to be tightened up to ensure that governments do not inappropriately use the Standing Orders to avoid debate, avoid discussion, and avoid the democratic process for the passage of legislation.

That being said, Mr. Speaker, I do appreciate the arguments that were made back in the early 2000s and that I am sure others will make. There is a logic to having a clause like this in the Standing Orders for appropriation bills. I do not think that appropriation bills should be caught up in debate and not pass for a great deal of time, like they were in the late 1990s, but for a number of reasons, things have changed since then. Nonetheless, I am amenable to leaving the application of this clause for government appropriation bills.

With that, Mr. Speaker, I obviously want to see this motion pass and the Standing Orders amended. The motion is obviously certainly in order. I appreciate the work of the Clerk in helping me to prepare the motion to ensure that it is orderly and does indeed achieve the intended outcome that I am seeking.

I have had a chance to discuss it with some members. I do know that there is interest in the possibility of referring the matter to SCREP, the Standing Committee on Rules, Elections and Privileges. However, I should note that, regardless of what SCREP decides, it ultimately will come back to the legislative floor to decide, and so I think that we are more than capable of making that decision here today.

Mr. Speaker, I think that, while there could be other issues related to the Standing Orders and indeed particularly issues related to Standing Order 76 itself, I am more than amenable to having those discussions at SCREP, but I think that this motion ought to pass first. We are in a new reality here in the Legislature with the 35<sup>th</sup> Legislature. We have a minority government and I think that it would be a shame for the minority government to use the guillotine clause to pass legislation without proper debate and discussion, as we have seen happen when the Liberal Party was in the majority.

With that, I think that the motion is fairly straightforward. I have explained my rationale behind bringing it forward and why I think that it is a reasonable change to the Standing Orders to strengthen our democracy and strengthen the proceedings of the Legislature to ensure that non-appropriation bills are given thorough debate, thorough consideration by the Legislative Assembly, so that we, as elected representatives, can conduct our business on behalf of Yukoners, as was their direction to us when they voted us in here.

With that, Mr. Speaker, I commend this motion to the House and look forward to seeing the debate on it.

**Hon. Mr. Streicker:** First of all, I would just like to begin by thanking the Leader of the Official Opposition for bringing forward this motion. I think that it is a very important topic to debate. I think that generally our Standing Orders and how we conduct ourselves probably wouldn't draw a lot of people to the gallery, but it is incredibly fundamental to how we conduct ourselves as a legislature, and I thank him for raising this issue. I note, as well, that his colleagues raised this issue and it is on our agenda on the Standing Committee on Rules, Elections and Privileges, but I do want to try to talk through this whole notion of how Standing Order 76 is potentially going to be amended by the motion that the member has put before us today to debate.

To begin with, I am going to try not to use the phrase that we all use colloquially around Standing Order 76, and I'm just going to talk about it as the order that tries to truncate or limit debate to make sure that we get to vote on bills.

I am going to go back just for a moment here to talk about the history of the bill. I listened closely to the Member for Copperbelt North in his description of how this amendment was brought forth.

One of the things that he mentioned was that there was some for and against as this came forward, but where I found it in Hansard was on page 2720 from November 19, 2001. The motion was brought forward by Mr. McLachlan. He raised it and asked for unanimous consent of the House in order to debate the motion, first of all, and unanimous consent was given, so everyone agreed. Then you read the motion — well, actually, the motion itself wasn't read, which was pretty different. I had never seen that done, but apparently there is a way to ask to not read the motion because it was quite long. It wasn't just Standing Order 76, which came into the Standing Orders that day. It was also Standing Order 73, which is how the Premier and the Speaker work to recall the Legislative Assembly. It was Standing Order 75, which talks about the requirement for the government to table legislation within five sitting days so that the opposition has an opportunity to see that legislation and so that government doesn't just table something just at the end of a session when there is no opportunity to debate.

It had in it Standing Order 75, which is about the length of Sittings of the Assembly, which says that there is a maximum of 60 days. As we all know here, we work out here, through House Leaders, what each session will be. It had within it Standing Order 76, which we are here to debate today and which is proposed to be amended. It also had within it a couple of miscellaneous Standing Orders, including the creation of the Standing Committee on Appointments to Major Government Boards and Committees.

Those sections within the Standing Orders weren't actually read as the motion came forward. They were just deemed to be read, and then we get to the debate — and no debate, and it was "motion agreed to". That's all we wrote.

So, I tried reaching out to the past Premier to try to ask what it was that had happened at that time and, just unfortunately, because this motion was tabled as a written motion, I didn't have a lot of time to prepare for it, so I didn't have as much opportunity as I would like to try to talk through it.

But what I can see in some of the documentation — and now I'm quoting. It is here in Hansard. I am quoting that this is "Special Standing Orders Resulting from Leaders' Agreement of November 8, 2001" — which would have been a week or two before the House deliberated on the motion.

So, there was some work. It didn't happen through the Standing Committee on Rules, Elections, and Privileges. It happened among the parties, as I understand it. They worked together, and they tried to come to an understanding about how to make sure that we could do the business of the Legislature in order to allow the business of government to proceed.

One of the things that the member opposite, in speaking to the motion and introducing this motion today, talked about was that there needed to be more certainty because of the time of the Sitting. Well, actually, the time of the Sitting was introduced in the same motion as Standing Order 76, which would limit that debate.

I think that it is important, and I want to acknowledge the principle that the Member for Copperbelt North is raising for us to discuss today — how important it is to make sure that the Legislature has the ability to debate and deliberate on motions fully, fairly, and to allow them to come to a vote. There are challenges.

The Leader of the Official Opposition talked about the examples from the United States. I'm going to talk about some examples from here. I only have, in my experience here — physically in the Legislature — the previous Legislative Assembly, the 34<sup>th</sup> Assembly, but there are a couple of examples that I think are worth trying to look through.

First of all, in order to try to understand this, Madam Deputy Speaker, we really need to look at the tension between providing enough time for debate but also making sure that we get to decisions.

If we don't get to decisions, we could frustrate the ability of the executive branch, of government — we often think of government as the whole thing, and when I talk to friends, I am often trying to explain the difference between the Legislature and government. Yukoners will often think of it as one big group, but I think we understand here that the role of the Legislature is to oversee government. The functions would be to pass legislation, to pass budgets, to pass what we are calling, for the purpose of this motion, appropriation bills, and to inquire, to ask, to hold to account government. I think that these are incredibly important roles.

We do need to make sure that we don't use the tools of the Standing Orders to unfairly limit or truncate that debate. There should be that opportunity for full questioning. I think that is the important piece of this motion that is in front of us and the one that I am going to try to hold on to, as I think this through and debate it here on the floor.

Let me talk about a couple of examples. I asked some questions of the past Premier, just what were some of the things that were happening and what led to it, and one of the things that was explained to me was that there were times during debate when members would speak about things that weren't really pertinent to the motion on the floor or the bill in front of them. I heard stories of talking about lug nuts, of talking about the colour of Jell-O at the hospital, of people not paying attention. Really, it is just people taking up time. The term is a "filibuster". You are talking to take up time; you're not talking to try to put forward your position on particular issues.

Luckily, our Standing Orders now would say that you need to continue to talk about the subject at hand, and we could call for a point of order if the debate is straying too far. The purpose of Standing Order 76 is to try to balance the difference between getting to that decision and allowing time for the debate. Colleagues 20 years ago, less a month, decided that this was a good way to do it.

It is unique in legislatures across the country; I don't know of any other. I mean, the Yukon is unique in its own sense. We are the smallest legislature that is partisan — that has parties in it — the only partisan legislature in the territories, and we're small. There is a way in which I think that is important, and I'll talk about it in a little bit. But what you're looking for — when I look back through examples, and recent ones, is where we provide enough time for debate and where we make sure we get to a vote. The first example I want to talk about is the one time that I know of where we didn't use Standing Order 76, and that example is from March 2020. Why didn't we use Standing Order 76 then? It is because COVID hit, and as COVID hit, we were trying to decide, as a territory, what to do. It was an extraordinary time.

We, on our side of the Legislature, as a government, we decided to not debate the bills that we had prepared for the Legislature, for that Spring Session, and we talked over with the other parties about the importance of getting the budget passed. We came in on March 19, and I believe it was the Government House Leader who put forward a motion that we truncate the session but that we go long that day to try to get as much debate in as we could on the budget debate that day.

What we did, in effect, was we went through Committee of the Whole until the opposition had asked the questions that they wished to, and we moved on without using Standing Order 76.

So, I am now going to quote from Hansard. For Hansard, I am quoting from March 19, 2020, and currently I am on page 1137. I am first going to quote from the Official Opposition House Leader. This is what he had to say that day — and I quote: "We are supportive of this motion that is before the House before and I wish all Yukoners to stay safe, be healthy, and as a resilient bunch of citizens and individuals who we are up here, I know that we'll emerge on the other side of this stronger than we were going in."

The Government House Leader stood up and also said — and I quote: "I thank the member opposite for his comments and for the collaboration going forward. I would also like just to take a moment to thank all of those who support this Legislative Assembly." I will stop the quote there, but it goes on to say thank you to the people who are supporting it.

I now go to the end of that session. We went into the evening to try to get debate in on all the departments, and everything went fast in order to try to get to the end.

I am now on page 1179 of Hansard, and I am going to quote from the Member for Lake Laberge. He finished off his last comments to the Legislature: "On behalf of the Official Opposition, I would like to thank everyone who is part of this effort for the Yukon and, of course, thank those who have supported us in sitting later this evening so that the budget could be passed and so that department staff, hospitals, and others can focus on responding to this pandemic."

The Leader of the Third Party then stood up and said: "It is hard to imagine when we got called back in on March 5 that this is where we would be on March 19. It is hard to imagine between this week and last week the changes that have happened."

“You know, this not business as usual.”

Finally, I will quote briefly from the Premier, who had the last comments before we voted on the budget: “Thank you to the members opposite for their comments. Thanks to everybody in the Legislative Assembly. Go home to your loved ones. You’ve all done great work today. Thank you very much.”

On that day, very strangely, we did not use Standing Order 76. It was not called.

There is another time I want to use as an example, Mr. Speaker, and it comes from the fall of 2020. This is about how, if opposition wishes, they can extend debate on issues before the House and why this Standing Order was brought in, in the first place.

During that session, which was, we can all recall, a long session — I think it was 45 days. During that session, government private members brought forward a motion to ask whether members of the Legislature supported that we were in a state of emergency. It was a good question. We were very interested to hear from members of the opposition about whether or not they supported that. It took us three days over five weeks to get to a vote. Why did it take us that much time? Because the Official Opposition chose to bring forward many amendments and to bring forward much debate, because they had the ability to do so, and they chose to take time with this.

The thing I’m thinking about, as we look at the motion in front of us today on Standing Order 76, is: Are we putting ourselves in jeopardy of not getting to decisions?

When that happened — when that filibuster happened — and the MLA for Lake Laberge, if I can just commend him in his ability to speak for a long period of time — he’s very good at it. He spoke to government motions — and I added it up — for just under seven and one-half hours. When I added up all government members and the time they stood to speak during that same session, it was three and one-half hours — less than half. So, it’s impressive, although not what I believe is constructive.

The reason I think it’s not constructive is because, if you’re in a state of emergency and you need to, for example, deal with, say, border measures and the opposition has said often that they think that, in order for a state of emergency to be extended, it should come to a vote here, and there was an example that took five weeks. But government, if it takes five weeks to deal with border measures, would be — well, the public would not tolerate that kind of speed.

I know that the public often thinks that government is not fast enough. I’m just trying to say that, if the Legislature used the rules that it had, that we’re trying to think about today with this motion, you could have some unintended consequences with the motion that you weren’t anticipating in the rather straightforward way that the Leader of the Official Opposition has proposed that we replace all the terms “Government Bill” with “appropriation bill”.

That’s what I think we need to be careful about today as we debate this. It is correct that we need to make sure that the Standing Orders allow for debate, but we also need to make sure that we get to votes.

Okay, so, how do we balance that? This is where I think that the motion falls short for me. It doesn’t anticipate some of those unintended consequences. Let me just for a second, Mr. Speaker, talk about some of the ones that I tried to think through, in terms of those types of consequences.

First of all, Mr. Speaker, one of the things in the way the motion is worded is that it says “appropriation bill”. I went through Standing Order 76, and I saw that there are five instances where it says “government bills”. Okay, let’s change those. If we contemplate the motion as it is proposed, it would change that to “appropriation bills”. Again, for the public, that would mean all the budget bills. They would still, at the end of the Sitting, come to a vote, because they would still apply, but it doesn’t say “government appropriation bills”. What if a member opposite now decided to put in an appropriation bill? Do we then get to a vote because it’s now required to get to a vote? That is one of the things I thought about. I am sure that wasn’t the intention, but I feel that we should be careful as we think about this.

The one that I’m most concerned about is that we are not talking about the length of the Sitting at the same time as we’re talking about this motion. When Standing Order 76 was originally brought in, at least through the time that I have had to try to study this and look back, it was brought in at the same time. There was a dialogue across all parties to try to look at how to balance out that tension. That’s the one that I think would be important.

Would we extend Sittings? Let’s say that we have gone toward the end of the Sitting and we needed to get those bills passed — would we extend them? Is that what we would do? That falls under other rules, and we would have to make sure that would happen. I would hate, if what we did was all this work to get to a vote, and we just didn’t get to a vote.

I completely support the notion that there should be debate on all bills — appropriation bills, budgets, and legislation — but I would want to make sure that there is a method to make sure that we get to a vote. In other legislatures, they do this differently. It is not yet spoken about in this motion.

The other thing that might happen as an unintended consequence is that, in order for government to make sure that those bills, which the public service has worked extremely hard to get to and to bring forward — sometimes those bills take years. We have had a great deal of dialogue across the territory; we have worked diligently to try to bring those things in. Sometimes they are unanimous here in the Legislature, but oftentimes they require full and deep debate. Sometimes they are supported, but there are really healthy questions that are coming out to try to understand that role of the legislature on inquiry and legislation. But if this motion passed, then what might happen is that the government of the day would put an emphasis on making sure that the bills got through first, and what the unintended consequence might be is less debate on the budget. I am not sure that this was the intention at all here, and that is why I think we have to be quite a bit more careful about how this comes forward.

My thinking generally is that this should come into the committee that we have created here, the Standing Committee

on Rules, Elections and Privileges. Now, the Leader of the Official Opposition talked about examples of his own time in government under the 33<sup>rd</sup> Legislature where the guillotine clause was used and where, upon reflection, he now believes that it would be better that we ensure that we don't use a time limit on those pieces of legislation.

I haven't had the chance to talk to him directly. I would appreciate the chance, or to talk to his colleagues through the Standing Committee on Rules, Elections and Privileges, but if I were in that place, what I would be doing is trying to talk about how we can balance that tension. So, I agree with the principle, but I think that the right way to do this is to talk about it through a committee process that we have set up to do this. I have heard criticism from the Official Opposition about the Standing Committee on Rules, Elections and Privileges and whether or not it is doing its job. So, let me just take a minute to try to talk about that as an alternative to doing it here on the floor of the House today.

Earlier today during the — when you called us to order, I heard the chair of the Standing Committee on Rules, Elections and Privileges bring forward a motion that would effectively limit tributes. It was a strange day to think about that, because today we had a tribute to Commissioner Jack Cable and those tributes went longer than what we would normally give ourselves as time. Even though it is not there in that motion, what I will say is that what the standing committee did was — we talked about if there was a time when we were giving a commemorative tribute and it was just one tribute — that through House Leaders we would ask that there be an exception to allow for longer times. This is the work of the committee. The committee has that ability to try to talk through some of those differences and how to deal with some of those challenges. It's just a more fulsome debate.

Now, when I've heard the criticism in the past of this standing committee, I have gone back and asked the Clerks about the history of the standing committee. Here's what I found out. During the two Fentie governments, the committee sat five times in total. During Premier Pasloski's government when the Leader of the Official Opposition was in Cabinet, the committee met once. During the 34<sup>th</sup> Legislative Assembly — the Liberal government's — the committee met seven times, which is more than the last three legislatures combined — okay — and so far, the committee has met three times.

One of the things that I will say is that the committee has listed out — and there are members from all parties on the committee — a whole range of things that would be important to try to talk through. I think we ordered them — I would have to check to be sure — in how the Standing Orders are laid out, and we just are working our way through them. We've had three meetings so far. I think that's a good track record. I know that there are more meetings to come. We have a lot of agenda in front of us, and I would just like to say that everybody who has been there at that committee has worked diligently. I think that committee is working well and doing its job.

Why do I think it would be better to go to the committee is because, as I've said, that — well, there are a couple of reasons that I'll list.

One of them is that it would give us a chance to discuss this with the Clerk and the Clerk's staff. They do a lot of work around the Standing Orders, and I think they think these things through a lot. I suspect that they eat, breathe, and sleep this stuff, but there would be a chance for us to try to talk back and forth about how that would work. I appreciate that the Leader of the Official Opposition has said that he had some conversation — I would love to have some of that conversation too. The other thing is that, while I support this notion that we should get to a full debate on motions and bills, we also need to make sure that we get to a vote. That is what we have to balance. There could be different ways. I am not wedded to Standing Order 76 as the best way, but I do think that we need to be careful.

I went through to try to see how often we have used Standing Order 76 during the 34<sup>th</sup> Legislative Assembly, and what I found was that, on legislation — on bills, not appropriations — I found that roughly 80 percent of that legislation made it through without using Standing Order 76. It came naturally over time and went to third reading. About 20 percent did use Standing Order 76, which truncated the debate, and the Leader of the Official Opposition, as noted a couple minutes ago, was concerned with that time.

In terms of appropriations, about half of them make it ahead of time, before we get to Standing Order 76. Usually, the way it works is that, if it's the supplementary or the main budget, those usually end up using Standing Order 76, so it is about half and half.

Let me come back for a moment to the role of the government. There are three branches: the judicial branch, the Legislature that we are all part of, and the government branch, which executes on the decisions or the laws that are created here in the Legislature and on the budgets that are passed here and on how government operates and works.

One of the ways in which we create some of that balance is that there is a rule that I had never figured out before I got here, which is that your Cabinet needs to be less than half of your Legislature. In no other jurisdiction other than the territories would you get to a place where you might end up with a Cabinet that comes close to half of your Legislature. The reason is that you have to respect the Legislature in its role. The role here is that you have to test those appropriation bills — that legislation. You have to take that attempt to see whether it will pass or not, and it is the elected representatives who have the job to decide what the legislation will be. In a majority government, of course, this is different than in a minority government. I appreciate and understand that, but we still need to make sure that government can do its job. That means that we get to that point where the decisions happen.

What I am trying to put forward is that I support the notion that has been brought forward by the Leader of the Official Opposition, which is that we need to find a way to make sure that there is fair and full debate on bills in front of us and legislation that is brought forward, but if we just today put forward or support his motion that we just drop it out of Standing Order 76, there will be an unintended consequence that will put at risk some of that legislation. I wish fervently

that all of us, as legislators, would not try to frustrate that work, but unfortunately, I think that there are times when it does happen. I have experienced it here in the Legislature.

Mr. Speaker, with that, I will conclude my remarks. Again, it is my sense that this is an important conversation to have. I do wish to have it. I say for everyone here that, on the Standing Committee on Rules, Elections and Privileges, we had put this on our agenda. We have been working through our agenda. I think it allows for the healthy ability to debate this topic and to try to see how we can create that balance. Of course, as the Leader of the Official Opposition has noted, it would come back to the Legislature and we would have the opportunity to debate it there. It is just that it would be more of a conversation and have the Clerks as part of that conversation.

I would like to give one shout-out. It is to the Leader of the Official Opposition and how he has chaired the Public Accounts Committee. I have had the opportunity to sit in a couple of times, and when I have watched him chair that committee, he has often worked to create consensus, and I would like to acknowledge that this is a good way to work, that it says, yes, we will have differences as parties, but when we work together through those committees, we have a great effect on what happens here.

I feel, Mr. Speaker, that this is a very important Standing Order. I would love to see it updated. I just think that we need to have that fuller conversation about those consequences to make sure that we can get to decisions and ensure that debate stays focused on the issue on the floor of the House.

Thank you very much, Mr. Speaker.

**Ms. White:** Mr. Speaker, it is an interesting position to be in right now, knowing that I am the only member in this House who has suffered under the guillotine clause from all sides. I appreciate that the Minister of Energy, Mines and Resources doesn't want it to be called the "guillotine clause", but it feels final. It feels like the end of the line.

The first time I learned about the power of the guillotine clause — I'm not going lie. The first Sitting that we had in 2011 was fairly traumatizing. I am not sure if the Premier remembers back then. It is when I learned the full power of words. Maybe the House Leader from the Yukon Party will remember that debate, but the first time I really, really understood the full power of the guillotine clause was in the spring of 2012 when the then-Yukon Party government made an amendment to the *Financial Administration Act*. It sounds innocuous enough on the surface — *Financial Administration Act* — but what were we talking about? If you looked at it in the context of 2011 — in 2011, the territory was in the grips of a housing crisis that we had never experienced up to that point — never before. I think the unfortunate truth is that, in 2021, we are still in that same crisis, but in 2011, it was pretty new.

In desperation, without places to live, a tent city had popped up on the lawn surrounding this very building. You can imagine dozens of folks living in tents with signs out front urging change and urging housing and talking about housing as a human right, which I, of course, agree with. They were on the lawn of the main Yukon government building.

If you can imagine what that looked like, it was probably not very good, from a government perspective, so the solution from the then-Yukon Party government was to make camping on Yukon government land illegal, but not in such an obvious way. They did it through the back door of the *Financial Administration Act*. So, it came up for second reading, and then it was passed through the guillotine clause at the end of that Spring Sitting.

Then we can fast-forward to the fall of 2012 — the changes to the *Oil and Gas Act* and removing the veto clause from non-treaty-holding First Nations. So, we did get to debate that one, but it also got to the end without all those questions being fully answered — again, due to the guillotine.

You know, I can think about the Yukon Party with the *Act to Amend the Placer Mining Act and the Quartz Mining Act* in 2016 — so, that one didn't even have any debate.

I can think about the debate from the *Residential Landlord and Tenant Act*. When we talk about filibustering and we talk about time usage, you know, there were some talkers in here back then. I think that is the most polite way I can say it. As the person who was debating the *Residential Landlord and Tenant Act* and trying to get through clauses and trying to bring forward concerns — yeah, debate closed down on that, and there was no more conversation.

You know, we can look at the Liberals, when they were the majority — you know, the *Act to Amend the Legislative Assembly Act (2018)*, the *Act to Amend the Elections Act (2020)*.

I appreciate that the Minister of Energy, Mines and Resources talked about spring 2020 as being this great unifier, but from my perspective at the time, it was brutal. Conversations that were happening outside this Chamber were not easy. They were not easy; it was not easy. I mean, we had a motion to put forward to ask that the Assembly be put on pause and come back when we could. That was not an example that I would use; I was shaking my head here. That was not an example that I would use.

The one thing that has been highlighted over and over again is that the guillotine clause just doesn't work for democracy. Even appropriation bills — they get passed without full debate. You know, at times, opposition members — yeah, people can be like, but you cleared these lines, and I would be like, yes, because I was desperate to get to other departments, because talking about the Department of Health and Social Services for an hour is not enough time. So, yes, I cleared lines in debate. Did I have more questions? Absolutely. There are always more questions. There are infinitely more questions.

In that same breath, when we get forward to other bills, yeah, there are always questions; there are always questions. And so, from my perspective and, I guess, my experience — because, again, I am the only person who has sat on two different sides of the opposition side but never on the government side — you know, both the Liberal and the Yukon Party government have used the guillotine clause to shut down debate and pass legislation with little, or sometimes no, oversight — no questions answered, no exchange of information. That puts us in a unique position. I'm not sure that

is the position I think we want to be in, as far as the country goes.

There are concerns for sure. I don't want to sit for 24 hours at a time. I don't know that I have that stamina.

I think there is also the point, too, which is that I'm not impervious to the irony that the Yukon Party is bringing forward this motion, but I do appreciate that the Leader of the Yukon Party talked about how he was in government and he didn't see anything wrong and now, from the opposition side, he understands. I tell you, the first time in the 34<sup>th</sup>, when there was that acknowledgement, I was like, welcome, welcome to the other side. Because all those things that had been weaponized were now all of a sudden on the receiving side and I was like, well, here we go.

So, the guillotine clause doesn't work. That's it — the guillotine clause doesn't work. I have to say, it just doesn't work. It doesn't work for democracy. It doesn't work for discussion. There is no finding consensus if it just gets to the point where the conversation stops.

So, with that, I will let other people weigh in.

**Mr. Kent:** I appreciate the time here this afternoon to speak to this. Just before I start my remarks with respect to this particular motion, I do owe an apology to the Minister of Energy, Mines and Resources for some off-mic comments I made during his speech. They were inaccurate.

During the March 2020 budget debate, there was some back-and-forth, and we did end up deeming all remaining departments read and carried and then voted on the budget. Of course, we didn't support the budget, but the budget did come to a vote, so I apologize to the member for my off-mic comments earlier today with respect to his example that he was using during the pandemic with respect to the money bill and us not using the guillotine clause.

But I do want to speak to the motion a little bit. The Minister of Energy, Mines and Resources referenced, I think, November 2001, when this came forward for debate. I was sitting behind him at that time as a government member. If we just go back to 2000 and the work that very first summer after the election, it was an April election, Cabinet was sworn in by early May, the Legislature was recalled in June, and there was no mechanism at that time for there to be a set number of days. There was no budget in place. The NDP government under Piers McDonald introduced their budget and then called the election, so there was no budget in place, as I mentioned, and we needed to get a budget in place. We sat, I think it was June 6 — I may stand to be corrected — until late into July, with no end in sight for when that would happen. That is what the Standing Orders of the day contemplated.

When the Liberal government of the day — which I was part of, so I will say “we” — when we eventually came up with the changes to the Standing Orders, the Minister of Energy, Mines and Resources is correct that there were a number of things included, including the guillotine clause, to set the five days for the introduction of legislation. All bills had to be introduced so that there would be no surprises later on in the Sitting, which, again, had days attached to it. I think the

minimum is 20 and the maximum is 40, and if there was no agreement, it would default to 20.

There were some other things that were changed during that government. We used to have evening sittings, so the House sat from, I believe, starting at 1:30 p.m. in the afternoon and went to 5:30 p.m. Then Mondays and Wednesdays, we came back for two hours in the evening from 7:00 p.m. to 9:00 p.m. It was a long time ago, and I only endured it for a couple of Sittings, so I'm happy that those changes were made.

The debate was interesting during those evening sittings, especially after folks were able to get away for dinner and then return. There were a number of changes, as I mentioned, that were made at that time, including the introduction of the guillotine clause, which is the subject of the Leader of the Official Opposition's motion here today.

Again, the Minister of Energy, Mines and Resources referenced the spring of 2020 and the budget bill at that time. Obviously, we were in uncharted waters with respect to where we were. There was so much uncertainty at the start of the pandemic. We didn't know what would happen. There was little or no separation in here at the start of that Sitting between members. I think, toward the end, even a couple of private members from the government side ended up sitting in the first row of the gallery, sharing a mic. So, it was obviously uncharted waters and unprecedented times that we were in, in 2020. I think that is not a very fair example to use when referring to what we hope, going forward — if this motion is successful — will be more business as usual, rather than the situation we found ourselves in during the spring of 2020.

I think the minister referenced the CEMA motion that was introduced last fall. I think he said it took five weeks to pass. We have to keep in mind that the government chose to introduce that as a private member's motion, and private members get to debate their motions every other week, whether it's opposite to what the opposition private members get, so realistically, when the minister says it took five weeks to pass, that is a little bit rich, given the fact that, if they wanted that motion to pass expeditiously, they could have introduced it as a government motion and called it for, I believe, three days — two and one-half or three sitting days — whatever it would take to get that motion through here on whether or not the state of emergency was supported at the time.

The hours we spent in debate, I will leave it to the minister. He has done the research and has told us what they were. I think it is disingenuous to say that debate took five weeks, because it didn't. We weren't in this House for five weeks straight talking about that motion. The government chose to introduce it — I think it was the former Member for Copperbelt North who introduced it. That is why, as a government private member's motion, it went that way. Again, that is not the best example, I don't think, that the minister has chosen.

My colleague, the Leader of the Official Opposition, spoke to our time in government from 2011 to 2016 and some of the bills referenced by the Leader of the Third Party — one of those bills was mine that was guillotined. This isn't something that we're just seeing the Liberal government do. Obviously, it was done by Yukon Party governments from 2002 to 2016, as well.

But where I think we find ourselves now is — and my colleague mentioned it — that we're in a minority government situation. There are more votes on the opposition side of the House than there are on the government side of the House.

What I would hate to see with one of these non-money bills that is referenced in the member's motion is a disagreement over a certain clause resulting in members of the opposition having to vote against the entire bill because we never got into Committee of the Whole to debate that clause and propose changes. That's another, perhaps, unintended consequence that we find ourselves in with the minority situation that we're in — that an entire bill could potentially fall over only a disagreement over a certain clause.

Obviously, these bills — some of them are very complex. Many of the bills that are before the House this fall were before the House and introduced in early March and died on the Order Paper with the calling of the spring election, so they're back here now. Obviously, I would hate to see that adage of throwing the baby out with the bath water. I don't like to use it, but again, I think that's what could end up happening with some of these bills if we're not able to give them full and fair debate.

I think that one of the things that the minister mentioned was the seven meetings of SCREP in the previous Legislative Assembly — or the Standing Committee on Rules, Elections and Privileges. I was a member then. I'm not a member in the current Legislature, but of those seven meetings, we put together a fairly aggressive work plan — a two-year work plan. I stand to be corrected, but I think the only things that were accomplished — we set the first week of March and the first week of October as the starting dates for the Spring and Fall Sittings; we limited tributes to 20 minutes in total — I see there is a different amendment that would limit individual tributes in the motion presented by the Minister of Community Services today, so, again, a step in the right direction.

Then I think we reordered the Order Paper so that the introductions of visitors were done before the tributes. In spite of the fact that we met seven times, there was not very much accomplished with respect to changing those Standing Orders.

I guess, just to end, others have recognized the challenges with the guillotine clause on all bills. It was, I believe, the former Speaker and now the Minister of Highways and Public Works who called me, as the House Leader, and I believe the Leader of the Third Party as House Leader at the time for the New Democrats into his office and asked that House Leaders get together with him to address the guillotine clause. Nothing came of it. Perhaps there was some concern from his caucus colleagues with respect to his work around that, but I think the challenges with respect to how it affects democracy with that guillotine clause have been recognized by members of all three parties who currently sit in this House.

With that, I am hoping that members will support the motion that we have here before us so that we can give full and fair consideration to government bills that are not money bills or appropriation bills, as the motion says, so that money spending is not held up but full and fair consideration can be given to those bills that come before us and we can get into the

clause-by-clause debate if there are specific amendments that members of the opposition would like to see in a particular bill.

**Hon. Mr. Silver:** Mr. Speaker, I will be relatively brief today, but I would be remiss if I didn't add my perspective on this. Being in opposition in the Third Party and being the Premier are two different roles — 10 years serving the public, each one of those years with the guillotine clause in place. Lots of times in the Third Party, you don't get a chance to debate any bills because, as the Leader of the Third Party spoke about today, you do want to use your time strategically. That comes with a lot of downfalls, that's for sure. Topics that you might want to bring up — if the Official Opposition is already bringing it up, you might pivot to something else and get questioned by the government of the day and then be told that it has been this many days since the Third Party asked a question on something that was supposed to be near and dear to their heart. It is an interesting situation — the guillotine clause and the time limits, or lack thereof, for certain debate. So, having the conversation about a guillotine clause, I think that we on this side of the Legislative Assembly are in favour of that conversation — absolutely.

I am very pleased to be speaking to this motion. I have to admit, though, that I am a little puzzled by why we are debating this issue at all today. Let's go back — not that far back — to Thursday. The Leader of the Official Opposition started this fall session of the Legislative Assembly by tabling a motion — standing on a point of privilege or a point of order — to call an urgent and pressing debate regarding the Hidden Valley school. Now, no notification being given to this massive change to the order — the procedures of the day — a pretty important day, the first day.

I can't think of a time where we, the Liberal Party, wanted the unanimous consent where we didn't have a conversation to preclude that, and we do have House Leaders in the morning to do so. Okay, so they chose not to. Today, the Leader of the Official Opposition could have called that motion for debate. A mere two legislative days beforehand, it was so important to change the procedures of the whole day, and now, when it is time to debate motions, it is a procedural motion about the Legislative Assembly and the rules therein, which really is — and some colleagues have already mentioned this — probably best suited for SCREP, the special committee.

It is a very interesting decision from the members opposite. Of all the important issues to pick from, I guess, the Yukon Party chose this as their top issue for the first Wednesday of the Fall Sitting — rules for debate in the Legislative Assembly. Rules that have been in place for 20 years — rules that they enjoyed or used for 14 of those 20 years — hardly, I would say, would rate as the top priority for Yukoners listening in, but I will leave that to members opposite to explain their priorities. It looks like they are counselling right now to find out what their response will be.

It is also puzzling why the members opposite choose to bypass the Standing Committee on Rules, Elections and Privileges — SCREP, for those paying attention. This brings the issue directly to the floor of the Legislature. Usually,

changes to the rules of the House come after debate, discussion, and agreement at SCREP. The one time that SCREP kind of met when I was in opposition was for these devices, and we barely could get into the room at SCREP, with the majority of the Yukon Party at that time. It was like: “No, we can only talk about just the ability to use the technology. We are not going to talk about anything else.” So, it’s a different approach now, and the member opposite has said: “Now that I am in opposition, I have learned so much.”

So, change management happens, and change management is good. But the shock in approach that the member opposite raises a number of questions. It also demonstrates the Official Opposition’s unwillingness to work with the other parties — something that we have come to expect here. The guillotine rule has been in effect, as I mentioned, since 2001. The Yukon Party was in office for 14 of those years. Was changing the guillotine a priority for the Yukon Party during those years? No, it was not, and I’ll admit it wasn’t a priority for us either when we were in our four years, the last legislative session. It had no interest in changing a thing at that time and very little interest in conducting the standing committee. So, Yukoners have to question why it is that this is an issue for the Yukon Party now that they are sitting in opposition and why all of a sudden. They didn’t want to change it during those 14 years of majority government; they certainly didn’t campaign on it.

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

**Speaker:** Order, please.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker. I think the member opposite had his time and now he should probably listen if he really wants to have a debate here.

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

**Hon. Mr. Silver:** He is laughing, so I guess he doesn’t want to have a debate; he just wants to unilaterally move forward.

So, here’s the thing, Mr. Speaker: I do know that it wasn’t in their platform. But again, their platform was full of change. They campaigned on implementing a carbon tax, where — the previous election to that, they said that diapers would be so expensive that all of Yukon would leave. So, they came on board on carbon taxing. They campaigned on doing better on reconciliation and land use planning, because their previous approach, again, got us all the way to the Supreme Court of Canada with an appeal. They said that they were going to do better on reconciliation. They said that they were going to do better on land use planning, and they admitted that they were wrong on that. And again, change management — absolutely. They said that the Yukon Liberals got it right on their climate action plan, and we appreciate that. We were in a debate where the Leader of the Official Opposition in the House said, “We think it’s a good plan and we would implement that plan.” That is good to know. Again, change management.

They even said that they would go so far as to change the legislation for mining in the Yukon. That is the first time that I have ever heard that from the Yukon Party. So, a lot of about-faces — good to see — but not this one.

Mr. Speaker, back to this particular context. The talk about changing the Legislative Assembly — we are all in; we

definitely want to have that conversation — but the result of the proposed changes, in isolation, without conversations or collaboration with all three parties — in isolation by the Yukon Party — would mean less certainty. There would be less certainty on when Sittings would end and probably less debate on budget bills. It depends on how they use that time.

Is the real objective simply to prolong the Sitting, maybe, and introduce uncertainty for the end of the Sitting, as they sit in opposition, now that they have had a change of heart, now they are not government? It would be great to see if they would commit after maybe a process where SCREP meets and we all decide on changes to the guillotine act and have all three political parties say that, if they have a majority, they won’t change it back. That would be nice to see a platform on. That is something that the Yukon Party could add to their next platform. I doubt they will. As he admitted to the Leader of the Third Party, he really enjoyed it when he was in government.

Again, this defeats the whole point of setting those fixed sitting dates. The alternative, of course, is that several bills simply would not pass. That could be a real jeopardy here. Maybe this is the outcome of the Official Opposition — I don’t know. I can’t speak on their behalf, that’s for sure. Mr. Speaker, you cannot simply remove one piece of the Standing Orders without considering the impact on the rest of the system, which is what they are trying to do. Again, it is the first time we have heard them talking about it. This motion has not considered the impact and is not well-thought-out.

As I noted, it would likely result in less debate on budget bills. If there was a particular piece of legislation that opposition did not want to see passed, or maybe certain things that they voted against on budget bills, here is an opportunity. This is less certainty, Mr. Speaker. That’s the fear. Again, maybe that’s not the intent. If we put this into the regular scheduled meetings of SCREP, which we now have, and which I have never enjoyed in opposition but we, as a Liberal government, have committed to and, as the Minister of Energy, Mines and Resources so eloquently put it, followed through on, there is an opportunity for this conversation, and we are willing to have it. The Leader of the Third Party is willing to have it. But it’s not as if the Yukon Party is presenting this in a way to make it seem like they really want to work together for democracy’s sake. It’s unfortunate, but this is what we have come to expect.

If the Yukon Party is serious about making the changes to our rules of debate, they should absolutely do it and bring it forth with a well-thought-out proposal to SCREP. We would absolutely relish the opportunity to see change, because, yes, some things that happened decades ago need to be considered again. I would have loved if SCREP had met regularly when I was in opposition, because we could have had that debate long ago. This could already have changed. We didn’t meet. There was a lot of standing committees that just didn’t meet with the majority Yukon Party.

The main reason for the guillotine, as we know, was to bring an end to those late-night sittings — on those rare occasions, early mornings, as well — that the previous system produced. The Yukon is, I believe, the only legislature in

Canada that does not have a regular time allotment mechanism in our rules. Instead, we have the ultimate time allocation mechanism, and that's that the Sitting ends after 30 days — not a perfect system, absolutely.

That system seemed to suit the Yukon Party just fine for 14 years when they were in office, and their flip-flop on this issue is something to see, that's for sure.

Twenty years ago, the guillotine was introduced, and it was brought in alongside considerations about the length of the Sitting. They're kind of in parallel, but one begat the other. These are two sides of the same coin, though, one would argue. Tampering with the guillotine clause without also looking at the time allocations for debate, pieces of legislation being brought before this House — I believe that's irresponsible, Mr. Speaker.

Let me be clear: Ensuring that the Standing Orders of this Assembly are effective and serving the democratic needs of Yukoners is very important, and we're absolutely willing to have this conversation. On this side of the House, we're welcoming that opportunity to review these matters, but we firmly believe that it needs to happen in tandem with considerations on the length of the Sitting.

Again, there is a standing committee in this Assembly that is designed specifically to look into these kinds of issues. This is the obvious place to raise this issue to ensure that it is given proper consideration with input from all parties. I'll leave it there.

**Hon. Mr. Clarke:** Thank you, Mr. Speaker, for the opportunity to speak to Motion No. 113, that Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended by deleting all instances of the words “Government Bill” and substituting in their place the words “appropriation bill”.

I'll start with some general comments, and then I have some specific observations, as well. Some of this ground has been well trodden.

I certainly take the comments from the Member for Copperbelt South to heart in that it is true, for Yukoners listening at home, that the Yukon is the only jurisdiction in the country — so the only provincial jurisdiction or federal House of Commons or the territories — that has our type of business-ending mechanism.

As we have heard from a number of speakers, it occurred because there was no way to end filibusters, essentially, and the legendary all-night sessions of some of the MLAs who went before us. I also understand from the comments of the Member for Copperbelt South that there were some interesting evening sessions after there was a pause for dinner. So, there were reasons why this occurred.

Also, in my discussions with the current Clerk and the former Clerks of the Assembly, I am advised that it was the consideration of the MLAs at the time that this is a last gasp, or it's a complete emergency measure — a measure of last resort. Surely the members will be able to gather, negotiate, wrangle, horse-trade — whatever you wish — and reach an agreement to pass all legislation, both appropriation acts and the regular

government business — without resorting to section 76, the forced, business-ending mechanism.

I was advised that the prediction of the culture of negotiating and working things out among members lasted exactly one session. One Sitting after the business-ending mechanism known as the “guillotine” was instituted, business was completed without that mechanism being enacted, and then for every Sitting — I guess it was 2003 up until the COVID-shortened Sitting of March of 2020 — some measure of guillotine was required to complete some of the legislation.

Despite the best intentions, or the best thoughts of both the Clerks at the time and the hardworking MLAs at the time, it didn't — to be blunt — work out as they thought it would.

So, in listening to the Leader of the Official Opposition, who is fair in some of his characterizations, you have a majority government of 2002, a majority government of 2006, a majority government of 2011, and a majority government in 2016. Those governments — both parties have been fair in saying that it wasn't a priority to address the guillotine, and, in my view, in consequence of that, you now have 20 years of probably a culture of negotiating and horse-trading and working things out that has pretty significantly atrophied, and perhaps we all thought there would just be majority governments from now until eternity, or some measure of eternity, in the Yukon. Well, that didn't happen.

The Member for Lake Laberge has been around for almost all of this, and other members of the House have certainly been part of the sort of non-negotiating environment, with respect to time limits, to the point that the Member for Klondike, the Hon. Premier, and the Minister of Energy, Mines and Resources, as well, indicated that the committees probably haven't been appropriately operationalized, and that notwithstanding that SCREP did meet seven times, as the Member for Copperbelt South indicated — he accurately indicated what the work product was. I think that the other work product was that there was an agreement for a First Nation land acknowledgement and also acknowledgement of the other 12 Yukon First Nations in addition to the fixed Sittings and some limits on tributes. There has been an agreement to limit individual tributes now, as well.

The high level is that there really hasn't been — and perhaps it is human nature — but there hasn't been an incentive since 2002 — now one, two, three — it was four majority governments and now a minority government — incentive to work together to come up with a work plan as to, if you have 10 bills, well, there is a pizza graph worth of time available and the hardworking Clerks can tell us how many hours we have, once we know the length of the Sitting, and the House Leaders — perhaps it requires more than the House Leaders — can get together and allot time with some flexibility.

I concede that this requires negotiating, and it will require the work of SCREP to do some substantive work. Our government has committed to have SCREP sit — to meet, convene — four times a year, so this can certainly form a part of their work plan.

We've also heard in the contributions of members this afternoon that most non-appropriation act legislation, or bills

that become legislation, statistically have not been guillotined. I take the Leader of the Official Opposition's point that there are some notable exceptions, but, in general, the non — when we get close to 30 days or 35 days, the last piece of legislation that tends to have business-ending measures in place tends to be the money bills. Probably the good work of SCREP could involve just, well, rolling up our sleeves, sharpening our pens, pencils, or iPads and coming up with an appropriate time allotment.

I had a look as to the nature of the scheduling of the Sittings since the agreement on section 76 of the Standing Orders. Most members will know that it has been significantly regularized, and the Yukon Liberal government, in the 34<sup>th</sup> Legislative Assembly, codified it through having presumptively 30 sitting days in the spring and 30 days in the fall, although it is, of course, at least notionally subject to debate, but pre-COVID, that's exactly what did occur. It was 30, 30, 30, 30, 30 up until March 2020. It wasn't much different, in fairness, for the 31<sup>st</sup>, the 32<sup>nd</sup>, and the 33<sup>rd</sup> — really just varying between having slightly fewer days in the fall — 28 days — and 32 in the spring by virtue of the fact that you have a main appropriation act that could require more debate.

Notwithstanding the work of SCREP to codify the fixed time, as I said, it has been pretty usual. The sitting days have been reasonably uniform. Then you sort of ask — well, it's a subjective and objective situation. Is there sufficient time to debate all of the business that's provided either in the spring or in the fall? The Clerks will provide the data that I would hope SCREP will do — the statistical background — but, generally speaking, by committing its members to sit for 60 days effectively in a given year, the Yukon is either average or slightly above average for small- to medium-sized jurisdictions. As a comparison, if you are comparing it to PEI or New Brunswick or the northern territories, one can usually infer — or make some sort of analysis — and can say that we are sitting probably a few more days than some of those jurisdictions. They have obviously made the call or determination that this was sufficient time to conduct the business that they put forward — sometimes in jurisdictions that are significantly larger, such as in New Brunswick with 700,000 or 800,000 people or Prince Edward Island at 120,000 or 130,000 people.

We are respectfully in the ballpark in the number of days that we are sitting. It may be said that, well, you are not providing enough opportunity or enough hours for full consideration. That is where you come back to the concept of the House Leaders taking a more robust role, or perhaps even the party leaders taking a more robust role, at the beginning of a session to divvy up the available hours. What has happened now is that, for strategic reasons, the opposition will determine that they will use a certain number of hours, but the members opposite have to be aware that it is a zero-sum game. In some respects, since 2002, it has been a zero-sum game. There are a finite number of hours that are available, so it has to be divvied up.

However we potentially dismantle the guillotine clause, it seems to be that it is unlikely that, with the data that we will get

from the Clerks, we will be agreeing to sit for a lot more than 60 days in the year — that, on a national survey, seems to be a reasonable time. I think we just have to do the work here.

One of the main concerns that the Minister of Energy, Mines and Resources raised was that you could remove all non-appropriation bills from section 76, but you are not having a concurrent discussion about closure. I think it is obvious that, if this matter is referred — and I would suggest that it should be referred to SCREP with a robust mandate and perhaps even with some robust guidelines as to returning to the Assembly. Sure, section 76 — this motion could be largely adopted, but you have to have the concurrent closure mechanism.

Some members will be aware, but I guess that the biggest comparator on time management is the House of Commons. I will read briefly from the *Canadian Parliamentary Review*, spring 2013. There are three options for time management or time allocation: Standing Order 78(1), Standing Order 78(2), and Standing Order 78(3) — and I quote: “As noted earlier, the time allocation rule (Standing Order 78) was created in large part because of the opposition's negative reaction to the government's use of closure. After a trial period between 1965 and 1968, time allocation in its current form was added to the Standing Orders in 1969. It is a more flexible mechanism than closure and encourages negotiation among the parties.

“The time allocation rule allows for specific lengths of time to be set aside for the consideration of one or more stages of a public bill. The term ‘time allocation’ suggests primarily the idea of time management, but the government may use a motion to allocate time as a...” — wait for it — “... guillotine. In fact, although the rule permits the government to negotiate with opposition parties on the adoption of a timetable for the consideration of a bill at one or more stages (including the consideration of Senate amendments), it also allows the government to impose strict limits on the time for debate.”

Now we have the three examples, which, I expect, we would likely adopt if we got down to the fruitful work at SCREP.

“The time allocation rule provides three different options depending on the level of agreement among party representatives. ‘Section (1) of Standing Order 78 envisages a circumstance where there is agreement by representatives of all parties on an allocation of time for the proceedings at any or all stages of a public bill.’ The end result, then, is not much different from unanimous consent, except that one or several stubborn independent MPs can easily be outflanked under Standing Order 78(1). Since it requires the formal agreement of the opposition parties, this first form of time allocation cannot be considered a hostile time management tool. The second option, Standing Order 78(2), ‘envisages a circumstance where a majority of the representatives of the parties have agreed on an allocation of time for the proceeding at any one stage of a public bill.’ Here again, this is not an example of the government forcing the curtailment of debate. Finally, ‘section (3) of Standing Order 78 envisages a circumstance where agreement could not be reached under either Standing Order 78(1) or 78(2) on time allocation for the particular stage of a public bill currently being considered.’ Note that it is

possible to use a single motion to allocate time for the report and third reading stages. Moreover, the government must give notice of its intent to use time allocation under Standing Order 73 in a sitting prior to adoption of the measure. Standing Order 78(3) is by far the most commonly used form of time allocation and, like closure, can certainly be called a hostile time management method. Consequently, this analysis will look only at this last form of time allocation.

“A review of the use of Standing Order 78(3) shows that as of June 23, 2012 — that is after the summer 2012 adjournment — time allocation has been imposed 168 times on 118 different bills and 241 stages of debate.”

There is an analysis here of what they did.

“One early conclusion is that time allocation is unquestionably the most popular form of time management. Standing Order 78(3) was used in about 80 % of the cases where debate on the passage of a bill was curtailed. In total, the government has ended debate on 150 bills at the expense of opposition parties. Time allocation has cut short debate on 118 of these 150 bills while closure has affected 24 and routine motions by a Minister, the remaining 8.” I will just finish here. “The 150 bills involved make up only a very small fraction of the 5,278 government bills introduced in the House of Commons since 1912.”

My conclusion is that there is room to send this to SCREP. I take the point by the Leader of the Official Opposition that perhaps it has gained some urgency, but it is likely that Yukoners are well-served by MLAs who can sit down, do the hard work, and negotiate these types of matters.

**Hon. Mr. Mostyn:** This has certainly been an interesting discussion this afternoon. I will say that, as chair of the Standing Committee on Rules, Elections and Privileges, I have to say that I'm more than a little perplexed by this afternoon's motion. Frankly, I suggest that the whole affair is kind of an offence against the thoughtful, democratic processes of this House.

We have a committee, Madam Deputy Speaker, to deal with these issues. It is the Standing Committee on Rules, Elections and Privileges. We have spoken about it quite a bit this afternoon. I chair it. Since we have been elected, it has met seven times. The Yukon Party, after more than a decade in office, scheduled one meeting. This year, I have called three meetings. It has met three times. Before the end of the year — perhaps as soon as November — we will meet again, as promised. Supported by the Legislative Assembly Office, this committee researches and makes recommendations to the House on changes to improve the processes that this Chamber lives by every day. The Yukon Party is represented by the Member for Lake Laberge and the Member for Watson Lake. They have populated the work plan. They are the ones who have proposed a lot of the issues that we are dealing with right now in this committee.

The committee is looking at improvements to Question Period to ensure that the opposition gets all the promised time from the government ministers answering questions. That issue is currently being researched by the team right now, as are

ministerial statements. Just this afternoon, I brought forward a motion to trim a few minutes per session from Tributes. We did it to give the opposition more debate time. We did it through the Standing Committee on Rules, Elections and Privileges. It works.

We are exploring bringing more inclusive, gender-neutral titles into this Chamber. The Member for Whitehorse Centre brought that forward, and we support it. When it was introduced, it seemed like a simple fix, but within about 10 minutes of discussion among ourselves at the table, we found that even that isn't so simple. Even something as simple — seemingly as simple — as that has many, many implications for this Chamber, for the people of the agencies that swirl around it. That case, though, is illustrative as we look at reworking the House so fundamentally.

If we were to get rid of Standing Order 76, what isn't being considered? Madam Deputy Speaker, we don't know what we don't know at the moment.

Through this standing committee, we're working together in the interest of all parties and for those politicians who follow us into the future, and, yes, Standing Order 76 is on the work plan that we have developed together as collaborative politicians on the committees that the Leader of the Official Opposition has said are so important.

As a matter of fact, Standing Order 76 is on the work plan because the Member for Lake Laberge put it there. He sits six feet to the left of the Leader of the Official Opposition. So, imagine my surprise finding this motion on today's agenda, a mere 24 hours after it was revealed to the House yesterday.

This unilateral motion proposes a significant change to the way the Chamber serves the best interests of Yukoners and, because of the way it was presented — with no discussion, just sort of slipped in — it demands an answer by 5:30 p.m. this afternoon. Research? Madam Deputy Speaker, none, nada, nothing.

How do we replace Standing Order 76? No idea — nothing proposed, just do it.

How would this specific change — initially implemented 20 years ago among a suite of procedures that work synergistically, like the length of the Sitting — affect the way this House works? We have no idea — nothing.

Best practices in Canada to follow? Well, Madam Deputy Speaker, your guess is as good as mine. There is no information provided, no time given to gathering, no heads-up, and no warning. What we are seeing here is a political bushwhack. That bushwhack sidesteps our established all-party committee structure. I have to ask why.

I know that the Yukon Party platform in the last election called for an amendment to the Standing Orders to prevent the use of Standing Order 76 for changes to the *Elections Act*. That's all it said — period — the *Elections Act*, period. Fine. As the Premier said, we are willing to consider this and other changes to improve the way this House works and make it more democratic, but we are willing to do that through the proper channels, and this isn't that. It leads me to wonder: Why pursue this from the shadows with no forewarning, outside of a system to effect change — the Standing Committee on Rules, Elections

and Privileges — that is working? Why would you do that? That's a good question. I have been listening for an answer all afternoon, and I haven't heard a single one — not a good one.

Once again, the Leader of the Official Opposition is demonstrating that he's not really interested in serving Yukoners. He's interested in playing games and playing politics. I ask each and every one of you how this serves the best interests of Yukoners. How does the way that this has been presented serve us in this House? It is a fast and loose approach, and I have yet to hear an explanation. I hear the sentiment that it is good for the people, and I totally agree with that. I know that we have had these discussions within our caucus, and that's why we're so willing — why I'm willing — in SCREP to have it there. It is important.

I heard the Leader of the Official Opposition say today that he saw nothing wrong with it when he was a minister. Now, in opposition, he sees things a little differently. I am glad to see the change in perspective after more than 10 years in office.

What the opposition leader seeks to do with this motion is end the long-standing practice of Standing Order 76, and this is where things become a little junky and legislative and, well, possibly boring, so bear with me. I'll try to make this as interesting as possible.

The Standing Order allows a bill to become law once it passes second reading in the House. It allows the government to pass a bill, even if it hasn't been fully debated. It's not perfect, and it's certainly not entirely democratic, but most of us know that. Most politicians have known this for 20 years.

I appreciate the historical context provided by the Member for Copperbelt South. He's a very astute and compelling parliamentarian.

But we also know that the Standing Order is hardwired into the functioning of this House. Sometimes when you nick something without thought or research, things break. So, what would happen? Again, I don't think we know. I don't think we put enough time into this to think about it.

What we do know is that, 20 years ago, House Leaders of all parties met and came to some sort of agreement on how to run the House. The result was not a single motion unilaterally ending a single procedure of the House; it was a considered suite of procedures thousands of words long that changed the length, the procedures at the end of the Sitting, and other miscellaneous rules.

On the Standing Committee on Rules, Elections and Privileges, we are committed to explore a similar appropriate reworking of the rules that would be democratic, fair, and modern. We remain committed to that. As I said earlier, it's on the work plan, until this motion was unceremoniously chucked into the Chamber without notice by the opposition leader — and I'm not sure why; I really have to just speculate.

Now, it bears noting as well, Madam Deputy Speaker, that, as in most legislatures, the opposition, you see, has control over how long matters are debated in the House. The opposition leaders have criticized the lack of debate, but they're the ones who choose what to debate and for how long.

I remember, a while back now, spending days and days and days and days and hours debating a nine-page bill. It was the

longest debate per page in this Legislative Assembly's history. It was done at the whim of the opposition. They controlled it. That is how it works.

If they spend more time on a money bill, say the *Airports Act*, other legislation gets less attention. That is just the way of it in legislatures across the country. In the end, the opposition could split its time among 10 bills or focus entirely on one. If that happens in a 30-day session, the other nine bills would die on the vine without the guillotine. Could that happen without any statement from the opposition? They could allow, say, the progressive *Worker's Safety and Compensation Act* to expire without comment. All that work the departments have done would just vanish. Poof.

The rules of 2001 came about through a compromise between political leaders at the time who were tired of legislative brinkmanship that caused debates to run all night. Instead, they brought in a limit on the sitting days and Standing Order 76 to allow bills to pass in a tighter time frame.

I don't know what the goal was here. I know it was in the platform, but it has also been expanded now to a much, much broader discussion. As I said, that is fine if it comes through the proper channels, but this isn't it. I think we have heard that from a lot of the speakers this afternoon.

It is possible. I don't know what the motive is. Perhaps the Yukon Party, this time, just wants legislation to die quietly at the chime of the clock without showing the public their hand, without stating clearly where they stand on matters important to Yukoners. This MO suited the opposition leader just fine, as I will explore in a moment.

I am also taken aback at the surreptitious tactics the Member for Copperbelt North used to smuggle this motion into the House. It really is funny behaviour, Madam Speaker. I argue that it is sort of a dubious tactic unbecoming of Her Majesty's opposition leader. Of course, I admit, I have relatively low expectations here this afternoon — based on this particular leader's long-standing and well-understood reputation of not taking a position on anything important. We saw this during the hugely expensive and destructive Peel watershed land use planning exercise — he bungled and landed in court, costing Yukoners millions.

We saw it with his reluctance to take a stand on vaccinations or masks, which we routinely saw hanging off his ear in social media posts, signalling both acceptance and contempt of personal protective equipment, depending on your views of the matter.

We saw it with his filibustering to avoid having to give a simple transparent answer — yes or no — to his party's support for the Yukon's state of emergency. Heck, we even saw it during the last federal election where, having actively recruited a Conservative candidate to replace the one his federal party unceremoniously dumped days before the election, he failed to support. Instead, he declared himself "neutral" — Switzerland — torn between two Conservatives. There he sat, balanced delicately on the peak of the Yukon Party — the weather vane leader, signalling centre-right, moderate, or far-right libertarian, depending on, again, your political views.

So, it is hard to build public trust when you are rewriting the rules of the Legislature in the back rooms with the old boys, perhaps over cigars and Macallan, and then surreptitiously bringing these measures into the House by quietly slipping a note bearing the motion onto the desk of the Clerks at the end of day before the Thanksgiving long weekend.

There are better ways; there are better ways. Let me suggest one: Do it in the open, publicly. Every day his colleagues stand up and publicly declare well-crafted motions to Yukoners, which are chronicled in Hansard — not this time. How come? Or you could simply do it through the Standing Committee on Rules, Elections and Privileges. It is already there, in the queue.

For years, I have heard the Official Opposition champion transparency, and now, instead, we see a furtive motion slipped quietly to the Clerk, as the House was breaking for the weekend. Is that how you serve Yukoners — with clandestine actions — or is this a game played for political advantage? I know how I see it — a game played for political advantage — and I state that plainly in this Chamber this afternoon. This matter deserves attention, not a fast and loose fix shepherded into the House quietly through the back door, minutes before the Thanksgiving break.

So, rather than adopt the Member for Copperbelt North's fast and loose and flimsy motion, I suggest that we do it properly through the Standing Committee on Rules, Elections and Privileges.

I will propose an amendment this afternoon, and I have copies here for the House.

*Amendment proposed*

**Hon. Mr. Mostyn:** I move:

THAT Motion No. 113 be amended by:

(1) inserting the phrase “the Standing Committee on Rules, Elections and Privileges begin considering before November 12, 2021, whether” after the word “THAT”;

(2) inserting the word “should” before the words “be amended”; and

(3) inserting the phrase “and any necessary related amendments to other standing orders” after the words “appropriation bill”.

**Speaker:** It has been moved by the Minister of Community Services:

THAT Motion No. 113 be amended by:

(1) inserting the phrase “the Standing Committee on Rules, Elections and Privileges begin considering before November 12, 2021, whether” after the word “THAT”;

(2) inserting the word “should” before the words “be amended”; and

(3) inserting the phrase “and any necessary related amendments to other standing orders” after the words “appropriation bill”.

The motion, as amended, would then read:

THAT the Standing Committee on Rules, Elections and Privileges begin considering before November 12, 2021, whether Standing Order 76 of the Standing Orders of the Yukon

Legislative Assembly be amended by deleting all instances of the words “Government Bill” and substituting in their place the words “appropriation bill” and any necessary related amendments to other standing orders.

The Minister of Community Services, you have two minutes and 21 seconds.

**Hon. Mr. Mostyn:** Thank you very much, Mr. Speaker. As I have just a couple of moments left, I won't take very much time. I believe that the amendment that I just tabled here in the Chamber goes a long way to providing the scrutiny and the oversight that this matter needs. We have a tremendous group of people in the Legislative Assembly Office who have a great skill set to be able to explore this issue and provide the research and the options that we'll need to go forward. They have done that on many issues already, and I'm sure that they will on many others as we go through the work plan.

I believe that bringing it forward quickly on November 12 demonstrates our commitment to actually making this House more democratic for ourselves and for future politicians coming forward.

This is an important issue, I know, for my colleague, the Minister of Highways and Public Works, among others here in our caucus.

I really do look forward to seeing it come before the Standing Committee on Rules, Elections and Privileges, which is the proper venue for these types of decisions. We have a committee structure. The committee structure works. It brings us all together to work collaboratively on issues that are often hard and difficult to navigate, but doing it together ensures that it will be fair and that appropriate thought and planning will go into the implementation of changes to the standing orders that affect all of us in this House.

We don't want this to become unbalanced. I think that this is the appropriate way, and I hope, in the future, the Leader of the Official Opposition will reach out and talk or come forward with his ideas, prior to actually springing it on us, without bushwhacking us in this House, Mr. Speaker.

Thank you very much for your time this afternoon.

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to speak to the amendment to Motion 113. I do appreciate the approach that my colleague has taken. I think, first and foremost, the experience in this particular mandate has been that there is incredible capacity within the Legislative Assembly staff. Certainly, I have had the opportunity to attend some committee meetings, having that support, which then, in some cases, provides us with significant research and data points that we then can use to make our decisions versus coming in on a Wednesday to take on something that has been such a significant part of the Assembly over the last two decades.

From the research that I have had the opportunity to undertake on this particular topic, there are varying perspectives on it, even from some political parties. If you go back to comments that were made in 2008, you will find that the then-Leader of the NDP felt very strongly about the elimination of this particular clause. Previous members of that

leader's caucus in the NDP had a different view. They felt it was something that only had to be changed pending the political party that was in power at the time.

I think what we have been able to experience in this particular mandate is an enhanced collaboration. Maybe folks would say that, well, that is the element of a minority Assembly, but inevitably, whether you want to say "forcing" or "causing", the end result is that we are in a position where there needs to be more compromise and more discussion. That's why you are hearing, from many Yukoners, their support for this structure. That is why you hear individuals globally talk about governance in other areas, primarily European countries, where you do see minority governments and you do see this collaboration that happens.

When I think back to the spring of 2020, my colleague from Mount Lorne-Southern Lakes had a perspective on it. There was a retort from the Member for Copperbelt South, and I can remember walking in that day and the guillotine clause was used. I think that, for the record, there were two departments that were in place, which were Energy, Mines and Resources and Economic Development. My colleague said to me, "Get ready, you are in for a long evening." That's part of your job. You come in and you prepare. At that point, the decision was made — kindly, I think — by the opposition to say, "Look, I think that, at this particular time, based on the circumstances, we should probably conclude." Folks at that particular time were really focused on the health and well-being of their families, their communities, and the constituents that they represent.

I do feel that, in our Wednesday debates — earlier today was another great example of such an important, emotion-filled discussion where a young Yukoner all of a sudden has this opportunity to be able to undergo treatment in the near future that is really going to change their lives. How do you have a debate based on data while an individual is sitting here who is so close to having their life hopefully changed by this? But we do have that obligation to do the due diligence and talk about the data points because that's part of our responsibility.

Again, to come in today, after a particular clause that has been in place for two decades while there is a very significant two-year work plan that was touched on by the opposition — and there is this immense capacity among the individuals who are technically supporting all of us to do that work — it would just seem that it would be the appropriate place for this to happen. I think that, although we have jockeyed back and forth and there has been debate, there seems to be an overarching theme, which is that all three parties want to work together —

**Speaker:** Order, please.

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

*Debate on Motion No. 113, and the amendment, accordingly adjourned*

*The House adjourned at 5:30 p.m.*





# Yukon Legislative Assembly

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Number 15

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Thursday, October 14, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Thursday, October 14, 2021 — 1:00 p.m.**

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

*Prayers*

**Speaker's statement — in recognition of Ombuds Day**

**Speaker:** The fourth annual Ombuds Day is today, October 14, 2021. This international event seeks to improve public awareness of Ombuds and their work. I would like to recognize Jason Pedlar, who is in the gallery today, from the Office of the Ombudsman. Welcome.

The theme for 2021 is “Ombuds: Exploring Options to Resolve Conflict Together”. The goal for Ombuds Day is to educate the public about the role of Ombuds, explain the wide variety of services that Ombuds provide, encourage greater use of Ombuds programs and services, and highlight the value that Ombuds bring to the institute and constituents they serve.

The Office of the Ombudsman in the Yukon was established in July 1996 when the *Ombudsman Act* was proclaimed. The Yukon Ombudsman is an officer of the Yukon Legislative Assembly and operates independent of government. The role of the Yukon Ombudsman is to take complaints from citizens who feel that they were treated unfairly when accessing a service delivered by government or other public authorities and to carry out confidential, neutral, impartial investigations of such complaints, free of charge.

Ombuds are uniquely qualified to resolve conflict and to serve as a conduit for change through their ability to bring significant and/or repetitive issues to management's attention in a safe and confidential way, particularly with sensitive or controversial issues. They may raise issues to leadership that others cannot or will not discuss. This includes identifying unintended consequences of programs and policies that negatively affect constituents.

The Office of the Yukon Ombudsman provides significant value to Yukon citizens and society. Yukoners can learn more about the role of Yukon's Ombudsman by visiting the office website or by contacting the office directly.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Ms. McPhee:** Mr. Speaker, I ask my colleagues to help me in welcoming a number of guests we have here today for one of the tributes. We have Samantha Stewart and Megan Lee, who are infection control nurses. We have Howard Carvill and Bert Perry, who are resident ambassadors, and we have Debbie Wren and Quin Maltais, who are recreational therapy assistants. Thank you for being here.

*Applause*

**Hon. Mr. Mostyn:** This afternoon I would like to introduce my friend and former colleague, Andrew Robulack, and his wife, Jennifer. Please give them a warm welcome to the House this afternoon.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In recognition of Global Handwashing Day**

**Hon. Ms. McPhee:** Mr. Speaker, I rise today in this Legislative Assembly on behalf of all members to acknowledge October 15 as Global Handwashing Day.

I know that it is a bit unusual to make this tribute, but it is an indication of how important handwashing has become, and is, in our communities.

These year's theme, “Our Future is at Hand — Let's Move Forward Together”, calls for us to commit to developing and funding country road maps to accelerate universal hand hygiene.

This year's theme calls on all of society to collaborate as we scale up hand hygiene and reminds us that we must work together toward universal access and practice of hand hygiene. No matter your role, you can celebrate Global Handwashing Day.

I invite all Yukoners to take the time today to reflect on the importance of handwashing with soap as an effective and affordable way to prevent disease. As we continue to live with COVID-19, this day is a good reminder that one of the most effective ways to stop the spread of a virus is also one of the simplest.

We know that handwashing contributes to stopping the spread of COVID-19, and for people living in long-term care settings, routine handwashing plays an important role in the quality of care provided to residents.

Joining us today, we have two resident hand hygiene ambassadors, Howard Carvill and Bert Perry, who both live at the Thomson Centre and who provide tremendous support by working to shine a light on the importance of handwashing in their community. Thank you for the work that you do to keep our seniors safe and ensure that they receive the quality of care they deserve.

Hand hygiene plays a critical role in disease transmission, and washing with soap and water is simple, but it is often neglected. It must be a priority now and in the future.

We make great efforts in our schools to teach children how to properly wash their hands. What does an effective handwashing routine look like? You should be washing your hands frequently with warm water and soap for at least 20 seconds. Germs that can cause diseases can take up residence on our hands. Water alone does not remove them, but soap helps to break down germ-carrying oils. Soap also helps to make sure that you rub your hands together, which causes friction, and that also helps remove germs from your hands.

As we continue to battle COVID-19 and as we head back into flu season, it is crucial that we continue to practise good hand hygiene. Beyond COVID-19 and influenza, maintaining good hand hygiene helps to prevent many other infections and food-borne illnesses like salmonella, hepatitis A, and E. coli. According to the Centre for Disease Control and Prevention, effective handwashing can prevent about 30 percent of diarrhea-related sicknesses and about 20 percent of respiratory infections.

Global Handwashing Day also reminds us of the privilege that we have in Canada. According to the World Health Organization, only 60 percent of the world's population has access to basic handwashing facilities, like a sink with soap and water, in their homes. Here in the Yukon, we are fortunate to have ample access to soap and water, along with some fantastic made-in-the-Yukon soaps.

Handwashing is an easy and affordable way that we can take charge of our health.

I would like to thank all Yukoners and ask them to consider their handwashing routines. Are you washing often enough for long enough? Good handwashing routines can save lives, Mr. Speaker. I want to thank all those who continue to practise good hand hygiene. Thank you to our guests here today.

*Applause*

### In recognition of municipal elections

**Hon. Mr. Mostyn:** I rise today to pay tribute to the hard work and dedication of our elected local government officials and to recognize the Yukon's municipal governments and local advisory councils.

Local government is vital to our democratic system. I cannot stress that enough. It ensures that critical decision-making is done at a local level. Municipal governments and local advisory councils provide invaluable programs and services that support their residents to live healthy and happy lives.

In fact, as I learned in my years as a municipal reporter of the *Yukon News*, local government is where decisions can make the biggest impact on the health and vitality of the community. Those officials know their community's priorities and are instrumental in ensuring the sustainability of their communities.

Yukon is a vast territory, diverse in its geography and diverse in its people. Each community and area has a character of its own, unique to the individuals who live there. Local government officials know and understand that.

Our government is always at the ready to support our locally elected officials. The Community Affairs branch works closely with them to offer guidance on effective local governance, strategic planning, and various developmental matters of importance to the community. We are excited to offer these supports to our local elected officials and to help them prepare for their new roles as they strive to make their communities more vibrant, healthy, and sustainable.

Mr. Speaker, giving back to your community is such a rewarding experience, but as I've told many of them during my

recent community tour, I also know how much work it is and how hard being a decision-maker can be, especially lately.

They are incredible leaders and have distinguished themselves over the last few years in so many ways. So, I would like to take a moment to thank all of this year's candidates for municipal or local advisory council — those running again as well as those who are dipping their toes into the water for the very first time.

Mr. Speaker, today I would also particularly thank three mayors who have served their communities tirelessly over the years: Whitehorse Mayor Dan Curtis, who began his career as mayor of Whitehorse in 2012 and has distinguished himself through his love of the city and its citizens — all its citizens, Mr. Speaker — and Dawson Mayor Wayne Potoroka, who took up that role in 2012 and who has been a pleasure to work with. A special thank you to Village of Mayo Mayor Scott Bolton, who is passing the torch after five and a half terms as mayor — a very important distinction; he was first elected in a 2004 by-election. I would like to recognize the amazing Whitehorse city manager, Linda Rapp, who is retiring after an incredible 34 years of continuous service, though she humbly prefers the title “unsung hero”, which she is. Linda recently received the Hanseatic Award for public service. Many, including myself, thank her for her tireless service for more than three decades. I would also like to acknowledge the late Jo-Anne Smith for many years of commitment to her community as a member of the Marsh Lake Local Advisory Council. When I was in Marsh Lake, I heard how much they cherished Jo-Anne.

Our elected municipal and local advisory council members have helped shape the Yukon, making our communities truly the best on the planet. To all of our outgoing mayors and councils, thank you, on behalf of my colleagues, for your service. I invite all Yukoners to get out to vote on October 21 and I wish all of the candidates well on their campaigns.

**Ms. McLeod:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize and pay tribute to all those who have put their names forward in hopes of serving their community during 2021 municipal and local area council elections. Today, I especially want to offer our thanks to Clara Jules for her thirty years of service to the Village of Teslin, as she won't be seeking re-election in this term. Many of us know Clara and appreciate her for the work that she has done. Every one of the members sitting in this House today know just how daunting and how rewarding it is to make the decision to put your name forward, to debate issues publicly, to run a campaign, and to really get to know the people you are aspiring to represent.

Local governments make many decisions and deal with many issues that affect our daily lives — safety, transportation, infrastructure, maintenance. Every decision made or not made affects us in some way.

Candidates are making commitments to electors, and their job, if elected, will be to turn those commitments into action. While priorities will vary from candidate to candidate and from community to community, each has a common goal of making our communities better.

Municipal elections are as exciting as they are important, and I look forward to the outcomes of each election and to seeing those commitments upheld. So, thank you to all the candidates. We wish you the very best of luck in this upcoming election.

**Ms. Tredger:** I stand on behalf of the Yukon NDP to pay tribute to our municipal governments and local area councils. This morning, I woke up and started getting ready for my day. When I turned on a tap, water came pouring out of my shower, just like it does every day. That's something that I usually take for granted, but today I want us to stop and think about the logistics behind that. Many people have worked many hours to make sure that water arrived at my house this morning. On my way out the front door, I took out my compost and dropped it in my green bin, soon to be rolled out to the front curb. From my perspective, it magically disappears, but, of course, it isn't magic. It is hard, careful work by my municipality.

Next, I made my way to work across sidewalks and streets, paved, painted, and signed — again, thanks to the work of my municipality. All day, every day, our lives are facilitated by the work of municipalities — by all their skilled and dedicated staff and by the people we elect to lead them. As we near elections across the territory, we want to thank the outgoing officials, mayors, councillors, and members of local area councils. Your work and dedication are so appreciated. To everyone who has put their name forward for the elections, thank you. It is not an easy thing to do. We appreciate every single one of you.

Finally, to everyone who has cast their vote already, thank you. To everyone who has not yet done so, please make sure that you find time in the coming weeks. So much of our daily lives depends on the decisions of municipal governments, and those depend on your votes.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Streicker:** I have, pursuant to section 22 of the *Yukon Development Corporation Act*, for tabling the 2020 annual report for the Yukon Development Corporation, and I also have for tabling the 2020 annual report for the Yukon Energy Corporation.

**Mr. Dixon:** Mr. Speaker, I have for tabling a letter dated October 6 from the current Mayor of Whitehorse to the Minister of Community Services, expressing concern about the proposed amendments to the *Municipal Act* and the *Assessment and Taxation Act*.

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

### INTRODUCTION OF BILLS

#### **Bill No. 4: Act to Amend the Motor Vehicles Act (2021) — Introduction and First Reading**

**Hon. Mr. Clarke:** I move that Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Highways and Public Works that Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 4 agreed to*

#### **Bill No. 3: Act to Amend the Assessment and Taxation Act and the Municipal Act (2021) — Introduction and First Reading**

**Hon. Mr. Mostyn:** I move that Bill No. 3, entitled *Act to Amend the Assessment and Taxation Act and the Municipal Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 3, entitled *Act to Amend the Assessment and Taxation Act and the Municipal Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 3 agreed to*

**Speaker:** Are there any further bills to be introduced? Notices of motions.

### NOTICES OF MOTIONS

**Ms. Blake:** I rise to give notice of the following motion: THAT this House urges the Government of Yukon to listen to medical professionals, NGOs, the RCMP, and people with lived experience by opening up a managed alcohol facility in Whitehorse.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to immediately address the mental health crisis among men in the territory by:

(1) increasing mental health services available to men;

(2) closing gaps in employment and purpose-building social supports among young indigenous men.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with health care providers and the Yukon Hospital Corporation to ensure that the over 2,000 Yukoners who do not have a family doctor have access to non-emergency primary care.

I also give notice of the following motion:

THAT this House urges the government to immediately hire and support the practices of nurse practitioners, RNs, and other primary care practitioners to close the gap of over 2,000 Yukoners without access to a family doctor.

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

THAT the chair of the Standing Committee on Rules, Elections and Privileges call a meeting by November 19, 2021 to address outstanding issues.

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

THAT this House urges the Government of Yukon to work with Keno City residents to implement long-term, common-sense solutions to municipal service provision in their community.

**Speaker:** Are there any further notices of motions?  
Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Innovative Renewable Energy Initiative

**Hon. Mr. Streicker:** Thank you, Mr. Speaker. I would like to provide an update on renewable energy projects that we are investing in within our communities.

The Innovative Renewable Energy Initiative was established in 2017 to provide funding to support small-scale, First Nation- and community-led renewable electricity and heat generation projects. This initiative supports local communities to succeed in the emerging green economy and will provide Yukoners with cleaner energy sources.

I want to begin by acknowledging the communities and First Nation development corporations that have worked to advance renewable energy projects.

Climate change affects everyone, and it is clear from the increasingly frequent climate catastrophes around the world that more action is needed.

Last fiscal year, the Innovative Renewable Energy Initiative was fully subscribed by late summer and had a wait-list of funding applications that totalled nearly \$1.5 million. As announced in July, we have extended and expanded the Innovative Renewable Energy Initiative with changes that will make the fund more accessible.

We are providing an additional \$1 million in annual funding to enable more First Nation development corporations and communities to access the funds they need for their projects. This increase brings the total annual program budget to \$2.5 million, while the extension ensures that the program will continue until 2025.

Projects under the initiative are required to generate energy in the Yukon using proven technology from renewable sources. This includes a wide range of possible technologies, including solar panels, solar thermal collectors, wind turbines, biomass, gasification, hydro, geothermal, and energy storage.

The purpose of today's ministerial statement is to provide an update on some of these community renewable energy projects. These projects include: the four-megawatt wind farm project on Haeckel Hill that is now under construction; the proposed 2.85-megawatt solar project in the off-grid community of Watson Lake; and the currently operational 940-kilowatt solar array with battery system in Old Crow. In this fiscal year, the program is supporting a variety of different

proponents, including: the Klondike Development Organization for a 309-kilowatt solar project in Dawson City; the Solstice Clean Energy Cooperative for a community-owned solar farm; and Mgrid Energy for a feasibility study that will look at converting former brownfield in Carcross into a solar project.

The program funding covers 75 percent of eligible expenses to a maximum of \$500,000 per project, whichever is less. The initiative supports the territory's goal to have 97 percent of our energy generated from renewable sources and to have independent power production in all off-grid communities by 2030. These goals are part of the territory-wide *Our Clean Future* strategy. The strategy is our Yukon approach to tackling the climate crisis, and this initiative will play a key role in helping to meet our targets.

I am glad that we can continue this important program to support renewable energy projects, and I thank all the organizations and individuals who are working to advance our clean energy goals.

Thank you, Mr. Speaker.

**Ms. Van Bibber:** Thank you, Mr. Speaker, for the opportunity to respond to the ministerial statement.

The Yukon Party Official Opposition supports the development of green energy in the Yukon. Under a Yukon Party government, Yukoners saw the connection of the Whitehorse-Aishihik-Dawson-Mayo grid that removed tens of thousands of annual CO<sub>2</sub> emissions from our annual emissions when Pelly Crossing was taken off diesel energy. We saw the increased capacity developed at the Mayo dam facility.

Climate change is one of the most important challenges we face, and reducing our reliance on fossil fuels is a key step we can take here in the territory. We live in an energy-intensive part of the world and must make the most of our isolated grid; however, how you go about developing green energy is also very important. This Liberal government continues to pat themselves on the back for their green energy project work, but the results are limited. This announcement today appears to be more of the same. It's a new study to study the old study on green energy. It's like a Russian nesting doll where every study leads to another study, but we never see action.

At the same time, we see the Liberals constantly increasing our electrical rates for Yukoners. Under this government, we saw the Liberals increase electrical rates by 12 percent in 2019. This year, the Liberal government is seeking to increase them even further by 11.5 percent. According to the Yukon Energy application, Yukoners could see that increase applied to bills this December 1, 2021, with potential retroactive payments included. This means that the Liberals are giving Yukoners a lump of coal for Christmas with a brand new rate hike.

Can the minister guarantee that his announcement today won't result in additional rate applications to increase power rates? Also, can the minister tell us how many fewer diesel generators we will have to rely on this year as a result of today's announcement? I look forward to the minister's answers.

**Ms. Tredger:** Thank you, Mr. Speaker, and thank you to the First Nations and communities that have really led the way with renewable energy. Last summer, the diesel generators in Old Crow fell silent for the first time in 50 years. That is real leadership in moving away from fossil fuels.

First Nations and communities continue to lead the way. Projects in communities from across the Yukon have applied for funding through the Innovative Renewable Energy Initiative to develop proposals and get them off the ground. Because of their work, we'll see more wind and solar projects across the territory. That means less fossil fuels burned, less fuel trucked along the highways.

I hope that soon, across our communities, diesel generators will power down one by one, leaving room for the sounds of nature instead of the sounds of machines.

These are the kinds of projects that we need in order to reach our target of reducing greenhouse gas emissions by 45 percent. According to the UN, a 45-percent reduction is what is needed to keep warming to no more than 1.5 degrees Celsius, and that matters. It's predicted that, while there will be biodiversity loss with a 1.5-degree increase, if we go up to a two-degree increase, that loss is expected to double or triple. If we contain warming to a 1.5-degree increase, scientists project that the Arctic Ocean will become ice free in the summer about once every 100 years. If that increase rises to two degrees, it could be ice free in the summer once every 10 years.

So, thank you to each of the applicants to this program. Thank you for leading the way. We know this funding only covers the beginning of your projects, and we urge the government to be there with you, supporting you, as you lead the way toward a sustainable Yukon.

**Hon. Mr. Streicker:** I thank the members opposite for their comments and questions.

I agree with the Member for Whitehorse Centre that we do have a climate emergency here. We saw a lot of flooding this year — record high flooding. We think that's exacerbated by climate change, and so we see the effects that are happening right here. I think that it's very important — what we're doing.

I'll just mention some of the projects that are not about planning; they are in the construction phase.

Haeckel Hill wind farm — they are up there today, up at the top of the hill, working to install four megawatts. I got some recent reports on the work that is ongoing. They are actually putting up the work as we speak.

The Dawson solar, I think, is electrifying next week, so it's here.

As noted by the member opposite, the Old Crow solar and battery project started this past summer. It is great that there are times now when we don't have the diesels running in Old Crow. I think that's a great thing.

The Member for Porter Creek North asked about rates. I took a look at the rates that she is talking about and I saw that increase. I asked — to try to dig into that a bit — to try to understand what the cause of that rate increase was. The largest factor that I saw was the LNG plant, which came before I was ever elected into this Legislature. The challenge is that it didn't

go to rate right away. The members opposite actually pushed those rates down, and I think that's the wrong thing to do. We need to make sure that we allow the costs that are being accrued to come to rate over time so that we don't get big jumps. I think the point is that we need to see the work being done and decided upon by the Yukon Utilities Board, Yukon Energy, and through the 10-year renewable plan and *Our Clean Future* — that, over time, we see those changes.

I will work on the answer to the question about the diesel generators. Of course, it is our goal to get off of diesel generation. It is stated in *Our Clean Future*.

Just to finish, Mr. Speaker, I will note that, when the Yukon Party ran in the spring election, they said that they support the 10-year renewable plan, the Yukon Energy plan, and *Our Clean Future*. They had some other thoughts as well, and I think that those are great, but that's where all of this work is happening, so I hope that they are supportive. I am happy that, under their watch, we connected the north and the south grid. I am looking forward to going back to the Water Board for Mayo B and for Whitehorse. Those are coming up. These are incredibly important pieces of infrastructure for the Yukon. I think we have to move the energy economy to something that is more sustainable. That includes our electricity grid, that includes our transportation network, and that includes our heating.

I just want to say thanks to the Youth Panel on Climate Change that will meet tomorrow. We are going to be there to hear their recommendations about ways that we can make ourselves more sustainable here in the territory.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Dixon:** Over the past number of days, the Deputy Premier has continuously refused to answer any questions about the events surrounding the incidents at Hidden Valley school. The Deputy Premier has continued to hide behind the current minister who, by her own admission, knew nothing about what was going on in the department. However, yesterday, she did finally speak to media about this, so we would like to clarify some of the comments that she made to media.

When asked if the Deputy Premier was aware of the Hidden Valley file, as the media referred to it, she responded — and I quote: Absolutely. Absolutely.

So, Mr. Speaker, can she confirm that what she told media was correct? Did she know absolutely what was going on in the department in relation to this issue while she was minister, and if so, when did she become aware?

**Hon. Ms. McLean:** I welcome the opportunity to once again rise in this Legislative Assembly to speak to this very important and difficult matter that has impacted many Yukoners, particularly children and families at Hidden Valley and the school community.

As I have stated repeatedly in the House, I have launched an independent review of the Government of Yukon's response to the situation in Hidden Valley school, and I have repeatedly told this House that the steps that we are taking right now are very important to address the situation. This independent review will help to provide answers to these questions that have been posed in the House. There will be a fact-finding — and part of the report will include recommendations to the Government of Yukon around areas where we will need to address policies and procedures. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communications to address serious incidents in Yukon schools. It will certainly be looking at all of these matters, and the questions will be answered through this review.

**Mr. Dixon:** Mr. Speaker, it is extremely disconcerting that the Deputy Premier will speak to the media about these issues outside of the Legislature but refuses to answer direct questions given directly to her in the Legislature.

Yesterday, the Deputy Premier refused to say anything about this in the Legislature and continues to today, but after Question Period, she did tell media that she can't answer any of our questions because she claims that her actions are now under investigation or are evidence before the courts. I would remind the Minister of Justice that several of our questions were about why she didn't brief either the current minister or her colleagues about the situation, even after the assailant had pled guilty.

So, can the Deputy Premier clarify that what she said to the media was true? Is the timing and the reason for her not briefing the current minister something that is currently under police investigation or evidence that is before the courts?

**Hon. Ms. McLean:** I will absolutely confirm that there are matters that are currently before the courts. I think that this is very important — that we recognize that as we go forward.

There are a number of reviews underway. There is an independent review, which I've spoken about already today. The Child and Youth Advocate has a review underway, and, of course, the RCMP are reviewing their actions around the investigations that happened in 2019. Again, we're cooperating completely with these reviews and ensuring that all of the answers to all of the questions that have been posed will be answered through these reviews. I have been very clear about transparency with these reviews and targeting for our independent review to be completed by — targeting January 31. This will be released to, of course, the families and the school community of Hidden Valley and to Yukoners.

I look forward to further questions.

**Mr. Dixon:** I will note again that it is extremely disconcerting to all Yukoners that the minister refuses to answer questions in the Legislature and instead continues to hide behind the current minister.

Yesterday, the Minister of Justice was asked by local media if she personally saw the 2019 draft letter to parents outlining the situation with an educational assistant at Hidden Valley. Now, we should recall that the 2019 draft letter has been uncovered already by ATIPP, so it's public knowledge. Yet the

minister responded that she couldn't answer that because it was evidence that could adversely affect — and I quote: "... criminal cases that are before the courts".

It is really starting to sound like the Minister of Justice is suggesting that her own actions are part of an active court case. Can the minister confirm that what the Minister of Justice told the media yesterday was true? Is the knowledge of whether or not the minister saw the 2019 letter something that is now evidence before the courts?

**Hon. Ms. McPhee:** I will be happy to clarify the misinformation that is being brought forward by the Leader of the Official Opposition, in respect to these questions, in a very careful, important, and respectful way.

First of all, let me go to the question that I was asked regarding whether or not I was aware of the situation. The question was: Was I aware of the situation in 2019? So, if the member opposite is going to bring questions, I would hope that he would bring the whole question. My answer was that, absolutely, I was aware of the situation back in 2019, as I should have been.

With respect to the other questions that are being posed, what I told the media, Mr. Speaker, was that all of the questions, virtually, that are being asked by the members opposite — the responses to those questions would alleviate evidence that will be dealt with in the court system, and I am being extremely careful with respect to protecting the integrity of the current investigations and the current court cases that are before the courts. There are two criminal cases still before the courts, and there are two civil cases in which the Government of Yukon is a respondent. Clearly, it is important to protect that information for those processes.

#### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** Yesterday, the Deputy Premier talked to media and spoke about families that had been affected by the events at Hidden Valley and criticized the Yukon Party and the NDP for continuing to ask questions about this issue.

In speaking about the affected families, she said — and I quote: "... they want to get on with it."

She went on to admit to media that she hadn't even spoken to or reached out to any affected families.

Why did the Deputy Premier put words in the mouths of the families when she admits that she, in fact, hasn't spoken to a single one of them?

**Hon. Ms. McPhee:** Mr. Speaker, again, this is a perfect example of why this matter and the details that are incredibly important and respectful — and need to be respected — and the integrity of those investigations and the matters currently before the courts need to be respected. I appreciate the members opposite being interested in knowing details of what occurred, but that is the actual basis of these cases and the evidence that will be called in those cases. As a result, I have told the media — I'm now telling the Legislative Assembly here — that we are being extremely careful about the information.

The reviews that my colleague has initiated will uncover that information, as will the court cases as they go forward.

I indicated to the media, as well, that I had not been contacted by any families to meet with them but that I would be happy to do so, that I was 100 percent supporting my colleague, the new Minister of Education, in respect to the way in which she has decided to proceed with this matter — that I was supportive of that and that I would stand alongside her with respect to any of the questions that families might have, assuming that we are not breaching the integrity of those court cases.

**Mr. Cathers:** The Deputy Premier knows full well that we are being very careful to avoid asking about matters that are before the court.

Speaking to media yesterday, the Deputy Premier said that those affected by the events at Hidden Valley — and I quote: “... want to get on with it.” She then criticized the Yukon Party and the NDP for continuing to ask questions about this. She said that there are plenty of more important issues for us to ask about.

Mr. Speaker, that is not what we are hearing from families or from Yukoners in general who want answers. They want to know what the Deputy Premier knew, when she knew it, and why she didn’t ensure that parents were notified when this happened.

So, instead of trying to put words into the mouths of those families, will the Deputy Premier just tell us when she first found out and what she did when she found out about this serious matter?

**Hon. Ms. McLean:** Thank you, Mr. Speaker. As I have stated repeatedly in the House, I have launched an independent review of the Government of Yukon’s response to the situation in 2019. There will be a complete fact-finding and very thorough report as a result of this. Amanda Rogers is the investigator in this matter. I have tabled terms of reference for this review. Again, you will see in number 4 that there will be a finding of fact related to the response of the Department of Health and Social Services, the Department of Education, and the Department of Justice in the incidents from 2019 in the Hidden Valley school situation and recommendations for improving government-wide policies and procedures to better support Yukon school communities.

I met with families in a closed meeting on September 22 and started a very personal and in-depth conversation with them. I made this commitment to them at that time, and I know that the families are struggling and that the school community is as well. This has cast a shadow over the Hidden Valley school, and I think that this is really important to note — that this is impacting that school overall.

**Mr. Cathers:** Well, Mr. Speaker, Yukoners expect better of the Deputy Premier than for her to repeatedly hide behind her colleague or hide behind flimsy excuses not to answer questions. Yesterday, the Deputy Premier told media that the families affected by events at Hidden Valley school just “... want to get on with it.” Unlike the Deputy Premier, I had actually spoken to parents and reached out to them. Parents, as well as other Yukoners who have contacted us about this, have told us that they want to hear from the minister who was responsible at the time. They have told us that they want

accountability and that they want answers from her. They want to hear from the person who was ultimately accountable for the actions of both the Department of Justice and the Department of Education at the time, which is the Deputy Premier.

So, why did the Deputy Premier not notify parents about what happened at Hidden Valley school? Just answer the question.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker. Mr. Speaker, it is amazing that the opposition are making comments because I am standing up to address this issue. Listen: This is a devastating situation for everybody involved and it is not funny, so people on the other side shouldn’t be laughing about it.

My ministers have acknowledged that mistakes have been made, that there was a breakdown in trust between the department, between the families, the school. They have apologized in writing to the parents and to the school community. We’ve heard the minister today speak about how she will meet with family members, yet we still hear the opposition say that she is hiding. She is not; she is answering questions here today.

We have taken steps to get to the bottom of this situation and to see what happened and to ensure that, moving forward, we can do better as a government, as a school, as a community. We are absolutely committed to rebuilding that relationship, that strength, and that trust that is so vital when our children, our students, are in the education system. That is extremely important, and I can’t think of two more qualified individuals than these two ministers to get to the bottom of these things and to move forward for our kids.

#### **Question re: Sexual abuse within elementary school**

**Ms. White:** So, a lot has been asked about what happened around Hidden Valley school. Questions have been asked every day, but very little has been shared in this House. Yesterday, the former Minister of Education admitted to the media that, absolutely, she knew about the situation at Hidden Valley Elementary School. So now we know that at least one Cabinet minister knew back in 2019, but what about the Premier, who, until very recently, just now, remained silent on this issue? Will the Premier inform this House if he himself was informed of the sexual assault at Hidden Valley Elementary School prior to the media coverage this July?

**Hon. Mr. Silver:** Mr. Speaker, the Minister of Education has launched an independent review of the government’s response to the incident as well as the internal policies and protocols to respond to incidents of this kind. This review will involve the parents and the guardians, as well as partner agencies and organizations, with the goal of understanding what occurred and making improvements that ensure that our education system is protected — and students — and supporting the school communities. This is a commitment that the Minister of Education has made directly to the parents of Hidden Valley Elementary School.

There are two independent reviews going forward. We are very careful to make sure that we don’t impede that work or

what is going forward in the courts, and we are making sure that we get to the bottom of this.

All questions asked by those independent offices, by the independent reviews, will be answered in due time — absolutely.

**Ms. White:** That was an awful lot of words, but what I was really looking for was a yes or no. Did the Premier know?

Yesterday, the current Minister of Education assured Yukoners that changes are being implemented to ensure the safety of all students in Yukon schools. Interestingly enough, the same day, I also received e-mails from parents with pictures of what is apparently not happening in Yukon schools. Rooms with low visibility are still being left unlocked or improperly secured. Those are easy fixes, like windows in classroom doors or locking the doors of non-teaching spaces. Hidden Valley school should be a top priority for such changes.

Why is the minister assuring this House that changes are being made when I just have to open my e-mail to see evidence to the contrary?

**Hon. Ms. McLean:** Thank you very much for bringing forward that information. I would very much like to see that communication and to follow up directly on this. I have been assured that changes have been made, particularly protocols to increase safety for students and reinforce accountability. This includes no alone zones to ensure that staff are not alone with students. They have ensured that additional supports are available, of course, to schools, including on-site social workers and coordination supports, providing health and wellness resources, and a number of other supports that have been put in place — working on some new initiatives, particularly at the Hidden Valley Elementary School, which I will elaborate on if I have the chance.

As I stated at the beginning of this response, I would very much like to see the correspondence, and I would like to follow up on that personally.

**Ms. White:** It is my understanding that the minister was sent the same photos that I received, but I will be happy to pass them on.

We heard from the minister that all types of supports and changes have been made at Hidden Valley to support the students there. Parents are sharing with us the delays and absences of these supports that the minister is boasting about. Sexual health classes are being delayed or even postponed. The on-site social worker at the school that coordinates support — highlighted again and again by the minister — is nowhere to be found by parents.

Can the minister explain why we hear one version of supports in this House and another one by the parents at Hidden Valley?

**Hon. Ms. McLean:** Again, I have met personally with the families of Hidden Valley in a closed meeting, but I've also met and spoken with parents from Hidden Valley directly — received correspondence. We have replied. I have gone over some of the supports that have been put in place. I am very interested in following up on the correspondence that has been brought to the floor of the House today. I am not aware of exactly what the member opposite is referring to, but I will

endeavour to look into this myself, personally. I will bring that information back, and I will follow up with that family member or other family members, as required.

As I have said over and over, the safety and well-being of our children and the protection of them in our schools are of utmost importance. It's paramount within our education system. As we focus on moving forward, these supports are vitally important, and I will follow up on the matters that have been brought forward by the Leader of the Third Party today.

#### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** Mr. Speaker, yesterday the Deputy Premier finally broke her silence about the Hidden Valley school issue. She spoke to local media but went to great lengths to blame everything on the RCMP. She said that the errors that were made were made by the RCMP alone. She said — and I quote: This was not on Education.

What the minister forgets is that there was another party sitting beside the RCMP at that press conference, the Deputy Minister of Education, who admitted the department was at fault as well.

The current Minister of Education has also told us over and over that mistakes were made by the department. Why did the Deputy Premier blame only the RCMP and gloss over the fact that her colleague, the minister, as well as the deputy minister have admitted openly that the department also made massive mistakes?

**Hon. Ms. McLean:** I'm again happy to stand as the Minister of Education. I'm leading the department now and taking action to rebuild the trust and restore the confidence in our school system. We have acknowledged that it was a mistake that other parents were not made aware of the situation and that steps could have been taken at the time to better inform and support families.

I do want to again point out that as soon as the education officials learned of the allegations in 2019, the individual was removed from the school and has not worked with students since that time.

The Hidden Valley school administration changed their protocols to increase the safety of students and reinforce accountability. Of course, I have also heard today some concerns around that, which I will follow up on personally. We informed the RCMP, and we expect them to undertake a complete and thorough investigation. That has been referred to a number of times over the last several days and in a recent press conference. The RCMP are doing a review of their investigation, and we have an independent review that will get to the bottom of a lot of the questions.

**Mr. Cathers:** Mr. Speaker, it was not lost on anyone that the Deputy Premier didn't have the decency to attend the press conference where the Deputy Minister of Education admitted that the government made mistakes and apologized. She should have apologized herself. Now the Deputy Premier has tried to throw all the blame on the RCMP, saying yesterday to media — and I quote: This was not on Education.

The principle of ministerial accountability holds that the minister is ultimately accountable for the actions of their department, and they are certainly responsible for their personal actions. We know that the minister was briefed on this issue in 2019 and made the decision not to inform parents. That decision meant that the victims went without justice for well over a year.

Will the Deputy Premier admit that serious mistakes were made by the Department of Education when she was the Minister of Education?

**Hon. Ms. McPhee:** Mr. Speaker, again, it is important to rise so that Yukoners can understand the misinformation being put forward by the members opposite.

When I indicated that the quote — that this was not on Education — I was quoting what the chief superintendent of the RCMP here in the Yukon had said, so it shouldn't be my quote. It was, in fact, the chief superintendent's quote. Nonetheless, I think it is incredibly important that we reiterate that there is nothing more important than the well-being, the safety, and the protection of our students when they are in our care.

If the RCMP had completed a full and comprehensive investigation, as they have indicated, we would not be here in this situation.

When the matter came to our attention, as my colleague has said so many times, in 2019, we immediately referred the matter to the RCMP. We were respecting the RCMP process and confident that a comprehensive investigation would involve contacting additional students and parents and seeking any other victims. They are reviewing this process independently as well as the reviews that have been announced by my colleague.

**Mr. Cathers:** Repeatedly over the last several days, the Deputy Premier has tried to hide behind the Minister of Education and let the current minister answer for the actions that occurred on her watch when she was Minister of Education. Yesterday, she told local media that she is not responsible and denied accountability for what happened under her watch, saying — and I quote: This was not on Education.

Mr. Speaker, we know that this was indeed on Education. More specifically, the Department of Education failed families when the Deputy Premier was the Minister of Education. It's time for the Deputy Premier to start showing some accountability.

Will she stop hiding behind the current minister and the RCMP and acknowledge her own role in this scandal?

**Hon. Ms. McPhee:** I think it suffices to say that I did not say that yesterday. I am completely being misquoted by the member opposite, but that's not the important part of the answer to this question — the opportunity to stand and say to the families and to the children that they are our top priority, that the reviews that will be done are designed to get the answers that are necessary for those families so that their questions will be answered. I indicated that the RCMP made that quote.

The other piece that I should note is — I am not sure the member opposite will have read this, although that would

surprise me — the written apology that my colleague and I sent out to the school community at Hidden Valley, because that is who we should be and need to be speaking to. We clearly indicated in that written communication to them the concerns that we had about what had occurred, that we would work with them going forward, and that we were respectful of the court cases that are before the courts and yet understood the need for them to have supports going forward. We committed to those.

#### **Question re: Sexual abuse within elementary school**

**Mr. Kent:** Earlier this week, the Minister of Education outlined some of the supports that have been put in place for families and staff at Hidden Valley Elementary School.

She said — and I quote: “Supports have been available to families and staff, including on-site support, coordinating via a school community consultant through a trained social worker.” However, like the Leader of the NDP indicated earlier today, we have also heard from some parents who have indicated that the minister is incorrect on those facts and that they have had trouble accessing supports.

Can the minister confirm what supports are available on-site at the school, and what additional resources has the department provided to Hidden Valley Elementary School?

**Hon. Ms. McLean:** Thank you for the question. I have heard some concerns today, raised by the Leader of the Third Party. I will follow up on those. I will follow up to ensure that the supports that I have talked about in the Legislative Assembly are happening in the way that they should be. The school community is very dynamic. All children and families are unique in how they react to various experiences, and we listen to the concerns to respond in an appropriate manner with the best direct supports to address the concerns. Supports have been available to families and staff, including on-site support coordinated via the school community consultant, who is a trained social worker.

I am going to follow up on the attendance of this individual in the school. I made that commitment today and I will do that personally. Referrals to other supports and services are being facilitated as needed, such as through Family and Children's Services, Mental Wellness and Substance Use Services, and Victim Services. I know that Project Lynx has been very involved in this matter — and will continue to do so.

**Mr. Kent:** So, we have also heard that a number of staff at the school are seeking additional support and counselling. However, we note that the shortage of teachers on call has placed a significant burden on the ability of teachers to take time away from school to seek support. So, we're curious if the minister has asked the department to prioritize Hidden Valley school for teacher-on-call support to ensure that school staff can get the coverage they need in order to access counselling and other supports.

**Hon. Ms. McLean:** What we know for sure — and I have met with many of the school councils and with the administration — is that we have had some difficulties around teachers on call. Our numbers are up in the range where they should be at around this time of year.

As of October 12, 2021, we have 168 registered now with another 33 applications pending. Most of these positions are in Whitehorse. Some are in the rural communities. We know that there have been some issues around the teachers on call responding to the calls that schools are making to them. This is a very, very big part of not only the supports that are needed at Hidden Valley to ensure that they have the correct supports, but it's also a major factor in how we manage the impacts of COVID-19 as folks need to be away from schools for either illness or to care for children or other matters that may take them away from the school setting.

I'll continue to build on this if we continue down this path.

**Mr. Kent:** So, what we're hoping is that the minister will prioritize Hidden Valley school for those teacher-on-call supports to ensure that school staff can get the coverage that they need in order to seek the support that they are looking for.

Finally here today, Mr. Speaker, we're aware that there are numerous students at Hidden Valley in need of additional specialty teaching supports such as learning assistance teachers, educational assistants, and reading supports.

So, I'm curious if the number of support staff at Hidden Valley Elementary School has been increased since July when this story first broke. Will the minister be prioritizing the requests from Hidden Valley school for the additional support staff?

**Hon. Ms. McLean:** I have spoken about a number of the other supports that are in place. We know that there are special needs at Hidden Valley, and we're responding to them directly. We are working on a special initiative right now around a particular group within Hidden Valley, and I will be happy to bring that information forward to the House at a later time and bring a bit more detail around that. We're really excited about that.

Of course, Hidden Valley is a high priority for the Department of Education, as are all of the schools, but we know that Hidden Valley, as I've stated a number of times, is under a lot of pressure. They are trying to move forward with their school year. They are trying to move forward into a place of some normalcy, and we know that having their school in the spotlight has created a lot of challenges for them in doing so. We are absolutely prioritizing Hidden Valley, and I have spent a lot of time myself meeting with families and the administration.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 5: *Act to Amend the Territorial Lands (Yukon) Act (2021)* — Second Reading**

**Clerk:** Second reading, Bill No. 5, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** Mr. Speaker, I move that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Energy, Mines and Resources that Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, be now read a second time.

**Hon. Mr. Streicker:** Mr. Speaker, I am happy to stand today to introduce Bill No. 5, *Act to Amend the Territorial Lands (Yukon) Act (2021)*, for the Legislature's consideration.

The *Territorial Lands (Yukon) Act* allows for the administration and management of territorial land by the Government of Yukon. This includes the management of many types of land use. It is key for the Government of Yukon to ensure that this legislation can effectively support new and changing regulatory requirements.

The proposed new resource roads regulation is currently under development. It has been recognized over the course of its development that consequential amendments to the *Territorial Lands (Yukon) Act* would be required, as the act currently does not allow for an effective management regime for the planned resource roads regulation, which leads us to the proposed amendments before us today.

The amendments to the *Territorial Lands (Yukon) Act* focus on providing authority for the proposed resource roads regulation to be enacted and administered and therefore allow us to better regulate a key component of the Yukon's resource sector. At its core, this act supports both environmental and responsible resources.

The amendments to the act provide the Commissioner in Executive Council with a broad range of regulation-making powers respecting resource roads.

These are: authority for permitting; authority for standards policies, guidelines, and the like to address such issues as road design; ability to designate responsibility and maintenance of resource roads; authority to enable an existing road to be brought under the resource road regime and the ability to designate roads other than highways as resource roads; authority to request security for reclamation, remediation, or maintenance of lands that may be affected by the construction or use of a resource road; authority to require user agreements between primary and secondary applicants and resource road permittees to facilitate the use of the road by multiple users; authority for the minister to give rights to resource road users or to impose terms and conditions on permittees; provision of a statutory right to permit holders to enforce any rights held or obligations owed to them that are conferred or imposed by the minister; authority for the indirect collection of information to meet requirements under the *Access to Information and Protection of Privacy Act*; enforcement provisions related to contravention of the planned resource roads regulation or permit issued under that regulation; and finally, expansion of the regulation-making power to include ancillary uses associated with the construction, use, maintenance, decommissioning, remediation, or mitigation for resource roads along with reclamation and remediation of territorial lands affected.

Without these amendments to the *Territorial Lands (Yukon) Act*, the resource road regulation would not be

effective. Thus, these amendments are all about making sure we can develop resource roads responsibly and safely.

While we do have the current land use regulation under the act, it originated in the early 1970s and its scope is limited to the construction phase of a resource road. It is based on a short-term land use permit system that is limited to a three-year maximum. It lacks the modern land management tools required to responsibly regulate resource roads through their lifespan from construction through closure and decommissioning. A new regulation focused on resource roads will address gaps in the current regulatory regime and the spectrum of issues related to the establishment and use of resource roads in the Yukon.

The departments of Energy, Mines and Resources and Highways and Public Works have also discussed potential requirements for closing unmaintained resource roads that are no longer used for their intended purposes. The regulation would also allow for these types of roads to be designated as resource roads under the responsibility of Energy, Mines and Resources in an effort to reduce spider webbing and thereby further disturbance to the environment. We anticipate that the new resource roads regulation will be ready next spring.

Mr. Speaker, the amendments to the *Territorial Lands (Yukon) Act* are specific and targeted to meet an important and immediate need. The Yukon's mining and resource sectors often require new or upgraded access for development. We also need to undertake actions that will assist in maintaining the integrity of Yukon's environment. If we are to ensure responsible development of our resource economy in a sustainable and environmentally sensitive way, these amendments and the regulations that follow will provide more clarity to companies and more tools for regulators to permit, manage, and ensure reclamation.

**Mr. Kent:** Mr. Speaker, I thank the minister for his second reading address here today. I also wanted to thank his officials for the briefing that they provided to us earlier in the Sitting — I believe that it was last week, in fact — with respect to the *Act to Amend the Territorial Lands (Yukon) Act (2021)*.

The Official Opposition will be supporting this bill at second reading. I have done some limited outreach to stakeholders with respect to this bill. It is my understanding that these consequential amendments to the act are required to enable the proposed resource roads regulation and to provide for a comprehensive regulatory framework where resource road construction, use, maintenance, access, closure, and decommissioning can be managed. Again, while there are a number of amendments here, they are essentially enabling amendments for the development of the regulation.

With respect to the timing of this, looking back through the “what we heard” documents — obviously, this goes back to the resource road framework in 2014 — moving forward to 2018 when consultation was undertaken, the bill — an almost identical bill to what we have here — I believe there was one slight change to what was tabled in March of this year, but then, of course, it died on the Order Paper with the decision by the Premier to go to an early election call. Then, of course, here we

are in the Fall Sitting 2021, where this bill is now before the House.

When we look at the development of the regulation and when we get into Committee, I will have some questions for the minister around the public engagement on the actual regulation and what that is going to look like. My understanding from his officials is that they are looking at having that regulation approved by next spring.

Obviously, there are First Nations, industry, and other stakeholders that will have to be consulted, but I am hoping that this minister also finds a way to reach out to parties in the House, whether it's through the Standing Committee on Statutory Instruments or some other measure, to consult on this regulation before it is put in place so that, when we are talking to constituents or industry representatives, we have a good understanding of what exactly has been done. As we know, regulations, unlike legislation, do not have to come to the floor of this Legislature for any debate, so I am hopeful that this minister will recognize the situation and the number of seats for each party in this House and find a way to work with us prior to this regulation being put in place.

That said, Mr. Speaker, I will have some additional questions in Committee of the Whole regarding some of the responses in the “what we heard” document and how that will be reflected and also some specific questions around security in the bill that have been flagged for me by some industry representatives. I thank the minister for his second reading speech here today. As I said, the Official Opposition will be supportive of this bill at second reading, and we look forward to getting into Committee of the Whole perhaps as early as later today.

**Ms. White:** Mr. Speaker, today I am speaking to Bill No. 5, *Act to Amend the Territorial Lands (Yukon) Act (2021)*. It is hard not to echo the comments of my colleagues when I am third in row, but I think it is really important to note that one of the outcome goals of this is to make sure that roads that are being purpose built for resource extraction are not then just being used for folks to access hinterland. It was something that was brought forward by both First Nations and environmental NGOs as concerns that these roads — if they were unpeopled — that other folks could use them. It is interesting to see how the department has gone about that to make these actually not part of the designated public highways but as very specific private roads so that they can be barred from access, that people can be checked for ID or permission to be there.

I think it's really important to know that the ability to limit use is something that has been highlighted as a concern before when we've talked about resource roads, so this is one way to address that.

Another thing, while going through it, and definitely from the briefing with the officials, was the security requirements. I think one of the things that, from my perspective, was the most impressive when we are talking about security is that security is being talked about for not just during the construction aspect but to make sure that it can be remediated so that it can go back to its pre-industrial use. I think that is really important.

I will also have questions when we are in Committee of the Whole when the minister has access to his officials, and I look forward to those conversations.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Streicker:** Mr. Speaker, I would like to thank the members opposite for their sets of comments. I too look forward to Committee of the Whole when we can dive in a bit and answer questions with officials here. I just thank them for their comments. I made some notes, and I look forward to further discussion at Committee of the Whole.

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

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 5 agreed to*

### Bill No. 7: Act to Amend Family Property and Support Act (2021) — Second Reading

**Clerk:** Second reading, Bill No. 7, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 7, entitled *Act to Amend Family Property and Support Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 7, entitled *Act to Amend Family Property and Support Act (2021)*, be now read a second time.

**Hon. Ms. McPhee:** Mr. Speaker, I am pleased to bring forward the *Act to Amend Family Property and Support Act (2021)* for second reading today.

Our government is committed to modernizing Yukon's legislation to better represent the realities of today's society and to respond to the needs of modern Yukoners. I am delighted that today we are honouring commitment to Yukoners through updates to the family property and support legislation. I just want to spend a bit of time to outline and introduce the key provision of the proposed amendment to the *Family Property and Support Act*. It is quite specific.

The *Family Property and Support Act*, in its current form, does not reflect the best practices or similar legislation across Canada. As is currently legislated, section 37 of the act states that an application for spousal support by a common-law spouse must be made within three months of the date of separation. This short time limit places recently separated common-law spouses in a compromising position, because they must either apply for support before their relationship has clearly and permanently ended or allow their claim to lapse before it is clear that reconciliation is no longer possible. There is no time limit for married spouses to apply for spousal support.

In its current form, section 37 of the *Family Property and Support Act* does not provide a reasonable time for a common-law spouse to apply for spousal support and places common-law spouses in an unequal position compared to married spouses. Common-law spouses are disadvantaged under the current law. The proposed amendment will allow greater access to spousal support for former common-law spouses by removing the time limit for spousal support applications. Removing the time limit for common-law spouses will ensure that former common-law spouses will not be disadvantaged in comparison with married spouses by short time limits to apply for spousal support. The amendment will also make the Yukon's legislation similar to other Canadian jurisdictions which do not set a time limit for common-law spousal support applications — specifically, Alberta, Saskatchewan, Manitoba, Ontario, New Brunswick, and Nova Scotia.

To clarify, the amendment will only apply to common-law relationships that end after it has come into force. In this way, people who have separated before the amendment takes effect will not have their rights or obligations changed by this amendment. Our government is confident that, through this amendment to the act, we can ensure that common-law spouses who separate have adequate time to apply for spousal support if their situation is such that they want to do so.

Furthermore, this amendment ensures that common-law spouses are treated fairly and equitably in comparison with married spouses. The proposed amendment will more fully represent and protect the interests of Yukon's diverse population. The bill before us today is vital to ensuring that Yukon keeps up with the best practices across Canada and, through that, serves Yukoners.

Our government is proud to bring forward this updated legislation to better reflect today's Yukon.

**Mr. Cathers:** The provision in the current act that is being replaced is clearly a timeline that is unreasonably short to put in place for common-law spouses. With that, we don't have any concerns with the provision, and I have not heard any concerns so far from Yukoners about the proposals, so we will be supporting this at least at the second reading stage.

**Ms. Blake:** In my previous role, I have seen how this deadline has negatively impacted partners who are grieving. It made the grieving process so much more complicated than it needed to be, and I am glad that this barrier won't exist anymore. I am also glad that this amendment has been made to put common-law partners on equal footing with couples who are married. I want to get clarification that, when referring to common-law partners, this legislation covers Yukoners who are in same-sex relationships.

**Speaker:** If the member now speaks, she will close debate.

Does any other member wish to be heard?

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker, and I thank my colleagues in the opposition parties for their comments with respect to this piece of legislation. I know that there are a number of questions, and I know that we will be able to answer those in the Committee of the Whole, so I look forward to that process.

This seems like a small amendment. It will affect a lot of people. I know that it is a positive move, and I am proud to finally be bringing it before the Legislative Assembly to fix this inequity.

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

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 7 agreed to*

**Ms. White:** I request the unanimous consent of the House to move, without notice and notwithstanding Standing Order 12(2), a motion that the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

## Unanimous consent to move without notice a motion to extend the Special Committee on Electoral Reform's reporting deadline

**Speaker:** The Leader of the Third Party has requested unanimous consent of the House to move, without notice and notwithstanding Standing Order 12(2), a motion that the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

Is there unanimous consent?

**Some Hon. Members:** Agreed.

**Some Hon. Members:** Disagreed.

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

**Hon. Ms. McPhee:** 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):** The matter before the Committee is general debate on Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*.

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. 5: Act to Amend the Territorial Lands (Yukon) Act (2021)

**Chair:** The matter before the Committee is general debate on Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*.

Is there any general debate?

**Hon. Mr. Streicker:** Thanks, Madam Chair. I would just like to begin by welcoming our officials. We have with us today Deputy Minister John Bailey. We also have with us, and I think this is his first time in the Legislature, Mr. Mike Draper, who is the sustainable resources legislation advisor and negotiator.

We just had second reading on this a short while ago here in the Legislature, so I won't give any more introductory remarks. I am looking forward to questions and am happy to answer them here during Committee of the Whole.

**Mr. Kent:** Thank you very much, Madam Chair. I thank the minister for his second reading speech earlier today and also take the time to welcome the officials, Mr. Draper and Mr. Bailey, today. I thank them for their briefing that they provided us last week on this bill.

I have a few questions in general debate around the bill. The first one, if the minister has the documents with him that were provided to us at the briefing — it's the fourth bullet down and it mentions that public engagement on the proposed resource roads regulation was completed in 2018. First Nation consultation remains ongoing at this time with plans to consult on the draft regulation if approved.

So, officials told us that they anticipated that approval, I believe, happening next spring. Perhaps the minister can clarify for us if they are expecting the regulation to be in place next spring and if there will be further consultation with, not only First Nations as mentioned, but additional stakeholders, industry groups, and the public at large.

**Hon. Mr. Streicker:** To begin with, let me confirm that our goal is to have the regulation in place next spring, so I can confirm that.

I think that the dialogue with both First Nations and the industry has been ongoing. What I understand is that there are monthly meetings with industry — two tables. I think that one is with Klondike Placer Miners' Association and one is with the Whitehorse chamber. I think, as well, that Mr. Draper also attends some of their regularly scheduled meetings.

With respect to First Nations, we have a table set up through the Yukon Forum on resources, and there is a specific group that is looking at this as it moves forward. I will also note that, out of the work that was done up until 2018, this was when we understood that we would need these amendments to the act itself in order to enable the regulations — sort of in the fullness that has been discussed — and so this is just a step toward this, and the engagement has been ongoing.

**Mr. Kent:** The minister mentioned First Nation engagement and industry engagement. He has mentioned the Klondike Placer Miners' Association, and I think that he said the Whitehorse chamber, but I am sure that he meant the Yukon Chamber of Mines, but he can correct the record on that.

Does that mean that, with the work done in 2018 where the engagement process saw 183 surveys completed, 50 pages of comments received through the survey, 14 response letters, 10 First Nations, 25 organizations, and 15 meetings requested — I guess, of the members of the public who provided comment during that time — is that engagement closed? So, will this be

focused on First Nations and then the industry tables that the minister mentioned?

**Hon. Mr. Streicker:** Thanks, Madam Chair, and apologies — I did mean Yukon Chamber of Mines. I just happened to attend the Whitehorse Chamber of Commerce mayoral debate yesterday, and I just mixed up the two.

The Member for Copperbelt South was referencing from the “what we heard” document on the 2018 engagement, and out of that consultation, we had a lot of feedback. One of the pieces of feedback was to ask that, as the regulations got into their final stages of development, we stay engaging with industry and, of course, First Nations. So that is what we are doing now — working, as requested, with industry and with First Nations.

I think that we haven't thought that this would require a broader engagement again.

I heard the member opposite during his comments talking about an interest in having some engagement with the opposition parties. I have just made a note for myself and will have a conversation with colleagues and with the department to discuss that. But this engagement that we are talking about, on a go-forward basis, is really around how the regulations are finalized before they go to Cabinet, and that was as requested during the earlier 2018 full public consultation.

**Mr. Kent:** Thank you very much, Madam Chair, and I thank the minister for mentioning those remarks that I made during the second reading speech, because I was going to ask him if there was a way that he would be able to engage the opposition prior to this regulation being finalized. We often find out about regulations when they are signed off — when the OICs are signed off. These amendments that we are considering here today are enabling amendments of the development of the regulation. We would have an interest, I think, in seeing exactly what the regulation looks like and whether, as I mentioned during second reading, it is through the Standing Committee on Statutory Instruments or some other form of consultation, we — in the Official Opposition and, I am sure, the Third Party as well — would appreciate being engaged and involved before this regulation is finalized.

I'll turn the minister's attention now to the “what we heard” document that was published in November 2018. I have a few questions with respect to some of the questions asked and then the results.

Under the first heading, “Resource Roads vs. Public Roads”, the second question asked there was: “Allow for the transfer of an existing road (under the *Highways Act*) to a resource road under the Resource Roads Regulation when required.” The disagreement on that was 57 percent. The summary was: “This proposal has a high level of opposition. A majority of respondents do not support transferring an existing public road to a non-public resource road.” How was that accommodated or how will that be accommodated in the regulation when it's ready?

**Hon. Mr. Streicker:** First of all, what is happening here in the act that we have in front of us is enablement, so it would allow for this to be possible. The flags that were raised were really that, once people have established that roads provide

them access to places that they are interested in, there is an interest in maintaining that access. I think that this is understood. It's one of the really strange things — and I have commented on this with my deputy minister. When we are talking in communities, sometimes what people want most are the roads and what they want least are the roads. It just sort of depends on what the road is being used for and who it is who wants to travel on the road.

The way that we imagine it is that this legislation would enable this and the regulations would enable this possibility, but before we were ever to do such a thing — say there was a road. I don't know — let's say that a community came to us and said, "You know what? This road is a problem and we need to decommission this road." We would then go through a full public consultation process if it were a public road. That would include talking with the community. It would include talking to the users of the road to discuss what would happen.

What we heard was that there was concern, and what we have done is to say that the way in which we would get to this would be through public consultation, but we believe that it is important to enable this. One of the things worth noting — and my colleague, the Minister of Highways and Public Works, probably knows this. But I sat down with counterparts from Saskatchewan one time, and they were talking to me about Saskatchewan and how much road there is in Saskatchewan. It turns out that it has the most road per capita of all of the provinces and territories. What they let me know is that the Yukon has the second highest amount of road per capita. So, for the population here, we have got quite a bit of road. I can imagine that, somewhere in the future, we might decide to say, no — let's say, as we get through land use planning and we take some decisions, it is entirely possible. I think that it would be an extremely exceptional circumstance where this would happen, but given that we are here working on the legislation, we thought it best to put in an enabling piece, and the safety valve that we are putting in is that we would have a full public engagement, were we to consider that.

**Mr. Kent:** I hope then, from that, that the minister appreciates the interest from the opposition parties in engaging on the development of this regulation before it is finalized, given that the legislation will enable this to be done, but if practice were to go on as it has gone on over the past number of years and number of governments, then there wouldn't be an opportunity for us to provide those checks and balances to what was discussed three years ago in a consultation.

So, I am just going to ask another question. The answer may be similar, and it is with respect to controlling access. It is that first point again — it has a high level of opposition. It says: "Access to resource road use will be limited to permitted users only and these permits will set out terms and conditions on how resource roads are to be used. Permit conditions may range from a permit holder having exclusive use to allow other designated, authorized users to share the road."

So, when that question was put out, the disagree response was close to the last one; it was at 55 percent. As I mentioned in the summary, this proposal has a high level of opposition. A majority of respondents do not support limiting access as

described. Key concerns are similar to the concerns expressed for proposal one on the previous page.

Does the act before us enable this to happen, and then will it be determined in the regulations similar to what the minister explained with my previous question?

**Hon. Mr. Streicker:** Thank you, Madam Chair. I think this is a very important question and I thank the member for posing it.

There will always be people who wish to use roads that are in place. It's one of those difficult questions. To answer the specific question, yes, the changes to the act in front of us would enable the ability for the regulation to allow for permitting. That permitting could allow for limited access.

Why is that important? Because, I think, if we're talking about some of the developments that are proposed — sometimes remote developments in the Yukon — then I think that we're seeing that those developments could go, if there were a way to get access, which then could be withdrawn at a later date, and they might not go if you did not have that type of access. That becomes a real question.

But that question doesn't get resolved until there is a proposal, for example, to access someplace that is currently remote and that goes through an assessment process and then a permitting process and all of that. We've seen it even recently in applications, and I think it's a really important question — that we need to be able to have the ability to allow limited access and the ability to allow that the road could be remediated once that resource development came to an end, if that was what came through in an assessment and permitting process.

Now, I don't know that you can ever get something back to its original state, but it's a huge difference to say that, once a road goes in, it never comes out. That is quite a mouthful. I think that the act in front of us today allows for the regulations to be put in place that would allow for the ability to permit that road for limited access and include the eventual possibility of the reclamation depending on the whole assessment and permitting process and regulatory process on the government's side.

I think that it is important to understand that what we are talking about here is a class of road that is for resources. That is the whole purpose of the regulation that we are seeking to get to. These are very specific things. These are not roads that we anticipate being for public access. That would fall under the purview of Highways and Public Works. It is the ability to make sure that the way in which we develop those resources is not necessarily opening up the whole of the territory because that is when we would decide — or could decide — that we don't want those developments. It is the ability to have that option.

**Mr. Kent:** Again, as I mentioned, I think that one of the keys for us will be to compare some of the responses in the "what we heard" documents to the draft regulation and the final regulation, once it comes out, to get a sense of how those concerns were adapted there. I would just stress that hope, that we do have the chance to take a look at these, as opposition parties, before that is finalized.

I do have some questions about security. I turn the minister's attention to page 3 of the bill. It is section 4.5(1). I will just read it into the record here. It says that: "The Minister may require an applicant for a resource road permit or a resource road permit holder to give security, in the amount and manner set out in the regulations, for the purposes of ensuring the maintenance of a resource road or the reclamation or remediation of territorial lands affected by the construction or use of a resource road."

One of the industry groups that I have talked to since this bill was tabled mentioned that there are some concerns with the phrase "the maintenance of a resource road". I think their question is: Does this mean that a security collected for decommissioning or reclamation of the road can be used by the Yukon government for ongoing maintenance of that road? What happens if they use up most or all of the security on maintenance before the decommissioning or reclamation of the road is scheduled to begin? I would welcome the minister's thoughts on that particular piece. Again, it's the phrase "for the purposes of ensuring the maintenance of a resource road".

**Hon. Mr. Streicker:** The way in which we envision this working normally is that, as the road goes in — let's say the regulations are in place, and let's say that there is a proponent who is wishing to develop a resource. They go through all of their assessment process, et cetera, and we get to the stage where they are seeking to permit a road. We would hold security for the reclamation of that road.

Normally, what would happen is that the proponent would maintain the road over time and do that work as envisioned. They would allow access for the resource. It might be a shared resource — that might be possible, and that's envisioned — and they would do their resource development. The resource development life comes to an end. They reclaim the area where the resource development is happening and they reclaim the road. Their security is returned to them; we're done.

Suppose that, in some instances, there is reclamation work that we feel is not up to standard, and the security is there with which to complete that reclamation work and to make sure that the public is not on the hook for doing that work. That's the main purpose of the security. It's possible that there will be a time when there is someone who decides to walk away from their project before that reclamation has happened. Then the full security would be used for the reclamation.

It is also possible that, while that reclamation is happening, we may need to do some maintenance work on the road in order to keep access to the site in order to do reclamation work on the resource site itself. Is it possible that the security could be used for some of that maintenance work? Yes, it is. We don't think that this is the main purpose.

So, there's nothing in here in the typical sense where the security would be used for maintenance. That's not the normal way, but if there is a resource developer or development where the proponents have walked away and we are left with a road and some work to do to reclaim it, we will do that work with the security deposit. It's possible that you would need to maintain that road in order to do that work for a period of time,

so that's what is envisioned. I am happy to answer further questions.

**Mr. Kent:** I want to go back to this, obviously. This says: "... security, in the amount and manner set out in the regulations..." — so the regulations will determine the amount and manner. But the minister seems to have introduced something that is hypothetical — that perhaps there will be maintenance required to maintain access to the site. I am just curious how the minister envisions determining the level of security with this hypothetical piece — potentially needing money for maintaining the road to access the site. I am hoping that the question is straightforward enough. How will this be determined for the maintenance if it is just something that may or may not be required?

**Hon. Mr. Streicker:** The security for the road will be based on what it would take to reclaim the road. That's how we will assess what type of level of security is needed. Has the department envisioned that, at some point, there might be a case where there is a proponent who has left the site and left the road? Yes, I think there are thoughts about that. So, I am talking in the hypothetical to ask: Is it possible that we would choose, as a government, to maintain a road? Because what I think I heard the Member for Copperbelt South ask is: Would we ever use security money to maintain a road? What I answered was: Not in the normal sense. Security is not used to maintain the road. The security is used to reclaim the road, and that is how it is assessed, judged, and measured. However, it is possible that you could get into a situation where the smart thing to do would be, if a proponent has left a site and you see that there is another proponent who would wish to come in and purchase the site — the resource development — that's possible. In that case, the smart thing to do would be to maintain the road until you resolve those questions. Those are possibilities.

I think, though, to answer as clearly as I can around how or what we would use to determine the amount of security to hold, it would be based on the reclamation of the road.

**Mr. Kent:** Madam Chair, I'm trying to understand this because it was a question that was sent to me by industry today. This one particular clause in the act says that the security will be determined in the amount and manner set out in the regulations for the purposes of ensuring the maintenance of a resource road or the reclamation or remediation of territorial lands affected by the construction or use of a resource road. The minister just mentioned to the House that the security would be determined on how much it would cost to reclaim or remediate the road, but then there is this added piece of potential maintenance, so, to me, it introduces some uncertainty for government, and it also introduces some uncertainty for proponents when setting that level of security.

Again, I'm just curious, how would the government set the security, given the variable that is in here with respect to the maintenance of a road that may or may not be required?

**Hon. Mr. Streicker:** I will give a bit of a brief response, and then I'll seek to get a little bit more information. Effectively, the tool that we're going to use is the mining branch's. They use a matrix to determine the amount. So, I'm just asking this very technical question about what the elements

are that go into that assessment. I will seek to get an answer for the member opposite. If I get one today while we're still here in Committee of the Whole, I will rise and give that response. If not, I'll find a way to provide the answer for the member opposite.

**Mr. Kent:** Again, it's the specific part of the act that was flagged for me. While the minister says that the maintenance of a resource road would potentially be specific to accessing the site once a proponent had left it, it doesn't clearly say that in this clause. I think that the minister can probably understand why some of the industry folks whom we have been talking about are concerned about this particular wording, because it seems to me, the way it's worded in here, that the security could be used for maintenance by the Yukon government — or the minister may require an applicant to give security and it could be used for the purposes of ensuring the maintenance of a resource road. It doesn't mention any of the things that the minister had spoken about earlier with respect to maintenance of a road once a potential proponent or proponent had left.

So, again, what assurances can the minister provide industry, when they look at this wording, that this is only for maintenance of a resource road once a proponent has potentially left the site, as he mentioned earlier?

**Hon. Mr. Streicker:** What I can talk about, Madam Chair, is what the intent is here overall. It's not the Government of Yukon that would be maintaining the road. That's not the intention.

We maintain public roads. That's our job.

But on these resource roads, where they're very specifically set up to be access for a particular resource, that would not be our responsibility.

It isn't about holding back enough money so that we are the maintainers of the road. That is not what is envisioned here.

Because the very specific question has been asked, I will have to dive into the mining branch's matrix to understand how that amount is determined. But the purpose of the reference to maintenance here is in the event that the developer has left and we need to reclaim and remediate the site. It is possible that the way in which that happens requires some maintenance of the road for a period of time. That is why the reference is in the act here. It is to enable that we can do that maintenance work, if necessary, and I think, very distinctly, that we need to ask ourselves — because I think that the member opposite has had a question from someone in industry who wants to know the answer to this question, and I will work to get it for them. It is just — how do we judge what an amount is for security? There is a practice, which is already in place under other projects, and we are going to use a similar practice for roads.

**Mr. Kent:** So, the minister has said that the security will be held and it would be for the purposes of ensuring the maintenance of the resource road. That is what this clause says, but the minister also indicated the maintenance of the resource road if the developer had left, but that is not reflected in this specific clause, so I am sure that the minister can understand why it does cause some concern for the proponents. I understand — as does industry — that the maintenance of that resource road would be their responsibility, but, again, these six

words in this particular clause of the act are causing some consternation for some of the people in the industry. Then, the minister is saying today that it would only be used if the developer left, but that wording is not reflected in here. I'm not sure — the minister has committed to getting back to us with the calculation of security from the mining branch, but again, this particular wording just introduces a variable here that is a concern for industry, and I am not sure how we can address this here today.

Obviously, we are in Committee of the Whole, we anticipate getting to clause-by-clause, and I am not sure how we can pass this particular clause until we have some of the answers that the minister has committed to getting or some potential wording with respect to this particular clause that would specify what he is telling the House here today — that this would be for the maintenance of a resource road if the developer had left.

I would ask the minister how best to proceed today in the absence of these answers or in the absence of some sort of amendment to the wording to reflect the claim that he has made today with respect to the developer having left the site.

**Hon. Mr. Streicker:** Thank you, Madam Chair. I will do my best to respond to the question. I have already committed to trying to get a very specific and detailed response from the department.

What is the purpose of security broadly? It is to ensure that, if a proponent doesn't do the right thing, we are able to keep everybody whole and safe. That's the purpose of security. I would have to read to make sure where this is said, but I think it's true that this is the purpose of security. Security is not about saying how we are going to go and maintain a road. That is not its purpose. It is to make sure that the public, broadly, is protected, and I think that is the principle that is at work here.

I don't think that I am introducing anything new with the word "security". What is being said here is just saying that we are going to create, in the regulation, a security for these resource roads.

I will work to get the specific answer, but I think that it is not correct to say suddenly that security is being used for things other than security.

Can maintenance of a road be part of how you deal with a site that has been left? The answer to that is yes. That is why it is listed in here alongside the words "reclamation" and "remediation". But it is still security. That is its purpose. That is how it is laid out. I will never suggest how members opposite can vote — that is at their discretion. I will do my best to provide them with all the information I can, fairly, and try to make sure that they are as informed as they wish to be toward making that vote. Anyway, I will sit down again and stand back up for further questions.

**Mr. Kent:** I agree with the minister on the security piece, but again, as referenced here, the security would be for the purpose of ensuring the maintenance of a resource road or the reclamation or remediation of territorial lands affected by the construction or use of a resource road. I understand what the minister is telling us with respect to how it would be applied to the maintenance of a resource road if it was a case where the

developer had left the site and it required maintenance to keep that road up or to keep access to that site, but as this legislation stands the test of time — it will be around probably long after the minister and I have left these Chambers for others to deal with — they will come in and just look at this clause and say that the security taken could be for the purposes of ensuring the maintenance of a resource road. I think that those words, and the intent that he had spoken about, are not reflected by what we have here.

Yesterday during motion debate, we talked about clause-by-clause debate and those types of things. There are some extremely important things in this act that will enable the regulations, but I don't want us to get hung up on this one particular clause. Again, we are working through this here this afternoon. We have other business to take care of, but I am curious if the minister would just consider perhaps standing down on Committee for this particular act until we get a chance to talk about this specific clause or until he gets a chance to get the answers that he is anticipating from his department with respect to how the security is calculated — if there are any words that we could perhaps insert into this clause that would take away some of that ambiguity that appears to be there for some of the industry people.

Obviously, I'm not trying to find a way to get around security. I mean, security has to be set at an amount that, as the minister mentioned earlier, would cover the reclamation or remediation of these roads, but this is an extremely important point that I just don't want to leave out as an ambiguous point.

I'm curious if that's something that the minister would consider — that we stand down on Committee on this and move into Committee on the next act that's scheduled, just so we take the time to make sure that we're all on the same page with this, because, as I said at second reading, we want to support this bill and we want to vote for it, but this introduces a level of ambiguity with respect to maintenance that has been flagged for us by an industry association. I'm curious if the minister would —

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

**Mr. Kent:** An industry association — it was the Yukon Chamber of Mines that flagged this for us.

I guess that would be my question for the minister: Is he willing to either stand down or should we take a recess so that he has a chance to consult with his officials here and back in the department so that we can either make an amendment to this particular clause or perhaps find a way for him to satisfy the questions that I'm asking here this afternoon?

**Chair:** Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*.

Is there any further general debate?

**Hon. Mr. Streicker:** Thank you again, Madam Chair. When we left off before the break, the Member for Copperbelt South was asking about security. The section in the act here is entitled "Security", and underneath it, it talks about the possibility of requiring some maintenance. Just for a second, let's look ahead at the next section, 4.6. Under section 4.6(2), it says: "The Government of Yukon does not have a duty to maintain a resource road." So, I think it is pretty clear that this is not what it is for. We are not here to maintain those resource roads; however, we do have this section here — 4.5 — which is enabling that we allow for the assessment and collection of security for a road.

What might be part of that? Well, the way in which it is done, as I have already said, is by what we already use for mines and how we assess those mines. The mining branch has a matrix to determine that amount of security, and we are talking about using the same matrix that is already in place right now. Part of that matrix does say "road maintenance"; that is part of it. Just like with mines, there is no intention that we are maintaining roads in those mines all the time. It is that if we have to use the security because of some adverse situation, that there is the assurance that Yukoners will not be on the hook to deal with that situation, up to and including the maintenance of a road. This section here is talking about how the resource road regulation will calculate that security.

This part of the act, again, then is enabling to allow the resource road regulation to do its job. As I have already stated, we are in ongoing dialogue with First Nations and industry around it. This morning, the Yukon Chamber of Commerce reached out to my colleague, Mike Draper, to ask this very same question. So, let me just read that question for the record. Now I'm quoting: "One question that will come up is the wording in 'Security' for the changes — 'the maintenance' — does this mean security provided for decommissioning and reclamation can be used by YG for maintenance of the road?"

I guess within an hour and a half — just around noon time — Mr. Draper responded, "Thanks for flagging this. I will follow up with this at the meeting, but the quick answer to your question is that this clause is in there if the permit-holder walks away from the road and the road falls into disrepair. Government has the dollars from the security to keep the road in good standing until the permit can be transferred to a new permit-holder or it is decided to close the road."

That is what the security is for. It is to keep the public whole. That correspondence was with the Yukon Chamber of Mines. I hope that I have answered the question for the member opposite, but I'm happy to stand up and answer further questions if he has any.

**Mr. Kent:** Madam Chair, I thank the minister for that response. It's a very similar e-mail that I received this morning as well just before 11:00 a.m., so obviously there was some work that your officials were doing with the chamber after I had received this. I appreciate that work.

I hope that the minister understands where we are coming from. He referenced 4.6, and I have said that I understand that

the Government of Yukon doesn't have that duty to maintain resource roads. I understand that. It's just that this wording seems a little bit loose. I guess we will give the minister the benefit of the doubt that it will be tightened up perhaps in the regulation that flows from this enabling clause. Again, I am not here to hold up debate. This was a question that came to me, so I wanted to get an answer. It just came today; otherwise, I would have flagged it for your officials at the briefing last week so that perhaps we could have had it dealt with before.

That said, Madam Chair, I will move on to the final couple of topics that I want to talk about here today. I know that this work in developing this regulation predates the work of the mineral development strategy, but is any of this captured in the mineral development strategy? I think it was back in our abbreviated Sitting after the election this spring that the minister mentioned that they were reviewing the mineral development strategy and would accept — I don't want to put words in his mouth, but I think, just to paraphrase — he mentioned that perhaps they wouldn't be accepting all the recommendations but some of them. So, is this captured in some of the recommendations of the MDS that the Liberal government is planning on accepting?

**Hon. Mr. Streicker:** Yes, there was a recommendation in the mineral development strategy about developing a resource road regulation. This is in line with that. Of course, in the sequencing, the independent panel that came forward for the mineral development strategy would have had access to "what we heard" as well. I think that the work on resource road regulations informed them as they did the work on their strategy.

**Mr. Kent:** Did the minister have anything to add to that last point? I will sit and cede the floor.

**Hon. Mr. Streicker:** I can say that the department met with the mineral development strategy panel to discuss resource roads several times. It was part of how they became informed before they made their recommendations to us.

**Mr. Kent:** Madam Chair, just jumping off from there, can the minister give us an indication on when he or his government will be in a position to say which parts of the mineral development strategy they will — to provide an entire list on which parts they're going to adopt and which parts that they're planning on not adopting as far as that final report that came from the MDS panel? Thank you.

**Hon. Mr. Streicker:** When I met with industry — whether it's the Chamber of Mines or the Klondike Placer Miners' Association — what I've said to them is that what we're intending to do first is focus on those aspects of the mineral development strategy which focus on successor legislation. When we've done our sifting through the mineral development strategy, about half of the recommendations relate to successor legislation. Given our work that has now begun on successor legislation, that's where we're going to put our emphasis.

I don't have a timeline for looking at the other elements of it. I think some of it will evolve as we work our way through successor legislation, so I think it's important that we put that

focus there first. That's the emphasis that I can share with the members opposite today.

**Mr. Kent:** We're just going to move into the final topic for general debate on this legislation. One of the resource roads that has garnered a lot of attention is obviously the ATAC road into ATAC's property north of Keno City. While prepping for debate earlier today, I was on the yukon.ca website. The last update was May 20, 2021. I'll just read it into the record here. It says: "The Fall 2020 update Beaver River land use plan and agreement work plan timeline indicates the draft plan completion will be March 2021.

"Due to unforeseen circumstances the draft plan completion has been delayed. The land use plan is currently being drafted by the committee and land designations discussions, such as identifying conservation areas, are underway between Yukon Government and the First Nation of Na-Cho Nyäk Dun."

That March 2021 date was a year after your predecessor had announced as the target date for completion of this plan when it was tied to a YESAB recommendation and decision document for this resource road that ATAC resources wanted to put in place.

Can the minister elaborate on the unforeseen circumstances for the delay and give us any further updates? We are talking about May of this year for the last update. Is there anything that we can tell to interested parties on work around this land use plan at this point?

**Hon. Mr. Streicker:** Madam Chair, I am just going to back us up for a second. I did find the reference in the mineral development strategy. The recommendation was to "Expedite the completion and approval of the Resource Roads Regulation to provide a modern framework for management and enforcement of resource roads from start-up construction and use through to closure and remediation."

So, it's basically asking us to do what we are doing today and going forward to the spring of next year. The latest that I have on the ATAC access road and the Beaver River land use planning process is trying for the spring of next year. We continue to be in dialogue with the government of Na-Cho Nyäk Dun and with ATAC. I am trying to recall when the last time was that we sat down with them. I think it was about a month ago. We have certainly had some ongoing conversation. I know that the department stays in touch with them as well. I guess I'll leave it there for now, but that's the latest that I have.

**Mr. Kent:** Madam Chair, often over the past while, we have heard that yukon.ca is the place to get the most up-to-date information, so clearly this portion isn't updated, so I am hoping that the minister will instruct officials to update the Beaver River land use plan portion on yukon.ca. I am just looking for a commitment from him to get that done here today on the floor.

**Hon. Mr. Streicker:** Thank you for the suggestion. I will certainly follow up with officials.

**Mr. Kent:** That concludes my questions. I thank the minister for the longer than anticipated exchange on the security piece, and I thank him for answering these other questions here today. I thank his officials again for appearing

here today to assist the minister and providing support to him and for the briefing that we received. I will cede the floor to the Member for Takhini-Kopper King.

**Ms. White:** Thank you, Madam Chair, and I thank my colleague for the questions that he has asked so far. They have been good. It has been good to follow along.

I have one question based on the briefing that we had. During the briefing, it was explained that one of the changes was around permitting — so obviously there are lots of conversations about permitting — but that gravel, ferry landings, fuel storage, and camps could all be included under one permit. So, where in the amendments would I find that? How would this work logistically, and does everything have to be accepted for a project to move forward? For example, if we are talking about construction of the road, does that come with the camp permit or the ferry landing permit? Let's start with those questions.

**Hon. Mr. Streicker:** I will direct our attention to section 4.10(1)(u). I will quickly read that out: "... respecting matters ancillary to the construction, use, maintenance, closure and decommissioning of resource roads and the reclamation and remediation of territorial lands that are or may be affected by the construction or use of resource roads..."

The really important word there is "ancillary". The idea here is that, rather than having a separate permit for a camp or a quarry or a helicopter pad, there be a permit. That permit would list the uses that can be allowed. Really, this is about trying to not create additional layers of red tape, so it's all on one permit. That was the thinking. This is the one difference between the bill which was tabled earlier this year and the bill that we have in front of us today.

The Member for Takhini-Kopper King asked whether everything had to be in for it to go and, if it wasn't all in, whether it would stop. The way you need to think about this is that the applicant will apply for a whole bunch of uses, and we will assess those uses and decide which ones we are going to permit and which ones we may not — maybe because of things that YESAA has recommended to us or maybe because we feel there are some things that just pose too much risk. I can't anticipate exactly what it is, but the permit would then say, "Here are the permitted uses," but it would all sit under one permit. That is how I understand this to work.

**Ms. White:** I am just going to highlight one issue that happened. When we got the briefing, we had access to the *Territorial Lands (Yukon) Act* amendments that were tabled in the spring of 2020. We did not have a different copy with (u).

I have just figured it out. The difference between the copy that I have on my person and the one that I can find online is the difference in that section, so I do appreciate it. I probably would have found it if I had been looking at that one.

I will just put out a request to government and officials when we are getting briefings. If the legislation hasn't been tabled yet — if we could get an embargoed copy. We sign documents all the time saying that we won't talk about it before it is public. This is just a very small example, but it would have been handy at the time to have that one in front of me. Now I

do, so it is corrected. It's a much bigger definition under (u), so I do appreciate that.

Along that same thing, when we talk about all these different permits and these different openings — when we were in the briefing, we were talking about who would do the inspections. Who will be following up on these inspections? Is it a similar team that will be inspecting, for example, the camps or the ferry landings, or are we looking at different folks to do those different inspections?

**Hon. Mr. Streicker:** For the things that we are permitting and talking about here, it will be the Energy, Mines and Resources Compliance Monitoring and Inspections unit — our natural resources officers — who would go out and inspect those things. Of course, whenever you have a camp, if there is an issue around, say, a safety issue, then it would be workers' compensation — or if you had a fuel spill, we would get Environment out. The normal ways of inspecting would also be there for all the other things that might happen along a road, at a camp, or wherever our permits are issued, but for the road, those camps, and those things that are issued under the resource road regulations, it would be Compliance Monitoring and Inspections.

**Ms. White:** I thank the minister for that answer.

I would just like to go back to one point that my colleague was making about securities. I have to say that to get the briefing and to understand that now we are going to be talking about securities for decommissioning to its entirety is really important. I think about the briefing that I had today with actually the same officials in the same Chamber now, knowing that the Wolverine mine has cost Yukon taxpayers over \$11 million this year because there was inadequate security — I think that what we are talking about is doing things in a different way. We are not talking about doing things pre-devolution transfer agreement; we are talking about actually being responsible and doing mining and resource extraction in a different way. I think that when we talk about securities and we talk about responsibilities, the fact that we are talking about resource roads but also talking about decommissioning is really important.

It is a whole new relationship. It's a whole new way of doing business; it's a whole new way of looking at things. I think that this is why organizations like CPAWS are saying that they are actively looking toward the regulations to make sure that this can be empowered to do what it can do. This is why organizations like the Yukon Conservation Society are saying, you know, that at this point in time, they are just really hoping that the regulations will be strong and will fulfill these obligations.

I think that, just from the briefing that we had with the officials and the questions that were answered then, really, this is a new way of looking at things, and I think that's really important.

With that, I think those are the questions that I have for general debate, and I am looking forward to line-by-line debate.

**Hon. Mr. Streicker:** I completely agree with the Leader of the Third Party. It's important to note that mining is an important thing, but it's important that we get it right. This is

one of those pieces. We do need to look at how securities are assessed — and assessed on an ongoing basis because, as work progresses, then risks change over time. I think it's our job to make sure that adequate security is collected, whether that be for a resource road or for a mine.

I think that there are examples of where there were not appropriate amounts of security collected, and I think that those are very, very concerning situations. I think that it's an incredibly important point, and when I work with the industry and with the Chamber of Mines and individual mining operations, I share the same words — that we need to make sure to get this right, because, if we don't, it will impact the whole industry and it will leave it in a negative space.

I am thankful that, with the folks I've worked with through industry, everyone is agreed that we need to deal with the environmental, social, and governance issues and to modernize our situation, whether it's through resource road regulations or successor legislation.

**Chair:** Is there any further general debate on Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*?

Seeing none, we will now proceed to clause-by-clause debate.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

**Ms. White:** Clause 3 talks about designation of roads as resource roads. It also deals with security. One of the questions that I have right now is actually under Security, 4.4: "If the amount given as security under subsections (1) or (2) is insufficient to reimburse costs incurred by the Minister in maintaining a resource road or reclaiming or remediating territorial lands affected by the construction or use of a resource road, the amount of the additional costs and any interest payable on that amount are recoverable in a court of competent jurisdiction as a debt owing to the Government of Yukon."

I understand if, for example, a company is in good standing, we could go in court, and the minister or the department could go after the funding, but we have seen, for example, a mining company in Yukon go into receivership. Can the minister walk me through the different ways that the government would recoup the money, in this case, for the reclamation of a resource road?

**Hon. Mr. Streicker:** Can I just clarify from the member opposite if she was referring to 4.5(4)? I didn't catch it under 4.4 and I just want to make sure.

**Ms. White:** This is when I almost regret that I just didn't ask these questions in general debate, but the minister is right — 4.5(4) is what I am speaking about.

**Hon. Mr. Streicker:** The clause here is a pretty standard clause. It just says that, if it wasn't enough, we are able to take someone to court, but the real trick is to make sure that we get the right amount at the beginning because it is always harder to get it after the fact. One of the ways to do it is to issue a lien. I would have to confer with legal folks to ask what all of the

processes are. Unfortunately, I have become too familiar with them lately. It's frustrating. I think that the key message here is that, if we do this right where we assess the security appropriately up front, then we run much less risk of whether or not the proponent has dissolved, vanished, or however they have moved along.

I mentioned this earlier in a different response, but the point is that you must continue to assess the risk over time, because the risk changes over time, depending on the activities that are happening. That is why, on a fairly regular basis, there needs to be a reassessment to see what the situation is. That can include — if a proponent has done a bunch of reclamation and it has been progressive along the way, there can be a way in which a security is reduced because of the good work that is happening. I would have to talk to colleagues from Justice about the various ways in which you can follow up with companies that have become delinquent, but the best way always is to be proactive and to assess things appropriately up front.

**Ms. White:** I will just highlight that section 3 is very large, so I have a couple more questions to go.

I do appreciate that, and I agree with the minister that, if we collect enough securities at the beginning, we shouldn't have to go after more. I also appreciate the notion that things will be reassessed, so it may be a company getting security money back, but it also means that, if additional work is done, the government can collect it. I do appreciate that. I think that it is the best-case scenario.

Under section 4.7 about user agreements, this is a section where it talks about how there could be a primary road user, but other users may use it and agreements can be coordinated within the department.

It's written much more clearly than I am bringing it out. But in section 4.7(4), it's talking about if the applicant or permit holder does not withdraw their application. This lays out a bit of what the minister and his department can do if that happens. Can the minister walk me through that section, please?

**Hon. Mr. Streicker:** So, as the member has noted, section 4.7 is talking about user agreements. This is — if you have two or more developments in an area that would share the use of a road — why is that a good idea? Well, the fewer roads we build, the better off we are in terms of its impacts on the environment. So, you want to minimize the road development and try to maximize its use just so that we get as much use as we can out of it with the least impact.

What section 4.7(4) contemplates is: What if there are multiple users but they haven't been able to reach an agreement? Does that happen? Yes, I can imagine that happening.

What this clause allows is that the department, under whoever the minister of the day is, can introduce terms and say that this is how it's going to work. It's sort of like the department could be the arbitrator around this and say that, no, you are going to work together and this is how. Of course, we would always work first to try to get the proponents to reach an agreement cooperatively and constructively, but this allows — if there were a second user, the first user couldn't necessarily

block them from that access, and the department could step in if needed.

**Ms. White:** I thank the minister for that. The reason why I think it's important to look at the one where the agreements could be brokered through the department is if there is a challenge — because it's just not about the construction; it's the maintenance of the road. So, it can be a big thing, and I think that is important.

Just to focus on a similar vein, I would like to go subsection (7) in the same section under "User agreements". This is talking about greater certainty and the ability for the minister to impose an obligation on an applicant or a permit holder. It's about, I believe, the transfer of funds to another to maintain that road. I am just seeking clarity.

**Hon. Mr. Streicker:** 4.7(7) is exactly that. If there is an agreement under 4.7(4) that the department, under the name of the minister, has said, "Okay, here's an agreement" — of course, it is about sort of how the costs of keeping up a road — and originally building a road — are shared across users. It probably has to do with how many kilometres are driven and by what weight of truck and all that sort of thing, but there is a way to come up with what should be an equitable amount. But, let's say, in order for that to happen, the one party has to pay for the other party, because maybe the other party has the job of maintaining the road and so there are some costs that the second party owes. If they are not paying it, there is the ability to go to court. That is what this enables.

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

I would like to go to section 4.9. It's under "No rights or interest obtained".

The reason why I want to highlight this clause — I think it is really important because it lays out: "A person who constructs, uses maintains, closes or decommissions a resource road or reclaims or remediates territorial lands affected by the construction or use of a resource road does not obtain any rights or interest in the resource road or the territorial lands by doing so..."

The reason why I want to highlight that is that it means that there is no ownership. The territorial land — the land that the road sits on — does not belong to the user. Could I just get the minister to affirm or clarify or add his two cents to that, please?

**Hon. Mr. Streicker:** Madam Chair, that is exactly correct. This is to say that, if there is a permit issued, that permit will allow for that road to be developed and maintained, but it does not give those permit holders any rights or interests in the lands, or even in the road itself, beyond those permits.

**Ms. White:** Thank you to the minister for that answer. Moving along to regulations concerning resource roads under section 4.10 — 4.10(1)(f) talks about respecting requirements for, and the manner of, consulting with First Nations and the Inuvialuit in relation to the issuance or amendment of resource road permits. So, during the briefing, I was told that these will be spelled out in regulations, but maybe the minister wants to expand on what those conversations will look like to get those for the regulations.

**Hon. Mr. Streicker:** The current *Lands Act* doesn't acknowledge our requirement for consultation, which is why

we want successor legislation there, too. So, we are making sure to put that in here. What this is saying is that, as we develop the regulations, as I have already stated in other questions in front of us, we will stay engaged with First Nations and consult with them.

It also says that there will be a requirement — and now it depends on where those roads are — that we would consult with First Nations on those — if we are permitting something, that it would also trigger the requirement to consult.

**Ms. White:** I thank the minister for that. I think that it is important. We have this opportunity in this way that we are talking about doing regulations in a different way — laying out in regulation the duty to consult and how First Nations will be consulted. I think that is, again, a really powerful thing and very different when we talk about resource legislation. This is the hopeful point: that the Yukon is turning the page and we are writing new chapters on how things can be done. I just wanted to highlight that, just because of the difference.

A question that I asked just before we went into line-by-line debate was, of course, about the ability to put in the gravel at ferry landings. The minister did direct me to (u) in the same line, but can he explain to me — so will those different ancillary uses be named in the regulations?

**Hon. Mr. Streicker:** Thanks, Madam Chair, and I want to be careful here because we haven't developed those regulations yet, but what I anticipate will be there is a list of examples, and then probably some basket clause at the end that says "and other such uses". Technologies change, and you don't always have the full list. The way in which people work on the land might change over time, so I think that it will try to list off the sorts of things that we expect — like quarries, camps, helicopter pads, and things like that — but I think it will likely have "et cetera" at the end of it.

**Ms. White:** Thank you, Madam Chair, and I thank the minister for that and also the cautionary tale of not talking about the regulations like they are created but what they could include. Does that mean that permits could be looked at on a case-by-case basis, so if it falls under "et cetera", it will be evaluated by the department?

**Hon. Mr. Streicker:** Yes, every permit will be considered on its merits and for what it's talking about. Once something is planning to be permitted, then we will use that mining matrix to assess what the security should be, et cetera.

We are not going to charge security if we don't say that you are allowed to do that thing there, of course — right? Then we will inspect based on what those things are that we have permitted. It will be spelled out in the permit about what things are allowed. If the regulation gets to that place where it says "and other possible uses", those things will need to be reasonable and they will need to be what's expected over time. As regulations get updated, you would add those things in and you would start to spell them out — is what I imagine — but you don't change those things every day. I think that the department and the folks within it have been working with industry to talk through what is a reasonable list, but it is pretty typical not to definitively limit it, because then what happens is that you find that your regulations are out of date too quickly.

That is what is typical, but the department at all times will be looking at those applications and judging what is reasonable to permit or not.

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Clause 5*

**Ms. White:** The reason why I want to focus on this one is that I believe that this is the empowerment of officials who will be on the ground. If the minister just wants to walk us a bit through why this section has been added and maybe elaborate a bit — I think this section is really important because it allows the department to issue stop-work orders, issue directions for the rectification of non-compliance and others, so if the minister could just tell us why this is included.

**Hon. Mr. Streicker:** How do we give our regulations teeth? That is really what this is talking about. What we are saying here in this amendment to the act is that we can, through the regulations, create the ability to enforce and the ability to charge with offences should that enforcement or inspections determine that something is not going appropriately. Also, there is the ability to go back and adjust securities if we see that something has gone inappropriately and we need to retain more money in order to ensure that we can see remediation and reclamation.

As the member suggests, there are a range of ways that this could happen. We could say to whoever it is — the proponent who is doing the work — that they have to stop the work they are doing. We could say, “Okay, you are out of compliance and here is how you have to get back into compliance.” We could ask to be provided information in order to make sure that we are informed about what has been going on.

It allows us to be able to enter and inspect those sites, which may be gated. That’s what we’re anticipating — that these resource roads are gated so that we’re limiting access.

These are sort of standard clauses, but what we’re really trying to say here is that our inspectors will have the ability to enforce that the road and the ancillary uses, which have been permitted, are living up to the expectation, or what we have said is allowed to happen, and stopping those things right away if they are moving offside from what has been permitted.

**Ms. White:** I thank the minister for that. Just before we’re through this, there are a couple of thoughts that I would just like to end with. One is that I hope this is the beginning of a completely new relationship as far as how we look at using our non-renewable resources and how we access them. To me, these amendment changes are making things stronger. I think that is an important part.

The other pitch that I want to make is that this is nothing without regulations. If regulations take years to develop before this can be fully enacted, then it’s not going to help us now. Urging that those conversations happen and that consultation happens for regulations — and that they be developed, unlike off-road vehicle legislation that was passed in the same act in 2011 and regulations just came forward — so, you know, making sure that we are able to act quickly on this.

With that, I thank the minister and his officials for their time.

**Hon. Mr. Streicker:** So, there are two things that I want to say. I will begin by saying thank you. I support what the member has said just now. I think that one way to think about how we’re getting here is that it came the other way around. It was the work on the regulations that led to the amendment of this act or the proposed amendment to the act that we have in front of us today. I think that work is progressing very well. I’m always amazed at how much time it really takes to do this work. What I can say is that department officials and industry partners and other governments have all been working on this, so let me just give that acknowledgement to everybody who has been involved on it and thank them for their diligence around this work.

The other thing is that this does two things in my mind. It will protect the environment much better than we have. I think it is a new regime. In doing so, we will enable the possibility for some developments which we would never have gotten to because we would say that is too much risk to the environment. This, in my mind, also supports industry to allow the possibility for some projects. Even ones that I have seen working their way through the assessment process now become a different story because of this better control of access which would allow us to protect the environment. I hope that this works on both sides of that equation. That is the intention.

**Chair:** Is there any further debate on Clause 5?

*Clause 5 agreed to*

*On Clause 6*

*Clause 6 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Streicker:** Madam Chair, I move that you report Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, without amendment.

**Chair:** It has been moved by the Minister of Energy, Mines and Resources that the Chair report Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*.

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 (Ms. Tredger):** I will now call Committee of the Whole to order.

### Deputy Chair's statement

**Deputy Chair:** Members are probably aware that the Standing Committee on Rules Elections and Privileges is considering right now gendered forms of address. In the interim, I would ask that members address me in this role as “Deputy Chair” rather than “Madam Deputy Chair”.

### Bill No. 7: *Act to Amend the Family Property and Support Act (2021)*

**Deputy Chair:** The matter now before the Committee is general debate on Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*.

Is there any general debate?

**Hon. Ms. McPhee:** First of all, I would like my colleagues to help me welcome Will Steinburg and Andrea Bailey who are here today to assist with questions that the members opposite might have with respect to Bill No. 7. I will just take a few moments today to thank them for being here and thank them for their work on this bill to get it to the floor of the Legislative Assembly.

In my earlier remarks today at second reading, I reviewed the change that we have made to the *Family Property and Support Act*. The proposed amendment to the *Family Property and Support Act* that we are discussing today is a testament to the government's commitment to modernizing Yukon legislation and ensuring that supports and services in our territory are inclusive and fair.

The Government of Yukon is pleased to move forward with this amendment as it aligns with our priority of maintaining a people-centred approach. Through the proposed amendment, we will ensure that our justice system provides a balanced approach and that our laws meet acceptable standards for equity, fairness, and respect for the rule of law.

Before I discuss Bill No. 7, I would like to take a quick moment to mention what exactly spousal support is and how this service is provided in the Yukon. Spousal support refers to the money paid by one spouse to another spouse or partner after a relationship has ended. In the past, it has also been called “alimony” or “maintenance”. It is usually in regular payments for a certain period of time or indefinitely. In most cases, it is paid in order to fulfill an agreement between the former spouses or to comply with an order from the court.

Following an application, a judge will determine whether a spouse is entitled to receive support. It is not automatic and it will depend on many factors listed in the *Family Property and Support Act*. If the couple agrees that one of them is dependent on the other and entitled to some support, or if a judge makes this determination, the next steps are to determine the amount of the support, the duration of the support, and the form of those support payments.

I would also like to briefly touch on exactly what separation is — what that means — and the importance of a date of separation. Separation means two people who are married or who lived in a common-law relationship but who no longer wish to be in a relationship and are separated. People who have separated do not need a legal document to state that they are separated. The date of separation is often when

obligations to pay spousal or child support begin. The exact day of separation can be a complicated question. It is most often marked when one spouse moves to another residence, but spouses do not have to live apart to be considered separated. For example, former spouses might decide to continue living under the same roof in order to care for their children or for economic reasons even though they are no longer a couple.

If former spouses do not agree, a judge may have to determine the date of separation. This is also an issue if couples separate and then get back together for a period of time or separate again before the relationship is considered to be completely ended. It's not always very clear.

With this context in mind, through Bill No. 7, we are specifically proposing to amend section 37 of the *Family Property and Support Act*. As is currently legislated, section 37 of the act states that an application for spousal support by a common-law spouse must be made within three months of the date of separation. The proposed amendment removes the time limit for spousal support applications by former common-law spouses.

The changing realities of spousal relationships in the Yukon as well as changes to family property laws in Canada means that the proposed amendment to the act is needed to ensure that it is in line with current legal and social norms across Canada. The 2016 census showed that one-third of Yukon couples living together are common law, or 32 percent. This is higher than the national average of 21.3 percent.

The proposed amendment ensures that common-law spouses will have greater access to spousal support in the same manner that married spouses do. The amendment also includes a provision stating that removal of the time limit will only apply to common-law spouses who separate after the amendment comes into force.

I'm pleased to present this change to the *Family Property and Support Act* which will provide common-law spouses with equal access to spousal support and to those who are married.

I look forward to further discussions and to questions on this important proposed legislative amendment.

I should note that this came to my attention — I haven't practised in family law for many, many years, but a local family law lawyer pointed out that sometimes common-law spouses who knew about this, or who were told about it by someone, would literally run off and hire a lawyer to file this kind of spousal support application within the three months, even if the couple weren't yet separated or even if they didn't think that they would need spousal support or that they were eligible for it, but applications were made in order to conserve the right. That is clearly not appropriate. It is a waste of resources, it costs people money, and it is clearly not fair, so we are trying to resolve that here today.

**Mr. Cathers:** I would note that we agree that the current three-month limitation that applies to common-law couples clearly doesn't make sense, and we do support changing it. I haven't heard any concerns with the proposed wording of the legislation in front of us from anyone at this point in time, and I don't have any myself. I would just note that we do have a few questions about the current act, I should say, having heard

from people, including people in the legal community, about other issues with the current act. I would just ask the minister to indicate why the current scope was chosen, why the review of the act was not broader to consider other issues with it, and, thirdly and finally, whether the government plans to do a review and public consultation on the rest of the act to address those other issues that we have heard about.

**Hon. Ms. McPhee:** I should indicate, as I did earlier, that this matter — this rather surgical amendment to the *Family Property and Support Act* — was brought to our attention by the local legal community, and the unfairness was very evident once we took a quick look at it. There were no other matters brought to our attention, so if the member opposite has other matters that he thinks need reviewing in this piece of legislation, we would be happy to hear about them. I encourage him to write to me so we can take a look, but the amendment that is before the Legislative Assembly is particularly surgical because it was to fix this one element of the *Family Property and Support Act*, without recent complaint about anything else, and we don't have a plan to review it in the near future.

**Mr. Cathers:** I appreciate the information. I also would just ask the minister to clarify what consultation occurred on this proposed wording. Again, as I noted, I haven't actually heard concerns from Yukon citizens regarding the proposed wording, but I am just asking for information about who was actually consulted about the policy change and the proposed wording of this legislation.

**Hon. Ms. McPhee:** There was no formal consultation process undertaken with respect to this amendment. It was clearly an amendment that was unfair to what we now know was 32 percent of the population in the territory — and for no valid reason and out of line with other family-property and support type of acts in other jurisdictions — so no formal consultation process was undertaken with the public. However, the Department of Justice did engage an expert consultant who is an experienced practitioner in family law in the territory to help with the policy considerations and ultimately to help with the work that was done in the department to draft the amendment.

**Mr. Cathers:** I will at this point conclude my questions and pass it over to the Third Party for any questions that they may have.

**Ms. Blake:** I just wanted to ask: When referring to common-law partners, does this common-law partner include Yukoners who live in same-sex relationships?

**Hon. Ms. McPhee:** Thank you for the question. Yes, it would apply to everyone who might be in a common-law relationship, and in the event that a same-sex couple was in a common-law relationship and ultimately separated, this would apply to them as well.

**Ms. Blake:** Do we have a length of time that individuals are together before they are considered to be common law? Some say three months or six months.

**Hon. Ms. McPhee:** It's a great question about what constitutes a common-law relationship. The amendment will apply to all individuals who separate from a common-law

spouse, including those in same-sex couples, as I've mentioned, after the changes come into effect.

Section 37 of the act describes common-law spouses as either of two persons who, not being married to each other, have cohabited in a relationship of some permanence. So, there's no timeline in this piece of legislation.

In this case, "cohabit" means living together in a conjugal relationship, whether within or outside of marriage. There is no requirement for individuals that live in that relationship — that they be of the opposite sex. You can see from the wording that this is also fixed and inclusive.

There are other pieces of legislation that note that common-law relationships are after one year, but certainly there is an argument here, in this piece of legislation, to be made that, if somebody cohabited in a relationship of some permanence, it wouldn't have to be past a year.

I think I can just give you a couple of examples of acts that do indicate one year, if that is of interest to you: *Dependants Relief Act*, *Estate Administration Act*, *Wills Act*, *Enduring Power of Attorney Act*, *Fatal Accidents Act*, *Maintenance Enforcement Act*, *Public Guardian and Trustee Act*, *Adult Protection and Decision-Making Act*, and *Vital Statistics Act*. So, you will see that there are many pieces of legislation here in the territory that do require common-law spouses to have lived together for 12 months. This one doesn't — I think there is a bit more leeway there — but generally, that is the accepted practice.

**Ms. Blake:** So, would it be determined later on, with a time frame of when couples will be considered common law? I'm confused. Will that be indicated in the act at some point?

**Hon. Ms. McPhee:** Sorry, Deputy Chair — I didn't quite hear all of the question, but I am wondering if it is: Will 12 months be put into the *Act to Amend the Family Property and Support Act (2021)* as a limitation? The answer to that is no.

**Deputy Chair:** Is there any further general debate on Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*?

Seeing none, we will proceed to clause-by-clause debate.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Title*

*Title agreed to*

**Hon. Ms. McPhee:** Thank you, Deputy Chair. I move that you report Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*, without amendment.

**Deputy Chair:** It has been moved by the Minister of Justice that the Chair report Bill No. 7, entitled *Act to Amend the Family Property and Support (2021)*, without amendment.

*Motion agreed to*

**Deputy Chair:** The time being 5:30 p.m., the Chair will now rise and report progress.

*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**

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 7, entitled *Act to Amend the Family Property and Support Act (2021)*, and directed me to report the bill without amendment.

**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.

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

*The House adjourned at 5:31 p.m.*

**The following sessional paper was tabled October 15, 2021:**

35-1-17

*Yukon Development Corporation 2020 Annual Report*  
(Streicker)

**The following documents were filed October 15, 2021:**

35-1-8

*Yukon Energy 2020 Annual Report* (Streicker)

35-1-9

Energy Retrofit Loan Program/Better Buildings Program, letter re (dated October 6, 2021) from Dan Curtis, Mayor, City of Whitehorse, to Hon. Richard Mostyn, Minister of Community Services (Dixon)



# Yukon Legislative Assembly

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Number 16

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Monday, October 18, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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** — Emily Tredger, MLA, Whitehorse Centre

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Ranj Pillai	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### 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
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

### LEGISLATIVE STAFF

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Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Monday, October 18, 2021— 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 changes which have been made to the Order Paper. The following motions have been removed from the Order Paper as the motions are outdated: Motion No. 126, standing in the name of the Leader of the Third Party; and Motion No. 90, standing in the name of the Member for Watson Lake.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Pillai:** Mr. Speaker, I would ask my colleagues here in the Legislative Assembly to give a warm welcome to some individuals who are here for the tribute today on national Small Business Week. From the Department of Economic Development and our policy and communications, we have Damian Topps, Jason Seaton, Kim Brown, Lisa Eddy, Aparna Verma, and Bryce Aubrey. As well, from the Whitehorse Chamber of Commerce, we have Susan Guatto, Andrei Samson, and Bernie Hoeschele. I believe Albert Drapeau from the Yukon First Nation Chamber of Commerce is also listening in today. Please give them a warm welcome.

*Applause*

**TRIBUTES**

**In recognition of Persons Day**

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government to speak about Persons Day. In August 1927, a group of five amazing and determined women met in Edmonton to sign a letter petitioning the Supreme Court of Canada to determine whether the government could appoint a female senator. The matter quickly became known as the “Persons Case” because, at that time, only qualified “persons” could become senators, and the Canadian government interpreted that to be only men.

The Supreme Court heard the case and upheld the government’s position; however, the five famous women who became known as “The Famous Five” were undaunted. They petitioned the Privy Council to rule on the matter. Off they went to London where the case was heard. On October 18, today, in 1929, Lord Sankey announced the court’s decision that the word “person” would, in fact, include women.

It seems like a common-sense approach prevailed. Sankey stated — and I quote: “The exclusion of women from all public

offices is a relic of days more barbarous than ours, and to those who ask why the word person should not include females, the obvious answer is, why should it not?”

During this Women’s History Month, it is essential that we speak and remember the names of these women and teach them to our children. The Famous Five were Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby. Each was a true leader in her own right. One was the first female magistrate in the British Empire, one was the first woman elected to any legislature in the British Empire, and one was the first female Cabinet minister in Alberta and the second in the entire British Empire, and there are so many other examples of their leadership, including working to create legislation for the protection of women’s rights and property. They did this all before they were even considered a “person” under British or Canadian law.

Separately, Mr. Speaker, these five women were champions of the rights and welfare of women and children. They worked hard and changed our society courageously in the face of prejudices and the resistance of the day. They identified a path forward for improvements, and it took their efforts and success to change the world for us all.

*Applause*

**Ms. Clarke:** I rise on behalf of the Yukon Party Official Opposition to recognize October 18 as Persons Day.

While there are a number of milestones that women in Canada have reached with respect to their participation in political and public life, Persons Day is one of the most regarded and recognized. The *British North America Act of 1867* used “persons” to describe a group of people, and “he” was used in reference to a singular person.

For this reason, it was argued for many years that a woman was, in fact, not considered a person. Only a man was a person and therefore only a man was afforded many rights. Governments, courts, businesses and more leaned heavily on this definition to keep women out of positions of importance. Only a man could qualify for many positions.

Many have heard of the Famous Five but may not be aware of the lengths they went to in order to challenge conventional views and effectively change Canadian history. These five women — Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby — have become prominent figures in our history by advancing their case through the Canadian courts to the highest court of appeal for Canada. That case was simple: for women to be considered “persons”, for women to be included in the legal definition of “persons”, thus giving women full rights and participation in all aspects of society.

October 18 marks the date in 1929 that the British Privy Council pronounced women as “persons”.

I will close with a quote by Emily Murphy in 1931: “We want leaders today as never before, leaders who are not afraid to be called names and who are willing to go out and fight. I think women can save civilization. Women are persons.”

*Applause*

**Ms. Tredger:** Mr. Speaker, I rise today on behalf of the Yukon NDP to acknowledge and celebrate Persons Day. Today marks an important and hard-won fight by the Famous Five: Emily Murphy, Nellie McClung, Irene Parlby, Louise McKinney, and Henrietta Muir Edwards. These women fought for something that seems intuitive to us now, but every step toward women's equality was fought for.

In 1927, the Persons case argued to include women in the definition of "person" in legislation. After two years in the highest level of court appeal, the case was won. I'm a product of this case just by standing here and talking to all of you about it in the House.

Of course, the work only benefited some Canadian women. It was not until 1960 that all indigenous women had the right to vote in Canada — 1960 — 33 years later. It's a stark reminder that the experience of being a woman is not universal and that we must explicitly consider all women in our activism.

It has been almost a century from that first court decision, and it's not just inclusion that we're after. In the third wave of progressive feminism, we have to think beyond inclusion. These women laid the foundation and it's up to us to continue to build on it. At the end of the day, how we treat, speak about, and enact legislation that affects women is much more important than just saying a few words about Persons Day.

As people who serve the public, it's our responsibility to not just include women but to hear women — all women — to prioritize their stories, to understand their experiences, to make actionable change when it is called for. It's also about our capacity to change. Progressive feminism is constantly evolving. So, when we make the wrong choice, having the capacity to apologize and change course is also an act of feminism.

Thanks to the Famous Five, these conversations will continue to grow and stretch into different parts of our lives. We look forward to continuing to uphold these values in this House and outside of it, alongside all of you.

*Applause*

### **In recognition of Small Business Week**

**Hon. Mr. Pillai:** Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to Small Business Week, which is recognized across Canada from October 17 to October 23.

For more than 42 years, the Business Development Bank of Canada has coordinated this national celebration of entrepreneurship and their significant contribution to our economy. I would also like to note, and thank, the Business Development Bank of Canada for providing one of their senior team leaders for this country, Mr. Thomas Park, who is helping the Yukon to identify our priorities through our innovation strategy and our innovation work that's ongoing right now.

The past 18 months of the pandemic have changed how we all live and do business. From growing labour shortages to supply-chain disruptions, Canadian entrepreneurs have needed to focus on innovation, inclusion, and sustainability to maintain their growth.

For a small business working to recover from the COVID-19 pandemic and its broad economic repercussions, supporting local has become more important than ever. Yukon businesses have demonstrated resilience and creativity in adapting to changing public health measures and finding new ways to go above and beyond for their customers. Some pivoted their operations out of necessity, while others invested in reimagining their businesses. New ways of doing business were adopted, including curbside pickup options, deliveries, and e-commerce.

Economic activity in the Yukon remained strong in 2020 in part because of these efforts. Retail sales totalled \$885 million, an increase of 2.3 percent compared to 2019. In 2021, things look even better this year for the retail sector.

The construction industry — primarily residential construction, with its many small- and medium-sized businesses — has been booming, with 657 new or converted dwellings built in 2020 and a further 579 in January through September 2021.

Yukon's mining industry is also creating significant opportunities for small businesses in its supply chain.

Mr. Speaker, I would also like to take a moment to thank our chambers. Through the last year and a half, folks like Susan, here with us today from the Whitehorse chamber, have been leaders. The Yukon Chamber of Commerce as well — the Yukon First Nation Chamber of Commerce and the Yukon Chamber of Mines have been intermediaries in many cases in helping us to communicate with business but also providing us with great direction.

These are challenging times, and we all need to recognize the needs of small business. We applaud the resilience and determination. In recognition of this week, we are working to create a business resiliency award to recognize those businesses that not just survived these turbulent times, but thrived — a great idea from the private sector to the department.

As the Yukon's entrepreneurs continue to focus on recovery, I again encourage all Yukoners to look for opportunities to buy local, spend local, and support local. I challenge Yukoners to go out to their community — whether it be in Whitehorse or one of the other communities — in the Yukon and find a business that you have not been into. Go in, and investigate and support. Spend some money there and support local businesses.

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition to recognize national Small Business Week, from October 17 to 23. The theme for 2021 is apt: "Seizing the opportunity to build the way forward". Every one of us has a favourite small business that they cater to and that they visit regularly — a coffee shop, a specialty shop, or a bakery. This year especially, our Yukon small business owners and staff deserve extra recognition and thanks for the tremendous job that they have done adapting to an uncertain business landscape. Most have overcome obstacles that we never pictured having to face. They did it with a strong

entrepreneurial spirit and acted with imagination and creativity to keep their doors open.

We know that many of these changes that businesses have had are here to stay. All have been faced with adversities, such as having to rely heavily on technology in the digital world. A year and a half ago, who knew that Zoom meetings would be considered normal? Many have had to enforce new regulations, learn new ways, train staff, and also deal with repercussions.

As the pandemic is still causing havoc, more difficulties will come but also opportunities. A sincere thank you to all of our Yukon entrepreneurs and small businesses. If Yukoners would like to show their appreciation during this Small Business Week, visit a local business. We have all heard the phrase “Shop locally”. Well, I would add: “Please shop locally”. These small business owners are our neighbours, our supporters of charity and community. Whether it is your favourite shop or somewhere you have never been, we encourage you to purchase a gift, schedule a service, and just say hello.

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to national Small Business Week. When I think of small businesses, the first thing that comes to mind is the Fireweed Market. If anyone doubts that Yukoners love their local businesses, they just need to come at 2:45 p.m. to look at the dozens of people lining up to get in before the market has even opened. As the Member for Whitehorse Centre, I am so proud to tribute the many, many small businesses in my riding. With a quick walk through downtown, you can buy cheese, bagels, any number of delicious meals, art, books, clothing, bicycles — I could go on. I love the unexpected partnerships like coffee shops and music stores together in the same space.

I love their community support, like the yarn store’s donation jars for local charities. I love knowing that this is a place where people can, with immense hard work, make their dream project into a reality, because behind every small business is a dream.

It doesn’t stop at Whitehorse Centre. Across the territory, Yukoners are boldly taking risks to start and continue small businesses. Some have been in their families for generations; some are just taking their first steps. In our rural communities, businesses face unique opportunities and challenges. There is no doubt that the last year and a half has been tough on small businesses like never before. We want to thank every business owner who has persevered through these challenging times and thank every Yukoner who has and continues to support our local small businesses.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Clarke:** I have for tabling *Yukon Youth Panel on Climate Change 2021 — Our Recommendations, Our Future — 27 Programs and Policies to Embolden the Yukon’s Climate Action*.

**Mr. Cathers:** I have for tabling today a letter to the Minister of Health and Social Services regarding Moderna and Pfizer booster shots for Yukoners 65 and older.

**Ms. White:** I have for tabling a letter dated August 31, 2021 to both the Premier and the acting chief medical officer of health entitled “COVID questions from Yukoners”.

**Speaker:** Are there any reports of committees?

## REPORTS OF COMMITTEES

**Mr. Dixon:** Mr. Speaker, I have for presentation the first report of the Standing Committee on Public Accounts.

**Hon. Mr. Clarke:** I am the Chair of the Standing Committee on Appointments to Major Government Boards and Committees, and I have for presentation the second report of the Standing Committee on Appointments to Major Government Boards and Committees.

**Speaker:** Are there any further committee reports to be presented?

Are there any petitions?

## PETITIONS

### Petition No. 3

**Mr. Cathers:** I have today for presentation the following petition — I would just note that, in keeping with the Standing Orders, I will be replacing the name of a member in it with her title.

This petition is to the Yukon Legislative Assembly.

This petition of the undersigned shows:

THAT it took the Government of Yukon 21 months to communicate to parents about a former teaching assistant charged and convicted of the 2019 sexual assault of a student at Hidden Valley Elementary School;

THAT the Government of Yukon did not communicate to parents about the sexual assault until after the media reported on it in July 2021;

THAT this failure to communicate meant that other alleged child victims of the sex offender who have since come forward, did not get the support they needed in a timely manner from their parents and health professionals;

THAT the Minister of Education at the time, the Deputy Premier, and the Department of Education knew about the sexual assault and did not communicate it publicly, as demonstrated by documents acquired through the *Access to Information and Protection of Privacy Act*; and

THAT anyone not taking a child-centred approach to delivering education in the territory should face real-world consequences for their actions or inaction;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Deputy Premier to clearly disclose to the public when she was made aware of the 2019 sexual assault at Hidden Valley Elementary School, and what direction she gave Department of Education officials — including any direction regarding communicating about this serious incident to parents.”

I should note, Mr. Speaker, that the petition has somewhere between 300 and 350 names on it.

**Speaker:** Are there any bills to be introduced?

## INTRODUCTION OF BILLS

### Bill No. 10: *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be introduced and read a first time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 10, entitled *Act to Amend the Territorial Court Judiciary Pension Plan Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 10 agreed to*

### Bill No. 9: *Act to Amend the Cannabis Control and Regulation Act (2021)* — Introduction and First Reading

**Hon. Mr. Pillai:** Mr. Speaker, I move that Bill No. 9, *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now introduced and read a first time.

**Speaker:** It has been moved by the minister responsible for the Yukon Liquor Corporation and the Yukon Lotteries Commission that Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 9 agreed to*

**Speaker:** Are there any further bills for introduction?  
Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Yukon government to recognize that the use of third doses of Moderna for people 65 and up is expected to be granted approval by Canadian regulators soon by taking the following actions:

(1) moving quickly to make third doses available to Yukoners aged 65 and up who wish to receive them as soon as that use has been approved; and

(2) providing Yukoners with a timeline for when they can expect to be able to receive a third shot, if they wish to do so.

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

THAT this House urges the Government of Yukon to recognize that a key part of being able to heat homes with wood and reduce fossil fuel emissions by converting to biomass heat is the ability of local woodcutters and haulers to operate without government erecting barriers that prevent them from harvesting wood in the Yukon and from hauling wood on our highways.

**Ms. Van Bibber:** I rise today to give notice of the following motion:

THAT this House urges the Minister of Education and the Minister of Highways and Public Works to report on which woodworking shops in Yukon secondary schools are currently shut down because they lack functioning dust-collector systems and provide a definitive timeline on when they will be reopened.

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

THAT this House urges the Yukon government to offer emergency support to the Government of Nunavut and the City of Iqaluit in dealing with their state of emergency due to contaminated water.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to address the impending shortage of firewood by working with the Yukon Wood Products Association to:

- (1) relieve the backlog of commercial permits; and
- (2) review the *Forestry Act*.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### COVID-19 vaccine and safety measures

**Hon. Ms. McPhee:** On Friday, our government announced important new measures to address the COVID-19 situation. These are coming forward now in light of the changing landscape that is all around us. The Northwest Territories and the State of Alaska have each dealt with a widespread resurgence of COVID-19. Schools throughout the country have been impacted by cases, including here in the territory, and our case count has been increasing in recent weeks. Vaccination remains our best protection against all forms of COVID-19. It is about protecting all Yukoners, including our children and youth who are not yet eligible to be vaccinated.

The Yukon’s acting chief medical officer of health has provided new recommendations to address the current situation that will increase vaccination rates while ensuring that we can continue to protect all Yukoners. Our government is planning the logistics around how we implement these recommendations, which will introduce major changes to

ensure our territory remains healthy, safe, and protected against the current risks associated with COVID-19.

The Government of Yukon will soon require all Yukon government employees and all front-line health care workers in the territory to be fully vaccinated. Mandatory vaccination will apply to all public servants, including teachers, as well as those who work in hospitals, long-term care homes, medical clinics, and allied health care settings. It will also apply to employees of our partners that the government funds to provide services to vulnerable populations and those in congregate living situations such as group homes, shelters, and the Whitehorse Correctional Centre.

We need to do everything we can to stop the spread of COVID-19. As the territory's largest employer, the Yukon government has a duty to lead by example and do our part to keep Yukoners safe. This mandatory vaccine requirement will allow us to ensure a safe working environment for our employees, including our health care workers, while protecting the health and safety of the members of the public whom we serve every day.

This requirement will come into effect on November 30. This will ensure that those who have not yet been immunized will have enough time to receive both doses of vaccine before the requirement comes into force. Proof of vaccination will also soon be required to access non-essential services and attend events in the Yukon. This includes bars and restaurants, live music events, and theatre performances.

Proof of vaccination will also be required in order to participate in recreational activities for those who are over 12 years old, including all organized sport leagues. This requirement will also come into place on November 30.

Proof of vaccination will not be required to access essential services like a grocery store, pharmacies, libraries, or banks. Government officials are working with businesses, stakeholders, and those impacted by this requirement to address concerns and answer questions.

These mandatory vaccine and proof of vaccine requirements are based on the recommendations of the acting chief medical officer of health to limit the spread of COVID-19.

**Mr. Dixon:** Mr. Speaker, let me say at the outset that I, and the Yukon Party caucus, firmly believe in vaccination as the best tool to protect Yukoners from COVID-19. I believe that the vaccines that are available to Yukoners are safe and effective and offer us the best opportunity to move forward and beyond COVID-19. I strongly urge all Yukoners to get vaccinated.

I do not, however, support making vaccines mandatory. I am also concerned that the proof of vaccination system that the Liberals are planning is flawed. However, it is clear that the announcement that was hastily made on Friday was not just about the health of Yukoners or the rates of vaccination; it was a politically motivated attempt by the Liberal government to distract Yukoners from the mounting scandal related to the sexual abuse of children at the Hidden Valley School. It is an attempt to distract from the role of the Deputy Premier in that scandal, as well as her refusal to answer any of the many

questions that have been put to her by parents, media, and the opposition.

After a disastrous first week in the Legislature, where it became crystal clear that the Deputy Premier was aware of this abuse and made the decision not to tell parents, the Liberals were desperately seeking to change the channel. It was only last month that the Premier spoke publicly about vaccine mandates and denied that a vaccine mandate was coming. I will quote from a September 7 CBC article. I quote: "... the Yukon government has no plans to bring vaccine mandates to services, or for government staff."

As recently as October 8 — just 10 days ago — the Public Service Commissioner informed the YEU and the YTA that no decision about vaccine mandates had been made, and yet, last Friday, the government made a rushed announcement with no clear plans, no answers to any of the many questions that have been asked, and no consultation.

So, what has changed since October 8? Well, I think that any Yukoner who has been following the Legislature or the news knows the answer to that question. It's the growing scandal involving the Deputy Premier. It's the lawsuits that have been launched against the Liberal government. It's the petitions with hundreds of signatures that have been tabled here. It's the public letters that have been written and the growing number of parents and families that have been insulted and offended by the shameful conduct of the Deputy Premier and the fact that the Deputy Premier has over and over refused to answer even the most basic questions about what happened. She has hidden behind the current minister, even though the current minister admits that she had no knowledge of the matter. The Deputy Premier has tried to hide behind the so-called "independent investigation" and even tried to foist blame on the RCMP. That's what has changed, Mr. Speaker, and that's what prompted this announcement that was clearly rushed and not thought out.

We have many questions and concerns that we hope to raise about this announcement, but we will not stop asking the Deputy Premier about her role in the sexual abuse scandal until she answers the questions and takes responsibility. We will not stop seeking answers and accountability. So, I urge the minister to use her response to start answering the many questions that have been put to her by parents, families, the media, and the opposition about when she found out about sexual abuse at Hidden Valley school and why she did not inform parents.

**Ms. White:** Mr. Speaker, I remember when news of the coronavirus was making its way into headlines in early 2020. Those headlines became worse as the days went on, and the reality of the situation slowly but surely reached us. I feel like one of the lucky ones, as a friend who is far smarter than me told me to get ready for the long haul — that this wouldn't just be a matter of a few months but for a much longer period of time.

Even with that knowledge, the last 19 months have been hard. In the last 19 months, Yukoners have made sacrifices and changed their behaviour, but despite all of these sacrifices, we are grappling with another wave. Since the beginning, there

have been different schools of thought on how we should proceed. There are those who urge for caution or those who say that it's no worse than the flu. These perspectives are complicated, and they are rooted in different experiences and understanding. But one thing is certain: If the Yukon government wants folks to understand and buy into the decisions that are being made, they need to get better at communicating.

When the government lifted the mask mandate and other measures back in August, folks were concerned. People reached out for more answers, and I shared three pages' worth of questions from Yukoners in a letter sent to the government. I am still waiting for a reply six weeks later.

When restrictions were lifted here, other jurisdictions were reinstating them. Since then, most provinces and territories have again mandated masks in public spaces, but here it has only been strongly recommended. BC requires masks in all public indoor settings for those ages five and up. Alberta requires masks in all public indoor settings including students in grade 4 and up.

Saskatchewan has an interim mask mandate for public indoor settings from September 17 until late October, until the vaccine has been in place for three weeks in that province. In Ontario, masks are required in all public indoor spaces for those ages 2 and up. Québec too has a mask mandate, and both NWT and Nunavut require masks indoors. Yet in Yukon, where we have more cases per 100,000 than both British Columbia and Ontario combined, we're just like Manitoba — still no mask mandate.

Is the Yukon's *Public Health and Safety Act* in line with other Canadian jurisdictions, or does it need to be reviewed and strengthened? The acting CMOH is telling us that the Delta variant is the main variant in the Yukon and that we need to reach a higher rate of vaccination. So, we're facing another outbreak. On a weekly basis, we've now had outbreaks at schools where children are not vaccinated and outbreaks in mine sites and workplaces where we know that at least a few people have been fully vaccinated, so folks have many questions.

According to the Health Canada website, 75.5 percent of eligible Yukoners have received two doses of the vaccine, and yukon.ca says that 84 percent of Yukoners 18 and older have received them and that 76 percent of 12- to 17-year-olds are fully vaccinated. So, what is the true rate of vaccination for all eligible Yukoners? What is the calculated herd immunity threshold for Yukon? What is the threshold for vaccination to achieve herd immunity in Yukon? How many more Yukoners need to be vaccinated to reach the herd immunity threshold? How long will vaccine passports be in effect? How will government support small businesses to enforce these requirements? Do childcare workers who work with children under 12 fall under this mandate? Will all childcare workers need a proof of vaccination? Has the Yukon government designed the city transit service as an essential service?

Mr. Speaker, these last 19 months have been a lesson in learning on how to listen to each other, no matter which side of

the argument we're on. Ultimately, the Yukon NDP want us to keep each other safe, and we'll work toward that goal.

**Hon. Ms. McPhee:** Mr. Speaker, these new vaccine requirements are based on the recommendations of Yukon's acting chief medical officer of health. Our government has been consistent in our response to the pandemic. We always follow the science.

When we get new recommendations from the office of the chief medical officer of health, we announce them so that people will know what she has said and what changes might be coming that might impact their lives. Mr. Speaker, that is the responsible thing to do.

We have acknowledged that there are many logistical details to work out as we move toward November 30. Of course, our government is committed to undertaking that work with our partners. The chief medical officer of health makes recommendations and the government, in accepting those recommendations, proceeds to operationalize them.

These measures will increase vaccine rates while ensuring that we can continue to protect all Yukoners from the spread of COVID-19 because the vaccine remains our best protection against all forms of COVID-19.

Mr. Speaker, we need to work together as a territory to protect the health and safety of all Yukoners, including our children and youth who are not yet eligible to be vaccinated. I am pleased to hear that the other parties — the opposition parties here in the House — seem to support vaccination but don't seem, unfortunately, to support this move. We need to do everything we can to stop the spread of COVID-19. As the territory's largest employer, the Yukon government has a duty to lead by example and do our part to keep Yukoners safe.

The new mandatory vaccine requirement will allow us to ensure a safe working environment for our employees, including our health care workers, while protecting the health and safety of members of the public whom we serve everyday. Officials are currently working on these new requirements and how they can be implemented under the *Public Health and Safety Act*. We will provide more information in the coming weeks.

This requirement will come into effect, as I have said, on November 30. This will ensure that those who have not yet been immunized will have enough time to do so. Proof of vaccination will also soon be required, as I have said, for non-essential services and to attend events in the Yukon where there have been many notifications, recently, of problems. This requirement will also be in place on November 30.

We recognize that this requirement will impact many businesses, stakeholders, and organizations. Government officials are working with those impacted by this requirement to address concerns and answer questions. Officials have reached out to the business sector, the tourism sector, and the arts and heritage sectors last week. Meetings are happening this week to address questions and gather feedback. I should say that there is much support from those stakeholders for this decision.

We are committed to working in partnership with the private sector to implement these new requirements. Again, the new vaccine requirements are based on the recommendations of the acting chief medical officer of health. These measures align with steps being taken in jurisdictions across the country — we have heard from the Leader of the Third Party — where they have had to deal with similar logistical considerations, but I note that the Yukon's management of COVID-19 has not required us to go back and forth — to close schools and open schools and have mask mandates and remove them. The management has been steady and decisions have been based on science.

The simple fact is that we need to take action to increase vaccination rates and keep Yukoners healthy and safe, and that is what our government is doing. I urge the Members of the Legislative Assembly to see their way clear to work together.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Dixon:** As we have discussed several times, in late 2019, the Department of Education became aware of sexual abuse of a student at Hidden Valley Elementary School. At the time, the department and the school staff wanted to do the right thing and notify parents. They even wrote a letter to notify parents. However, then the Deputy Premier got involved and the decision was made not to tell parents. As a direct result of the Deputy Premier's negligence in ensuring that the parents were notified, several victims went unidentified for over a year and a half. That was over a year and a half that they went without justice or support.

So, Mr. Speaker, can the Deputy Premier finally tell why she never ensured that parents were notified?

**Hon. Ms. McLean:** I once again, for the fifth day, rise humbly to speak to the devastating matters that happened in 2019. I have been clear that when I speak, I speak to the families, I speak to the children, and I speak to Yukoners about the impacts of what has happened here, which is why, again, I will speak to the steps that we are taking.

I have launched an independent review of the Government of Yukon's response to the situation at the Hidden Valley school, which again, is a commitment that I made directly to the families of the children, particularly those who were impacted directly by this situation.

I am happy to say today that the independent reviewer, Amanda Rogers, is in the Yukon this week, starting the ground work on this review. I am very committed to ensuring that all of our departments work closely with her and that our families, our school community, and others who need to be part of the review are part of the review.

**Mr. Dixon:** What the minister forgot to mention is that the independent investigation does not include interdepartmental discussions between the ministers. It doesn't include the Cabinet confidences and what was discussed between the former minister and the current minister.

So, here is what we know. Last week, the media asked the Deputy Premier if she was aware of the sexual abuse of a child at an elementary school while she was minister. In response, she said, "Absolutely". We also know that, in 2019, the department and school staff wanted to do the right thing and notify parents, but when the draft letter got to the Deputy Premier, a decision was made not to send it. We also know that, in March 2020, the Deputy Premier received a briefing note about the sexual abuse in an elementary school. Finally, we know that, despite being aware of this for over a year and a half, the Deputy Premier did not tell parents. She did not tell even the new Minister of Education, and now she won't give any answers at all to the public.

Does the Deputy Premier recognize that, as a direct result of her negligence, several children who were victimized went unidentified and without supports for over a year and a half?

**Hon. Ms. McLean:** I have been clear all along that this independent review will look into our internal and interdepartmental processes related to these allegations of child abuse and the response of the Department of Education staff. It will include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communications. That is particularly a very important key aspect — the communications — to address serious incidents in Yukon schools. This will include reviewing how the departments of Education, Health and Social Services, and Justice work together to respond to serious incidents in schools and interact with the RCMP.

I will point, Mr. Speaker, to the terms of reference that I tabled in this House and that are guiding the independent review. In item 4, there will be a finding of fact related to the responses of the Department of Health and Social Services, Department of Education, and Department of Justice to the incidents in 2019 at the Hidden Valley Elementary School. I have been clear to the investigator to go where the investigation needs to go. That is what I am committed to.

**Mr. Dixon:** I think that all Yukoners know where this investigation needs to go; it needs to go to the Deputy Premier.

It's clear that the Deputy Premier was aware of the sexual abuse that occurred in the elementary school, but then, instead of telling anyone about it — instead of notifying parents so that they could talk to their children — the Deputy Premier did nothing. Instead of answering questions, the Liberals have hidden behind this so-called independent investigation and have even tried to foist the blame on the RCMP. In fact, the so-called independent investigation is being conducted by an Outside lawyer who was hand-picked by the minister and given a sole-source contract. It doesn't include what happened in 2020. It doesn't look at what the Liberal Cabinet or caucus did, nor why the Deputy Premier never told anyone.

By excluding what the Deputy Premier knew, and what she did and did not do, and by not including any review of why the Deputy Premier told no one about this in 2020, it's clear that this so-called review is nothing more than a smokescreen.

Will she stop hiding behind this sham of a review and start answering the questions that Yukoners have put to her?

**Hon. Ms. McLean:** Mr. Speaker, again, I made a commitment directly to families and the school community to do a comprehensive review, which is what we are doing.

Mr. Speaker, I have the utmost faith in the individual who has been hired and who comes to us with a tremendous amount of experience. I have committed to ensuring that this review will go where it needs to go. Of course, it will include where we are from 2019 to where we are today. That's a commitment that I have made. There will be a finding of fact related to the responses of the Department of Health and Social Services, Department of Education, and Department of Justice to this incident — and bringing us to where we are today. Yes, it focuses on 2019 and moves us along to where we are today.

There will also be recommendations for improving government-wide policies and procedures to better support Yukon — the Yukon school community. I have committed to having this review done by January 31. As I said here today, I'm pleased that the individual conducting this review is here in the Yukon this week.

#### **Question re: Sexual abuse in elementary school**

**Mr. Cathers:** Thank you, Mr. Speaker. Last week, the Deputy Premier told media that parents and families from Hidden Valley school just want to move on and stop talking about this issue. Since then, we've heard an uproar of voices to the contrary. Parents have written open letters, some have gone to the media, and now there is a petition signed by hundreds of Yukoners before the Legislature urging the Deputy Premier to finally stand up, come clean, and start providing answers about her role in this.

So, will the Deputy Premier respect the voices of parents and families and start answering the questions that have been put to her? Why did parents and families have to learn about what happened on the news so long afterward instead of hearing directly and promptly about it from the minister and the Department of Education?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker. As the Minister of Education for the Yukon, I am taking the steps that we need to take to get to the bottom of what happened in 2019. I have launched an independent review, as I've stated here today a number of times already.

I will continue to talk about that review, because that is exactly where the answers are going to come from. My commitment is to be transparent and to ensure that families and the school community receive the answers that they are seeking.

Mr. Speaker, I want to ensure that this will be a broad, comprehensive review that will bring forward the answers that folks need. In the meantime, I am committed to working with the families to ensure that they have the supports they need right now and to be respectful also that there are matters currently before the court. We have families navigating something very difficult in the court system. My focus will be on ensuring that they have the supports they need through all of our departments — through the departments of Education, Health and Social Services, and Justice.

**Mr. Cathers:** Mr. Speaker, the Deputy Premier's refusal to answer even the most basic questions about what happened, when, and why is not going over well with Yukoners. Yukoners know that the questions we have been asking are reasonable questions about why the Deputy Premier did not notify parents, and they are not legal questions. They are about what the minister knew and what actions she did or did not take. They are the kind of questions that we do not need the sham of an independent review to answer.

So, will the Deputy Premier stop hiding from accountability and start answering the important questions that have been put to her?

**Hon. Ms. McLean:** Mr. Speaker, I am very confident in the individual who has been hired to do this independent review. I think that parents need to have the confidence in that as well, which is why I really take exception to the comments that the member opposite has brought forward in his preamble in this question. We have committed to finding the answers to the questions that folks are asking. Casting a shadow over a process that is underway — we also have a process that includes the Child and Youth Advocate who is doing a review as well in terms of the Department of Education's policies and procedures and actions taken in 2019. We also have an independent review that the RCMP is conducting on the investigation that happened in 2019. The RCMP have been very forthcoming in talking to Yukoners about what they didn't do in 2019, which was to interview all of the potential victims in this case.

**Mr. Cathers:** Last week, the Deputy Premier told media that parents and families affected by this at Hidden Valley school just want to move on. Then she admitted that she had never actually even spoken to parents. The minister trying to put words in the mouths of parents has not gone over well with anyone. A petition with hundreds of signatures from Yukoners has been tabled in the Legislature, calling on the Deputy Premier to answer the questions that have been put to her.

Why did she not ensure that parents were notified? Why did the December 2019 letter not get sent? Why did the former Minister of Education keep this issue from the current Minister of Education? Will the minister respect the wishes of parents and families and start answering the many questions that have been put to her — that only she can answer — questions that have been put to her by parents, by both opposition parties, and by the media?

**Hon. Ms. McLean:** Mr. Speaker, again, I think that it is really important to point out to Yukoners and, first and foremost, to the families of the children and the school community that there are important steps being taken now. These steps include three reviews that I have talked about today. We have launched the independent review. We are working with the Child and Youth Advocate with the review that she is conducting and there is an RCMP review into their investigation in 2019. These are, in fact, where the answers will come from. I will release this report — the one that I am responsible for — to the families and children of Hidden Valley school, the school community, and to Yukoners. I think that is where the answers will come from.

Again, I want to focus on and point to the supports that are necessary right now for those who have been directly impacted and those who are continuing to navigate the criminal court system, the civil court system, and other regards. I look forward to continuing to talk about those supports.

**Question re: Sexual abuse within elementary school**

**Ms. White:** Last week, the Minister of Education responded to questions about Hidden Valley school saying that supports were in place and that physical changes were being made to the school. The same day, I received e-mails, texts, and photos saying that it wasn't the case. I apologize for asserting that the minister had seen these photos. I have since forwarded these pictures to the minister, showing that these physical changes were in fact far from being completed. These changes need to happen not only in Hidden Valley but to all schools in the Yukon.

Will the minister confirm that the Department of Education has undertaken safety audits in all Yukon schools to ensure the safety of all Yukon students?

**Hon. Ms. McLean:** Mr. Speaker, I think that folks have heard me say repeatedly — I have had a lot of opportunity to speak about safety in schools — there is nothing more important than the well-being and safety and protection of students when they are in our care.

We are certainly focused on taking the needed steps to rebuild the trust. Thank you very much for the question brought forward and thank you also to the Leader of the Third Party for forwarding the correspondence from the parent at Hidden Valley with these important questions. I've forwarded that on to my department to ensure that it's thoroughly investigated and reviewed. I will get back to the member opposite, specifically about the safety audits in all schools, but, again, I think that these steps — I know that there were immediate steps taken in the school and a number of changes and protocols that were made directly in 2019. I think that we're always striving to do better. I will report back on the findings from my department when I have them.

**Ms. White:** Mr. Speaker, it's also about the need for systemic changes to Yukon education. Families and students are looking for real support. The minister has briefly mentioned wellness resources and education support on topics like sexual health and reporting sexualized abuse. The minister also assured this House that there are other supports available, including an on-site social worker and the involvement of public health nurses. But parents are telling me that they lack the support they need for themselves and that their children still lack the support that they need in class and in school.

Can the minister confirm — yes or no — if these supports have been in place and are easily accessible? If she chooses to answer yes, why do I still have parents telling me that they can't access the supports that the minister is referencing?

**Hon. Ms. McLean:** I want to first start by saying that if there are any concerns particularly around safety practices in any schools and how staff are interacting with students, this should be brought to the attention of the school administration

immediately. This helps to ensure a timely response. I just wanted to start by saying that part and then get into the supports. I am told that the supports are available to families and staff, including on-site support coordinated by the school community consultant, who is a trained social worker.

I have gone over this a number of times in terms of supports. There are also referrals to other support services that are being facilitated as needed, such as through Family and Children's Services, Mental Wellness and Substance Use Services, and Victim Services. Particularly under Victim Services, we have had a lot of referrals to project Lynx, which works directly with children of sexual abuse. In terms of child and family, we have also had access to counselling as well as long-term individual and group counselling. I would like to continue on to finish my response to the member opposite. Thank you.

**Ms. White:** Mr. Speaker, maybe the minister and the department can reach out to parents with those concerns.

We have heard from the minister over and over again about how the independent review, including the review that will be commissioned by the Yukon government, will look at the policies and procedures of the Department of Education. Let's be clear about one thing: This whole ugly situation has been mishandled from the start. To make it worse, the government keeps hiding behind reviews instead of taking responsibility for all of its actions now.

The former Minister of Education told the press that questions about who knew what and when will be answered by the independent reviews. Can the Minister of Education explain why she thinks it is appropriate to ask for Yukoners to pay for an independent review of the facts when her government could start sharing that information now, instead of making families wait for months to get the answers?

**Hon. Ms. McLean:** Mr. Speaker, I am very committed to the independent review and, of course, supporting the Child and Youth Advocate and supporting the RCMP review. I think that this is where we will get all of the questions answered and not have any fragmented information going out to Yukoners. I want to ensure that the whole view is given through this review, which is why I think that it is important to launch an independent review that will ensure that all of the questions that we have had leading up to this legislative Sitting and beyond are answered and answered thoroughly.

I will continue working with the school community, the families, and the children around whatever supports they need, and I am committed to that.

I have been following up directly with my department to ensure that those supports are in place. I really do want to know, Mr. Speaker, if there are family members who are feeling unsupported. That is not something that I support. I want to see them get what they need to move through this.

**Question re: Affordable housing**

**Ms. Tredger:** There are currently hundreds of Yukoners on the wait-list for housing. There are hundreds more Yukoners who go uncounted — from couch surfing to camping. This issue is so much bigger than this government is willing to

admit. While there are units being developed for the future, the people who don't have housing need it right now, especially in the midst of a fourth wave of COVID.

What is this government doing to house Yukoners right now?

**Hon. Mr. Pillai:** Mr. Speaker, first I would just like to clarify — this government is not taking the situation lightly. As it was in the preamble to the question — it touched on the fact that we are not understanding the magnitude of this — it couldn't be further from the truth. Actually, we are very committed to dealing with a very significant problem that is in place right now. That is partially why we brought all of our stakeholders together to look at every opportunity we can to support those who are in need.

It is true, Mr. Speaker, that we have a very extensive wait-list for Yukon housing at this particular time, and my office has directed the Yukon Housing Corporation to look at all available options for us as we go into the winter — for those in need — even with some of the challenges that we see with potential displacement today.

Again, we continue to look at a number of projects. The \$20 million that we have received from CMHC that was negotiated as well as the \$20 million that was negotiated by the previous minister is funding a number of projects and projects that are to be completed and opened to support those who are on those wait-lists.

I look forward to questions two and three, and we will go through a number of other strategies that we are deploying at this particular time.

**Ms. Tredger:** Mr. Speaker, this government has failed to regulate housing, allowing hotels and short-term rentals to run housing however they like. People need housing so, more often than not, they have no choice but to accept whatever conditions are being imposed. For Yukoners living in short-term rentals like hotels and Airbnbs, there is virtually no protection or certainty.

What protections is the minister putting in place to protect Yukoners living in hotels or other short-term rental units from eviction?

**Hon. Mr. Pillai:** So, our work to increase the amount of affordable housing in Yukon broadly falls under three areas. First of all, we are continuing to support over 1,000 households through our community housing programs, which include our employee housing, our rent geared to income, and our rent supplement.

As well, we are continuing to offer incentive programs, such as the housing initiatives fund, the rural home ownership loan program, and the municipal matching construction grant. Again, we are continuing to work with a number of our partners at all levels of government. There are a number of First Nation government and community projects that are underway, from Mayo to Whitehorse to Watson Lake. All one has to do is just walk out of the main administration building and they will see the 47-unit building that is being put in place on Jeckell Street.

So, again, we do work with the Department of Health and Social Services, which, in some cases, will use short-term agreements in place to house folks, if needed, in hotels. But

what I am hearing today from the NDP is a request, I think, to start to move to regulate relationships between folks within hotel spaces, so I would like to hear more about that because that sounds a bit concerning.

**Ms. Tredger:** Time and time again, we have heard from Yukon tenants about just how vulnerable they feel. Frankly, rental protection should be the number one priority for this government, pandemic or not, and yet countless tenants are still being evicted from their homes. In mobile home parks, that vulnerability is even worse. I have heard so many stories from folks all over the Yukon who are on the edge of homelessness. People deserve better.

Can the minister tell us what this government is doing to protect tenants from unfair evictions and unfair treatment in the midst of the fourth wave of the pandemic?

**Hon. Mr. Pillai:** Thank you, Mr. Speaker. Again, we stand by the work and the legislation that is in place, which balances both the supports for tenants but also the supports for landlords. Again, we have seen unprecedented supports being put in place. Our subsidy program that we put in place, providing people with either \$200, \$400, \$600, or \$800 in grant form — and again, using our current budget to top that up —

It goes without saying that we understand that there is a challenge at this particular time. We have had very impressive growth in our economy. We have seen population growth moving over anything that was identified over the last decade here in the Yukon. All one has to see is that we're one of the fastest growing provinces or territories in the country. All of those variables are leading to more pressure.

Again, I thank the Yukon Housing Corporation for looking at all opportunities. I thank those who work under Community Services, which actually oversees the relationships between those renting and landlords. I think they continue to do good work.

Again, we're going to work with others like the Anti-Poverty Coalition to ensure that everyone, the most needy — we understand what their needs are and we have the right supports in place.

#### **Question re: Sexual assault in elementary school**

**Mr. Dixon:** The former Education minister knew about what happened at Hidden Valley and did not live up to her responsibility as the leader of the education system to ensure that parents were made aware. Now the former minister is refusing to come clean about when she found out about the abuse at the school and why she did not notify parents.

Last week, when asked by media if she had responded to any requests to meet with parents, she said — and I quote: "I haven't received any requests from families to do that."

Well, a CBC story from Friday evening directly contradicts the Deputy Premier's claim, as at least one parent has said publicly that they have requested a meeting with the minister.

Can the former Minister of Education tell us why she did not give accurate information to the media?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker, and I thank you for the questions regarding Hidden Valley school and the interaction with parents. I myself met with the

families on September 22 in a closed meeting, which I was invited to. I have continued to ensure that the school community knows that I am available to continue to meet with them, which is what I intend to do. I have also committed to a restorative process that will take us into an area of moving into a place of healing around this and ensuring that the parents who rightfully have all of the concerns that have been raised here in the Legislative Assembly — and that the concerns that they have relayed directly to me — are heard and that we are moving forward together.

I know that's difficult. There is nothing more difficult than having your child harmed. There is nothing more difficult. It's actually, in my opinion, every parent's worst nightmare to entrust their child to anyone and then have them harmed. So, I take this seriously.

**Mr. Dixon:** Mr. Speaker, it's clear that the former Minister of Education did not live up to her responsibilities to ensure that parents were made aware of the sexual abuse that occurred at the school. The former minister did not do her job. As a result of this failure to do her job, victims of abuse went unidentified for over a year and did not receive justice or support. How did the Premier respond to this massive failure of duty and responsibility to parents? Well, he promoted her to Deputy Premier.

Can the Premier tell us: When he promoted the former Minister of Education to Deputy Premier, was he aware that she had made the decision not to inform parents of the abuse that occurred at the school?

**Hon. Mr. Silver:** Mr. Speaker, again, this is an extremely devastating situation to everybody involved. My ministers have acknowledged that mistakes have been made and that there was a breakdown in trust between us, the Department of Education, Hidden Valley Elementary School, the parents, the teachers. They have apologized to the community, the parents, and that is not enough. That's why we are doing the independent review. That's why the Child and Youth Advocate is doing the review. All of these answers will come out in those reviews. We have taken the steps to get to the bottom of what happened and ensure that we make the system better moving forward. We have to. We absolutely have to. Our government is absolutely committed to rebuilding that relationship and to rebuilding the trust and the strength of our education system. I know that the Yukon Party wants to be the judge and the jury. We will allow the independent review to answer all questions and make sure that this issue — this devastating situation — does not go without response to the parents, to the families, to the educational community.

**Mr. Dixon:** Mr. Speaker, with all due respect to the Premier, he didn't answer the question that I asked, which is: When he decided to promote the former Minister of Education to Deputy Premier, was he aware that she had made the decision not to inform parents about what happened at Hidden Valley school?

When did he learn of this, Mr. Speaker? Those are the questions that Yukoners want answers to, and they shouldn't have to wait for a number of months for an independent investigation to get those answers.

So, let's ask the Premier, Mr. Speaker: When did he learn of what happened at Hidden Valley school, and did he know about it when he decided to promote the Minister of Education to Deputy Premier?

**Hon. Mr. Silver:** Mr. Speaker, again, what families and what Yukoners need to know is that the Minister of Education has launched an independent review, and our government will be fully supporting the questions asked to make sure that we get, at the end of the day, the response necessary for the parents, for the children, for the school community, to make sure that these issues are addressed.

This review will involve parents and guardians, as well as partners, agencies, and organizations, with the goal of understanding what occurred and to make improvements to ensure that our education system is protected, that our schools and students are protected, and that the support in the school community is protected. This is the commitment that the Minister of Education has made.

The member opposite has already decided who is responsible. We will let an independent, non-biased individual and the Child and Youth Advocate be the determiners of that. We will completely — 100 percent — support all of their questions in that pursuit.

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

### **Government House Leader's report on length of Sitting**

**Hon. Ms. McPhee:** Mr. Speaker, I rise pursuant to the provisions of Standing Order 75(4) to inform the House that the House Leaders have met for the purpose of achieving agreement on the maximum number of sitting days for the current Sitting.

I am informing the House that the results are that there shall be a maximum of 31 sitting days, with the 31<sup>st</sup> sitting day being Thursday, December 2, 2021.

**Speaker:** Accordingly, I declare that the current Sitting shall be a maximum of 31 sitting days, with the 31<sup>st</sup> sitting day being Thursday, December 2, 2021.

We will now proceed to Orders of the Day.

## **ORDERS OF THE DAY**

### **GOVERNMENT BILLS**

#### **Bill No. 6: *Act to Amend the Safer Communities and Neighbourhoods Act (2021)* — Second Reading**

**Clerk:** Second reading, Bill No. 6, standing in the name of the Hon. Ms. McPhee.

**Hon. Ms. McPhee:** Mr. Speaker, I move that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Justice that Bill No. 6, entitled *Act to Amend the Safer Communities and Neighbourhoods Act (2021)*, be now read a second time.

**Hon. Ms. McPhee:** Mr. Speaker, the government is pleased to bring forward the *Act to Amend the Safer Communities and Neighbourhoods Act (2021)* for second reading.

The *Safer Communities and Neighbourhoods Act*, or the SCAN act, enables members of the public to file a complaint with the SCAN unit when there is a suspicion that illegal or dangerous activities are occurring habitually on a local property and negatively affecting their neighbourhood community.

The type of activities that the SCAN unit can investigate are identified in the act as a “specified use”, which currently includes prostitution and illegal drug, cannabis, or alcohol activities.

The use of civil remedies increases the public’s access to justice by providing a confidential and timely means of seeking redress and relieves pressure on the territorial law enforcement and court resources. This is a complaint-driven process. These are neighbours who want to keep their community safe.

When the SCAN unit receives a complaint, it supports community safety by responding to the concerns of Yukoners and disrupting activities that are harmful to communities and neighbourhoods. It’s important to note that all SCAN unit activities are initiated by a complaint from a community member, after which the SCAN unit will assess if the complaint can be substantiated. The SCAN unit will only take action if there is evidence of one or more of the specified use activities occurring on the property.

The proposed amendment to the SCAN act will expand the scope of “specified use”. It is quite specific and minute. It will expand the scope of specified uses that the SCAN unit can investigate to include activities related to child sexual exploitation, criminal organizations, and firearms. Our government is seeking to amend the act in light of changes in criminal and social dynamics over the past few years.

We recognize that there is a considerable population of law-abiding gun owners and gun users in the territory. I want to emphasize that the lawful purchase, possession, use, storage, and transportation of firearms are activities that are simply not captured by the proposed amendments. We believe that Yukoners deserve safe, healthy communities wherein the possession, use, and trade of illegal firearms, organized crime, and child sexual exploitation do not exist. Thus, we are pleased to bring forward this bill to the Legislative Assembly.

I would like to add just a bit of information so that Yukoners can be fully aware of these important amendments.

The *Safer Communities and Neighbourhoods Act*, or the SCAN act, was enacted in May 2006 and is administered and enforced by a team of investigators known as the SCAN unit. They respond to complaints from citizens about illegal activities that are having adverse effects on their communities and their neighbourhoods.

Pursuant to the SCAN act, three conditions must be present prior to the SCAN unit taking any action. The activity is included in the act, of course, under a specified use. We are trying to expand the list of specified uses. It is occurring habitually — so it must be ongoing — and it is having an adverse effect on the community or the neighbourhood. The

number of complaints received by SCAN has increased significantly in the last four years, rising from 61 in 2017 to 105 in 2020. So far, in 2021, SCAN has received and investigated 84 complaints.

The SCAN unit can resolve these complaints in many ways. They can address the problem informally with the tenant or with the property owner. They can send a formal warning letter or agreement for providing a verbal warning — that they would cease the illegal activities on the property. They can serve an eviction notice issued by the landlord, and they can apply to the Yukon Supreme Court to close the property for up to 90 days through the community safety order.

In the last five years, the vast majority — 83 out of 115 complaints — were resolved by a warning; 23 of those 115 were landlord-assisted evictions; two were matters that needed a community safety order in the last five years; and one matter went to court. I note that those are important statistics for people to understand.

In addition, I would like to read into the record a quote from Chief Doris Bill. Many years ago now, Chief Doris Bill and her officials and I worked on a case in her community, the first case in which SCAN cooperated with a Yukon First Nation. It was very successful in addressing the community safety issues, which is what it is aimed at.

Chief Doris Bills says — and I quote: “I support the *Safer Communities and Neighbourhoods (SCAN) Act* amendments to include illegal activities related to child sexual abuse and sexual exploitation, gangs and criminal organizations, and illegal firearms.

“I have seen firsthand how drug dealing and illegal activities can devastate a community. It has a ripple effect that impacts neighbours, families, Elders and youth. It makes them afraid to speak up and scared to leave their homes. No one should have to live like that.

“I have also seen firsthand how SCAN legislation can help. SCAN is one tool and we need every tool we can have at our disposal to help Yukon communities deal with illegal activities.

“For our next steps, I would like to see a broader conversation between NGOs and the Yukon government to ensure there are supports in place for the vulnerable people affected by this legislation.”

I would also like to add some information. In support of the work that has been done regarding leading community safety initiatives, our government has been working closely with Gina Nagano, who has been leading safe community initiatives across the territory but focusing now on community initiatives and programming for neighbourhoods in Whitehorse and Yukon. She is very supportive of this bill as well.

Mr. Speaker, I appreciate the opportunity to address the importance of these amendments at second reading, and hopefully it’s supported at this level and we will be able to answer questions as we go forward.

**Mr. Cathers:** Mr. Speaker, I’m rising to speak to this as the Official Opposition Justice critic. I would note that, first of all, the lack of public consultation regarding these changes is a concern. One issue that has been highlighted, not only by us but

also by the NDP, is the fact that the *Safer Communities and Neighbourhoods Act* has not had a public review since it was put in place over 15 years ago. There have been issues and concerns with it, as the members of the government will know, and, as you may know, Mr. Speaker, there is outstanding court action directed at the government regarding this legislation and the use of it.

There have been concerns from advocacy groups, and I have to remind the government that they have a tendency to use a double standard when they roll out arguments on certain days against proposals brought forward by the opposition and then conveniently forget their arguments and do it regarding another matter.

The former Minister of Community Services, the Member for Mount Lorne-Southern Lakes, has previously argued — when we were proposing changes to the *Civil Emergencies Measures Act* to increase safeguards and public oversight, that former minister argued that it was unreasonable to propose amending an act when the government was currently in court with Yukoners over that very act. Fast-forward to today, and apparently that standard doesn't apply anymore for this Liberal government.

The *Safer Communities and Neighbourhoods Act* was brought in 2006. I would note that the reasons for it or the challenge of using a criminal standard — the act has been successful in many ways. However, it is also very important to emphasize and note that there is also a reason for using the criminal standard of “beyond a reasonable doubt”, and that is to provide protection to people who may be innocent from being wrongfully convicted.

The use of the civil standard used by SCAN does, on the plus side, make it easier to go after illegal activities that are harming neighbourhoods — that may be hard to get the proof necessary to meet that criminal standard for — but it is always important to view that area with caution and recognize that, with making it easier for law enforcement and government to take action, there is also some risk of innocent people being hurt in the process when it is falling short of that standard of “beyond a reasonable doubt”.

Again, a couple of our concerns include the lack of consultation with the public and a lack of a review of SCAN. The government should have done both before proceeding with changes here, but I want to note that some elements of the bill that they brought forward contain additions that I believe are worth considering; however, I do have strong concern with the provision that the government has brought forward regarding firearms.

In rising to talk about the background to this, I want to note that, on May 1, 2020, the Trudeau Liberal Cabinet passed an order-in-council reclassifying over 1,500 firearms that had previously been legally purchased as either non-restricted or restricted weapons as prohibited firearms. Also, in dramatic contrast to the tradition here within Canada — unlike previous legislation where, if a firearm was classified as a prohibited weapon, the existing owners were allowed to keep those weapons but not resell or transfer them — this crossed the line

with what they referred to as a “buyback” but is in fact confiscation by a friendlier name.

This step was profoundly upsetting to many law-abiding firearms owners, including here in the Yukon. The legislative amendment to the SCAN act tabled by this territorial Liberal government will make it easier for them to confiscate the very same firearms that the Trudeau government banned through their infamous May 1, 2020 order-in-council. I would note that it is especially important to recognize that many of those firearms, at the time of purchase, were non-restricted weapons.

What this means, through these legislative changes, is that instead of applying a standard set out in the Criminal Code of “beyond a reasonable doubt”, this Liberal government wants to lower the bar and make it easier for them to confiscate these lawfully acquired firearms. Within the federal government's OIC — the infamous gun ban — there was a two-year timeline imposed by which firearms owners who purchased their weapons legally have to surrender their legally acquired private property covered by the ban to government. The Trudeau Liberal government has struggled with figuring out how to implement this confiscation, or the so-called “gun buyback”, and it's important to note that this legislative amendment brought forward by this territorial Liberal government will help the federal government by doing the dirty work for them in firearms confiscation through broadening the powers under the *Safer Communities and Neighbourhoods Act*.

Mr. Speaker, one thing I want to emphasize is that it is not just the Yukon Party or Yukoners who are bringing forward concerns about the Trudeau Liberal government's gun ban. The National Police Federation, which, as you may know, is the union that represents RCMP members, issued a position statement on the subject of the Trudeau Liberal government's gun ban in November 2020.

I am going to quote several relevant parts in their position statement, which, as I mentioned, was issued in November 2020, to help all members understand why this whole issue is not only an issue of property rights and individual freedoms but is also, according to the union representing the RCMP, a wasteful diversion of resources that should be used in other ways to target real crime and real criminal activity.

Mr. Speaker, just for the reference of Hansard, I would note that the statement was issued by the National Police Federation on November 23, 2020, and includes a link to their position statement on the current statement of gun violence in Canada. They should be able to find it there, but if required, I can certainly provide the link.

So, I just want to quote, beginning with an excerpt from the National Police Federation's position statement — which includes, under the area of “Challenges”: “The increase in homicides related to firearms continues to threaten the safety of the public and RCMP Members. Effectively addressing the threat of Canada's growing illicit firearms market and related increased gang violence requires the urgent, efficient, and effective deployment of law enforcement expertise, personnel, and financial resources.

“While the growing prevalence and threat of illegal firearms in Canada is generally acknowledged, data on the origins of firearms is lacking and greater resources are needed to better understand and address this critical issue: The Canadian Firearms Program is responsible for the administration of the Firearms Act; however, does not have the resources to provide effective gun crime tracing and enforcement units. The Canadian National Firearms Tracing Centre processes tracing requests for national and international law enforcement agencies. However, the center does not collect statistics on illegal guns; rather, it determines the history of a gun connected to a criminal investigation and uses that information as potential evidence in court. Further, there is no legal requirement for police to submit firearms for tracing.

“Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed ‘buy-back’ program by the federal government targeted at legal firearm owners, does not address these current and emerging themes or urgent threats to public safety.

“It also does not address: criminal activity, illegal firearms proliferation, gang crime, illegal guns crossing the border or the criminal use of firearms.

“In fact, it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

I just want to briefly repeat two parts of that; I want to emphasize them for the government and for members. The National Police Federation said, again — and I quote: “Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed ‘buy-back’ program by the federal government targeted at legal firearm owners, does not address these current and emerging themes or urgent threats to public safety.”

The second quote is: “In fact, it diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

So, it’s important to note that, in addition to the many Yukoners who are upset by the Trudeau Liberal government’s approach through the gun ban, in fact, RCMP members across the country, as represented by their union, have very similar views on this proposed ban — that it is a misuse of government resources. While this was, of course, primarily directed at the federal government, I would note that the same issue applies here in the Yukon.

I also want to just quote a couple more excerpts from, in this case, the press release issued by the National Police Federation on November 23, 2020, which notes — and I quote: “Although we share a border with the world’s largest manufacturer of small arms, 2,242 illegal guns used in crimes here in Canada last year were traced back to manufacturers in the United States. In fact, three of the four firearms used in the tragic mass shooting in Portapique, Nova Scotia, in April 2020, were obtained illegally in the United States.

“The NPF takes this issue very seriously because, as police officers, we routinely see first-hand how illegal weapons

are directly linked to increased gun violence and, sadly, death,” said Brian Sauvé, President, National Police Federation. “Our recommendations call for a combination of better legislation, better funding, and evidence-based solutions that we believe are necessary to curtailing the proliferation of illegal guns in Canada.”

So, again, what I want to emphasize here for members is that this is not just an issue of citizens who are upset by the Trudeau Liberal government’s order-in-council backed up by the changes that the Minister of Justice has introduced today to make it easier for the Yukon government to help the federal Liberal government to go after those firearms. In fact, based on listening to law enforcement professionals, based on listening to the union representing RCMP members across the country, they are saying that this is not the best use of resources, and, in fact, it diverts those resources from where they could be used better.

I would also note that, as highlighted in their press release and on the front page of the position statement: “The National Police Federation (NPF) supports an evidence-based approach to advancing public safety and the prevention of gun violence in Canada.” To that end, what is very clear is that the evidence does not support the approach taken by the Trudeau Liberal government, which is being supported and executed through the actions of this territorial Liberal government.

That is the reason, Mr. Speaker, why we can’t support this in its current form and do believe that the government has failed to take a couple of actions that are necessary, which are to, first of all, actually do a public review of the *Safer Communities and Neighbourhoods Act* since it has been 15 years since that has been implemented, and we know that there have been concerns raised about it. As I mentioned earlier, in stark contrast to the excuse that the Liberal government previously used for arguing that the *Civil Emergency Measures Act* couldn’t be amended while the government was being sued for the use of that legislation, they don’t seem to have the same concerns regarding the *Safer Communities and Neighbourhoods Act*, which is a little bit of a double standard if you ask me.

I would again emphasize the fact that the key problem — or one of the key problems, I should say — with the approach taken by the federal Liberal government backed up by their territorial branch here is that, in addition to the infringement on people’s property rights, according to the union representing the RCMP, this whole gun ban and buyback in fact “... diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.” That’s a quote from page 2 of the position statement issued by the National Police Federation.

With that, Mr. Speaker, I will wrap up my remarks. I do want to emphasize, as I did at the start, that there are some parts of this proposal and additional definitions that the government is proposing adding that we do think are worthy of consideration. We do have a problem with the lack of public consultation. We do have a problem with the fact that this territorial Liberal government is supporting the Trudeau Liberal government and making it easier to go after firearms

owners who purchase their property legally and have done nothing wrong with it since the time of purchase.

But ultimately, in its current form, we will not be supporting this legislation.

**Ms. White:** Mr. Speaker, I appreciate all different iterations of my title, so it's all right with me.

I think it's important to start the conversation by saying that the *Safer Communities and Neighbourhoods Act* is a blunt tool. It attempts to solve really complex problems in kind of a hammer-like fashion. I totally acknowledge that this was a piece of legislation that was brought forward actually by members of the NDP back in the early 2000s. It was specifically meant to resolve issues with one very specific house on Wheeler Street. Here we are, 14 or almost 15 years later, and it's being used widely across the territory — unfortunately, with devastating effects.

The one big question is: Why is it that a piece of legislation that is so far-reaching has not been reviewed since it was first brought forward and passed in 2006? Why has it not been reviewed? Why are we expanding the scope of the legislation before reviewing it?

I think about housing when I think about the SCAN legislation. I think that the decision to expand the scope of this legislation is possibly reckless, because it will worsen the housing crisis. As it currently exists, the government tells us that the SCAN results — and we heard this in our briefing the other day — results in — and this is a quote — “hardly any evictions” or a couple per year. But those numbers only consider the evictions that happened through SCAN orders. I would expect that, at this point in time, everyone in this House knows and understands how weak the protections from evictions are to tenants. Landlords in the Yukon do not need a reason to evict. With the stigma that comes with a SCAN investigation, countless Yukoners lose housing — at least a whole lot more than the numbers that are being considered by this government.

SCAN investigations support a landlord's claims to end tenancies. The idea that it's just up to the landlord — and SCAN can wash their hands of it — means that the government isn't taking accountability because these are indirect evictions and these are indirect consequences. Putting someone into homelessness is not the solution. Taking a vulnerable person from a situation and making them more vulnerable is not a solution. It is not a solution to a crime, to substance use, or to exploitation.

I think about the fact that if you were to open up common signs of illegal activities taking place at a property — and this is just right off the website: “Frequent visitors at all times of the day and night.” I can tell you that there are friends whom I visit frequently at different times during the day or night, and sometimes I am not on my own there. There may be many of us stopping by. “Many short and suspicious visits to the property” — I definitely have friends where they are definitely short visits. I might be a suspicious person, so I guess they could be suspicious as well.

We have: “Visiting vehicles with many occupants yet only 1 person goes into the residence.” I have a tiny library outside my house. Let me tell you that people cruise up to my house all the time. One person hops out, and they hop back in. It could be suspicious.

“Occupants frequently leaving from the property” — well, I guess if you are visiting, you probably have to leave at some point, so I guess that would be suspicious activity as well.

“Residences with blackened windows or curtains always drawn” — I don't know about members of this House, but my television is in my living room, which also faces my tiny library and a park where children play. If anyone here has watched *Game of Thrones*, they would know that it is not suitable viewing for children. That is an example of why my curtains are always drawn. I also have two dogs and they bark at people outside of the house. My curtains are always drawn, but I guess that could be suspicious activity.

So, what we are doing with this legislation — even when we talk about common signs of illegal activity — is worrisome, because we are encouraging neighbours to police one another and make complaints based on suspicions. That can cause real consequences. I don't think this makes communities safer.

In the same breath, we talk about this legislation that has never been reviewed in all the time that it has been up, and I think it is really fascinating that there is something called the “annual report”. Safer communities and neighbourhoods — and it says the “2019 annual report”, but “annual” makes me think that it should be out every year. It's annual. It should happen every year, but at this point in time, the only one I can find online is from 2019. Is there a 2020 report? Is there a 2018 report? Can I go all the way back to 2007 to see what happened in the first year it was out? Is there a way for me to compare year to year what is going on? But right now, I can say with certainty that there is a 2019 annual report. Maybe that is a stand-alone report. If that is the case, it should say “the 2019 SCAN stand-alone report”.

You know, it is so interesting. My colleague, the Member for Lake Laberge, and I disagree on lots and lots of things. I guess it is no surprise here. It's no surprise to him and it's no surprise to me, but he just highlighted the lack of public consultation around the amendments to this legislation, and I have to say that I agree. I agree for different reasons, but I absolutely agree. That is good; it's on the record; it is in Hansard forever that I agree with the Member for Lake Laberge.

In a briefing for this amendment, it was confirmed that there was zero consultation done on this amendment. Not a single NGO or community partner was contacted, let alone the people who are directly affected by SCAN. No one was consulted on this amendment. I have been told before by the Minister responsible for the Yukon Housing Corporation at different times that it is irresponsible to come into this House without having reached out and asked people what they think about things.

I should have gone through her quote because that was a particularly stinging day in my world. I got chastised for an entire response, but I was chastised because I was told that I

didn't consult with people whom this would affect. I just said that this was an opposition Wednesday back in the winter of 2020, but here we are, and government is moving forward legislation. The government wants to amend legislation, and during the briefing, there was the acknowledgement that there was zero consultation — legislation that was tabled and passed in 2006.

You know, it is worrisome. It is worrisome because we know that, just recently, this legislation has come under scrutiny. We know that there has been outrage when we talk about the mother with the number of children who were evicted, and it wasn't because she was involved in any illegal practice, but it was the perception of being involved. Being evicted with that many children was obviously devastating.

There are so many concerns about this legislation that representatives for Blood Ties Four Directions, the Safe at Home society, the Yukon Status of Women Council, and the Yukon Anti-Poverty Coalition all filed affidavits to the Yukon Supreme Court on August 31 — each and every one of them calling for the *Safer Communities and Neighbourhoods Act* to be reviewed. Each of these organizations is vulnerable because each of these organizations is funded by the Yukon government. Each of them thought that this legislation was so important and it was so critical that it be reviewed that they filed affidavits in the Yukon Supreme Court to highlight their concerns with this legislation. That is a really big deal, Mr. Speaker.

In the briefing, we were told that it is not the people that SCAN investigates; it's the property. This completely ignores the fact that people live in the property. You can't just remove people from the equation. You just displace them then; it doesn't solve the problem.

I had a conversation with Blood Ties Four Directions, and they said: "You know, when there is a house, we support people who are working at harm reduction." They said that there are times when it is safer for people — and in this case, those who are being investigated for drug reasons — when there is a place where there are harm reduction tools — so, the crackpipe kits, the naloxone kits, et cetera. The van knows where to go. They build relationships with people accessing that space, and it's not ideal — no one says that it is ideal, but when that house disbands, we're displacing people. We are displacing the problem. It is not going away.

Women's organizations have pointed to a dangerous part of the legislation that hasn't been touched on, and that is that, under the current SCAN act, one of the reasons for an investigation is prostitution. That word is outdated in Canada for lots of reasons — so many reasons. The term that is being used now by those who practise is actually "sex work", because prostitution has so many other connotations with it. I am sure that the Minister of Justice is well aware that, under the federal legislation, the act of sex work itself is not illegal, just the solicitation of it.

The term "prostitution" is outdated. It is dangerous, and it is a sexist description of sex work. It ultimately leads, in this case and with this legislation, to sex workers losing housing,

making them even more vulnerable. It is just piling vulnerability upon vulnerability.

When we look at this legislation — and I remember the conversations that were happening in the community in 2006 when this was being brought forward. A good friend of mine was behind it. Todd Hardy — they were trying to deal with a really complicated situation. This looked like the answer. I appreciate the quote that the Minister of Justice read from the Chief of the Kwanlin Dün First Nation. There is no doubt that this at times can be a very helpful tool, but the problem is that, without a review, we don't know what works now and what doesn't work. We know that the situation in the world in 2006 and the situation in the world in 2021 are substantially different.

We have all sorts of acts. The *Child and Youth Advocate Act* is a good example. It says that it must be reviewed every five years. Well, I can say that we have done a terrible job of that, but it is finally on the docket to be reviewed. But this legislation has no review clause — none. It means that at times the government can make decisions to add things, but it is not being reviewed in its entirety. Although the Member for Lake Laberge and I have very different opinions about why it should be reviewed, the commonality is that we both think it should be reviewed. Unlike the Member for Lake Laberge, I am interested in moving into Committee of the Whole because I want to ask those questions. I want to understand why these decisions were made.

Back between 2011 and 2016, the *Liquor Act* was brought forward. There was an amendment to make drinking in public in Mayo against the law. We asked at the time why they didn't want to remove the word "Indian" from the act.

Why wouldn't we update the language? We were told, at the time, that it just was too much work at the time to update all of the language in the act, and that, I have to say, was offensive. We were talking about the *Liquor Act*. There was an opportunity; it was open. Let's fix it.

Well, Mr. Speaker, here is the opportunity. There has been an amendment brought forward to update the *Safer Communities and Neighbourhoods Act*, all without review, so I want the justification. I want to understand why. Saying that this will help address a whole different set of situations doesn't acknowledge the harm that it does. It doesn't talk about the unintended consequences.

I read the description of what you could do when you were — possible illegal activities. Again, I was challenged that, at times, it would look like I was doing things in my house that were against the law. So, asking neighbours to police each other doesn't lead to safer communities. This doesn't encourage that.

Also, in that same flipside, I acknowledge 100 percent that there are times when I would not encourage people to have the conversations with the neighbours that they are worried about. Absolutely — call in the professionals for that. But, as it stands, there are lots of questions around it. I look forward to hearing from the minister in her response, but I do look forward to having that conversation in Committee of the Whole.

With that, Mr. Speaker, I will take my seat.

**Speaker:** If the member now speaks, she will close debate.

Does any other member wish to be heard?

**Hon. Ms. McPhee:** Mr. Speaker, there are a couple of things that I should address. I'm going to start with the concept of the court case that has been referenced by both members opposite. I appreciate their comments, but it's important for Yukoners to know that the court case is a challenge to one specific section of SCAN that actually supports landlords and enables them to shorten a period of time of notice if they are doing so with respect to an eviction. In addition to that, that matter will be resolved through the court process.

I appreciate that affidavits have been filed with respect to that, but I think that it's important that we have this conversation about SCAN — a broader conversation — but that is not what this bill is about.

I think the Member for Lake Laberge talked about arguing against CEMA, when the court case was there, and the changes to CEMA — I should note that, at that time, my colleague, Minister Streicker, brought forward the motion to create the CEMA review select committee —

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

#### Point of order

**Speaker:** The Member for Lake Laberge, on a point of order.

**Mr. Cathers:** Mr. Speaker, the Minister of Justice just referred to the Member for Mount Lorne-Southern Lakes by his name, which, of course, is contrary to our Standing Orders.

**Hon. Ms. McPhee:** My apologies, Mr. Speaker. I should have made reference to “the Minister of Community Services” or “the Member for Mount Lorne-Southern Lakes”. I'm sure everyone knows who I am talking about.

He brought forward the motion to create the CEMA review select committee and voted for it on October 6, 2020. We did not argue against reviewing CEMA because of a court case.

Mr. Speaker, it is true that this legislation was brought into force with the dedication of resolving issues and focusing on safety of communities and neighbourhoods. Let's be clear. What we are doing here is adding three new specified uses. We are adding three activities to the “specified use” definition in SCAN. Those activities are horrible crimes. Consultation that is considered necessary by my colleagues — I question as to whether or not the focus of those horrible crimes would be necessary.

Let me say that both my colleagues have agreed that this legislation is useful, and that is why we have brought these surgical amendments. A full review of the act — a larger review of the SCAN process — that is a good idea. That is not what we are talking about here. What we are talking about here is surgical amendments so that those activities could be part of the SCAN opportunities, or possible investigations.

We also have to be clear that these investigations that come from SCAN are complaint-driven. They resolve, going forward, when there is habitual behaviour and when it is a

specified use. I am sorry that the Leader of the Third Party was making light of the important work done by the SCAN unit to make neighbourhoods safer. Individuals have been evicted — certainly, they have — with their landlord's implications and assistance through this process. The vast majority of cases in the last five years have been resolved through warnings. The vast number of cases do not result in evictions of any kind.

I think that we also have to turn our minds to the idea that living next to a drug dealer puts children at risk, puts neighbourhoods at risk, and puts communities at risk. I know that the comment that came from Chief Bill was a result of her experience with that — of finding needles on the front lawn, of having kids playing next door, of having the safety of her community taken into account and challenged.

Mr. Speaker, the proposed amendments to the SCAN act will expand the scope of specified use that the SCAN unit can investigate if there is habitual behaviour, if there has been a complaint, and will add the activities related to child exploitation, criminal organizations, and firearms — illegal firearms' manufacture and use. It will, in no way, be the mysterious support that the Member for Lake Laberge has connected to federal legislation regarding firearms.

These changes, as I have said earlier, will not affect the legal ownership of firearms, nor will it affect the legal possession, use, sale, purchase, storage, or transportation of firearms. This amendment will only apply to firearms-related activities that are currently illegal under the *Criminal Code*.

The Member for Lake Laberge had quite a well-researched submission on this bill. It spoke primarily of the federal programs, and the focus here, with this bill, is about adding three horrific crimes to specified use to help Yukoners to be safer in their communities and in their neighbourhoods.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Clerk:** Mr. Speaker, pursuant to the sessional order adopted by this House on October 12, 2021, Motion No. 84, the Member for Mount Lorne-Southern Lakes is participating in today's proceedings by teleconference.

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Disagree.

**Mr. Kent:** Disagree.

**Ms. Clarke:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. Van Bibber:** Disagree.

**Mr. Hassard:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. White:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are nine yeas, eight nays.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 6 agreed to*

**Bill No. 202: Second Appropriation Act 2021-22 —  
Second Reading — adjourned debate**

**Clerk:** Second reading, Bill No. 202, standing in the name of the Hon. Mr. Silver; adjourned debate, Mr. Dixon.

**Mr. Dixon:** Mr. Speaker, it's a pleasure to continue my comments on this supplementary estimates bill that is before us today. As I began to explain when I spoke to this last time, I'll focus my comments on a number of departments that aren't included in the bill, because this is the only time we'll have to make comments on those departments, and we'll focus on, in particular, a few issues within each of them.

I appreciate that I will be able to ask — that all of us will be able to ask — questions on these in Committee, but, of course, this will be the only opportunity I have to speak in the main Assembly about this at this point.

First of all, Mr. Speaker, I note, in the Premier's presentation of this, the significant increase in net debt as a result of this bill, so, obviously, I have general concerns as well.

Without too much about the implications of the bill, I want to focus on a few specific departments.

Let me begin with the Yukon Liquor Corporation and the cannabis corporation, which don't have appropriations in this budget. Obviously, since the House has returned, we have a new minister for the Yukon Liquor Corporation, which is interesting. Of course, the previous minister spent a lot of time talking about a number of issues in the department, so I would appreciate hearing an update from the minister in Committee when he gets a chance.

One of the issues that I'm interested in hearing about is the review of the pricing structure that is being launched by the corporation. My understanding is that, over the period of COVID support, there has been a broader discussion about a more comprehensive review of the pricing structure for products in the Yukon Liquor Corporation. Since COVID measures have been in place, there have been a number of supports that have been provided to licensees by way of a percentage wholesale discount. That wholesale discount, I understand, either has recently changed or will change very soon, and it will be reduced from the rate that it was at during COVID to a lower rate. My understanding from speaking to a number of licensees is that there was a fairly comprehensive review being undertaken that looked at products, looked at wholesale pricing, and looked at categories. Ultimately, a lot of work was done over two years to come up with a new system, but my understanding is that all of that work has been set aside and the decision was made to simply go with a flat-rate, wholesale discount instead.

When we get into Committee, I would like to hear from the minister about that decision and about whether or not that comprehensive review that was undertaken, which a number of licensees put a lot of work into, will be actually utilized or if it will simply be focused on the current policy approach, which has been to offer a uniform wholesale discount.

I am also interested to learn if there is further COVID-related relief that is planned. Obviously, for licensees here in the capital of Whitehorse, business has close to resumed to some amount of normalcy, but I do know from speaking to a number of rural licensees that ongoing support would be welcome and needed.

I know that the tool that the government has used so far to support licensees has been the wholesale discount and not something that is more targeted at individual businesses in rural parts of the territory. To that end, Mr. Speaker, I would be interested in hearing if the new Minister responsible for the Yukon Liquor Corporation is considering any sort of specific supports to licensees outside of Whitehorse who continue to feel the negative impacts of COVID-19 on their businesses.

Another issue that I have heard about from some brewers is the idea — and something that is being looked at in other provinces — of delivery. In various ways across the country, there is a system of brewers being permitted to allow for direct delivery of their product to their customer. That is not, to my understanding, done currently and it is not allowed in the territory. It is something that has been expressed by some breweries as a point of interest for them, and so I am curious to hear from the minister at the appropriate time if they are looking at something to do with delivery for brewers.

The last piece on the liquor side — I know that there are a number of trade issues related to alcohol and the trade of alcohol in the country that have occurred over the last few years. In particular, there has been a lot of discussion, through the CFTA and its various working groups, about the issue of alcohol. This is obviously something that transcends both the Yukon Liquor Corporation and the minister's other department, Economic Development, which I will turn to in a few minutes as well.

Essentially what I am looking for is whether or not the Yukon government is advancing any sort of initiatives at the trade table with regard to alcohol. I know that access to Outside markets is a very important aspect for some brewers here in the territory. In particular, I know that Yukon Brewing has had some struggles with access to the market in Alberta. They previously had a fairly strong footprint in Alberta, but as a result of a variety of decisions that have been made, they have reduced the amount of business that they have been able to do in Alberta. I would be interested to hear from the minister if he has spoken to any brewers and is pursuing any initiatives with regard to trade and access to markets outside of the Yukon for our local breweries.

As well, I know that there are a number of proposals at the CFTA — the *Canadian Free Trade Agreement* — level with regard to personal exemptions. I know that a decision was taken, presumably by the Premier at the Council of the

Federation, to not do away with the personal exemption limit, and some provinces did make that decision.

I understand — from the media, at least — that the Premier had indicated that it was due to some of the circumstances here in the Yukon — for instance, the alcohol bans that are in place in certain communities in the Yukon. I would like to hear, if possible, when we get into Committee, about that decision and whether that is something that would be revisited at some point.

Within that field, I will turn to cannabis. I do note that, just today, there was a bill to amend the *Cannabis Control and Regulation Act*, which came as a surprise to me, so I do confess that I don't fully know exactly what the bill, which was tabled today, will accomplish, but I do note from a cursory overview that it is related to e-commerce, which is a very good step. I am happy to hear that. One of the issues that I was going to raise was the availability of e-commerce to cannabis retailers.

I note that, over the course of the pandemic through emergency order, the former minister allowed cannabis retailers to access e-commerce channels for a fixed period of time. That was then taken away when the ministerial order to that effect was rescinded. Since that time, a number of cannabis retailers have been seeking that the issue be revisited.

Now, if the bill that was tabled today — I note that we haven't been briefed on it yet — accomplishes that, I'm sure I will be supporting that bill, but I look forward to getting into that on a different day.

Another issue related to cannabis sales is, of course, the pricing structure. I know that there was a commitment made in April 2019 by the former minister to review the pricing structure. My understanding is that retailers are still waiting for that, and so I look forward to hearing from the current minister about what the current timeline is for the comprehensive price review for cannabis products. In particular, I know that the government markup aspect of the pricing in Yukon — at least according to some I have heard from — is one of the highest — if not the highest — in the country. So, I think that if we want to incentivize and encourage our legal cannabis industry to compete with the illegal industry, we need to do everything that we can to support them and ensure that they have the pricing tools available to them to do that.

Speaking of that, Mr. Speaker, the overall model is something that we would like to see reconsidered when it comes to cannabis. I know that the direct-to-retailer model of distribution is one that we would prefer, and I think that is the case in several other provinces. In particular, I find the model in Saskatchewan to be a far better model that would allow for increased growth in the industry.

One of the issues that came up earlier in the stages of legalization was the availability of product. I know that the corporation has done a lot of work to improve the availability of product by signing additional agreements with other wholesalers, but I would like to hear an update on that.

There are two other issues to do with cannabis, Mr. Speaker. The first is the inability of local companies to offer loyalty programs for cannabis sales. For instance, if you are a large multi-jurisdictional business that operates in the Yukon, they oftentimes offer loyalty programs. If you buy a

certain amount, you are eligible for non-cannabis-related rewards — movie tickets, hockey tickets, and those types of things. That's something that's not available to solely local businesses but is available to the bigger chains. That is something that I have heard about.

The last piece, Mr. Speaker, is in relation to advertising. Cannabis retailers in Yukon are not able to advertise in the same way that other businesses are. Some of that is because of federal legislation, but some of it is, of course, because of the *Cannabis Control and Regulation Act* of Yukon. I think it's something that should be addressed.

An example that I've heard in the territory is that a retailer of cannabis cannot offer to sell a t-shirt or so-called "swag" that is labelled with their business in the store, but they can sell it in the building next to them at the very same store that they also own. That's something that seems to be fairly nonsensical, so I would like to see that addressed.

Moving on, Mr. Speaker, I know that my time is short. Another department that we won't have a chance to speak to is the Department of Economic Development. I raised a few trade-related issues earlier. I do have some questions for the minister about the new consolidated super fund. I'm curious how the new consolidated fund is working and whether or not there have been uptake issues already and, if so, what sort of results have we seen from the new fund and whether or not it has been effective at achieving the goals that were set out for it early on.

I have another series of trade issues as well, Mr. Speaker, that perhaps I can get into in Committee, but I think it's sufficient to note today that I'll be raising those with the minister, perhaps in Committee.

I have a number of questions about the implementation of the CFTA and some of the ongoing work being done by working groups at that table. I do have a number of questions about the Panache investment that was made by the department in the previous Legislature. I know that, at the time, there were a number of questions for the minister about the structure of that deal — some of the policy frameworks within it which were made, or lack thereof, I should say. I look forward to hearing an update about whether or not the outcomes have been achieved that were intended. In particular, has that company been doing regular visits to the Yukon? Have they developed a local presence? And, since then, has the department developed any sort of new framework or policy to deal with future requests like this for investment?

I know that the First Nation development corporations, who were partners in this deal, certainly have done well from the deal, and I would like to hear if the Yukon government has had a similar return on their investment.

I realize that I am running short of time, Mr. Speaker, so I will note, as well, for the Minister responsible for the Public Service Commission, that I will have a few questions related to that department. I am particularly interested in the relocation policy and the funding that is provided to prospective employees for relocation and whether or not we have seen an uptake in that budget line item over the years. I am just flagging

for the new minister that I will be interested to hear about that issue.

In Committee, my colleague, the Member for Kluane, will have a number of questions on the Environment file for the new minister, so I look forward to getting to those questions as well. I won't cover them off today.

With that, Mr. Speaker, I want to offer to the ministers of those respective departments a heads-up that those are the kinds of questions that we will ask, and if we aren't able to ask them sufficiently through either debate today on this bill, or in Committee on this bill, we will just follow up with written questions, because we know that those departments won't appear before the Legislature with their deputy ministers and ministers, like the other departments that have line items will.

I hope that my colleagues across the way can take notice of some of the questions that I have highlighted and perhaps offer to provide some of those answers in due course.

With that, I will conclude my remarks on this bill and look forward to getting into Committee.

**Ms. Tredger:** I want to speak a bit about the priorities that I see in this budget, because that is to me what a budget is about — it's about laying out priorities. There are any number of things we can spend our money on, but where we choose to spend our money shows what our priorities are for the Yukon. I want to talk about the priorities that I've been hearing about from Yukoners. There are many, of course, but the two that come up over and over again when I speak with my constituents is housing and climate change.

Earlier, I talked about how much we can do on the policy front related to the housing crisis. It is clear to me that, while this government is certainly throwing a lot of money at lot development and is scrambling as fast as they can to increase housing supply, this government has not tried to have a conversation about how tenants in this territory are protected, about how home investment is out of reach and how people are going to find housing. Developing more homes doesn't help anyone if other issues aren't fixed. Having four, five, six, seven, or more hundred-thousand-dollar homes doesn't help Yukoners who are housing insecure.

Before we start encouraging more Yukoners to build their investment portfolio, we need to make sure that all Yukoners who don't have houses and can't afford to own houses still have access to homes. Why is this government prioritizing wealthy Yukoners who want second or third properties before Yukoners who actually need a safe, warm place to live? This is Poverty and Homelessness Action Week here in the Yukon. For Yukoners who are on the verge of homelessness, affording a new property in Whistle Bend is out of reach. We need to make sure that everyone has solutions.

Can the government tell me what we are doing in this budget for tenants or for low-income Yukoners to afford a house or to help Yukoners move out of dangerous situations in hotels and into long-term housing? Has there been any thought given to make the residential tenancies office a helpful, accessible place for tenants? I have to say that there is not much that I see agreement on between tenants and landlords, but what

they do agree on is that the residential tenancies office is not helpful to anyone.

How is this government incentivizing developers to build affordable housing? How are we encouraging housing to stay affordable, as prices continue to skyrocket? I have heard lots from the government about the future possibility of a community land trust. I would really like to know where that project is at, because those are the ideas that come from the NGOs from our community that I think have the real potential to keep housing affordable for everyone.

I also want to turn to climate change, which is an overarching concern for so many Yukoners. I worry when I look at a budget like this that we are trying to fix climate change with a technological solution, as if it was a technological problem. To counter that, I want to read just the first statement of the Yukon Youth Panel on Climate Change report. They say that they prioritize "... reconnection and sustainable relationships with the land and people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity."

That is what I hope to see in a budget. That is what I hope to see — not more money for quick fixes.

They just released their report late last week, so I would not expect to see its calls to action addressed immediately, but I would hope to see these in future budgets. Some of those include education. They have talked about having free tuition at the Yukon University so that all Yukoners can be educated and have the power of education behind them as they fight for climate action.

They talk about increased resources for land use planning, increased resources for climate change investments within the Yukon government, so that everything can be looked at through a climate lens.

They talk about separating the enforcement work that is currently done by Energy, Mines and Resources to an independent body, rather than having Energy, Mines and Resources investigating their own projects.

These are the priorities that Yukoners have, and these are the priorities we need to see reflected in this budget. I look forward to a further conversation about how we can make sure these priorities are reflected in the budget.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Silver:** Mr. Speaker, I would like to thank all the members in the government, the Official Opposition, and the Third Party who made comments today and over the last week on second reading of our *Second Appropriation Act 2021-22, Supplementary Estimates No. 1*.

Yukoners sent us to this place to represent them and the work we do together for the betterment of the territory, and that responsibility rarely comes to a more critical point than when we discuss Yukon's budgetary future. Again, for all the programs to work, for all the services, for all of the platform commitments, this is the important conversation for sure. For

those colleagues who responded today, thank you very much — and over the last week as well — for engaging in this important conversation.

As we look into the supplementary estimates, which will support Yukon families with affordable, high-quality childcare — that's extremely important to this Liberal government — these are supplementary estimates that will support our territory from unprecedented flooding — again, a huge responsibility toward those who have been impacted by it over the past few months.

The investments into our education, with investments as wide-ranging as educational support services throughout the territory to specific construction and maintenance — for example, modular additions at Robert Service School in Dawson City — that will continue to support the individuals and businesses, as well, from Old Crow to Carcross, from Beaver Creek to Watson Lake, during the pandemic — a lot of those details are also in this supplementary budget.

Also, supplementary estimates invest in the health of our territory, beginning with COVID-19, and also by integrating midwifery into our health care system and staff-supervised consumption sites as well. These are just a small handful, Mr. Speaker, of the important measures that we're looking to implement in the months and years ahead, all while maintaining a formidable economic outlook with a responsible surplus deficit position.

I'm very proud of our team and, in particular, our remarkable public servants who have put together supplementary estimates to be proud of, and for non-Yukoners to be jealous of, as well.

Speaking of public servants, Mr. Speaker, I mentioned a moment ago about how appreciative we are of their commitments and of my colleagues on this bill and that I thank them for their engagement in this debate — and I do mean it.

Yet, I did note that the Member for Lake Laberge did comment disapprovingly last week about the amount of full-time equivalent positions that he has noticed in the updates, in the estimates. I'll make sure that our new hardworking government employees whom he's talking about — 79 percent of whom are diligently working to make it through the pandemic as helpfully and prosperously as possible — that the member opposite has concerns about their employment. But, thankfully, I can contrast this news by sharing that members on this side of the House are incredibly grateful for their commitment, their work, and the sacrifice that so many of them and their colleagues have faced over the past 19 months.

We'll stay prudent, Mr. Speaker. We'll ensure that every dollar that this government spends on behalf of Yukoners is a dollar well spent, but we also know of the talent, the ingenuity, and the resolve of Yukoners. It proves that these employees are some of the greatest assets that we could ever ask for in the territory.

In closing, Mr. Speaker, as I think back to last week, which is when the bill was last discussed, I remember an excellent meeting that I and some of my colleagues had with the Yukon Youth Panel on Climate Change — a panel that our government

committed to establishing — we did that in 2019 — and which had its first call for applications just one year later.

I have no doubt that the Minister of Energy, Mines and Resources, the Minister of Environment and of Highways and Public Works and I and the Leader of the Third Party, who were all present at the event, would agree with me that we are so grateful to our young people, as engaged as they are on these incredibly important issues.

These young people, whom we met with last Friday, are passionately committed to the fight against climate change and to keep our feet to the fire, as elected representatives, in that important fight.

Their example goes even further. They are the future of Yukon; they are the future of Canada and the future of our planet. While they have generously shared their time with us on the topic of climate change, there are other critically important investments and initiatives that this government will do that will also impact them. Some of them may choose to have children and raise a family one day and may benefit from affordable childcare or our future midwifery options, too. They may have a younger sibling, or a cousin, who is not yet eligible for a COVID-19 vaccination and is being protected from the virus, in part, by a government that takes actions to ensure that more of the individuals aged 12 and up around them have their sleeves rolled up and they have their vaccination.

They may also have a family friend with property in the Southern Lakes, for example, which has been protected from floods more catastrophic than any one of us has ever seen or expected to see in the Yukon.

Mr. Speaker, for any line in these supplementary estimates, I can think about how these young people will be impacted for the better by the works of this government and the works of the dollars in this budget. They should really be our litmus test for anything we do, as elected representatives. It's extremely important what these young people will gain. That's always the goal, that the next generation is better off than the previous. That's a hard conversation in recent years, that's for sure.

Hopefully, through this budgetary process and the hard work of the public servants, we will have a sustainable, prosperous, and healthy future for them.

I'm very pleased to say that this bill, in my opinion, passes that litmus test, and I look forward to general debate, both in Committee of the Whole and the departments as well.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Ms. McLeod:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Disagree.

**Mr. Kent:** Disagree.

**Ms. Clarke:** Disagree.

**Mr. Cathers:** Disagree.

**Ms. McLeod:** Disagree.

**Ms. Van Bibber:** Disagree.

**Mr. Hassard:** Disagree.

**Mr. Istchenko:** Disagree.

**Ms. White:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are nine yea, eight nay.

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

*Motion for second reading of Bill No. 202 agreed to*

**Hon. Ms. McPhee:** 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 (Ms. Tredger):** Committee of the Whole will now come to order.

The matter before Committee of the Whole is general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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. 202: *Second Appropriation Act 2021-22*

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any general debate?

**Hon. Mr. Silver:** I am very pleased this afternoon to begin debate on the *Second Appropriation Act 2021-22* in Committee of the Whole. I would like to welcome my Deputy Minister of Finance, Mr. Scott Thompson, to the floor of the Legislative Assembly, of which he is no rookie.

I am very pleased to be here, and this bill, otherwise known as the 2021-22 *Supplementary Estimates No. 1*, is critical to ensuring that Yukoners can continue to be supported throughout COVID-19 and beyond. Deputy Chair, this bill also

provides the necessary funding to departments so that many of the supports that Yukoners have, after unprecedented flooding this past summer, can be there. It will also make sure that Yukon families will have access to accessible, affordable, quality early learning and childcare.

We believe that all families should have access to high-quality and affordable childcare. The supplementary estimates address all of these needs and more. While there are costs associated with many of these initiatives, this government remains committed to providing Yukoners with the services that they need and expect, especially during a pandemic.

At the same time, this bill manages these funding increases responsibly so that we are well-positioned and on our path to recovery as we emerge from the immediate effects of COVID-19. These supplementary estimates build on the foundation of responsible spending that we established in the 2021-22 main estimates where we were able to table a modest deficit, despite the effects of the pandemic.

As part of the 2021-22 first supplementary estimates, we see a slight increase to this figure. However, much of the new spending is offset by federal recoveries. In total, this supplementary budget contains \$72.2 million in additional gross spending. It can be broken down to \$58.4 million in gross operation and maintenance expenditures and an increase of \$13.8 million in gross capital spending.

Changes in the supplementary estimates result in a revised deficit of \$18.2 million, as mentioned, in 2021-22, or a change of \$11.6 million from the forecast from the main estimates. The first supplementary estimates also show revised year-end net debt of \$183.1 million, which is an increase of \$13.5 million from the May estimates.

As I mentioned, this government's ability to leverage its excellent relationship with the federal government also ensures that appropriate recoveries are in place whenever possible. The results of this collaborative relationship are paying dividends, with \$49.4 million in total new recoveries, offsetting almost 70 percent of new spending.

The 2021-22 main estimates include a \$15-million COVID-19 contingency, which was reserved in the government's fiscal framework to fund further potential support without affecting the surplus or deficit position. Again, this is money that we baked in that wasn't assigned to any specific spending.

The first supplementary estimates include a reduction of \$4.5 million from the COVID-19 contingency fund to support the tourism sector, the COVID-19 call centre, and additional cleaning that was required in buildings. On top of that, we are trying to be cautious and preserve the ability to respond to new pandemic needs, including possible future waves. This is why we are keeping over \$10 million of that COVID contingency line for future use. This contingency in the fiscal plan is a responsible and transparent way to protect Yukoners against the unknown evolution of this pandemic.

Under O&M, as I mentioned, the bill contains \$58.4 million in new spending. The result is \$20.9 million in additional COVID-related O&M spending and \$37.5 million in non-COVID spending. Part of this increase includes

\$16.9 million with the Department of Health and Social Services. The largest portion of this increase, or \$10.7 million, is being used to address additional COVID pressures and is entirely recoverable.

The remaining amount will go forward and will be for programs and initiatives like midwifery at \$515,000, a carry-forward amount under the territorial health investment fund at \$2.4 million, and initiatives like cultural activities for children out of home care at \$1.3 million.

The Department of Highways and Public Works also requires a further \$5.8 million in funding to cover costs related to the pandemic. Of this funding, \$5.3 million represents a distribution of federal funds flowing through the Government of Yukon to support air carriers in order to maintain essential air services to the communities. This amount is also entirely recoverable.

In the supplementary estimates, we are including \$4 million to continue supporting Yukon businesses and individuals through the tourism accommodation sector supplement and the tourism non-accommodation sector supplement, also known as TAS and TNAS respectively. These programs help tourism-reliant Yukon businesses remain solvent by providing funding up to the break-even point.

The tourism accommodation supplement provides up to \$400 per room each month up to the point of break even for eligible accommodation businesses. Under the tourism non-accommodation supplement, businesses can receive up to \$60,000 between October 1, 2021 and March 31, 2022 to cover eligible expenses up to the point of break even. This extends the total amount eligible for non-accommodation businesses from \$60,000 to a total cap of \$120,000 in the 2021-22 fiscal year.

Deputy Chair, as of September 23, these programs have provided \$4.4 million to support businesses. We also extended the paid sick leave rebate from September 30, 2021 to September 30, 2022. Since being launched in March 2020, over 180 businesses have benefited from nearly \$850,000 in support from that paid sick leave program.

Changing the focus to non-COVID expenses, I would like to speak on the record of record flooding that we have seen in the territory. The effects of this flooding were felt by many Yukoners over the past few months, but perhaps no group more than the homeowners in southern Yukon who dealt with the uncertainty of losing their homes. In my second reading remarks, I extended thanks to all those who helped during this time, but it is absolutely worth repeating. We are extremely grateful to every individual and every group that played a role in making sure that Yukoners didn't lose their homes, from Yukon government personnel to municipal and First Nation governments, incident management teams from out of territory, flood specialists, engineers, the Canadian Armed Forces, property owners, community members, and all the volunteers. Again, thank you — thank you to every single one of you. As part of the supplementary estimates, approximately \$11 million will go toward flood mitigation and response efforts.

With respect to wildfires, \$250,000 will go toward efforts to enhance First Nation FireSmart projects. Looking forward,

we must plan for extreme weather events by creating wildfire- and climate-resistant communities and investing in infrastructure that protects us from climate disasters.

Our government is working with local leaders and stakeholders to create community wildfire preparedness plans for Yukon communities. In flood-prone communities, it will be important to consider infrastructure improvements — permanent dikes or breakwaters, raising up roads and highways to adequate heights to protect them against the rising water.

Also, in Community Services, \$1.1 million will go toward Emergency Medical Services — EMS — for additional staff.

Moving to early learning and childcare, we have \$9.9 million that will go toward covering costs associated with these programs in the Department of Education. As I mentioned earlier, we believe that all families should have access to high-quality, affordable childcare. The new universal childcare system in Yukon provides children with an opportunity for learning and development in these early years. I am very pleased to report that every penny of this funding is recoverable from Canada.

There will be \$375,000 included in this supplementary budget as part of a transfer agreement to the Queer Yukon Society for the Pride Centre.

Finally, this supplementary estimate includes a number of initiatives related to wildfire protection and habitat mapping. The largest of these initiatives includes \$620,000 in the Department of Environment's Fish and Wildlife branch for updated moose surveying. Also in Environment is \$23,000 for the Porcupine caribou herd sampling recovery and \$36,000 for Fish and Wildlife meadow-mapping recovery.

I am going to turn my attention to capital. There are a number of increased projects included in our capital plan for this year. In this supplementary estimate, we will see increases for the Mayo-to-McQuesten transmission line and battery grid project; \$6.4 million represents funds that were deferred in 2020-21 to this year as a result of COVID-19-related delays. That work can now proceed. This funding, again, is 100-percent recoverable.

The supplementary budget also includes \$2.4 million in additional funding for modular classrooms at the Robert Service School in Dawson City and \$36 million more for the Whitehorse housing complex at 4<sup>th</sup> Avenue and Jeckell Street. The former is 100-percent recoverable.

There is also \$1 million in this budget for program increases under the Innovative Renewable Energy Initiative. This will allow more applications to be approved, helping to increase the supply of renewable energy and reduced diesel consumption in the Yukon.

An additional \$5.8 million will also go toward capital costs in Health and Social Services, with a portion of these costs to help Yukon meet its goal under *Putting People First*. This includes \$2.3 million for Canada Health Infoway and \$1.5 million for Meditech. Both are under the 1Health program. The \$5.8 million also includes \$1.7 million for renovations needed at Copper Ridge Place and there are also some decreases in capital spending. Most notably, there is a \$6-million decrease in spending for urban land development.

This decrease results from the repackaging of the Whistle Bend phase 7 tender, which will be re-released in the fall. This timing change allowed us to accelerate rural lot development so that there is a \$3.7-million increase in spending for developing rural lots in places like Haines Junction, Dawson City, and Watson Lake.

As I mentioned, many of these notable increases come with significant recoveries. This is, again, thanks to a very positive relationship that we have with the federal government and our partners, and I am pleased to say that the result of this work with our federal partners means that, of the \$13.8 million in new capital spending, nearly all of it — \$12.3 million — is recoverable.

On the O&M side, almost 70 percent of new O&M spending, or \$37.1 million, is recoverable.

This ongoing contribution with our partners is quite the feat. It is critical in ensuring our ability to deliver on services, infrastructure, and investments that all Yukoners expect. The number of recoveries span a lengthy list, but I will detail some of the more prominent ones for members today.

On the O&M side, the \$10.7 million mentioned earlier for COVID-related spending in Health and Social Services is entirely recoverable. In Education, the \$9.9 million is recoverable for early learning and childcare, and a future \$3 million is recoverable in carry-forward funding for the Yukon labour market development agreement and the Yukon workforce development agreement.

Within the Department of Environment, Yukon will see \$334,000 in federal funds under the *Inuvialuit Final Agreement*, \$291,000 under the northern climate change preparedness agreement extension, and many smaller recoveries for some of the wildlife-related expenditures that I mentioned earlier.

On the capital side, members will note that I detailed most of the recoverable items when I spoke to the adjustments in capital spending.

Now, before I turn things over to other members, Deputy Chair, I would also like to speak a bit about changes in revenue. As I mentioned in the second reading, the 2021-22 first supplementary estimates reflect a decrease of \$10 million in revenues. The most significant impact on the Yukon's revenues is reflected in the \$8.5-million decrease to reflect the timing of those lots sales. The remaining decrease in revenue is split between supports to Yukoners and Yukon's industries and a decrease in revenues at several continuing care facilities.

For the latter, there would be a net decrease of \$651,000 in revenues associated with these facilities as an increase in respite, and re-ablement revenues at Thomson Centre is offset by decreases owing to facility vacancies at Whistle Bend Place and the closure of Birch Lodge.

With respect to the former, some fees, including aviation fees, were waived or reduced, decreasing those potential revenues; \$450,000 of that decrease is associated with support for the industry by foregoing aviation operation expenditures. Another \$430,000 is associated with reduced fishing licence and campground revenues due to decreased levels of tourism and travel.

In conclusion, it is always my absolute pleasure to lay out the budget for the upcoming year but also to update members on our supplementary budgets. Within the territory, we have continued to face challenges related to COVID-19 — new clusters and rising case counts over the summer.

We always have much to be optimistic about heading into the winter. We have seen first-hand the decreasing amounts of COVID-19 related to spending and, through the interim fiscal and economic updates, an increase in our projections of real GDP and other economic indicators. It is with great optimism that I can say that better days are ahead for the territory, and I look forward to continuing to make Yukon the best place to live.

With that, I will conclude my remarks by saying that I look forward to a productive debate with all Members of the Legislative Assembly. I will also include reassurance that if I do not have the answers about specific departments, appropriate ministers will be pleased to respond during their departmental debate, including some of those departments that, as the Leader of the Official Opposition mentioned, will not be here because they don't have a budgetary item. I spoke with ministers, and they are happy — again, in general debate, I will do what I can, but written responses could be accomplished in those departments.

**Mr. Dixon:** Thanks to the Premier for his opening remarks and providing some information about the budget that is before us now. I will begin very briefly with a few fairly broad questions. I hope that the minister can offer some information that we can discuss.

Can the Premier give us an overview of where we are with regard to the territorial financing formula and whether or not we will see any changes coming in the near future? The Premier mentioned the strong relationship with the federal government and the fact that the increases that we've seen over the last years have been a result of that.

My question is simply: What does the Premier see coming down the pike in future years?

**Hon. Mr. Silver:** We do know that the federal government is conducting a review of the transfer. We will have an opportunity at the Finance ministers' meetings to have a conversation — sometimes dwarfed by equalization conversations, I must admit. At the same time, we do know that there is a review coming to that specific question. Suffice it to say that every year we have been seeing an increase in that transfer.

**Mr. Dixon:** Over the past number of years, the increase to the TFF has been fairly predictable. What is the annual increase to the TFF from last year?

**Hon. Mr. Silver:** As my colleague looks to get that number, I will let the member opposite ask another question and we will get that answer for him.

**Mr. Dixon:** I appreciate that. The question was very specific, so I appreciate that my colleagues need to find the time for those answers.

The reason I am asking is that I am interested to know if the review that is being conducted by the federal government will consider the historic increases that we have seen. Is there

any sort of framework for maintaining the current formula, or are we anticipating a more comprehensive overview that is going to reconsider the actual details of the formula and whether or not we see the types of annual increases that we have seen?

**Hon. Mr. Silver:** Again, a pretty specific question — as the member opposite knows, this is a very complicated algorithm that comes with this formula. In that, a lot of it is based on not only spending here, but also spending right across the country. This is over a rolling average, not just one year, but the effects of spending for COVID will be an interesting part of this conversation as we talk with Finance ministers right across Canada, so the details will come out about that.

What is really interesting for me, as well, is, from the federal government's perspective, how we turn from relief to recovery. We have been making a push for help from the federal government, as Prince Edward Island has, when it comes specifically to tourism. We have always been making the push when it comes to everything — from the Canada health transfer to flexible infrastructure dollars. With the help of my colleagues right across the north — the premiers in the other two territories — we have been very effective at bringing our narrative to western premiers and then to the Council of the Federation and then to the First Ministers' meetings about the unique differences of living in the north.

There is going to be a lot to debate, for sure. When it comes to the revenue sources from the federal government, the 2021-22 estimates for the Government of Canada would be \$1,442,280,000. That is comparable to the 2020-21 forecast of just over \$1.4 billion, or \$1,401,907,000. Compare that to an estimate in the 2021-21 fiscal year of \$1,307,946,000 and the actual of 2019-20, which is \$1,225,191,000, so the grant from Canada went up 5.8 percent from the 2020-21 estimates.

**Mr. Dixon:** For context, one of the reasons that this is coming up today — what we see at the federal level is a deteriorating public finance picture for the country and the country taking on fairly massive new debt. That has prompted a lot of speculation in the media nationally — typically in the bigger provinces than here in the north — about the ability of the federal government to continue transferring money to the provinces and territories at the rate that it has been over the last few years.

In that context, when we learn that there is a review of the TFF, obviously that can raise some concern if the federal government is looking at its fiscal picture and looking at ways to save money. It may be an unfortunate coincidence, but conducting a review of the TFF may be the time they look at to do that.

What I am looking for is some assurances from the Premier that he is advocating with the federal government to either maintain or continue to enhance the TFF. If there is more information about the review that Finance Canada is conducting, we would be interested to learn more about that.

**Hon. Mr. Silver:** I agree that there is an awful lot of speculation, interest, and concern about spending federally. Again, as of yet, as far as any substantial changes to the formula, that is not information I have. I don't know if the

member opposite has been hearing to the contrary; I haven't. I can't see any substantive changes coming to that. We always make the point that, on the grand scheme of things, the three territories are a very, very small part of the spending right across Canada.

We also have a united front with the premiers right across Canada of recognizing the differences between territories and provinces. We don't spend a lot of time talking about equalization when it is our time to stand and talk at Finance ministers' meetings or at the Council of the Federation or the First Ministers' meetings because we are on the TFF, but we also do really appreciate that we have acknowledgement from the premiers of those provinces as well of the unique differences here in the north.

We saw that when the National Advisory Committee on Immunization came out with how we really need to prioritize northern, remote, and rural communities. That transferred into the territories, specifically. You could argue that all of Canada is northern, remote, and rural, if you put things in context, but having the ability to have a decided-upon understanding of the unique territorial considerations is extremely important.

Back to the concerns from the members opposite, we have had conversations with Canadian investment banks as well, saying things like: To recover from a war is one thing, but to recover from a pandemic — they are two different things. There is a lot of discretionary spending that people are sitting on right now, which does bode well for the economy moving forward. I would say that, specifically, when you look at the context of Yukon, we were very concerned about economies, and we have done very well in the last few years. We had an estimated growth of 1.1 percent GDP for 2020. The Yukon's real gross domestic product, the GDP, is forecasted to grow by six percent in 2021 and 8.1 percent in 2022.

We had a successful rollout, as I have mentioned, of vaccinations. That was key to allowing us to lift restrictions on capacity and social distancing that had weighed on economic activity. We know, as well, that the removal of internal border restrictions and the loosening of international restrictions supported a faster recovery. Suffice it to say that these are really important, as the different jurisdictions start to get back to some kind of sense of normalcy and recovery. This is good for revenues locally and nationally. It is an extremely important conversation that will be continually analyzed, obviously.

To dispel some of the fears from the opposition — or some of the questions — I really don't see substantive changes to the TFF at this point. When it comes to transfers from Canada, in December 2020, the federal government confirmed again, as I said, that the fiscal grant from Canada would be \$1.118 billion. The total grant consists entirely of the territorial formula financing — the TFF — grant, and there are no deductions because of resource offsets, which is good to know for the members opposite.

Global resource revenues represent the Yukon government's revenues for forestry, oil and gas, land, minerals, and water, and every dollar above \$6 million in global resources revenues is offset by a \$1 deduction in the grant from

Canada. So, just a little bit of context there, as far as no deductions because of those offsets, but they will be coming.

In addition, just for some information, and then I'll cede the floor, the federal government provided those estimates for 2021-22 for the fiscal year, as related to the Canada health transfer, the CHT, and that's \$47.9 million. The Canada social transfer, the CST, is \$17.2 million. These amounts are reflected in the 2021-22 main estimates. These transfers are legislated by Canada for the five-year period from 2019 to 2024. Discussions on renewal for 2025 to 2029 have begun, and they will be concluded by December 2023.

The department expects that changes, if any, will be minor and may be technical in nature, but, again, that's the information we have at this point.

**Mr. Dixon:** When did the federal government begin the review of the TFF, and when did the department and/or the Premier learn of this?

**Hon. Mr. Silver:** There would be a difference between the political level or the technician level. On the political level, we haven't had that conversation, but I would say that, on the technical level, those conversations are continuing all the time. Again, in the last note that I gave, the transfers being legislated for a five-year period, those discussions for renewal are for 2025 to 2029. Again, as far as them beginning and concluding in December 2023, they have not been brought up at the Finance ministers' meetings, which is the technical table where we would have those conversations — or, sorry, the political table where we would have those conversations.

**Mr. Dixon:** So, just so I am clear, the federal government has indicated at a technical level, or departmental level, that they are conducting a review, and I assume that the Department of Finance is having ongoing discussions, but the Premier has said that he has never spoken to the Prime Minister or the federal minister about this. Do I have that right?

**Hon. Mr. Silver:** What I said was that, at the Finance ministers' meetings, this conversation has not been brought up — remembering that these meetings have been very focused on COVID — and I have been briefed by our technical teams if there are any changes being proposed with the information that I have, from conversations that our government has had with the federal government, minor and technical details — if I see a flag, then I would definitely be concerned, and I would add that to the national conversation. At this point, we have seen no flags to indicate that there is going to be a concern.

If the member opposite has a particular concern, I would be more than willing to discuss that to figure out whether this is worthy of being brought up at any table, either technical or political.

**Mr. Dixon:** I don't have a specific concern. My concern is simply that we see a deteriorating financial picture at the federal level, decreasing capacity to provide the kinds of funding that we have seen over the last little while, and then, in that context, we learn, just now, from the Premier, that the federal government is conducting a review of the TFF, which sparks these questions. I don't have any alternative source of information about this or anything like that. I am just strictly going on what he has said today.

He did also indicate that the review would not take effect until the 2025-29 cycle, I believe, so if the Premier could confirm that, I would appreciate that as well.

**Hon. Mr. Silver:** The answer is yes.

**Mr. Dixon:** In his remarks, explaining it a few questions ago, the Premier referenced that he had been in discussions with a Canadian investment bank. I am wondering if he can tell us which investment bank that is or if he meant something different by that.

**Hon. Mr. Silver:** Deputy Chair, Canada Investment Bank. My apologies.

**Mr. Dixon:** I will move on.

Could the Premier explain a little bit more on the COVID contingency fund? This was a unique addition to the budget in the spring, which we typically haven't seen before — a contingency fund of that size — a line item that has no clear use, going forward. We knew that it was going to be related to COVID, but as we have learned, COVID affects pretty much everything in the government's budget. I am wondering how the decision is made internally to allocate funds from that \$10 million line, as opposed to having departments go back and seek additional funding themselves.

Is there some sort of funding rubric or matrix that is used to make that decision? How was the decision made to allocate the funds to the three items that the Premier mentioned that were spent under the COVID contingency, which I wrote down as being for the tourism fund, the call centre, and some additional cleaning?

So, my question is: How did the government decide to allocate funds from the COVID contingency for something like cleaning when, I would think, that would be done at a departmental level through a normal appropriation?

**Hon. Mr. Silver:** I will begin with why we would put \$15 million aside in the main estimates. We were in a good financial position to do so. We presented a very mild deficit at that time. That mild deficit included a \$15-million COVID contingency. We knew, at that time, that we were not done with COVID and that COVID is not done with us. We also know that there is federal programming and federal recoveries. We saw flexibility and quick thinking from national conversations with all the Premiers to try to grapple with specifics that all the jurisdictions are facing. Usually what ends up happening with the federal funding — it's a conversation of national consideration, obviously, and that every jurisdiction is finding problems with — whether it be PPEs or relief for certain business sectors, those types of things.

Suffice to say that the three things we are talking about on the floor of the Legislative Assembly today is that we are looking for approval from the Legislative Assembly through the budgetary process for those things because we put aside a contingency to be open and accountable to say that we believe that we are going to have to spend more money on COVID. There are going to be recoveries from the federal government, so let's make sure that we maximize those recoveries and get the flexibility that we need with our federal conversations, which were weekly from my office alone. What remains is what

you see here today. There are three specific things that we believe should be used from that rainy day fund.

**Mr. Dixon:** A quick question — the Premier said \$15 million. Is that indeed what it was? I thought it was \$10 million. I could have that wrong. I apologize if I'm wrong.

**Hon. Mr. Silver:** Yes, \$15 million was in the mains. Now that we have identified roughly \$5 million in those three things — \$4.5 million — we still have, again, about \$10.5 million left. That is probably where the member opposite is getting that \$10-million number. It is the money that is leftover right now. We have assigned the \$4.5 million for those three items that he referenced.

**Mr. Dixon:** I will move on. The Premier mentioned the early learning funding in the new program. That was a program that was identified in the spring budget of 2021.

My first question was — the Premier had indicated that every dollar — I believe those were his words — was recoverable in that program. I assume that he meant it was recoverable from Canada. Can the Premier confirm that every dollar in the early learning program that they have announced is recoverable?

**Hon. Mr. Silver:** Every dollar on the floor of the Legislative Assembly here for the supplementary is 100-percent recoverable.

**Mr. Dixon:** Is that a result of the agreement between the federal government and the Yukon that was made and signed in late July?

**Hon. Mr. Silver:** Yes, again, working with Canada to build that community-based system that provides Yukon families with that high-quality, affordable, flexible, inclusive early learning and childcare and getting it to money that is recoverable is definitely part of the agreement made with the federal government. We have made significant and ongoing investment in early learning and childcare, and we've reached that agreement in accessing an additional \$54.3 million in federal funding over the next five years to support this investment. It's extremely important to put that on the floor today as well.

The additional funding is going to help to enhance recruitment, retention, and the development of early childcare educators, as well as culturally appropriate early learning and childcare programming, inclusive early learning and childcare, and also to support space creation, including start-up funds, wages for early childhood educators — all very important to us when we spoke with the federal government.

As you know, Deputy Chair, we were already committed to this before the federal government made their announcements. Then to go back to them and say, "Well, here are the things that are important to us; here is what we need in our agreement. This is what we need if the federal government is looking toward more of a national programming" — these are the things that were extremely important to our government. That funding also helps to support the reduction of parent fees to remain, on average, less than \$10 a day for Yukon's universal childcare program.

A little bit more background: Between the 2017-18 fiscal year and the 2020-21 fiscal year, Yukon did receive a total of

\$9.6 million from Canada under the *Canada-Yukon Early Learning and Child Care Agreement*, and the Government of Yukon has made very significant and ongoing financial investments with that.

We've also signed, as we've said, these agreements with the federal government, and now we're seeing the recoveries therein in the supplementary budget.

**Mr. Dixon:** I understand that the funding came from the bilateral agreement prior to the signing of the new agreement that was signed between the Minister of Education here and the federal minister back in July. I appreciate the Premier's willingness to provide some details there, but I'll save my specific questions about the program and some of the structure of it for the Minister of Education when we get into Committee with that minister.

My question at this stage is more about the budgetary implications of this program and the decision to include it in the mains of the budget in the spring. Following that decision and the passage of the budget earlier this spring, the government signed a large new agreement that brought in a bunch of new money.

My question is: Is the money that is in this supplementary recoverable from Canada as a result of the agreement that was signed, or is it something that we had already planned for, prior to the agreement being signed in the summer?

**Hon. Mr. Silver:** I am just trying to figure out the logic there. When the federal government makes their announcement, then we start working with them. We have decided already that this was important. To say that there were rumblings from the federal government about universal childcare — well, there have been rumblings from a few different federal governments on a few different initiatives nationally. We weren't going to wait; we were going to invest in that. We have done the fiscal accountability to put ourselves in the position. The determination that we made before the federal government was based on the index of well-being. This was the first time that we had the chief medical officer of health — that office — contributing to this statistical analysis of how we are, as Yukoners, and where we are. Out of that study came disparaging results about how COVID is not as friendly to single parents and women, and we believed that this was an extremely important investment because of that.

Moving forward, the federal government makes a decision to go ahead and put their money where their mouth is, and then all of the details about the money that comes out and the recoverables start at that time. I am wondering if the member is making a parallel between the \$10 million COVID and something here in the federal agreement. I am getting a no from the member opposite, so I will just stop there. The numbers are very similar, but, yes, that is how things kind of move forward.

We moved forward on our plan for early learning and childcare. This was an evidence-based decision based on the index of well-being. That was the genesis of the conversation that ended in a Management Board decision. We were grateful that the federal government has a very similar initiative or ideal with how we fund and making sure that the funding not only decreases the cost to parents, but also invests in spaces and

invests in professional training of educators in that demographic of students and children that is very, very important. There are lots of stats to say that a dollar invested in a young person's mind compared to that same amount of investment in high school — we can quote all those different things. We thought it was an extremely important investment and we are very happy to see a like-minded philosophy to early learning and childcare from the federal government.

**Mr. Dixon:** What I am asking is that, in the spring budget — the March budget — the Government of Yukon decided to make this large investment. It was something that they spent a lot of time talking about. The press release from March 9 indicated that more than \$25 million would be in the 2021-22 budget toward this new program, and \$15 million of that was for a new — what they called at the time — “Yukon-wide universal childcare program”. They made that investment in the budget and the budget passed. Subsequent to that, the federal government signed an agreement with them to give a whole bunch of new money to them for that program. I am asking how the fiscal picture changes as a result of that agreement. What the Premier just told us now is that the agreement is worth roughly \$50-some million over the next five years, which is about \$10 million a year, assuming that it's given out equally per year.

My question is: How have the recoverables on that changed since the signing of that agreement? The budget was appropriated, the money was voted on in the spring, and then an agreement after the fact to provide a bunch of new money was signed, so I am wondering how that changed.

**Hon. Mr. Silver:** Again, we put in our initial investment. I wouldn't say necessarily that it would be a linear relationship as well, because if you build more, then you are going to spend more on this program. You know, there is also an upfront cost as well. So, to say that it would be a linear cost, I would disagree respectfully.

We did invest heavily in this program. The feds came on board with \$10 million, which will now be recoverable for that initiative, and it allows us to invest in more, and quicker, as well.

**Mr. Dixon:** The point was that, in the spring, this money was not recoverable from the federal government. As a result of the agreement signed in July, it is now recoverable. That was my question.

How has the budget changed as a result of that agreement and the fact that the funding is now recoverable, where, in the spring, when they passed the budget, it wasn't recoverable?

**Hon. Mr. Silver:** I hope that I'm not adding to the confusion here. It is not my intent.

None of that \$15 million up front is recoverable. The federal government comes in with \$10 million. That makes that \$10 million of the total investment recoverable from the federal government.

Again, we can say then that it is more money. Yes, it is — more money than what was budgeted in the first year — but with that federal supplement, it allows us to do more in that first year as well. I hope that helps to clear things up.

**Mr. Dixon:** Deputy Chair, yes. I will move on.

The Premier, in his opening statements, mentioned funding for air carriers and that it was recoverable from Canada. I am wondering if he can elaborate on the funding that was provided to air carriers under the federal funding and whether the system, or the allocation amounts to the various air carriers here in Yukon, was a decision that was made by the Yukon government, or was that based on some parameters from the federal government?

**Hon. Mr. Silver:** I think that the specifics of how the department and the minister worked with aviation companies in the Yukon would be information that I wouldn't necessarily have here on the fly, but you could definitely have that conversation with the minister when he appears at Committee of the Whole. I do know — as we all know — how essential aviation is for connecting our communities. Our government was able to continue to make strategic investments to keep our aerodromes and our airports safe and open for business. Our investments and their investments — the federal government's investments — and the conversations from the department — our government made significant investments in aviation over the past few years, including upgrades to equipment and facilities. We mentioned, as well, in the beginning speech about the waiving of airport fees. However, we know that there is more work that needs to be done, as well, in the future, and those conversations are ongoing. It is always a pleasure to be able to sit down with somebody like Wendy Tayler or somebody like Joe Sparling or any of our other smaller aviation operators in the Yukon. Those conversations help, not only when it comes to conversations with the federal government when they come in with some recoverable federal support for COVID, but also for the Minister of Economic Development and Tourism and Culture — these things, when we are developing our projects, our programs, here as well.

Since the pandemic began, the Government of Yukon distributed over \$6 million to support air carriers that provide that critical and essential service. This funding supports the aviation industry, which has been among the hardest hit, as we all know, by COVID-19. Since the beginning of the pandemic, air passenger traffic has declined dramatically. Airlines have faced staffing layoffs and the grounding of planes. I keep seeing folks whom I normally see in airplanes working in other areas to try to supplement their incomes.

Our government has also administered funding from the federal government through COVID-19 to ensure that essential services and medevac operations continue. Sorry, I am confusing two different things. We help with the federal government for the recoverables that we are talking about here, but through our investment — administering our funding — that was more about making sure that these essential services and medevac operations continued.

Especially in the early days of COVID, to have access to the professional centres — the DNA centres, basically — in Vancouver, which was industry standard, best efficacy as far as testing goes, and to have Air North, a local provider, being able to help us with that — yes, in the first few months and first year, it was all about traceability. That statistical analysis that we had

because of the quick response from the best testing was extremely important to our low case numbers.

On additional support for local industry, we waived those fees in December. I am just making sure I have all the information and the very specific numbers. To date, the aviation relief funding that we've operated with is \$6.5 million, as I mentioned. If the member opposite wants to have a better understanding of the conversations between the minister and his team when it came to how he parlayed the information from local providers — local aviators — to the federal government, I don't have as wide a breadth of knowledge on that as the minister does, so that would be a better place for it.

**Mr. Dixon:** I only asked because the Premier referenced it in his opening comments, so I thought he might have a bit more information, but I will reserve the question about how the air carrier funding was allocated and the determination by which it was allocated for the Minister of Highways and Public Works when we get to that department.

I will move on. The Premier also mentioned the flooding that happened this summer and some of the funding that has been allocated in this budget as a result of that. I know that the funding in this supplementary is in relation to money that was actually spent on the response to the flood, so I understand that. But one of the issues that has come up — and there has been a lot of discussion about it from members of the public, especially in affected areas — is what the possibility for ongoing future relief might look like.

Has the government begun a conversation internally or with the federal government about flood relief funding and whether or not there will be a specific program that will be catered toward this so-called “once-in-400-years event” or whatever it was, or will it be based on the normal flood relief funding that is offered either through the federal government or the Yukon government?

**Hon. Mr. Silver:** Interesting phrasing of “so-called” 400-year event. When we were out in Marsh Lake and talking to people whose houses were right there on the shore and they are showing us the levels of the once-in-200-years event back in the early 2000s — 2007 — they were kicking themselves now because they will never use that terminology ever again of “once in a decade” or “once in a two-century cycle”, because clearly within less than two decades, we have seen massive flooding. To say that this would be a one-off or a once-in-an-X amount of centuries event — I think you would have a hard time convincing the people living out there that they shouldn't have to prepare for it for another 400 years.

The resources that were deployed to respond to the 2021 flooding resulted in expenditures exceeding \$8.5 million, as we discussed earlier. So, I will give a little bit of a breakdown of that: \$750,000 for personnel to fill the incident management team roles, such as the commander, the finance officials, logistics, planning — for every person you see out with the sandbags, there is a whole team of other folks in the logistical, finance, and planning components, but also personnel deployed to fill the sandbags, obviously, maintain the pumps, conduct inspections, and communicate with residents, as well as to hire three interprovincial task teams from Manitoba and Alberta —

who were amazing people and provided invaluable expertise. There was additional cost, as well, for personnel, which exceeded about a half-a-million dollars, to hire casual employees to assist with response. They incurred overtime as well in response to the incident — request for extended hours quite often.

There was \$550,000 expensed to local caterers who provided meals to those who were on the flood response, including on-site for crews outside of Whitehorse and to the incident management teams that were working extended hours at the Elijah Smith Elementary School. The budget breaks down to \$80,000 for provisions of food and transportation to the Canadian Armed Forces soldiers who supported the event until August 2.

Anecdotally, Deputy Chair, talking to these Armed Forces individuals and asking them, “Where were you last? Where do you go next? How has your experience been during COVID?” — what I got from not just one but many of these individuals — they said: “We have never seen the level of hospitality that we've seen here among Yukoners.” They said, “You're feeding us so very, very well.” Knowing the chefs on a first-name basis — they couldn't get over the exceptional Yukon hospitality. I wasn't surprised; I don't think anybody in this Legislative Assembly would be surprised by that, but it sure was great to hear this from the soldiers.

Continuing on this — more than \$2.5 million to many local contractors was spent who hired and put in countless hours supporting the response by providing heavy equipment; \$700,000 to Yukon First Nations Wildfire, which provided front-line assistance as well; \$240,000 for vehicle rentals to transportation crews and equipment; \$780,000 for service contracts and for rentals and sewer pump-outs; and \$2.4 million to purchase equipment from local vendors wherever possible, including pumps, hoses, sand rock, poly — the list goes on.

An additional \$2.9 million being set aside for remediation and recovery — that's where it begins the next phase. So, \$2.9 million is being set aside for that remediation and recovery.

We have begun conversations internally: Yukon Housing Corporation survey to assess the needs of the affected communities and community members and property owners; and EMO is planning to engage experts and engineers as well to evaluate the options for permanent mitigation, which is extremely important. Also, externally, the Yukon will work with the federal government through the DFAA process. We will see work recovery money from that as per our recovery formula. I don't have much more detail on that. Again, it will be a great question for the minister responsible.

We did hold an open house meeting last week with the Marsh Lake community to continue to understand how to support community members. We have an open house this evening, I believe, at Lake Laberge to support that community as well.

**Mr. Dixon:** My comment about the once in however many years was not meant to cause any sort of disagreement. I simply could not remember how many years it was. When we were briefed by hydrologists, we were given a date, which was,

I believe, of once in 300 or 400 years. I apologize for not getting the number right if I was wrong about that.

My question, though — and the Premier began to address it at the tail end of his comments there — was about the potential creation of a new program related to remediation and recovery and whether or not the department or the government was considering creating either a unique program to address the 2020-21 flood or an ongoing remediation and recovery program to address flooding going forward. Because, as the Premier pointed out, it is much more likely, it seems, that we will have to deal with this kind of issue again. I am curious if the department, through housing or other departments, is considering the development of a new program or a stand-alone program to deal specifically with 2021.

The Premier has indicated that there is \$2.9 million set aside for remediation and recovery, so I was hoping to get an explanation of how that is going to be rolled out or what individuals and residents in the area might expect to see by way of either an application form or program criteria to understand whether or not they will be eligible for relief.

In the past, I know that the government needs to make an application to the federal government to access federal flood relief funding. I am wondering if that has been done already. If it's a question that is meant for the Yukon Housing Corporation, I am happy to write a letter about it instead — sorry, ask about it when Yukon Housing Corporation is up for debate. In any event, that is the nature of my question.

**Hon. Mr. Silver:** Yes, as I was saying, we are moving from response into recovery. We are working across government to provide program support. Our first priority when responding to a flood is public safety, obviously, and the protection of critical infrastructure, vital community services, the environment, and the economy. It is really important to kind of lay out the full picture of what we have done. Where we are going now — we did mention that we are out in the communities now, engaging with folks on the front line who have been affected by this. Flood response — ongoing all summer. I have never seen the Yukon River this high in my short time on this planet. It is interesting as well that if you go up to the Klondike, we are seeing record low levels. Change is coming. Lots is going on here.

Our government is developing a remediation and recovery program, as I mentioned, that will assist homeowners to restore their properties and to increase community resilience and mitigate against future flooding events. Again, the well above average snowpack of last winter, together with the summer's unseasonably hot weather in the Pacific Northwest, leading to the largest flood relief effort in Yukon history — absolutely. My comments about the 200-year events — it is interesting to see the folks who have been through two of those floods, that people have been saying that they should be centuries apart — it is important for today's debate, saying, well, those happened within less than 20 years. It's extremely important.

Also to note that, when we talked about all the different departments, 130 Yukon government employees, contractors, and volunteers were assigned to support that flood. I think that is about it. I don't have a lot of specifics about the \$2.9 million

and what it is going to be used for. I would imagine that the conversations that are happening tonight at Lake Laberge and conversations last week at Marsh Lake are extremely important in that conversation. We are definitely looking at options similar to the programs that the Government of Yukon designed after the 2007 flood events, for example.

The Yukon Housing Corporation has a survey out, as well, that will evaluate the needs of those property owners.

**Mr. Dixon:** My question, in particular, was about the \$2.9 million and what it is going to be used for, so I will hold onto that one and bring it up in Committee instead with the Yukon Housing Corporation.

I will move on. Can the Premier tell us: Where is the contract for the chief medical officer of health housed? Is it in Finance or is it in Health and Social Services?

**Hon. Mr. Silver:** That is in Health and Social Services.

**Mr. Dixon:** I will hold off on that until the department comes up.

Where does the government typically fund the specific allocations for the confidence and supply agreement between the Liberals and the NDP? Is that through the Executive Council Office or is that in Finance?

**Hon. Mr. Silver:** I guess that depends on what specific pieces of CASA the opposition member is asking about. Is he asking about the implantation of some of the Putting People First initiative, or is the member asking about specific supports for the NDP? I am not really sure. Perhaps he could qualify his question.

**Mr. Dixon:** Well, I am interested in all of it, so I will start going through it. Where would we find the additional funding identified for the additional caucus resources for the NDP that is provided by the CASA?

**Hon. Mr. Silver:** If it's more of an administrative nature, like the extra supports, that would be through the Executive Council Office. I am assuming it would be more obvious that, if it were something like safe supply or the dental programming, then that would be through the departments specifically. In this case, those would be in Health and Social Services.

**Mr. Dixon:** The Executive Council Office doesn't have an appropriation in this budget, so can we assume then that the additional caucus resources that were identified for the NDP were met within the department's existing resources?

**Hon. Mr. Silver:** Yes, the department believes that it can access existing funds, but if not, we would have to account for this in the second supplementary.

**Mr. Dixon:** Is the minister contemplating then that there will be additional funding that would come in the second supplementary?

**Hon. Mr. Silver:** I'm not anticipating it, but that's where it would show up if it were necessary.

**Mr. Dixon:** The CASA outlines the creation of a number of new committees and panels. Last week, one of the ministers introduced somebody in the gallery who was apparently a member of one of those panels, yet I haven't seen any sort of public communication about who is on those panels or committees and who is not.

I'm wondering if the Premier can shed some light on which committees have been struck and who is on them.

**Hon. Mr. Silver:** I'm really not sure who the member opposite is referring to when he said that somebody was introduced in the gallery who was on a committee. I don't know which minister he is speaking of or who was identified — I apologize. We do have a secretariat and that secretariat works with the two parties. If he has some specific questions about engagement with committees or that, then I would be happy to pass that on to the secretariat.

**Mr. Dixon:** I'll just turn to the CASA then. On page 3, section 2, it says: "Within one month of the swearing-in of a Yukon Liberal Government, a policy panel shall launch. The panel will be co-chaired by one Yukon Liberal MLA and one Yukon NDP MLA. The panel shall consist of four additional persons, two to be selected by the Yukon Liberal Government, two to be selected by the Yukon NDP Caucus. This panel will be supported by the civil service, with teams for each that include an Assistant Deputy Minister.

"The panel — *Making Work Safe* — will conduct a public consultation to develop recommendations for the Legislative Assembly to established permanent paid sick days in the Yukon."

I'm wondering, Deputy Chair, who is on those committees. Has there been a public announcement about who is on those committees or not?

**Hon. Mr. Silver:** I am not aware of any decisions that have been made about specific committees yet, but I can endeavour to get that information back to the member opposite. There are some key projects being delivered through that collaboration with our NDP partners, including the Yukon safe consumption site, an increased minimum wage, working toward banning single-use plastics, more aggressive action to tackle climate change, working with the private sector to explore paid sick leave, advancing our work on electoral reform. The Leader of the NDP and I meet regularly, and a lot of our conversations are based on maybe solving some of the issues that were brought forth on a more technical level through the secretariat. None of those conversations so far have involved specific people being submitted to specific committees, but if some of that work is already ongoing or if there is any more information through the secretariat, I will get that information for the member opposite.

**Mr. Dixon:** Is the Premier telling us that he doesn't know who is on this panel? It was struck a couple of months ago. "Making work safe" is the name of the panel, and the Liberal government would have had to appoint at least two people to it. I am wondering: If it wasn't the Premier who appointed it, who appointed it?

**Hon. Mr. Silver:** I will get a complete list for the complete Legislative Assembly. The minister has helpfully given me all the names, but what I will just do is to submit not only the names but maybe some other information as well about timelines or meetings that have or haven't been conducted.

**Mr. Dixon:** Just to be clear, the Premier didn't know who was on this committee? That seems to be the case. If he

didn't appoint the people to this committee, then who was it who made the appointments to the committee?

**Hon. Mr. Silver:** It might surprise the member opposite that I am not involved in all of the things of government. So, to answer his question, no, I didn't appoint anybody to that board, but there is an agreement between the NDP and the Liberals, and we have a secretariat and ministers responsible, and those conversations are had between those two parties in which these people get appointed through those conversations. But to say that I was in those conversations, no, I wasn't.

**Mr. Dixon:** So, this panel has been appointed. Up until a few minutes ago, the Premier didn't know who was on it.

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

**Mr. Dixon:** The Premier is indicating off-mic that he still doesn't know who is on it. Was there ever any plan to announce this publicly? This is a committee that is going to do some very important work. It has been appointed for — well, if they followed the agreement, it has been appointed for several months now, and we haven't heard any sort of public announcement about it. I am wondering if there is planned to be any sort of public communication about the operations of this committee.

**Hon. Mr. Silver:** If this committee is going to be doing the work that needs to be done, then obviously we will be communicating. The communication is not something that we are going to wait until the Legislative Assembly — when we ask questions in general debate, then that is when we are going to tell you about how these committees work. So, no announcements so far — there is a plan, I'm sure, through the secretariat to announce all the work as we go forward, whether it be in making the democracy work or any of the other initiatives on making life more affordable. There are a whole bunch of initiatives that are happening. In CASA, there is specific wording about how we move forward together when it comes to these committees. I think that it is really important that we have a stable government at this time and that strong leadership involves these committees.

I'm very confident in the conversations through the secretariat. We invested in the secretariat for a reason — so that these conversations can be had on a daily basis. As we move forward all of the different initiatives in CASA, I'm very confident in the secretariat's ability to get the information out to the public in a timely fashion. I have nothing specifically, as the Premier, to report today as far as any of those committees, but if there is anything else, I will look into it. I'll have my conversation with my CASA secretariat individuals and get updated to see if there is anything specific that has happened that we need to inform the House of. At this point, I don't have anything else to add to that. By working together, we can make progress on a whole bunch of priorities that Yukoners want and hopefully build a bright future for our territory.

With that, seeing the time, I move that you report progress.

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

*Motion agreed to*

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

**Deputy Chair:** It has been moved by Ms. McPhee 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**

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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. Ms. McPhee:** Mr. Speaker, I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:29 p.m.*

### **The following sessional papers were tabled October 18, 2021:**

35-1-18

*First Report of the Standing Committee on Public Accounts* (October 2021) (Dixon)

35-1-19

*Second Report of the Standing Committee on Appointments to Major Government Boards and Committees* (October 18, 2021) (Clarke, N.)

### **The following documents were filed October 18, 2021:**

35-1-10

*Yukon Youth Panel on Climate Change 2021 — Our Recommendations, Our Future — 27 Programs and Policies to Embolden the Yukon's Climate Action* (Clarke, N.)

35-1-11

Booster shots for Yukoners 65 and older, letter re (dated October 15, 2021) from Brad Cathers, Member for Lake Laberge, to Hon. Tracy-Anne McPhee, Deputy Premier (Cathers)

35-1-12

Covid Questions from Yukoners, letter re (dated August 31, 2021) from Kate White, Leader of the Third Party, to Hon. Sandy Silver, Premier, and Catherine Elliott, Acting Chief Medical Officer of Health (White)



# Yukon Legislative Assembly

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Number 17

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 19, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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** — Emily Tredger, MLA, Whitehorse Centre

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Ranj Pillai	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### 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
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 19, 2021 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

**Speaker:** We will proceed with the Order Paper.  
Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Pillai:** Mr. Speaker, we have a number of visitors here today who are joining us for our tribute to Poverty and Homelessness Action Week. I would like the Assembly to share a warm welcome to Jack Bogaard, Kristina Craig — and I know that people sort of are all through the Assembly — and Cyprian Bus. As well, I have joining us today Ulrike Levins and Sharon Stewart, and I think I also saw Suzanne Greening, who is our next executive director at Habitat for Humanity.

For the rest of the folks who are here today, thank you for coming today for our tribute. I think I do see Kate there — I am looking to see — behind masks, I apologize.

*Applause*

**Ms. White:** Just to add to that one group here for Poverty and Homelessness Action Week is Kristina Craig. Thank you for being here, of course, for a very number of years. Thanks for being here today.

*Applause*

**Hon. Mr. Clarke:** In honour of the tribute to Waste Reduction Week, we have a number of persons here. We have a number of employees from Raven Recycling, and we may also have persons from Love to Thrift and Zero Waste Yukon. As well, from the Department of Environment, we have Deputy Minister Manon Moreau, Christine Cleghorn, Bryna Cable, and we may also have, behind the masks, Amanda Janssens, and perhaps Mara De La Rosa from the Climate Change Secretariat. Thank you so much for coming today.

**Speaker:** Are there any tributes?

## TRIBUTES

### In recognition of Poverty and Homelessness Action Week

**Hon. Mr. Pillai:** Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to Yukon's Poverty and Homelessness Action Week. The theme this year is "Honouring Our Human Rights". Events planned this week focus on safe and affordable housing as a human right.

From the 2021 point-in-time count, we learned that at least 151 people did not have stable housing as of this spring. The main barriers to housing listed were affordability and discrimination.

Most recently, the Yukon Anti-Poverty Coalition's 10-year progress report noted the continued need for affordable and adequate housing — in particular, the challenges for those needing rental housing. As we continue to move forward to meet the housing needs, we know that we have work ahead of us to provide more housing options to Yukoners.

We also know that the work ahead of us involves all of our housing leaders, stakeholders, and partners. We all have a role to play, working together and continuing to find innovative solutions as we move forward.

Today we recognize the amazing and dedicated work of some of these community organizations, including the Yukon Anti-Poverty Coalition, the Kwanlin Dün First Nation, Ta'an Kwäch'an Council, the City of Whitehorse, the Council of Yukon First Nations, Safe at Home society, Habitat for Humanity, Victoria Faulkner Women's Centre, Blood Ties Four Directions, Tr'ondëk Hwëch'in men's shelter and transitional housing, and Help and Hope for Families. These are only some of the many organizations and community organizations that work every day to support our vulnerable Yukoners.

I would also like to take a moment to highlight the Safe at Home society, which has been working determinedly on the Safe at Home plan to end and prevent homelessness. The society works on direct ways that we can take action.

I would also like to mention the members of Voices influencing Change for sharing their lived and living experiences with poverty and homelessness in order to improve policies and services, providing an understanding for all Yukoners.

Thank you to the many organizations and the people behind them who are working to ensure that the Yukon is a better place for everyone to be able to thrive and for all Yukoners to be able to meet their basic needs.

Thank you, Mr. Speaker.

*Applause*

**Ms. Clarke:** Mr. Speaker, I rise today on behalf of the Yukon Party Official Opposition to recognize the Yukon Anti-Poverty Coalition's Poverty and Homelessness Action Week. Since 2005, this event has taken place each October to raise awareness of poverty and homelessness across the territory and provide outreach to the community through education and initiatives.

This week kicked off with, on October 16, World Food Day. This year focuses in on the food you choose and the way you consume it, as both affect our health and our planet. We are fortunate here in the Yukon to have sustainable local food production through an incredible community of farmers and local producers. Each of them deserves our thanks and recognition.

October 17 was the International Day for the Eradication of Poverty. As we move through this pandemic, we have all faced a number of challenges. Moving through the pandemic, many families and individuals have been affected by factors that have pushed them into poverty situations. Many were already facing poverty. Their situations are now being

amplified by COVID. We need to listen and to act in order to help those Yukoners.

Rising housing costs and food and utility costs, paired with increased taxes and increased stress, create hardships for many, although few are willing to talk about those hardships openly. I encourage Yukoners to watch out for one another and to offer help where it is needed.

As we sit here in the Legislature, the Yukon Anti-Poverty Coalition is hosting Whitehorse Connects at the Kwanlin Dün Cultural Centre. This incredible event brings volunteers and organizations together with those who are in need of meals, personal services, clothing, and other types of outreach.

I would like to thank the Yukon Anti-Poverty Coalition and all other Yukon-based organizations that dedicate their time, volunteers, and expertise to Whitehorse Connects and each of the other initiatives taking place during Poverty and Homelessness Action Week and throughout the year. Thank you.

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to the hard work done by the folks at the Yukon Anti-Poverty Coalition and in acknowledgement of Poverty and Homelessness Action Week.

The theme this year is “Honouring Our Human Rights”, so I would like to quote from article 25 of the United Nations *Universal Declaration of Human Rights* — and I quote: “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services...”

You will notice that housing is in that list. Housing is a human right. What is so important about this statement is that there are no conditions. It doesn’t say that you have a right to housing if you have a reliable income, if you have good references, or if you follow all the rules in the *Residential Landlord and Tenant Act*. It just says that everyone has a right to housing.

There are so many people working across the Yukon to uphold this right in the midst of our housing crisis. Today we pay tribute to all of them — to the people at Yukon Housing Corporation and NGOs like the Yukon Anti-Poverty Coalition, Safe at Home, Habitat for Humanity, and Blood Ties; to the community members supporting their neighbours; to the First Nation development corporations that have chosen to address housing in a real and meaningful way; and to activists fighting for change. Thank you for everything you do.

*Applause*

### **In recognition of Waste Reduction Week**

**Hon. Mr. Clarke:** I rise today to pay tribute to Waste Reduction Week.

One of the things that I love about the Yukon is how close our lives are intertwined with the environment and wilderness. We all have a stake in this territory and its natural beauty and untouched wilderness. It’s important that each and every one of us makes an effort every day to reduce waste and keep our

environment clean. This week is about celebrating our environmental efforts and achievements while also encouraging new, innovative ideas and solutions. We are finding more ways to keep our environment clean and make our solid-waste management system more sustainable.

Reducing waste is one of the best ways we can move toward sustainability and a cleaner Yukon for years to come. I just had the opportunity to attend the Love2Thrift store event, which focused on fast fashion and other disposable items in our economy. I had a look and I found this not-wonderful stat: It is estimated that the emissions of 15 of the mega container ships match those from all cars in the world. If the global shipping industry was a country, it would be ranked between Germany and Japan as the sixth largest contributor to CO<sub>2</sub> emissions. Although, of course, there is vital trade that occurs, it is certainly, I think, an eye-opener as to what those container ships emit.

Our government has been working hard to modernize and improve our solid-waste management system so that our landfills follow best practices in waste management. By reducing the waste that we produce and sorting out recyclables and compostables from our waste stream, we ensure that landfills don’t fill up or produce methane, which is a very potent greenhouse gas.

This year, we started an organics composting pilot project at the Mount Lorne solid-waste transfer station. The system is only a pilot at this stage, but what we learn from this project will help us develop systems for organics recycling throughout the Yukon. This project is happening because we have dedicated individuals like Mike Bailey and Garret Gillespie, who work tirelessly to divert waste from landfills and build the systems required to reduce waste.

Another way that we are addressing the issue of waste in the Yukon is by banning single-use shopping bags. This ban comes into effect with plastic bags on January 1. Paper bags will follow one year later. This ban gets Yukoners thinking about single-use products in general, most of which end up in our landfills after only one use.

Introducing consistent tipping fees across the Yukon is another part of our plan to modernize our waste facilities and make them more sustainable. Tipping fees ensure that everyone is equally responsible for paying to dispose of their waste and encourages waste reduction and recycling, which will help our landfills last longer. Tipping fees will be introduced at every solid-waste facility throughout the Yukon in the near future.

Collaboration is a key when it comes to solid waste. We all have a role to play, and we can all take action to reduce waste in our territory. I am confident that all Yukoners want to see more waste diverted from our landfills. When we divert waste, we keep our environment clean and we lengthen the life of our solid-waste facilities. Waste diversion on a large scale can be accomplished through small changes in our daily habits. All Yukoners, including residents and businesses, play a vital role in our efforts to reduce waste. We share this responsibility with households and businesses, and I look forward to continuing to work together and adopting best practices in waste reduction and responsible solid-waste management.

I urge all Yukoners to join the people across Canada and think about how we can reduce waste this week.

Thank you, Mr. Speaker.

*Applause*

**Mr. Istchenko:** Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to recognize Waste Reduction Week in Canada from October 18 to 24.

As in previous years, Waste Reduction Week focuses on different themes throughout the week. From Monday to Sunday, we see emphasis placed on a circular economy, textiles, e-waste, plastics, food waste, the sharing economy, and the concept of swap and repair. That's pretty popular in the Yukon.

We all need to take a look at our habits at home. Do we recycle and compost properly and effectively? Do we reuse what we can? Is there a way to repurpose the things that would otherwise be just hitting the garbage? I'm please to see the steps that we have taken in many municipalities across the Yukon toward ensuring that less waste hits the landfills. Recycling and composting efforts are helping divert much of our waste.

Whitehorse Blue Bin Recycling is dedicated to diverting waste and ensuring that Whitehorse residents have the option of only having to drop their recycling curbside for pickup. Yukoners living outside of our larger municipalities would be happy to have the opportunity to recycle and compost, were they given the opportunity as well, Mr. Speaker. I've heard from residents a lot over the last years on the topic of waste and waste reduction. Many would like to see additional waste-reduction measures put in place to complement the current waste-disposal model in their region and ultimately, Mr. Speaker, to reduce waste or increase recycling and composting.

So, I hope that one day we're able to offer more opportunities for rural Yukoners to reduce their waste, to recycle, to reuse and compost, and more. I encourage Yukoners to do what they can to reduce their own waste footprint. Thank you, Mr. Speaker.

*Applause*

**Ms. White:** Thank you, Mr. Speaker. I rise on behalf of the Yukon NDP caucus to talk about garbage, junk, litter, rubbish, or, in this case, the reduction of waste.

Waste Reduction Week isn't new, and it has actually been around since I was a kid. What also isn't new is society's obsession with material objects. We all know electronic and telecommunication producers that design items with the intention of them becoming obsolete so that the user is forced to purchase a newer version of the same item rather than getting it repaired. It's a good thing that we now have a path to easy recycling with our e-waste.

Clothing, furniture, and other goods can be purchased cheaply without having been designed for longevity or the intention of repair. Most of these things end up in the waste stream, and that's problematic. This is a problem that our communities and our planet are drowning under.

The City of Whitehorse has done an incredible job of reducing the amount of waste that goes to the waste management facility. These gains have been hard fought through education. The city runs a comprehensive composting program that has diverted large amounts of organic material away from the standard waste piles. The best part of that is the fabulous compost produced from this waste. Industrial and construction sites are required to separate cardboard, construction and demolition waste, scrap metal, and more so that those products can also be recycled.

In Whitehorse, we're lucky to have both Raven Recycling, P&M Recycling, and the Blue Bin Recycling program that do an excellent job of diverting recycling from the landfills.

At the end of this year, we know that the Conservation Klondike Society will be closing its doors on the Dawson City recycling depot. Dawson City council is negotiating for funding to take over and manage the recycling, but without additional funding, they will not be able to add this to their already stretched budget, so, of course, we remain hopeful. Thank you to those recycling depots across the territory for the work that you do in diverting recycling from the landfills.

But, Mr. Speaker, this leads us to the next point: Yukon communities with transfer stations. A transfer station is a location where local residents can drop off their waste and recycling in a contained location, where it is then picked up and taken to a management facility in or outside any number of Yukon municipalities. Unfortunately, a decision has been made to close down four of these transfer facilities — those in Destruction Bay, Silver City, Keno City, and Johnsons Crossing — leaving residents with few options to easily sort their waste. In many cases, some are required to make a 100-kilometre round trip to dispose of that waste. It doesn't sound very environmental.

So, when we talk and celebrate waste reduction, it is important to highlight both the successes and the shortcomings. If we as a society are truly interested in waste reduction, we have a long way yet to go.

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

## TABLING RETURNS AND DOCUMENTS

**Ms. White:** I have for tabling a letter from the Yukon Teachers' Association to its members.

**Hon. Mr. Pillai:** Pursuant to section 15 of the *Cannabis Control and Regulation Act*, I have for tabling the 2020-21 Cannabis Yukon annual report.

**Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 3 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 3 of the First Session of the 35<sup>th</sup> Legislative

Assembly, as presented by the Member for Lake Laberge on October 18, 2021. The petition presented by the Member for Lake Laberge meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 3 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 3 shall be provided on or before November 1, 2021.

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 today to give notice of the following motion:

THAT this House urges the Premier to ensure that witnesses from the Yukon Hospital Corporation appear in the Legislative Assembly during the 2021 Fall Sitting and provide the House with notice of the date they will appear without further delay.

I also give notice of the following motion:

THAT this House urges the Minister of Highways and Public Works to recognize that the current state of Jackfish Bay Road is a safety issue and take immediate action to widen the narrow section that was raised this summer.

I also give notice of the following motion:

THAT this House urges the Minister of Highways and Public Works to improve the maintenance of public roads to properties at Braeburn Lake.

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

THAT this House urges the Government of Yukon to appoint a full-time chair and additional directors and to provide sufficient funding to the Yukon Advisory Council on Women's Issues so that they are able to meet and perform their legislated role under the authority of the *Yukon Advisory Council on Women's Issues Act*.

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

THAT this House urges the Premier to ensure that witnesses from the Yukon Workers' Compensation Health and Safety Board appear as witnesses in the Legislative Assembly during the 2021 Fall Sitting and provide the House with notice of the date they will appear without further delay.

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

THAT this House urges the Premier to ensure that witnesses from the Yukon Development Corporation and the

Yukon Energy Corporation appear as witnesses in the Legislative Assembly during the 2021 Fall Sitting and provide the House with notice of the date they will appear without further delay.

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

THAT this House urges the Government of Yukon to address the concerns outlined by Blood Ties Four Directions, the Safe at Home Society, the Yukon Status of Women Council, and the Yukon Anti-Poverty Coalition by immediately undertaking a comprehensive review of the *Safer Communities and Neighbourhoods Act*.

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

THAT this House urges the Government of Yukon to ensure that entryways to all Government of Yukon-owned and -leased buildings remain accessible to all Yukoners and are kept free of snow and ice at all times.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Youth Panel on Climate Change

**Hon. Mr. Clarke:** Young Yukoners are stepping forward as climate change leaders, and they deserve to have their voices heard. As legislators, it is important that we listen. Our young people will be the most affected by the decisions that we make today, and we want to harness their ideas and passion to inform the territory's actions to tackle climate change.

Last year, our government established the Youth Panel on Climate Change in partnership with the local youth organization Bringing Youth Towards Equality, or BYTE. Actually, I believe that their line has changed. I apologize to BYTE, and I will certainly clarify at future times when they are mentioned. The panel was asked to provide recommendations on how we can take action to support the goals identified in *Our Clean Future — A Yukon strategy for climate change, energy and a green economy*. This inspiring and diverse group of young people dedicated their time and energy to this important work, and I want to recognize each of them for their efforts. They are as follows: Abeer Ahmad, Alyssa Bergeron, Azreil Allen, Bruce Porter, Jagger Jamieson, Kadrienne Hummel, Koome Marangu, Min Stad, Sarah Booth, Sophie Molgat, and Sruthee Govindaraj. The panel explored key themes related to climate change and engaged experts, elders, and other Yukon youth to develop recommendations to inform government action. They also met with the Yukon First Nations Climate Action Fellowship, established under the Council of Yukon First Nations and the Assembly of First Nations Yukon Region.

The global pandemic over the last 19 or 20 months did not hold them back from accomplishing their goals. They met frequently with a focus on four key themes: people in the communities; infrastructure and innovation; wildlife and environment; and policy and government.

Last week, the Premier, the Minister of Energy, Mines and Resources, the Member for Whitehorse Centre, and I met with the panelists to receive their recommendations. It was great to hear their perspectives on what we can do, as a government and a territory, to tackle climate change. Their recommendations covered a range of issues, including: education; capacity building; land use planning; indigenous sovereignty; local transportation and food production; bringing together science and indigenous knowledge in knowledge acquisition and policy creation; and the mining and extractive industry.

As the Minister of Environment, I'm inspired by each of the panelists, their diverse experiences, and their motivations for advancing the climate change issues that they care about. Their work is an important step toward developing inclusive policies and approaches to climate action that reflect the needs and priorities of our younger generations. Their passion for tackling climate change is admirable, and we thank them for their dedication.

We look forward to reviewing the panel's recommendations and incorporating their insights and perspectives into our actions to address climate change. Thank you once again to each of these incredible young Yukoners.

**Mr. Istchenko:** Thank you, Mr. Speaker, for the opportunity to respond to this ministerial statement regarding the Youth Panel on Climate Change.

The Yukon Party recognizes that climate change is an important issue for all of us, but especially for those of us who are living in the north. We must all take action to preserve our planet for future generations. That is why, Mr. Speaker, I'm happy to see engagement from the next generation of Yukoners on this important topic. We would like to thank, on this side — the Yukon Party would like to thank all 11 youth panelists and the panel coordinator for the work that they have put into developing 11 pages of recommendations in the report entitled *Our Recommendations, Our Future*. I understand that there are some important partnerships in making this a reality, so I want to give a shout-out to those partners.

The report's general statement reads: "The Yukon Youth Panel on Climate Change prioritizes reconnection and sustainable relationships with the land and people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity."

Mr. Speaker, as a tourism business operator and as a hunting and fishing enthusiast who has respected the land for decades, I couldn't agree more. I want to highlight the guiding principles of the document centred on stewardship. The principles recognized in this document, such as relationships with the land, innovation and creativity, land-based education systems, and environmental literacy give me great hope for the future.

Combined with principles such as recognizing mental health, indigenous rights and sovereignty, and food security, youth do have their pulse on the future. The reason they have their pulse on the future is they are growing up in Yukon, where the environment is a part of who we are. Our Yukon education system teaches at a young age that we must respect the

environment. Our final agreements established renewable resources councils, bringing the community together to address climate and environmental issues and concerns.

We are also so lucky to have leaders in our communities like First Nation cultural camps, the Junior Canadian Rangers, cadettes, and many others. This has guided the territory to where we are today. We really rely on the guidance of our elders and our seniors. Now we can look to the fresh ideas of our youth.

Again, I extend my thanks to the Youth Panel on Climate Change for their time, their effort, and their wide scope of recommendations.

**Ms. White:** It's a pleasure to rise on behalf of the Yukon NDP to congratulate the Youth Panel on Climate Change for their brave and forward-thinking report. My words today are directed to the youth themselves.

For me, sitting down at the table across from you, the young people who wrote the report, while reading the paragraph that sets the tone of the work you were presenting was heavy, because in this opening is the recognition that things need to be done differently. The opening paragraph reads — and I'm quoting: "The Yukon Youth Panel on Climate Change prioritizes reconnection and sustainable relationships with the land and people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity. Overall, this results in a changed mindset and way of living to sustain a healthy planet."

So, thank you for sharing so much of yourselves and the knowledge and lessons that you learned from your peers, your elders, your culture, and your communities. You have made 27 recommendations to programs and policies and, in your words, "to embolden the Yukon's climate action". I love that you chose the word "embolden", that you were encouraging the government and decision-makers to have the courage and confidence to act and behave in a different way. Your recommendations are brave; they aren't dependent on how government systems currently work or don't work. They were delivered without cynicism and full of hope. You challenge all of us in this Chamber as current decision-makers to change our mindsets and our way of addressing climate action so that by the time you are in our seats, a course correction will have been made.

Each of your recommendations is grounded in the lived experience of Yukoners. You learned from and reflected on the lessons you learned from the Yukon First Nations Climate Action Fellowship and others. Your recommendations are spread across all of government and demand that we do better, that we think bigger, and that we aspire to do more. You challenged us to use an equity-based lens for climate decisions so that all of society can participate. You have told us that the education system isn't keeping up with the real-world knowledge that you and your peers and future students need to better understand climate and that today's curriculum doesn't reflect *A Clean Future* or your role in it. And you are right: That needs to change. So, there is no way that I can do each of your recommendations justice in the short time I have today, but I

want you to know that I heard you. I heard both what was spoken and what was unspoken, and I understand the urgency and the hope behind what you have said, and the Yukon NDP will do our best to honour the work that you have presented.

**Hon. Mr. Clarke:** Thank you, Mr. Speaker, and thank you for the comments from the Member for Kluane and the Member for Takhini-Kopper King.

The climate crisis that we are experiencing is the biggest challenge of this generation and Yukon youth deserve to have their voices heard. Our government recognizes the great leadership of our youth and we are taking steps to empower the next generation of leaders. The recommendations provided by the Yukon's first-ever Youth Panel on Climate Change will help us to address climate change and build a brighter future for our territory.

Our Liberal government has taken significant action to tackle climate change. In 2019, we declared a climate emergency in the Yukon, a clear acknowledgement that climate change is real and that we all — governments, industry, businesses, communities, and individuals — need to take action against this crisis.

Yukoners, including young persons, want action and our government is listening. Last fall, we released *Our Clean Future*, an ambitious Yukon-wide strategy to address our changing climate in a comprehensive and sustainable way. With clear targets and tangible actions to reach them, this strategy marks an important turning point for the Yukon as we collectively take steps toward a more resilient future for our territory.

This year's budget includes more than \$50 million for implementation of *Our Clean Future*, with climate change, energy, and green economy initiatives across government.

\$16 million will support community-based renewable energy projects across the territory. \$14.4 million will make government buildings more energy efficient and switch to renewable sources of heating like biomass, which will also grow our local biomass energy industry. \$1.2 million is dedicated to making First Nation housing more energy efficient. \$6.1 million will be provided for energy rebates which will help Yukon families and businesses adopt renewable sources of heating and make their homes and buildings more energy efficient.

These rebates will also support local contractors and tradespeople in Yukon's green economy. My colleague, the Minister of Community Services, tabled legislation in this House to support the better building program. This program will help Yukoners retrofit their homes and businesses in an affordable way by providing up to \$50,000 for homeowners and \$100,000 for businesses at the prime lending rate, the lowest interest rate available, which is currently 0.25 percent.

These are just some of the initiatives we are taking to help Yukoners advance the objectives of *Our Clean Future* and help us meet our greenhouse gas reduction targets.

We look forward to continuing to support Yukoners and our partners across the territory to tackle climate change and build a strong, resilient future for our territory. We also

certainly look forward to receiving the *27 Programs and Policies to Embolden Yukon's Climate Action* which the Yukon Youth Panel on Climate Change has provided and, where we possibly can, to integrate these recommendations with *Our Clean Future*.

Thank you so much to the dedicated youth for their work. We are excited to move forward on this file.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Dixon:** Mr. Speaker, yesterday my colleague tabled a petition with the signatures of nearly 350 Yukoners demanding answers from the Deputy Premier.

We know that the Deputy Premier learned of sexual abuse that occurred at Hidden Valley Elementary School in 2019. Instead of telling parents, the Deputy Premier chose not to disclose this information to Yukoners. As a direct result of the Deputy Premier's decision to sweep this information under the rug, several children went without justice and support for over a year.

Let me be clear, Mr. Speaker: The Deputy Premier failed to do her job and ensure the parents were notified. The Deputy Premier failed these children and these families.

Does the Deputy Premier accept responsibility for her actions — yes or no?

**Hon. Ms. McLean:** Mr. Speaker, I welcome the opportunity to once again rise to speak about these very serious matters that occurred in 2019. I accept the questions that are posed here today in the Legislative Assembly.

As I have spoken about many times over the last several days, I have launched an independent review of the Government of Yukon's response to the situation in Hidden Valley Elementary School. This, again, Mr. Speaker, is a commitment I made to the parents of Hidden Valley Elementary School.

This independent review will look into the internal and interdepartmental processes of 2019 when allegations of child abuse were brought forward to Department of Education staff. It will also include a broad and comprehensive review of established government policies and procedures around operations, reporting, and communication to address serious incidents in schools. This review will include not only the Department of Education but also Health and Social Services and Justice. We will look at the interactions as well with the RCMP.

I will continue on with my answer in the next supplementary question.

**Mr. Dixon:** Thank you very much, Mr. Speaker, and to the Minister of Education. I would note that my question was directed to the Deputy Premier and I would remind her of the principle of ministerial accountability.

As a direct result of a decision made by at least one member of the Liberal Cabinet to try to sweep this under rug, several children who were victimized went without justice or

support for a year. The Deputy Premier had a duty to inform parents and failed.

Was the Premier aware that the Deputy Premier had made the decision not to disclose the information about the sexual abuse of children in the elementary school when he promoted her to Deputy Premier — yes or no?

**Hon. Ms. McLean:** Mr. Speaker, I want to also remind the member opposite that I am now the Minister of Education and I am taking my responsibilities very seriously, of course, as we all have taken an oath of office.

I will continue on with my previous response with regard to answering questions around the incidents involving Hidden Valley Elementary School in 2019. The independent review will be completely supported by the three departments. The review will go where it needs to go. It will include parents, families, and guardians of students at Hidden Valley Elementary School. They will also be involved in this review along with other partner organizations, agencies, and the RCMP. Of course, as I have stated, it will include our internal and interdepartmental communications, protocols, and policies.

Mr. Speaker, we take these matters very seriously and I am prepared to release the findings to the public.

**Mr. Dixon:** I would remind the current minister that she had to learn about this incident from the media and not from her colleague who could have briefed her about it. She didn't even know about it for two and a half months after becoming minister.

Let's be very clear. A draft letter was prepared in 2019 to inform parents about this abuse. When the Deputy Premier got involved, the decision was made not to send the letter and not to inform parents. The Deputy Premier was then briefed at least a second time — that we know of — in March 2020. Then again, the Deputy Premier failed to tell parents about the sexual abuse that took place at the school. As a direct result of the Deputy Premier's decisions and a direct result of her failure to do her job to try to inform the parents, victims of sexual abuse went unidentified and without justice for over a year.

Is the Premier at all concerned that the individual he promoted to be Deputy Premier hid this information from parents?

**Hon. Ms. McLean:** Mr. Speaker, I'm happy to keep on answering these questions; they are important ones. I, as always, stand to speak first and foremost to the families and the school community and those directly impacted.

We have acknowledged that it was a mistake that other parents were not made aware of the situation and that steps could have been taken at that time to better inform and support families. We have absolutely acknowledged that.

Mr. Speaker, these are some of the issues that have brought us to the launch of an independent inquiry. Amanda Rogers is in the Yukon this week, starting to conduct the investigation, and our departments are cooperating fully with this review.

I also would like to point out once again that the Child and Youth Advocate has launched a review as well, and we, of course, share the interest of the Child and Youth Advocate, which is the safety of our children. The advocate's review will

focus on education policies, protocols, and actions. We also have an RCMP review of their investigation in 2019.

### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Mr. Speaker, over the course of the last few weeks, we have learned a few things. The first is that the current Minister of Education claims that she only found out about the sexual abuse at Hidden Valley on July 16 of this year from the CBC. The Deputy Premier has admitted that she found out in 2019. So, can the Premier please tell us when he found out about this incident?

**Hon. Ms. McLean:** I once again point to the steps that we are taking to address the situation. The independent review will help to provide answers to these questions. The independent review will look into our internal and interdepartmental processes in 2019 and bring us to today — of course, back in 2019, when allegations of child abuse were brought forward to Department of Education staff. It will also include a broad and comprehensive review of established government policies and procedures around operations, reporting, and, yes, communication to address serious incidents in Yukon schools.

I have stated over and over and over — and I will continue to do that, if it is necessary — that we take these matters very seriously. There is nothing more important than the well-being, safety, and protection of students when they are in our care. This is devastating; it is absolutely devastating to everyone involved, particularly the children, particularly the families and the school community, who are working hard to move on with their school year this year. I want to commend the actions of the administrators, the teachers, and all of those who are in care of our children.

**Mr. Dixon:** Mr. Speaker, it is a very important question. It is a question for the Premier, and it speaks to leadership, it speaks to trust, and it speaks to ethics. Because of decisions that the political leadership of this government made in 2019 and 2020, victims went without justice and support for over a year. Yukoners deserve to know who within the Liberal Cabinet was aware of this and who within the Liberal Cabinet chose not to inform the public.

We have heard from the current minister that she learned this summer from the CBC. We have heard from the former minister that she learned in 2019.

So, when did the Premier find out about the sexual abuse that occurred at Hidden Valley school?

**Hon. Ms. McLean:** Again, I will continue to talk about the steps that we are taking to address the questions on the floor today. The independent review will help to provide answers to these questions.

Again, Mr. Speaker, I would like to take the opportunity, since I am on my feet quite a bit during this Sitting, to just recognize the hard work and dedication and the very sincere work of the Hidden Valley Elementary School administration and staff, who are going above and beyond usual responsibilities to ensure that children feel well-supported and safe. It is including a number of actions that they are taking, but

I really want to hold my hands up to them. This is a very difficult time for the Hidden Valley school and for education overall. I have certainly heard that it is weighing heavily on folks who are working hard to provide good education for our children and to provide safe learning environments.

Mr. Speaker, I have said many times that we acknowledge, of course, that mistakes were made back in 2019. We are working to try to find the answers for Yukoners.

**Mr. Dixon:** Mr. Speaker, the Premier's silence speaks volumes. The fact that the Premier is refusing to tell us when he found out really leaves Yukoners with the impression that, just like the Deputy Premier, he was likely aware of the sexual abuse at Hidden Valley before CBC broke the story in July.

Mr. Speaker, will the Premier just tell us: When did he find out, and what did he do when he found out?

**Hon. Ms. McLean:** Again, as the minister responsible for Education in Yukon, I take my role very seriously. I have launched an independent review. I tabled those terms of reference for Yukoners who may not be aware of that. I tabled them in the Legislative Assembly for all to see. This is going to be conducted by Amanda Rogers, who is actually in Yukon this week and will be working on this with a target date of January 31 to bring a report back to me.

The terms of reference clearly point to — particularly section 4 — finding of fact related to responses of the Department of Health and Social Services, Department of Education, and Department of Justice to the incidents of 2019 involving the Hidden Valley Elementary School. Also, she will be bringing forward recommendations for improving government-wide policies and procedures to better support Yukon school communities. I look forward to being in receipt of this report and taking further action.

### Speaker's statement

**Speaker:** Order, please. As we proceed to the next couple of questions, would members please be respectful when a member has the floor and is speaking. There is a lot of bickering going back and forth, and it is hard for me to hear. I am pretty sure that it is also hard for the viewers to hear the statements and questions that are being presented on the floor. Thank you.

### Question re: School staff shortage

**Ms. White:** Mr. Speaker, my colleague, the Member for Vuntut Gwitchin, was in Old Crow this weekend and heard directly from parents and citizens about the severe staffing shortages at their school.

Right now, the acting principal is teaching the grade 4/5/6 class on top of his administrative duties. They have no kindergarten teacher and not nearly enough EAs and teachers on call. We are two months into the school year, and this community is missing teachers, educational assistants, a permanent principal, and teachers on call.

We know that this isn't the only school in Yukon facing staff shortages. When will students and parents in Old Crow see a full complement of teachers, educational assistants, and teachers on call at their school?

**Hon. Ms. McLean:** Thank you for the question. I have been making my way around to all the school councils in the Yukon. I haven't been to all of them yet, but we are well on our way. I have certainly heard directly from schools and from administrators that this is a very big concern for them. I know that having teachers on call is one of the primary needs to manage the COVID-19 pandemic. We certainly have staff and folks away from school due to some of the outbreaks that have happened. Effective teachers are one of the most important factors in a student's success at school, and we are working hard to attract and retain the best educators.

What I know is that this is an issue across the country. Staffing shortages and the retention of teachers is a huge problem across the country. As of October 19, we had — in terms of the teachers on call — 176 registered in Yukon; 136 are in Whitehorse; 40 are in rural communities; and 32 applications are pending right now, so we will have more on the list.

I will continue with my answer. This is a very, very important issue to our school community.

**Ms. White:** The opening line in a memo that I tabled, sent from the president of the Yukon Teachers' Association to its members, is brutal — and I quote: "The quality and availability of meaningful support for Yukon Educators and students is grossly inept."

I will quote again: "As of mid-September there were still nearly 50 educator vacancies in the Yukon."

There are schools with only acting principals, principals teaching classes due to a shortage of teachers on call, and teachers on call without adequate training are working full time to replace vacant teacher positions, and schools across the Yukon are in crisis right now with no help in sight from the government.

From chronic understaffing to educators and students struggling to no end, what is the minister doing to address this crisis in our schools across the territory, and when will we see real tangible change?

**Hon. Ms. McLean:** As I've already stated, we know that this is a very big issue in our schools across the Yukon. I myself have gone to meet with school councils. I have heard first-hand and I know that there is huge stress in our schools.

Schools have several options available to help them manage, should they have staff vacancies, which most of them do. These include but are not limited to: temporarily adjusting staff teaching assignments; adjustments to student learning groups; and the use, of course, of teachers on call. The Schools and Student Services branch is actively recruiting caring and qualified staff for several schools, including those in rural communities. We maintain high standards for the staff as staff are selected to work in Yukon schools.

Current postings, as of October 18, include: 11 teaching postings, with three in Whitehorse and eight rural; six EA postings, with three in Whitehorse and three rural; and four Yukon First Nation language teacher postings, with two in Whitehorse and two rural. I'm very aware.

Thank you very much for bringing this to the floor of the House. We're actively working on this, and we'll continue to make this a high, high priority.

**Ms. White:** The memo also quotes the minister's promises on the changes that have supposedly been made regarding no alone zones and additional support, and I hope that the government is ready for one last quote — and I quote: "We have no information about how DOE intends to make good on..." these changes.

"These types of promises tell me our Minister is out of touch with the reality of Yukon schools and/or is in open denial of Department of Education's long-standing inability to properly resource schools to adequately meet the needs of students."

Day in and day out, the minister is telling us that changes are being made. Day in and day out, we receive information that this is not the case. This letter is a damning reminder that our education system is crumbling before our eyes — that our educators are feeling unsupported.

How did it come to this? How can the government watch our education system fall apart before their eyes and still hope to fix it with empty promises?

**Hon. Ms. McLean:** When I came into the position, I came in in receipt of a number of very concerning and in-depth reports. One of them was the Auditor General's report of 2019.

Actions have been taken, of course, to start addressing the issues, which took decades and decades to get to where we are. I am really proud that our government has taken the steps to get to the bottom of where we are really at with our education system.

Yes, thank you for bringing your comments forward to the Leader of the Third Party. We are taking active measures to work with all of our partners to address the very serious issues that we have in our education system. I know that people are feeling tired. We are only in the middle of October and teachers are feeling the fatigue. I have heard it first-hand. We are working hard to find solutions. We are actively recruiting and will continue to work with our school communities and all of our partners to ensure that our education system is the best that it can be. We have work to do — yes, I admit that — and we will do that work.

### **Question re: Student behavioural issues at Jack Hulland Elementary School**

**Mr. Kent:** Mr. Speaker, we have heard from several families who are concerned about serious incidents affecting safety of students and staff that have been occurring at Jack Hulland Elementary School. These incidents include violence toward students and staff, bullying, and acts of vandalism. The Jack Hulland Elementary School Council has been pulling for these issues to be addressed by the Liberal government for over a year now.

Can the minister tell us what measures she is taking to address these issues and what she is doing to ensure the safety of students and staff at Jack Hulland Elementary School?

**Hon. Ms. McLean:** Mr. Speaker, I think I will start by saying that it is vital that our education system meet the needs

of individual students in a way that really reflects diverse learning needs in our schools. We will continue to improve how we provide education to support all of our students.

I have personally met with the Jack Hulland Elementary School Council. That particular school council meeting included parents and staff. This meeting happened with me on October 6, I believe. At that meeting, I brought back a few things to the school council and to the folks who normally and regularly attend these meetings. One of them was a new communication protocol in terms of how matters are communicated to parents and the school community.

The other was a Grove Street handbook, which was a commitment from a previous meeting to review the handbook with the school council, school administration, and Student Support Services. This was completed in September. Also, there is to be a facilitated meeting with the staff, which I am attending later this week.

**Mr. Kent:** Mr. Speaker, we have also heard that many of the incidents involve students who are attending the Grove Street school, which is, of course, housed within Jack Hulland Elementary School. So, I would like to know if the minister has begun a formal review of the Grove Street program to ensure that it is meeting its intended purpose, and as part of that review, is the minister considering moving the Grove Street program out of Jack Hulland to help address the impacts of these incidents on students and staff?

**Hon. Ms. McLean:** Mr. Speaker, I will speak a little bit about the Grove Street program. The Grove Street school program at Jack Hulland Elementary School is designed to serve some of Yukon's most vulnerable students, who have not been able to consistently demonstrate success in a regular classroom. This program has a very low staff/student ratio so that students can receive the intensive supports that they need — an almost one-to-one staff/student ratio this year. With careful planning and a trauma-informed approach, we are able to focus on helping students to manage their behaviours in order to then allow them to focus on their academic success. The program has been located in Jack Hulland Elementary School since 2011, with significant supports from the Student Support Services branch, which is available to support teachers and staff at Jack Hulland Elementary School.

Are there issues? Yes, there are issues. I have just spoken to that and we are working to address the concerns. As I stated, I do actually have a meeting, as well, with the staff this week and look forward to further discussions with the administration.

**Mr. Kent:** Mr. Speaker, on April 5, 2021, during the election campaign, the Yukon Liberal Party put out a press release regarding supportive education, and in that press release, they said that they would look at behavioural support programs such as the Grove Street program to ensure that it is meeting the intended purpose. That was what the subject of my previous question was, so I will ask again.

Is the minister looking to review the Grove Street program to ensure it is meeting its intended purpose, and when will that review start?

**Hon. Ms. McLean:** Mr. Speaker, the Department of Education continues to collaborate with the Jack Hulland

Elementary School Council and others concerned in the school community regarding safety. I did talk just a little bit earlier about the review of the handbook, which is now complete.

I also would like to just touch on something very, very important that was a result of the Auditor General's report and was launched by the previous Minister of Education — the review of inclusive and special education. I think that this is work that is key to working toward new ways of bringing all our partners together to make strategic changes. This review was done despite COVID-19 instantly forcing our school system to adapt and respond quickly in a rapidly changing and very unpredictable crisis situation. We continue to do the work with education partners to engage in significant system renewal through the review. The Department of Education reviewed the final report of inclusive and special education which was done by Dr. Nikki Yee. We have an education summit coming up on November 12 that will dig into the implementation plan.

#### **Question re: Individualized education plans**

**Ms. Van Bibber:** Mr. Speaker, under the coalition agreement between the Liberals and the NDP, there is a commitment to reverse the Liberal decision to cancel the individualized education plans. On March 10 of this year, APTN reported that the Liberal decision to cancel IEPs resulted in at least 138 students being removed from these supports.

Can the Minister of Education tell us how many of these 138 students have now been returned to IEPs?

**Hon. Ms. McLean:** Mr. Speaker, the 2019 audit and final report of the review of inclusive and special education says that we can do better, and we will, to support students with diverse learning needs so they can reach their maximum potential. I really think that is an important statement, which is the undertone of all of this.

Under the confidence and supply agreement between our government and the New Democratic Party, all parents and guardians of students whose plans changed from IEPs to another type of learning plan were contacted directly by the schools before the end of the last school year and given the choice to remain on the current type of plan or switch back to an IEP.

Schools have been working with students and parents and guardians who choose to return to an IEP to develop individualized goals for the student and develop a plan accordingly. As of October 1, 2021, 39 student learning plans have been reinstated as IEPs for implementation for the start of the 2021-22 school year; 22 families affirmed the desire for their child to remain on the student learning plans.

I will continue on with the answer after the next questions.

**Ms. Van Bibber:** I am not sure that I caught the numbers. Can the Minister of Education reaffirm how many of these 138 students have now been returned to individualized education plans?

**Hon. Ms. McLean:** Mr. Speaker, I will start again on that part of it. As of October 1, 2021, 39 student learning plans have been reinstated as IEPs for implementation for the start of the 2021-22 school year; 22 families affirmed the desire for their child to remain on the student learning plans; 10 plans

were identified as students who moved out of the territory or graduated. In the work plan of the review of inclusive and special education, we will work with Yukon First Nations, parents, staff, and stakeholders to create greater clarity around the types of learning plans available to students. This is a very big part of the work that we're doing on inclusive and special education and one that will be a very important discussion at the upcoming education summit on November 12.

Of course, at any time, parents and guardians can and are encouraged to bring forward concerns to their school to ensure a student is being effectively supported. All learning plans, including individualized education plans, or IEPs, are commitments to students and families first and foremost to provide the supports necessary for students to be successful in school.

**Ms. Van Bibber:** Mr. Speaker, IEPs often come with the requirement for a student to have an EA. Can the minister tell us what are the total numbers of EAs and how many EA vacancies are there currently?

**Hon. Ms. McLean:** Mr. Speaker, we provide all students with educational programs to meet their learning needs so that they can reach their maximum potential. Educational assistants are one of several resources that a school has to support student learning. These include inclusive classroom practices implemented by classroom teachers to provide learning activities that accommodate students with diverse abilities and special education needs. We have school counsellors, educational assistants, and learning assistance teachers. The central Student Support Services unit — we have the First Nation education support workers and community education liaison consultants and community-based supports such as those provided by Health and Social Services.

You can see, Mr. Speaker, that there are a number of supports, and EAs are part of that system. They are a very important aspect of it but not the only part. I think that is sometimes talked about in the Legislative Assembly as the only support and that is not, in fact, the case. We work with each school community, and this is another area that will be reviewed with inclusive and special education and how EAs are allocated. Right now, it's based on enrolment. This is part of the work that we will be doing together with all of our education partners.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

#### **GOVERNMENT BILLS**

##### **Bill No. 4: *Act to Amend the Motor Vehicles Act (2021)* — Second Reading**

**Clerk:** Second reading, Bill No. 4, standing in the name of the Hon. Mr. Clarke.

**Hon. Mr. Clarke:** I move that Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Highways and Public Works that Bill No. 4, entitled *Act to*

*Amend the Motor Vehicles Act (2021)*, be now read a second time.

**Hon. Mr. Clarke:** Mr. Speaker, it is my pleasure to rise in the House today to bring forth the proposed *Act to Amend the Motor Vehicles Act (2021)* for second reading.

This bill will align the current *Motor Vehicles Act* with the changes made to the *Criminal Code of Canada* in 2018. Yukon's current *Motor Vehicles Act* references sections in the *Criminal Code* that are no longer accurate, and there are inconsistencies between Yukon's law and the federal law. These outdated references and inconsistencies can create legal conflicts when enforcing the *Motor Vehicles Act* and the *Criminal Code of Canada* together.

To ensure the safety of Yukoners and to ensure that dangerous driving charges can be properly administered, these specific amendments were needed before the full rewrite of the *Motor Vehicles Act* is completed. The proposed amendments will address specific high-risk safety issues by allowing peace officers to impose immediate roadside impoundments in response to: (1) failure to stop after a collision; (2) fleeing from a peace officer; and (3) existing driving suspensions.

The Government of Yukon would like to extend its appreciation to the RCMP and the Driver Control Board for their input, which has helped to shape the development of these amendments.

I would now like to provide you with an overview of the key provisions of this bill. Section references and language for impaired driving-related offences have been updated to align with the *Criminal Code of Canada*. The threshold for impaired driving blood-alcohol content has been updated from "greater than .08 percent" to ".08 percent or above".

The waiting periods for the ignition interlock program have been changed to reflect the same waiting periods as found in the *Criminal Code of Canada*. Mandatory roadside alcohol screening may now be conducted by peace officers upon demand as long as they are in possession of an approved screening device. Where there is a failure to comply with mandatory alcohol screening, the *Motor Vehicles Act* administrative penalties can now be applied.

In order to improve road safety for Yukoners and the travelling public, the amendments provide peace officers with additional enforcement tools in the form of expanded roadside suspension and impoundment authorities. Peace officers can now impose 90-day roadside suspensions for criminal impairment by drugs or a combination of alcohol and drugs. Peace officers also now have the authority to impound a vehicle in specific circumstances, including: (1) failure to stop after an accident; (2) flight from a peace officer; and (3) an existing driver suspension.

Making periodic amendments to the law is common practice in most jurisdictions as a way to ensure that the legislation is kept current.

Mr. Speaker, the items presented represent highlights of the bill that has been tabled. We believe that these amendments will enhance safety for all persons on our Yukon highways and roads.

In conclusion, the government is pleased to bring forward the proposed *Act to Amend the Motor Vehicles Act (2021)*. These amendments will ensure continuity between the *Criminal Code of Canada* and the *Motor Vehicles Act*, while also providing Yukon's peace officers with new authorities with which to safeguard Yukoners and the travelling public.

I look forward to the passage of this bill at second reading and to answering any operational questions that may arise in Committee of the Whole.

**Mr. Hassard:** It's a pleasure to rise to speak to the *Act to Amend the Motor Vehicles Act (2021)* here today. I would like to begin by thanking the officials for the very informative and thorough briefing that was provided to us yesterday. I'm sure that we may have a question or two during Committee, but at this point in time, I'm confident that we'll be voting in favour of this bill at second reading.

I would also like to note that the minister just made mention of a major rewrite of the *Motor Vehicles Act* that we heard about many times from the previous minister. It would be interesting to know, when the minister is next on his feet or speaking about this rewrite, if he could provide the House with some sort of timeline on when we may see that.

At this point, thank you, Mr. Speaker.

**Ms. Tredger:** Mr. Speaker, we have had the opportunity to review this amendment. We've had a very helpful briefing from the officials, and I would also like to extend my thanks to the officials for their time in informing us.

We are satisfied that the amendment is technical in nature and that it is fixing a broken link between pieces of legislation.

Like my colleague, the Member for Pelly-Nisutlin, I am interested in knowing when the review of the act is expected to be complete. That's my primary question, and I look forward to supporting the bill at second reading.

**Speaker:** If the member now speaks, he will close the debate.

Does any other member wish to be heard?

**Hon. Mr. Clarke:** Mr. Speaker, I appreciate the comments from the Member for Pelly-Nisutlin and the Member for Whitehorse Centre. I certainly will provide a more complete answer with respect to the voyage of the proposed legislation of the first complete rewrite of the *Motor Vehicles Act* in a number of decades. I can advise that I have received direction to review — and direction to draft — a number of different pieces of the proposed new legislation over the course of the summer. I anticipate receiving a few more of those discrete pieces and suggestions for the rewrite.

We do have a dedicated drafter at Highways and Public Works in order to complete the not-insubstantial work. I also understand that the original plan was for the full rewrite of the *Motor Vehicles Act* to be only the legislation and not the regulations. Some time ago, there was a change of heart or a change of direction, and the plan now is that once the full rewrite comes to the House for full consideration, it will include both the new legislation and the new regulations.

I am advised, as well, that some of these rewrites in other provincial and territorial jurisdictions have taken a long time — between eight and 10 years in some instances. We certainly hope that this will not be the case.

I am sure that the Official Opposition would like me to commit right now. I will likely be in a position to provide some relatively specific guidance in Committee of the Whole as to when Highways and Public Works and I hope to be able to present the entire package to the House for its consideration and hopefully its passage so that we have a new piece of legislation that will be one of the premier or leading motor vehicle acts in Canada, taking into account a lot of modern circumstances and contingencies. Thank you for your questions about that, however.

Speaking briefly in closing, I will just repeat that, once again, this bill will align the current *Motor Vehicles Act* with changes made to the *Criminal Code of Canada*. The proposed amendments will substantially address specific high-risk safety activities by allowing peace officers to impose immediate roadside impoundments in response to: (1) failure to stop after a collision; (2) fleeing from a peace officer; and (3) existing driver suspensions.

I do anticipate that there may be some logistical or administrative questions that may arise in Committee of the Whole. When I have my officials here, I certainly anticipate being in a position to answer any questions that members opposite may have. Thank you for your comments so far, and I look forward to passage of this bill at second reading.

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

**Some Hon. Members:** Division.

### Division

**Speaker:** Division has been called.

### Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 4 agreed to*

**Hon. Ms. McPhee:** 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 (Ms. Tredger):** I will now call Committee of the Whole to order. The matter before the Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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. 202: Second Appropriation Act 2021-22 — continued**

**Deputy Chair:** The matter before the Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Hon. Mr. Silver:** Thank you, Deputy Chair. I just want to welcome back to the Legislative Assembly Deputy Minister Scott Thompson, and I will cede the floor to my colleague.

**Mr. Dixon:** Yesterday when we left off, we were talking about the CASA and the implementation of the CASA by the Yukon government. So, to begin, I believe that we delved into a specific aspect of that agreement, but I will start at a higher level for the benefit of the discussion. Can the Premier tell us about the secretariat, where it's housed, and how it's funded?

**Hon. Mr. Silver:** I believe we answered that question last time when we said the secretariat is funded through ECO. If the member opposite is looking for some of the specific initiatives mentioned in the confidence and supply agreement, then obviously the particular items will be funded through various different departments.

**Mr. Dixon:** Obviously, the Premier is the Minister responsible for the Executive Council Office, so I will follow up with him on a few of the issues related specifically — to my knowledge, at least, to be in the Executive Council Office. If the Premier wants to defer me to another department, then I will bring those questions forward with the respective department.

I wanted to just get clarity on a question that I asked yesterday about the funding provided for the caucus resources for the NDP. I believe that he said they were funded through

the Executive Council Office, but I will ask the Premier to clarify that today.

**Hon. Mr. Silver:** I am a little perplexed because, again, I believe that we answered this question last time — yes, Executive Council Office.

**Mr. Dixon:** How much money is allocated toward the secretariat?

**Hon. Mr. Silver:** I don't have those numbers on me right now. I am here for general debate, but what I can do is — when Executive Council Office does appear, I can get that, or we can try to find the answers for the member opposite on the fly right now. I don't have those specific answers for him here in general debate.

**Mr. Dixon:** I don't believe that Executive Council Office has a line item in the budget, and therefore, their officials won't be appearing before the Legislature, so this is the only opportunity that I have to ask these types of questions. I appreciate that the Premier may not have them at hand, so perhaps while we are asking other questions, he can return with that.

Can the Premier confirm that the executive director of the secretariat is an employee in the Cabinet Office, or are they an employee in the Executive Council Office?

**Hon. Mr. Silver:** Again, I am trying not to be — with all due respect, there is a reason why ECO is not here; it is because they are not asking for any more appropriations, so we will get the details for the member opposite, as far as the costs for specifics in the secretariat. We do have an employee through the Executive Council Office who is supporting the secretariat, but, yes, the position that the member opposite stated is somebody who does work in our caucus office.

**Mr. Dixon:** As the Premier is aware, the staff of the Cabinet Office fall under the *Cabinet and Caucus Employees Act*, which is a separate piece of legislation from the legislation that covers other public servants.

I am curious, because it sounds like the person is an employee of the Executive Council Office but they work in the Cabinet Office. I would like to know which piece of legislation that particular employee falls under.

**Hon. Mr. Silver:** As the member opposite knows, the caucus office budget would be through the Executive Council Office. We have the one position that is from our Cabinet — is that lead position in the secretariat — and we did say that there is also another person who is being funded through the Executive Council Office for support as well.

**Mr. Dixon:** If I have that right, there is one person in the Cabinet caucus office who is tasked with this and one person who is in the public service who is tasked with this. If that is incorrect, I will let the Premier correct me.

Yesterday, the question I asked about the making work safe panel resulted in some debate. I am wondering if the Premier was able to find out in the past 24 hours who indeed is on that panel, and if he could tell me who it was who appointed that panel, since it certainly wasn't the Premier because he didn't seem to know who is on it. I am wondering who actually made the appointments to the panel.

**Hon. Mr. Silver:** The appointments to the panel have not been publicly broadcast yet. It's not that they are keeping those names, but the panel itself has not had a need yet to publish or broadcast who is on that panel.

This was the making work safe panel. I looked into that yesterday. It was established to develop the recommendations to establish permanent paid sick leave — sick days — in Yukon and was established in June and holds regular meetings. The panel is working on public engagement about how a make work safe program could be administered in Yukon. They are expected to go out for engagement next month.

So, very preliminary work has been done. The membership is the Minister responsible for the Public Service Commission and also the MLA for Whitehorse Centre. We have, on that committee, Sheila Vanderbyl, Justin Lemphers, Kai Miller, and Staci McIntosh.

There are a few other committees as well to update the members opposite on. We have the *Our Clean Future* implementation committee that was announced by press release on June 7. Its mandate is to oversee the implementation of the *Our Clean Future* report. Membership on that is the MLA for Riverdale North and the MLA for Whitehorse Centre.

The *Putting People First* implementation committee was announced by press release on June 7. It will oversee the implementation of the *Putting People First* recommendations. That membership is the MLA for Riverdale South and the MLA for Vuntut Gwitchin.

The CASA secretariat worked with the Minister of Community Services and the NDP on the appointments for the making work safe panel.

**Mr. Dixon:** I appreciate the Premier's answers there. He has likewise anticipated my future questions about the other groups, so I appreciate that.

The Premier noted that the making work safe panel will begin a public consultation next month. Can the Premier tell us if that making work safe committee or panel has terms of reference? Have those terms of reference been released?

**Hon. Mr. Silver:** Yes, the terms of reference would have been in the confidence and supply agreement.

**Mr. Dixon:** So, the terms of reference would be the language on page 3 of the CASA, I take it.

That agreement, in the section that the Premier has referenced, notes that the committee may consider additional policy areas that have been highlighted through the COVID-19 pandemic to ensure that the work continues to evolve. The agreement says — and I quote: “The committee may consider additional policy areas that have been highlighted through the COVID-19 pandemic to ensure that as work has evolved, it remains safe and the rights of workers are protected. The committee will report by January 31, 2022, with recommendations for amendments to the *Employment Standards Act*.”

Is the Premier aware of what the panel is considering beyond the paid sick days program that he has referenced?

**Hon. Mr. Silver:** I think that the confidence and supply agreement is very succinct in what the agreement is and the responsibilities for those particular committees.

**Mr. Dixon:** The Premier is right; the CASA is very clear. It says that the committee may consider additional policy areas. I am asking if the Premier is aware if that panel is considering additional policy areas and, if so, what those are.

**Hon. Mr. Silver:** At this point, it is as CASA has stated. The committee will be working on paid sick leave.

**Mr. Dixon:** Obviously, the Minister of Community Services and the MLA for Whitehorse Centre collect the pay that all members and ministers do. Are the non-political appointments paid a per diem, or are they offered some sort of contract?

**Hon. Mr. Silver:** I believe that an honorarium is paid to the other members.

**Mr. Dixon:** That means that the committee members would have been paid by the number of meetings that they have attended so far. Can the Premier confirm how many meetings that panel has had?

**Hon. Mr. Silver:** Could the member opposite repeat the question?

**Mr. Dixon:** In response to the Premier's note that the non-political members are paid an honorarium, I had asked — if that is the case, then I presume that they would be paid per meeting on either the half-day or full-day basis. As such, I was asking how many meetings they have had so far.

**Hon. Mr. Silver:** They have had 12 meetings, I believe, and the honorarium is \$75.

**Mr. Dixon:** Is it \$75 per hour, per day, per meeting? I'm not sure I was clear with what the Premier said there.

**Hon. Mr. Silver:** Per meeting.

**Mr. Dixon:** I thank the Premier for that.

Another aspect of the CASA was a letter that was sent from the Premier to the First Nation members of the Yukon Forum, requesting the participation of the Leader of the NDP. Can the Premier confirm that this letter went out, and what was the response?

**Hon. Mr. Silver:** Ours was sent mid-May, to my recollection. I believe that the response was on June 1. I am not sure if that correspondence — I will find out for the member opposite. With the Yukon Forum agreement being an agreement between not just one government but a few, I am not sure if that response is — and it could be — public knowledge or not. I will find out, and if it is, then I will table it.

**Mr. Dixon:** I think that I misheard the last piece. Can the Premier just repeat? Did he say that he would table the letter if he is able to? I understand that it may not —

**Hon. Mr. Silver:** Yes, I will make it available, whether it's tabling or whatever. Again, the Yukon Forum being an agreement — not just a legislative agreement — to meet up to four times a year, to know whether or not all of the governments involved want or intended for that letter to be a public document — at this time, I can't recall. If it is, then I will get that information to the member opposite, whether it is by tabling or other means.

**Mr. Dixon:** One of the other issues in the CASA that had fairly significant budgetary implications was the commitment to a territory-wide dental plan.

Number 4 of section 4 of the CASA commits that a territory-wide dental care plan shall be established as per the recommendation of the *Putting People First* report — recommendation 5.8 — with an initial investment of \$500,000 in the 2021-22 budget to develop the program, which will be implemented and fully funded beginning with the 2022-23 budget.

Can the Premier confirm that the \$500,000 has been added to the budget as per the CASA? If so, was it added in this supplementary budget? We know it wasn't included in the original budget.

**Hon. Mr. Silver:** That money was allocated in the main estimates — yes.

**Mr. Dixon:** The main estimates came out before the CASA was signed. I am confused why it would be in the mains already. Can the Premier elaborate on that?

**Hon. Mr. Silver:** I understand — and as I have confirmed with my colleague — that \$500,000 was set aside in the mains for this particular initiative. If there is confusion about timelines, then I will get back to the member opposite as far as that goes.

But, yes, the money has already been budgeted and allocated.

**Mr. Dixon:** Deputy Chair, I believe that the confusion is around the first budget and the second budget. There was a budget tabled before the election and a budget that was tabled after the election. The second budget was the one that included the \$500,000. The Premier, I'm sure, is correct about that.

With regard to that investment, would the best place to ask questions about the allocation of that be in the Department of Health and Social Services, or is there another department, like Community Services, that is using that funding?

**Hon. Mr. Silver:** The member opposite will have to repeat that question because we were still talking back and forth here. On whether or not there were two budgets in the spring — there were two Sittings, but it is still the mains budget. That budget is allocated, and in that allocation, there is the \$500,000 in that second Sitting.

Health and Social Services is definitely the place to have further conversations about the dental program information. Could the member opposite repeat the second question? I apologize.

**Mr. Dixon:** The Premier actually did answer my question, so I appreciate that. The confusion was on my end with regard to the budget. There were two budgets that were tabled in the spring. One was tabled before the election and not passed, and then another was tabled after the election. The one after the election did include the \$500,000. That was my mistake.

I will move on. The second piece of that commitment was a commitment that the fully developed program would be available in the next budget in 2022-23. Obviously, we anticipate that cost being fairly significant. I am sure that the Department of Finance has been in contact with the Health and Social Services department to think about what that could look like for the budgetary picture.

Can the Premier give us any information about what the early indication is as to the size of that investment and the costs that we expect to see in the 2022-23 budget?

**Hon. Mr. Silver:** I think that it is premature right now for us to speculate on numbers. There are a whole bunch of processes, as the member opposite would know with his time in government, to know the breadth of what can be accomplished in a fiscal year.

Again, any of the conversations specific to Health and Social Services — I would not have them at my fingertips here in general debate.

**Mr. Dixon:** The next item that I would like to ask about relates to the commitment in that same section, which is the safe supply of opioids to be "... available to people living with addictions within six months as a science-based harm reduction approach to tackle the opioid crisis in the territory. A supervised consumption site will be opened in Whitehorse by August 31, 2021. An initial investment of \$1 million will be made in the 2021-22 budget."

My question is: Was that \$1-million investment in the mains made? Were the timelines for that commitment met?

**Hon. Mr. Silver:** The process was delayed by a month. Conversations were had between the NDP and us on that. What we were contemplating is having the ventilation system for something that really only exists in about three other jurisdictions in Canada, so you can imagine a little bit of a logistics challenge to the department to figure out HVACs and all of that stuff. The project was delayed, but the money is being spent on a delayed basis but is in the process of being spent.

**Mr. Dixon:** Just to clarify, was the initial investment of \$1 million indeed made in the mains?

**Hon. Mr. Silver:** Yes, that is where that allocation would be. I forgot to mention as well that the conversation also includes Blood Ties Four Directions, and the delay was also at the request of that amazing NGO.

**Mr. Dixon:** The amount of \$1 million — and the nature of the context within which that number was arrived at — suggests that it was probably not a definitive number and one that was probably made as a first guess. Based on what we know so far, does the Premier anticipate the investment going forward in the next budget to be the same, or does he anticipate an increase?

**Hon. Mr. Silver:** I am not going to speculate on next budgets. I think that, again, in general debate — that would be a more specific question for the department. They might have some more insight on how the project is going and also unforeseen costs or savings, based on their experience.

**Mr. Dixon:** I will take that comment from the Premier seriously, and I will turn those questions to the department when they are before us later in the Sitting.

I'll move on. The government currently reports on ministerial travel and events — events that occur outside of the territory. Obviously, there hasn't been much in the way of travel outside of the territory since COVID started. I believe that when I checked the website last, the most recent event for travel was in February or March 2020.

Is the Premier aware of any ministerial travel that has occurred outside of the territory in 2021?

**Hon. Mr. Silver:** There is nothing in the supplementary budget on any particular ministerial travel. If there is, we will record this question and get back to him.

**Mr. Dixon:** I guess my questions are a little bit more catered toward the Premier in his capacity as Minister responsible for the Executive Council Office, which I believe administers that. Ultimately, my question is — we currently report publicly on travel of ministers to events outside the territory, and I was curious if the Premier had considered providing similar reports for travel within the territory.

**Hon. Mr. Silver:** I am a little confused. I am wondering if this is the practice that the Yukon Party used to do that we are now not doing. We have a budget inside of Cabinet for internal travel. There has been some travel externally as well. I know that the Minister for Economic Development has travelled recently, but again, I am here prepped for the supplementary budget. If there is a policy that we are not doing that the Yukon Party used to do, then I apologize. Again, I wouldn't have that information at my fingertips right now as far as specific numbers or allocations of internal or external travel. But I will consider trying to figure out if we are missing a policy that the Yukon Party used to do. If not, we will continue with our regular budgetary process.

**Mr. Dixon:** No, I am not aware that there was any policy that the government has changed on this. I was just wondering about any future consideration of further changes and further disclosure.

I will move on. On the policy front with regard to the Executive Council Office, the Executive Council Office is in charge of protocol for the territorial government. One matter of protocol that comes up a lot — and has come up a lot in the last year — has been the raising and lowering of flags. I am wondering if the Premier can tell us what the current policy is for when flags are lowered or raised. I know that the Prime Minister has discussed this federally regarding federal buildings, and I am wondering if the Premier can give us an overview of the current policy with regard to the raising and lowering of flags from his department in the Executive Council Office.

**Hon. Mr. Silver:** There is a government policy. I am not aware of any changes to a specific government policy on flag protocols. I know that the federal government, for reconciliation, has made a determination to keep flags at federal buildings at half-mast — for an indefinite period, I believe. From time to time, at my discretion, there have been individuals who have passed away who have definitely had an effect that I've felt is something deserving of lowering the flag — folks who have served in communities, on different files, and in different responsibilities — and I have made requests for lowering of the flag. It's not a lot, but over the years, there have definitely been a few.

The flag policy is on the Executive Council Office website, so the member opposite can take a look at what that policy is. Again, with all due respect, if he has issues with us from time to time, at the Premier's discretion, lowering the flag for certain

individuals, I can assure him that this isn't a move on a political basis. It's more a consideration of someone's time served in public service and dedication to the Yukon.

**Mr. Dixon:** No, I very much appreciate the Premier having some discretion and ability to respond to an emergent crisis, issue, death, or tragedy. I certainly don't begrudge him for that. My question is just that I believe that flags are currently at half-mast. I was wondering if the Yukon government had enacted a similar policy to the federal government, which was to keep flags at half-mast indefinitely. I am wondering if that's the direction that the Premier is taking with the Yukon territorial government.

**Hon. Mr. Silver:** The simple answer is no. They have been up and down in the last few weeks when the federal government has maintained a consistent lowering of the flags.

**Mr. Dixon:** I believe that the flags are currently at half-mast. Is the Premier going to tell us why they are currently at half-mast?

**Hon. Mr. Silver:** I believe that the flags are at a lower mast right now for Peter Jenkins. We were just seeking to confirm, but I believe that this is true.

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

**Hon. Mr. Silver:** So, yes, confirmed that it was for Peter Jenkins, a very dedicated leader in my community and somebody who has given me invaluable advice over the years, which I very much appreciate.

As folks in this Legislative Assembly know, Peter was a staunch Tory, but what was more important to Peter was the fact that Dawson City was well represented in the Legislative Assembly. The amount of knowledge that this man gave to me for horizontal infrastructure — the unsexy stuff in our community — he knew where every pipe was. He knew where every upgrade was. He knew where the pressures were, working as a municipal leader, working as a business owner and working, as well, as an MLA in this building for years. To have somebody like that care less about partisan politics and care more about the actual community and making sure that it was important that I knew what he knew, it makes our community a better place — that's for sure.

I believe that they are down and they will be down until — they were taken down, I believe, on — I'm not sure if it was October 11. Anyway, I don't have the actual date when they were down or when they are coming back, but I can get back to the member opposite for that.

**Mr. Dixon:** I appreciate the Premier's comments. My question was just that one of the implications of the federal government's decision to leave flags at half-mast indefinitely means that, when something emerges — like someone dying or passing away — which, in the view of the Premier, or the Prime Minister, deserves to have the flags lowered, they are not able to do that if they are always at half-mast. That is why I ask if the Premier had emulated the federal policy to leave them at half-mast indefinitely or if he had not, and it sounds like the Premier has not emulated that and is indeed raising or lowering them, depending on the circumstances at hand, which is what I had asked about, so I appreciate that.

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

**Mr. Dixon:** I believe that the Premier has a clarification that I am happy to hear.

**Hon. Mr. Silver:** The reason why we are a little confused over here is because — as far as my recollection — the flags are up right now; they are not down. So, when the member opposite said that the flags are down, I said: "Oh, let's find out why they are down right now." They are not down — they are up. The last time that they were down was for Peter Jenkins, and they were down until October 11, so just to clarify. I don't know — maybe there is — anyway, I'll let the member opposite explain. The flags are right there — anyway, just to clarify.

**Mr. Dixon:** In addition to the resources of the Yukon government, the government ministers are able to look at the flags from their seats, and I am not able to, so I apologize if I mistook that the flags were down this week. I thought that I had seen them down recently. Nonetheless, the Premier has answered my question, so I will move on.

Earlier this year, the government lost its Deputy Minister of Tourism and Culture. Can the Premier tell us if that person resigned or had their contract terminated?

**Hon. Mr. Silver:** The Government of Yukon absolutely values the expertise and the contributions of all of the people who are appointed to serve as deputy heads in the Yukon public service. Deputy heads are appointed to their position by the Commissioner in Executive Council — as the member opposite knows, as a former minister — following certification by the Public Service Commissioner that they are qualified for the appointment.

With the exception of the Public Service Commissioner, the deputy heads serve at the pleasure of the Premier. Their appointment can be revoked at any time. Those who accept an opportunity to serve in this capacity understand this reality, as well. The government is actively recruiting for the deputy minister position with the Department of Tourism and Culture. The salary ranges, as we know and as the members opposite know as well, for all YG positions, including the deputy heads, is all public information that is available on yukon.ca. The former deputy minister is no longer working for the government.

**Mr. Dixon:** Is the severance that the DM received available?

**Hon. Mr. Silver:** I apologize; the member opposite is going to have to repeat the question.

**Mr. Dixon:** I asked if the severance that the deputy minister received is available publicly.

**Hon. Mr. Silver:** Under HR, that would be a personnel matter.

**Mr. Dixon:** Does the Premier recall making a commitment to release the severance of deputy ministers, when he sat in opposition?

**Hon. Mr. Silver:** Off the top of my head, no, I don't, but I am sure, from the tone of the member opposite's question, I must have.

**Mr. Dixon:** The Premier is correct. He did, of course, make that commitment in opposition to release the severance that is paid to deputy ministers when they are terminated from

their positions. Of course, that is something that they have not done in the years that the Liberal government has been in power. I am wondering if the Premier can explain why that about-face has occurred.

**Hon. Mr. Silver:** Being in opposition, you don't necessarily know all of the rules of personnel matters. It is not publicly available, just as it wasn't under the previous Yukon Party government. These are personnel matters. It is definitely not something we platformed on. It may have been something that I did say in the Legislative Assembly as an opposition member, but as the member opposite knows, as a minister, these are personnel issues.

**Mr. Dixon:** I appreciate the Premier's thoughts that he may not have been aware of all the rules and regulations in place for personnel matters when he was in opposition, but he certainly did make that commitment. The Liberal Party did, very clearly, in years past. Obviously, that is something that has changed.

I will move on. The employee engagement survey is often a good gauge of the sentiment of the public service and the view of the leadership in those departments. I am wondering if the Premier is able to update us on when the employee engagement survey will be completed.

**Hon. Mr. Silver:** Thanks to the member opposite for the question. As the member opposite knows, we are dedicated to maintaining and engaging skilled public servants under a commitment of meeting the growing needs of a growing community and a growing territory. The employee engagement survey is absolutely pertinent to helping us measure the health of the work environments within all of our government public service.

The survey planned for 2020 was postponed so that the organization could focus in on pandemic responses. The 2021 employment engagement survey is now underway. Results will be available — I don't have a specific date right now, but this winter.

**Mr. Dixon:** I believe I missed the last part of the Premier's response. Could I ask him to repeat that, please?

**Hon. Mr. Silver:** Yes — we are hoping the engagement survey will be completed — it is still out in the field. It is still open right now, but we are hoping to have this completed by the winter.

**Mr. Dixon:** Can the Premier tell us who is currently serving as the Deputy Minister of Tourism and Culture?

**Hon. Mr. Silver:** The acting deputy minister, or the stand-in deputy minister, would be Justin Ferbey.

**Mr. Dixon:** So, the DM in question is both the Deputy Minister of Economic Development and Tourism and Culture. Does the Premier have any plans to merge the two departments of Economic Development and Tourism and Culture?

**Hon. Mr. Silver:** Not at this time.

**Mr. Dixon:** So, the Premier was really definitive there. I will just ask for a little bit more clarity.

When he says "Not at this time", does that mean that there are no current existing plans within the government that we might find either through access to information or any other method or that there could be still future plans developed?

**Hon. Mr. Silver:** I don't know what else to say — none to my awareness, none to my direction, not at this time. I'm not really sure which other way to answer this question.

Does the member opposite have something that maybe they want to ask specifically about this? But my answer is no. As far as I understand, not at this time.

**Mr. Dixon:** I was as specific as I think I need to be. I was asking if there were any plans in place. Quite clearly, there are none because the Premier has said it's so. I'm sure that some kind of large-scale reorganization of the Yukon government would require his knowledge, so that's good to know.

I will move on. I would like to return to an issue that dominated the early part of the 34<sup>th</sup> Legislative Assembly. Of course, I was not a member then, so members will hopefully forgive my lack of understanding or knowledge of exactly what happened in those years.

I wanted to ask about the Financial Advisory Panel. Has the Premier or the government ever conducted a full response to the Financial Advisory Panel, including its acceptance or rejection of each of the options and recommendations made therein?

**Hon. Mr. Silver:** No official response to the panel — no. But there are initiatives from that very impressive work that we are working on.

The importance of growing the economy is extremely important — building economic infrastructure — roads, bridges, energy generation. Small population dispersion over a broad geographic area means spending on a new infrastructure and maintaining the existing infrastructure that is especially crucial. It also involves a lot of negotiating for flexibility on several different stages throughout the territories through the Western Premiers' Conference and then the Council of the Federation — the First Ministers' meetings.

At each stop, being able to use the advice of the Financial Advisory Panel was always key — having an independent review to take a look at where we are and where we need to be and to showcase the work that we're doing to move forward.

It is the same with the health review, *Putting People First*. That independent review goes very far when we talk to the federal government when it comes to Canada health transfers. We are doing our part to make sure that we are spending money in the most effective way possible. These types of reviews — while the member opposite would know this — are extremely important when you are talking budget from a federal perspective.

We worked on, through the Financial Advisory Panel, the fiscal anchor conversation, showing a balanced budget within the fiscal outlook — extremely important — and reducing business taxes as well — of course, the member opposite would know about our reduction of those business taxes — index borrowing limit to GDP growth, a comprehensive review of the health care sector, as we mentioned, with the *Putting People First* and the reviews there, the importance of working with First Nation governments — working in partnership with them is extremely important — and revenue-neutral carbon pricing. It is good to see that the members opposite have come on board in their platform, promoting carbon pricing as well. The review

of fees and fines better reflecting costs — specifically continuing care — a look at the fees on a case-by-case basis therein, rather than across the board. Also, services are improved or expanded. We need to make sure that we take a look at that, based upon the advice of the panel. Those are some of the initiatives that we are working on.

I really believe that we got a great bang for the buck when it comes to the Financial Advisory Panel. Specific to my Department of Finance — when we came in, it was more of a budgetary office. We had certain positions from the Yukon Party that were kind of in a conflict of interest, so it was good to be able to add the FTEs necessary so that a comptroller can be a comptroller and not have other problems or issues — again, making sure that the financial scrutiny is in place through the department.

We have also expanded from there as well. Once we could take the lead from some of these initiatives — I don't want to necessarily quote Rita MacNeil, but “flying on your own” kind of comes to mind. The department itself, as it becomes more and more stabilized — and being able to analyze and work with other departments, we're seeing a lot more investment into the human resources that our financial departments in other departments — the member opposite would know that Community Services has always been known as a “finance lite”. They have a lot of amazing people working over there on finance.

Also, Highways and Public Works — implementing of a five-year capital plan and making sure that we have more of a collaborative approach. Again, we started with an independent review, and then we blossomed into being able to really meld together the brain trust of these fantastic departments and do more with less.

**Mr. Dixon:** There was a lot there in that response. I appreciate that I did a fairly general question, so I would like to take up a few of the things that the Premier just said.

Let's start with where the Premier indicated that there were certain positions in the Department of Finance that were in a conflict of interest. Can he explain what those positions were and what he meant by that?

**Hon. Mr. Silver:** In the past, the breadth of the responsibilities under the comptroller — by the way, an amazing comptroller who has since retired, an amazing individual — and being able to focus in on the task of that particular office as opposed to being stretched into a whole bunch of different areas is that conflict. We have beefed up the department. We have added some FTEs. To get the member opposite up to speed on those positions, we can send him some information on those new hires after we get out of here.

**Mr. Dixon:** Just so I understand, the former comptroller of the Yukon government was in a conflict of interest. Can the Premier explain that, please?

**Hon. Mr. Silver:** I think I just answered the question. There were way too many things on that particular job and desk. By the way, we haven't added new FTEs to Finance in quite some time. But, at that time, we knew that there was a strain at that desk, and we have added and augmented other positions to allow the comptroller to pay attention to the specific tasks of

that responsibility, which was not necessarily the case in the past.

**Mr. Dixon:** Obviously, there is a significant difference between the breadth of a job description and the need to tighten that job description with conflicts of interest.

It is clear to me, at least, that either the Premier didn't choose his words very carefully or he has changed his tune. That the comptroller wasn't actually in a conflict of interest but rather the job description needed to be tightened is what it sounds like. I will ask the Premier to explain that.

**Hon. Mr. Silver:** I'm not saying the previous position was somehow — maybe I didn't use my words right.

The job of the comptroller is enough to be one FTE. There were other responsibilities on that particular person's desk, so we expanded and allowed more FTEs to make sure that we have a Finance office that works like a finance office. This, again, was based upon recommendations of the Financial Advisory Panel — one of the first things that I did in my role here with my department.

Yes, I will say that I may not have chosen my words correctly by saying that there was a specific conflict of interest, but there were definitely conflicts at that job because of the sheer volume of responsibilities on that desk.

**Mr. Dixon:** So, just to clarify, can the Premier confirm that there were no positions that were indeed in a conflict of interest?

**Hon. Mr. Silver:** Yes, Deputy Chair.

**Mr. Dixon:** I appreciate the Premier clarifying his comments.

He also mentioned that there was a Financial Advisory Panel recommendation around the consideration of a fiscal anchor. The Premier, in his comments a few minutes ago, noted that there was — and I believe to quote him — a “fiscal anchor conversation”. Can the Premier update us on what he means by that conversation and what the status is of that recommendation?

**Hon. Mr. Silver:** Twofold — I think that, in the past, the Yukon Party used the debt-to-GDP as a fiscal anchor, and maybe an ultimate one. We don't necessarily think that's the only picture. There is a reason why we went out into the index of well-being, for example, and, over the years, how that index of well-being — to basically showcase the wealth of Yukon and also the deficits of the Yukon, on a more societal basis, is extremely important, as well. To just say that we have a high GDP or to use forecasts — well, we do that for sure, but it's not the only picture.

On the one hand, we went toward an index of well-being. As we spoke yesterday, as well, in the Legislative Assembly, that index of well-being started off with southern universities kind of really taking the beginning on that, but over the years, the indicators became more Yukon-specific so, therefore, a better picture of where we are successful, compared to other regions, and where we are less successful when it comes to the wealth, the health, and safety of Yukoners. That was extremely important.

In the last year, we added the chief medical officer of health, as we are grappling with the pandemic, to take a look at

the indicators having more of a specific case to some of those indicators, as well. Some of the conversations that I would be referencing — one of the best anchors that you can have is the concept of a surplus versus a deficit. Where we were set in a situation in the Office of the Auditor General reports in the past saying that we, previous to our administration, definitely struggled to keep up with some of our aging infrastructure — faced with a decision to move forward on building for Yukon, we made a good decision to invest heavily in the assets that Yukoners need and deserve in order for our health — and the wealth of our economy and our people is so intermingled with — so, to go from — and again, I don't want to put words in the mouth of the Yukon Party, but it seemed like that debt-to-GDP ratio was more of the anchor that was — I wouldn't say the be-all and end-all, but that was definitely — GDP was definitely one of those things that was extremely important to the Yukon Party.

We've massaged that more. We believe that the surplus to deficit is extremely important. We believe that having a five-year capital plan to forecast where we're going is important. Over the years, I think that this has been an excellent — we have been hearing from the private sector, such as the builders in Yukon, that this is extremely helpful to them, as well, but if we are going to look at specifics and the member opposite wants to tie me down to a specific, I'm not going to play that game. We have other considerations, but a surplus to deficit, whether it is from the new leader of the party or the previous critic for Finance, has always been our target. I imagine that the conversation will go to net debt, but I will let the member opposite ask the question before I answer it.

**Mr. Dixon:** What I asked the Premier was a simple question about the recommendation that came from the Financial Advisory Panel, which was to consider a clear fiscal anchor. My question is simple: Is there a clear fiscal anchor for this government, or is there a relatively convoluted set of indicators that the Premier walked through that he didn't seem quite clear about which ones were included and which ones were not. My question is simple: Is there a clear fiscal anchor to ensure a robust financial situation well into the future for the Yukon?

**Hon. Mr. Silver:** I don't think talking about the index of well-being is convoluted. I think it's extremely important. Maybe it's because the Yukon Party didn't consider something like this that they will now basically say that it's convoluted. We have heard that with the five-year capital plan as well. It's something they didn't do, and they have criticized us over and over again to have it.

I don't think that this is convoluted, but really, when it comes to the advice of the Financial Advisory Panel and a complete focus on having an anchor, it is returning to surplus. If the member opposite would care to look at the long-range forecast, that is what we are accomplishing. We would be there right now, if it wasn't for COVID. We also have in our budget, going back two mains from now, a very small, modest deficit with a contingency of \$15 million in it that we had to remind the member opposite about yesterday.

There is no better anchor than getting back into a surplus position. We are well on our way. If it wasn't for the unique circumstances of COVID — I mean, we could plan for the fact that Wildland Fire Management in the past, especially under the Yukon Party government, is hard to plan for. It's hard to know where the forest fires are going to be and which seasons are going to have forest fires. It's also hard to know when it comes to medical travel for Yukoners when the bills come in.

Those are two things that the members opposite would have remembered as being hard to nail down, but specifically, COVID is one of those things that we didn't prepare for — I don't think that anybody necessarily prepared for. Had it not happened, we would have been definitely in an excellent fiscal position right now — and we still are. Even though all Yukoners went through the pandemic together, we were one of the only jurisdictions with a positive GDP. When we were going through that, we were, again, among the lowest unemployment rate in Canada. We saw the private industry — the mining community — really rallying and the placer community really rallying behind each other to make sure that, as an essential service, we could get people safely to camps.

So, a herculean effort, but again, sound fiscal management is extremely important, and as an indicator of wealth, I think — I can't understand why the member opposite would be so dismissive of an index of well-being. There is a growing movement across the world to use well-being as a lens, not only from a health and social services perspective specifically, but a decision-making lens for governments. We are proud of the work that has been done on this.

Last year, we launched the community well-being survey in partnership, as I mentioned, with the chief medical officer of health. Again, I don't think that this is convoluted to explain. If we are not going to have questions specifically about the supplementary, well then, I will use my time, as well, to explain some of the important initiatives that we are doing in these departments.

That well-being survey offered a chance to hear directly from Yukoners about things that we are doing, things that are happening during challenging times — like reaching out to people and asking them what we, as a government, can do to improve their well-being. If the member opposite can't see how that relates to a better economy, to a better way of life, and to a better society — you know, I don't see this as convoluted.

I think that, when we saw a previous government that relied heavily just on — and I am not saying that there is anything necessarily wrong with GDP as an indicator, but it is just not the full picture. I'm sorry if that is convoluted by explaining how we have changed as a government, but I won't apologize for the good work that we have done to balance the budget over the forecasts and put away some money for COVID that isn't attached with strings — being very open and transparent — that money is set aside, and if it wasn't there, we would have had a surplus — but also the importance of the index of well-being.

**Mr. Dixon:** I certainly don't think the index of well-being is convoluted; I think the Premier's explanation of it is.

What I asked was whether or not there was a clear fiscal anchor as recommended by the Financial Advisory Panel. It suggests perhaps either the targeted debt-to-GDP ratio or a certain net asset position. It sounds like those have been rejected as concepts to use as a fiscal anchor. Instead, the Premier is using, among other things, the index of well-being.

That was my question: What is the fiscal anchor? From what the Premier has said, the fiscal anchor is the index of well-being.

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

**Mr. Dixon:** Off-mic, the Premier says that this is not the case. I will let the Premier explain. What is the fiscal anchor for the territorial government?

**Hon. Mr. Silver:** What I have said — this will be the third time now — is “returning to surplus”. Returning to surplus, returning to surplus — that is the anchor that we believe is the most important.

Debt to GDP — yes, we could have gone that way, but really, when it comes down to it, making sure that we are spending within our means, and having modest surpluses moving forward, is the debt anchor. I can’t be any clearer.

**Mr. Dixon:** If the surplus is the fiscal anchor, are we currently tied to the anchor? Are we in surplus?

**Hon. Mr. Silver:** Again, if the member opposite would listen to the answer — if it weren’t for COVID, yes, we would be, but we are not.

If you take a look — and I would ask the member opposite to take a look at the mains and take a look at the forecasts — we are forecasting surpluses.

Again, \$15 million of a COVID contingency fund — I am not talking about applications to the national standard or national dream type of programming that we have and services that we had to help businesses during the pandemic. No, that is all budgeted in the Department of Tourism and Culture and the Department of Economic Development. I am not talking about paid sick leave. I am not talking about all of the different programs that we have put out there and budgeted for. I’m talking about another \$15 million — not attached to anything specific — put in the budget with, I believe, a \$6.6-million deficit at that time, with a \$15-million COVID contingency fund in it.

Is that considered a surplus? No, that would be considered a deficit of \$6.6 million, during COVID, with a \$15-million rainy-day fund, not attached to anything. It is integral math — simple integral math. So, on the papers, yes, it was a small deficit, but if you took that contingency out, that would have been a surplus when a lot of other jurisdictions in Canada are grappling. I wouldn’t have wanted to be Newfoundland in that year; that is for sure.

Looking at the forecast moving forward, we are returning back to those forecasts. That is the answer to the member opposite. The pandemic made things very expensive. We made sure that we had enough money for folks where we needed it. The ministers did an excellent job of working with stakeholders to make sure that our programming hit at the right time and was determined by the right people with the right need at the right time.

Again, just so I don’t have to repeat myself, no, we are not in a surplus right now, but we are in an excellent financial position. I would ask the member opposite to read the fiscal updates that we have with the budget and also the forecasts.

**Mr. Dixon:** Based on the Premier’s words there, it sounds like whether or not the Yukon government is in a surplus or not is the fiscal anchor that he uses. If that is the case, can he commit that, in the spring — despite the increased spending anticipated to fulfill the CASA, despite the increased spending to anticipate the additional needs of the COVID response and the many other types of spending — the spring budget will be a surplus?

**Hon. Mr. Silver:** Again, the member opposite wants me to speculate, but we have forecasts that the member opposite has access to. It is public information. Again, it is a plan to get to balance. That is our fiscal anchor.

**Mr. Dixon:** If the plan is to get to balance, when do we get to balance?

**Hon. Mr. Silver:** We have forecasts available in the budgeting process. We can’t speculate on the unknowns that are going to happen from now until we have our mains tabled in the Legislative Assembly in March. I don’t know if the member opposite has a crystal ball as far as fourth, fifth, or six waves or different variants, so I’m not sure that, if he was in my position, he would think that he would have the ability to know some of the unforeseen costs coming at not only this jurisdiction, but all jurisdictions in Canada — or a forecast as to what federal funding is going to be coming and how well that will suit the needs of the territories. We know that it is always challenging as smaller jurisdictions.

We hear this from Prince Edward Island and other places — to make sure that you get your amounts correct from the federal government when it’s usually this per capita funding. So, yes, I’m not going to sit here and say that I have a date when we know that the future is going to be a surplus. However, I will say that, with all the work that we’ve done as the Department of Finance, as a team, as a platform of the economy and the environment, all these bode very, very well for us getting to a position where we will be at a surplus position again. We have forecasts, but we don’t have a crystal ball.

So, I do know that one of the most important things for our economy is to make sure that, if we’re going to say that we’re going to put out a certain amount of capital projects — well, let’s talk about that. Let’s make sure that we get that money put out in the mains, and let’s try our best to not then have a secondary budget where we add a whole bunch of more projects, like the Yukon Party used to do, and then not deliver on a massive amount of those assets. That is not the way that we would move forward, but I will say that the way we now do our budgeting and the way that we make sure that we have that information up front, and the five-year capital plan — all of these bode very well for business development in Yukon. A First Nation procurement plan is going to help make sure that we have those dollars stick around longer in the Yukon. It’s going to help the development of local businesses. So, I don’t have a crystal ball, but what I do have is a long list of programs, policies, and procedures that the Yukon Party didn’t do. That

definitely helps us to have a better fiscal position and to weather the storm of the pandemic and to make sure that we have this money stick around longer, because it's one thing to balance a budget — that's extremely important — but it's another thing to make sure that we help develop local businesses.

**Mr. Dixon:** I'm only responding to the facts that the Premier puts on the floor. So, he told us earlier that our plan is to get to balance. I asked when will we get to balance. Of course, the Premier says that they don't have a crystal ball and they are not able to tell us that. If that's the fiscal anchor that this territorial government is using, balance or no balance, then it's a bit surprising that the Premier can't even commit to that fiscal anchor.

If the Premier were to direct the government to achieve a balanced budget next spring, the Department of Finance and others would go off and make it happen. So, I'm asking if the Premier will direct that the spring budget be a balanced one with a surplus.

**Hon. Mr. Silver:** I think that I'm making some assumptions. The member opposite has read the fiscal summaries and the Budget Address and those types of things, but a plan to get to balance is exactly what we do have. If he wants to take a look at page 4 of the Budget Address speech, then he would see, in Table 1, the fiscal summary, there is a plan to get to surplus, and that plan is 2022-23.

The member opposite is challenging me to say on the floor of the Legislative Assembly — to balance the budget this year. My comments about crystal balls is that we don't know, from now through this year, what else is in front of us, as far as these anomalies and these pressures. However, with all things being equal, we do have a plan to return to surplus.

The member opposite wants me to commit to making it earlier than what we have planned out, but the plan is a \$65.8-million surplus in 2022-23. I don't know how much clearer it could be, but I guess I just made the assumption that the member opposite actually saw the documentation that shows that we have a plan to get to a balance. That is our anchor. The plan, according to our documentation, is 2022-23. The numbers there are \$65.8 million.

**Deputy Chair:** Would members like to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Deputy Chair:** I will now call Committee of the Whole to order.

The matter before the Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Mr. Dixon:** When we left off, the Premier was just confirming his commitment to a \$65-million surplus next year. I would like to hear more about the level of that commitment from the Premier.

**Hon. Mr. Silver:** Yes, again, the member opposite just needs to look at the forecast to see the plan.

We spoke about that a lot. It is rich that the member opposite of the Yukon Party — who has, in his government time, delivered deficits here on the floor of the Legislative Assembly, but is now quick to criticize us in the fact that we have a deficit now and is trying to pinpoint when we are going to get back to surplus. He is quick to criticize deficits, suggesting that — I guess — that deficits mean wasteful spending. I think that this government's record over the years has proven that false. We presented a surplus budget in March 2020, only to be immediately hit with the pandemic crisis. We have spent according to need and circumstance, not according to the balance sheet.

The member opposite wants me to commit to the day on which we turn into a surplus. He knows that this is not something I can do on the floor of the Legislative Assembly, especially after almost two years of spending during a pandemic. The pandemic does not have an end date right now. We targeted money to people in need through the sick leave program, rental assistance, educational assistance, money to businesses, cancelled-event funding, and more. I spoke about business relief measures as well. We are very confident that, with effective program management — and I talked about this today — we would get money into the hands of those most in need.

We are confident that our collaboration with the federal government will ensure that a substantial portion of that spending will eventually be recovered from Ottawa. We spoke at length in the Legislative Assembly already this Sitting about recoveries from Ottawa through funding assistance there. Both of these assumptions were accurate. We have been recognized nationally for early action. We have been recognized for our sound management of this crisis from day one.

The member opposite is pressing all afternoon about when — when do we get to a surplus? It is complicated. There are lots of unknown factors with COVID. I will ask the member opposite: How many waves of the COVID variant, such as Delta or other variants, does he forecast into the future? What kind of spending would he do to accommodate? We heard yesterday that he is not in favour of mandatory vaccinations. I guess he's not in favour of advice from the chief medical officers of health.

I don't know what his response would be from a budget perspective, when it comes to dealing with COVID, but I think that this Yukon Liberal government has, so far, provided the services we need while we are being criticized for deficits here in the Legislative Assembly, with a plan and a financial anchor to get back into surpluses in the future, with those dates established in our documentation for this budgetary process.

Also, that sound fiscal management and dealing with a crisis meant, from the start, with supplementary estimates in 2020, that we needed to forecast a deficit. The member opposite is telling us, I guess, that this was not our best plan. To us, that was not surprising, given the circumstances.

Again, before COVID, we were in surplus. During COVID, we had modest deficits with money put into the open

and transparent budget — \$15 million. Again, it is not surprising, under the circumstances, that we went into a deficit situation. Again, through that sound management and with federal cooperation, we were able to reduce the size of the deficit from a projected \$31.6 million in October 2020 to a much-improved \$7-million deficit in the second supplementary estimates that were introduced on May 13 of this year.

The picture for 2021-22 — in the mains — shows a further improvement with a forecast deficit of \$6.6 million. Further, that \$6.6 million, as I mentioned time and time again here, included \$15 million in COVID contingency spending. It was not attached to any program or service. We went over all the other programs and services — the rental assistance, the educational assistance, the business assistance, the cancelled-event funding, the business relief measures — all of that is separate to the \$15 million that was included in the \$6.6 million deficit. One could argue that, in that budget, with those two numbers together, simple integer math, with the rainy-day funding —

Well, it was a deficit, but that is really good fiscal management. That is us being prudent, being cautious, and also being realistic.

Now the member opposite is saying, “Give me a date for a return to surplus.” Well, that is not necessarily being realistic.

But again, we’ve shown our ability to weather quite the storm and included a cautious, pertinent, and realistic approach to our budgeting into this deficit area.

After spending in this supplementary estimate, we have included in that — \$4.5 million of the contingency is drawn down. Okay, so of that \$15 million, we have drawn down. We’re talking about that in the Legislative Assembly today in this supplementary estimate.

The deficit is still only \$18.2 million, including \$10.5 million in contingency spending. Again, this is a reasonable increase, considering the level of effort required for COVID relief and recovery. We haven’t even talked about flood relief yet. Yet the member opposite is saying, “When are you getting back to surplus?”

For the implementation of priority initiatives, such as early learning and childcare, *Putting People First, Our Clean Future* — again, the member opposite: “When are you getting back to surplus? Deficits are bad. We put deficits in as a Yukon Party, but you can’t.”

So, they like to criticize the current forecast deficits, and also the resulting debt, without commenting on the nature of the spending that is contained in the budget. We’re not hearing that. The only time that they reference particular spending for items, when we talk about the O&M or capital budgets, is when they want to criticize us for not spending enough money in certain areas. How exactly they would propose to cut the proposed spending in this budget so that they could spend more on priorities and still have a surplus? That, again, would be very interesting.

I think we’ve been very clear. Our plan is to get back to a balance. This is our anchor. We’ve also expanded on this narrative to talk about how important the index of well-being is, and it’s not just only Yukon that is doing these things; it’s

other jurisdictions. I would hope that the Yukon Party, in their fiscal analysis of how to budget, would maybe consider a similar thing.

We also talked about floods, fires, and pandemic response and how we’ve compared to the rest of Canada, but the member opposite needs a specific date of when we’re getting back to the surplus. I would say, with all due respect to him, that I don’t have a specific date in mind, but I think that I have been more than open and accountable about our prudent approach to the Yukon’s fiscal situation and planning.

**Mr. Dixon:** I believe the Premier must have misunderstood my question, because he answered a lot of — he said a lot of things that had absolutely nothing to do with anything I asked him.

It seems that perhaps he has been scarred by the past few years and my colleagues asking questions and his answering questions that they have asked in years past, but it certainly was not what I asked of him. I certainly didn’t ask him to pick a date for tabling the budget. What I asked was: “What is the fiscal anchor?” His answer to that was that the fiscal anchor is a deficit or surplus position, and so I asked when we can expect a surplus position. He said that they are forecasting it for next year, but he said that it is unrealistic to commit to a surplus in the spring. I guess I would ask the Premier: How can the fiscal anchor be the surplus/deficit position? And yet, the Premier says that it is unrealistic — that is what he said, and those are his words — and that it’s not realistic to commit to a surplus. How can that be the fiscal anchor and the crux upon which he makes these decisions if he can’t commit to there being a surplus?

**Hon. Mr. Silver:** The fiscal anchor is a plan to balance. In our documentation that we tabled during the Legislative Assembly, we forecasted that surplus, so we have committed to that.

What I am being asked — and maybe I’m misinterpreting the member opposite — is to say today that we are guaranteeing that we are going to get to this plan. I can’t do that, and I have explained a few different times why. We are in the middle of a pandemic, and there are flood considerations and different things. There may be other circumstances from now until our forecasts that would deter us from — as it has in the past — achieving the forecasted numbers. I would hope that the member opposite would give a grain of sand on that and say: “Yes, you can’t predict the future. You have forecasts. Your fiscal anchor is a plan to get to balance. You have tabled documentation with those numbers about best forecasts.” But I am just very careful — yes, maybe I am scarred a little bit by the Yukon Party and the current leader because he will also use these words against me, and so I do have to be very, very clear. My response is that I can’t predict what is going to happen in the future, but we do have a plan to balance and we have those numbers in the documentation that he has readily available at his fingers, and he is still asking me: “But when?”

The forecast is the forecast, and it says that, in the fiscal year 2022-23 — so there is your “when”. But what I’m picking at here is that I am not going to predict that there aren’t going to be any other unforeseen circumstances. That is my point. I

believe that I have answered the member opposite's question a few different times now. I apologize if, as I respond — I may be once bitten, twice shy in Committee of the Whole, but I think if the member opposite took a tour through Hansard, he would understand why.

**Mr. Dixon:** Well, to respond to the Premier, I think that it is important that he be accountable for the words that he says. He seemed to be shocked by that — that we would hold him to what he says in the Legislature — but I would remind him that, when we say things in the Legislature, they are on the record. That means that we are accountable for what we say.

I will move on with that, and I have another question that I wanted to ask, simply because the Premier raised it in his comments today. That was in relation to the budgeting for Wildland Fire Management. Can the Premier tell us how he currently structures the budgeting annually for Wildland Fire Management, and how the uncertainty with the reality that we can't know exactly when fires will occur and the amount that we will need to spend to put them out or manage them affects our overall budget?

I know how it was done in years past. I am curious if the Premier can offer us some insight as to how the current government is approaching budgeting for Wildland Fire Management.

**Hon. Mr. Silver:** I don't think that there is much change with how we budget compared to how the previous government budgeted. What does change from year to year is how much money is spent. We know that 2019 was a monstrous year for forest fires. The Wildland Fire Management crews did an impeccable job of keeping people safe, but as the member opposite knows, it is hard to budget when, in one year, you don't have as many fires as the next year. We do know that the frequency of fires is increasing, but to be able to predict is something that his government would have grappled with, as would ours. We do budget fixed costs, and then we pass variable costs on that five-year average. Supplementary budgets would be where you would have either the good news or the bad news in terms of budgeting when it comes to Wildland Fire Management.

There are always internal costs when it comes to training, when it comes to working with First Nation fire crews, when it comes to contracting. There are always going to be costs that the department can — and I'm sure that the member opposite can ask the department, when they appear here, more specific questions about those fixed costs versus a variable cost over a five-year average. That's very specific stuff that I wouldn't necessarily have the information here for.

I would say that work is underway to develop community wildfire protection plans. It takes an assessment of fire risk to communities and provides guidance for fuel mitigation and community FireSmart initiatives. That might be something new that the member opposite might not have done as much on. I'm not really sure how much of that fire mitigation they budgeted for — or FireSmart initiatives.

Wildland Fire Management began public engagement on a draft community wildfire protection plan for six communities that were co-developed by staff and also by community

stakeholders as well. These plans will provide communities with fuel management priorities and guidance, as well, to assist with hazardous materials and hazardous considerations on private property. Completed plans will enable communities to access funding to address these hazards.

Again, there are costs that we can forecast and plan for, but to know how many square hectares of land are going to be decimated during a bad season is something that has to be considered usually in a supplementary budget.

Back to the fuel breaks — just for a little bit more context for the member opposite — 180 hectares of the Whitehorse south fuel break is under construction right now. That project, created by the Government of Yukon and the City of Whitehorse, will reduce and remove forest fuels across almost 400 hectares over the next several years. I'm not sure if they are continuing as we speak right now, but this was work that was being done into the late summer and into the early fall. Maybe the minister, when he gets to his feet, can explain the dates of that programming.

The second round of public tenders is being offered for the Whitehorse south fuel break, and improvements are made to increase the information available to potential bidders to make sure that we meet the requirements of the First Nation procurement policy, which is extremely important to us.

I do know that, specific to this supplementary — it is always good to be able to relay some information to the public about this budget that we are on general debate in — \$250,000 in this supplementary is 100-percent recoverable. This is Wildland Fire Management, emergency management assistance program. That is funding from Canada to ensure First Nation FireSmart projects, so that is a great partnership as well.

I am not sure if I answered the member opposite's question. Maybe I am a little perplexed as to the question. As the Minister of Community Services and the minister of other departments, he would be privy to some of the information about how hard it is to predict how many forest fires are going to happen in a single year.

**Mr. Dixon:** I am well aware of how challenging it is to budget. I was simply asking if the Premier had many changes to that. I know that, during my time in Community Services, the Department of Finance was keen to see the Department of Community Services adjust the way it budgets for wildfire management. I was curious if any of that had come to fruition in the past few years, but it is clear that the Premier doesn't have an idea about that right now.

I did commit to my colleague, the Leader of the Third Party, that I would allow her to get to their questions. Before I do, I did want to note one final thing. It came up earlier, and the Premier indicated that it wasn't in their 2016 platform that deputy minister severances be included. I have to correct the Premier on that. Of course, he did make that commitment, and if he doesn't mind, I will just read him back his quotes. He said at the time, "When the Premier hires deputy ministers and then fires them, there's a cost to the taxpayer." He said that it is very unfortunate when the government refuses to tell the public what this major turnover at the highest level of the public service is costing the taxpayers. He then said that a Liberal government

— or his officials said that the Liberal government would do things differently; it would change that policy.

I know that this is something that the Premier has indicated that he did not change. I believe that it was on the same page as the commitment to electoral reform, so perhaps that page didn't make it in this year either.

I just wanted to leave the Premier with that. He did, in fact, make that commitment in his time in opposition. Among other things, he wasn't able to deliver on those. I will let him respond to that or let the Leader of the Third Party go — either way, I will look forward to asking some more questions when I get a chance again.

**Hon. Mr. Silver:** I did answer the first question of looking into it and it being a personnel issue. We definitely decided that this is not something that we can do from a government perspective. I think I answered that question. Thanks for the clarification as to the quote. I will take a look at that.

As far as electoral reform goes, it takes three to tango these days with electoral reform. I guess my question to the member opposite would be — we were all a little bit shocked the other day when we thought we were going to have unanimous consent — there are some people talking off-mic right now, so I'm not really sure that they are listening.

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

**Deputy Chair:** Order, please. The Premier has the floor.

**Hon. Mr. Silver:** Thank you, Deputy Chair.

We were perplexed that, when we asked for unanimous consent, it sounded like everyone in the Yukon Party, except for the leader, said "agree" to extending, but it was one of the members — maybe the member can clarify what happened there. We assumed that we were going to get unanimous consent, because this was important, as we are trying to move forward on electoral reform. The member opposite asked this question — why unanimous consent wasn't granted for that extension. With that, if the member opposite wants to answer that question, but otherwise, we will turn back to the NDP.

**Mr. Dixon:** I apologize to the Leader of the Third Party, but I do need to respond to that. Of course, we have for some time opposed the government's and the NDP's plans for electoral reform. As the Premier will recall, we voted against the motion to establish the select committee. Yes, indeed, unanimous consent was not granted recently to debate the motion to extend the deadline. Of course, the first time that came forward, it was the Minister of Energy, Mines and Resources who disagreed. The second time, it was indeed me who disagreed, and I'm happy to say that this was the case.

I continue to think that the select committee on electoral reform is a cynical attempt by the Liberals to push this issue down the road. They had four years and a commitment to do electoral reform when they had a majority, and they did nothing. The only changes they made to the *Elections Act* were ones that they guillotined to bring in a fixed election date, and the Premier then broke the promise for that, of course, by calling a snap election earlier this year.

I did want to respond to that simply because the Premier did, but with all due respect, I will pass it along to the Leader of the Third Party.

**Hon. Mr. Silver:** I would just say that it wasn't necessarily the Minister of Energy, Mines and Resources alone who, the first time this came up, said "disagree". It was a surprise to us at that time. We didn't even know that it was coming, and so, again —

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

**Hon. Mr. Silver:** Thank you. We are very respectful of trying to listen to the members opposite when they speak; we would appreciate the same coming back.

Just to clarify that point, it was all of us at that time — not just one member — who said "disagree". It was more about that we did not really know that this was coming up at this time, so we were surprised. As the member opposite was reading the actual item, a lot of our team members were hearing it for the first time. It wasn't the content — it was just a misunderstanding — but it was interesting that, I guess, maybe a dissent in the ranks, or maybe differences of opinions, when it comes to the member opposite, as they make fun of the way that I pronounced a word — and I apologize for not being so great with my words as the member opposite — but it is interesting how that is what we get criticized for over here.

Just to correct the record: It wasn't just one of our members; we were in a situation where we just weren't sure that was actually coming forward — it wasn't the content. To say that — we believe that we have moved the needle on electoral reform. Have we gotten down to where we wanted? No, we haven't, but it's hard to work with the Yukon Party, when it comes to electoral reform.

**Ms. White:** Thank you, Deputy Chair. It is always fascinating. I have so many social commentary comments to make at this point in time, but I will keep them to myself. As a person who has tried to move that motion twice now, or I had it moved twice, it is always a surprise.

I have questions actually about the Department of Justice, and the reason for that is, of course, that it's not up for debate this time around. I have questions about the John Howard Society and the transition house — the home that is in the jail. Are there any plans on moving that?

**Hon. Mr. Silver:** I don't have that information with me right now, but I can get back to the member opposite with it.

**Ms. White:** I thank the Premier for that. I am just going to add other questions to that then, at the same time, just so that they are all on the record.

I had the opportunity to tour the transition facility. I am not sure if it was last summer or previously — I have lost track of time — but there was the assertion that, when it was going into the block in the correctional facility, it would be different. There was talk about that there was a separate entrance and all these things. It is true — there is a separate entrance — you go through higher than 10-foot wired fencing, including razor wire on one side of it, and it towers above you. You go down kind of like a long trench, you make a right-hand turn, and then you walk into a door.

One of the concerns that I had at the time about that space is — and just to let folks know, before I was elected, I actually worked at Corrections. I was working for Corrections back in 2011 when I was elected, and so I had toured the facility when it was under construction just before it opened. The thing is that a correctional facility has very specific designs because it's a correctional facility. It has cinderblock walls; it is very specific with the way bathrooms are designed. So, in the case of the transition home, there are bathrooms on each floor. At one point in time, there were toilet and sink units that were in each of the living units, and they were one-piece moulded stainless steel. Those were transitioned out, and that's great. They put in something that was a bit less institutional, but the challenge was that it doesn't actually change the physical space.

There are multiple units at the correctional facility, and they are very much the same. The colours are different. They had one piece of art on one wall. It's mostly more of a sound-dampening thing, but they look the same. If someone had been in E block before it was changed into a transition home, they would be going back to what very much felt like the correctional facility.

I know at the time, when I was there, there was an indication by the folks working for the society that there was an intention to change the physical space so that it was a little less institutional. The question I have is: What changes have been made, aesthetic or otherwise, to make the transition home feel less like a jail?

**Hon. Mr. Silver:** Just to confirm, is this the supervised housing and reintegration program with the John Howard Society that the member opposite is speaking directly about?

I'm just getting a nod of confirmation. Thank you. I wasn't sure, with the second part that you added to.

Again, I will get back to you with some of the specifics about the question, but I can say, in general, that the John Howard Society has been operating the supervised housing and reintegration program for justice-involved men, and that has been since May 1, 2020 — providing programming for 65 clients. The society is a very respected international agency, with a history of delivering services across Canada, and has significant expertise in supporting justice-involved individuals — so, thank you to the John Howard Society.

As far as program evaluation, we have been working to strengthen accountability related to the supervised community housing for justice-involved men.

There is a transfer payment agreement between the Government of Yukon and the John Howard Society Pacific which requires regular reporting and data collection on the program components. Specifically, the John Howard Society Pacific provided both qualitative and quantitative information on programming with indicators related to cultural programming, life skills and program use, client satisfaction, and operational requirements as well.

I don't have any specific details about the member opposite's question about when it is not going to look so much like a jail, but at the same time, the John Howard Society has undertaken extreme efforts, beyond those required by the transfer agreement, to establish a review process and to engage

an independent corrections expert to develop an evaluation framework as well. It then also hired three local independent reviewers to review program operations and provide the John Howard Society with a written report.

I could get into some costs, but that would be the extent of my content for today, but for any other specific questions, I will work with the specific department for the member opposite.

**Ms. White:** Just in mentioning the review that will be undertaken, will that review be shared with government, and then will that review be made public so that population can see what is going on?

**Hon. Mr. Silver:** I will find out from the department.

**Ms. White:** Excellent.

How many contracts does the John Howard Society Pacific now have with the Yukon government, and what facilities are they running?

**Hon. Mr. Silver:** Again, that is specific information that I don't have here for general debate in Committee of the Whole on a supplementary budget with no budgetary items for Justice. I would have to get that information for the member opposite.

**Ms. White:** What a fantastic time to be able to put it on the floor because, with five questions a week, it's just not possible to get there.

Back when I was first elected in 2011, in my opening speech to this Assembly, I said that one of the most important things to me was that there would be a women's transitional housing unit and that it would be similar to, at the time, what was the Adult Resource Centre, which is now the John Howard Society transition housing — and that would be a place for justice-involved women to leave the correctional facility.

Are there any plans underway for a women's transition home?

**Hon. Mr. Silver:** Our government is considering options to provide that supervised community housing for justice-involved women. Program models that are under consideration include gender-responsive, culturally appropriate, and trauma-informed services and supports for women who do not require high-security custodial care but need that support — safe, supervised community housing.

Any program development will recognize the unique needs of women involved within the criminal justice system and will aim to support them as they transition from custody to the community. We will provide for alternatives to custody or support their participation when addressing services through the Yukon's treatment courts.

Discussions with our partners and local stakeholders and subject matter experts increase our understanding, obviously, of how we can support the specific needs of justice-involved women in the Yukon. I don't have any updates as far as when we will be getting to the specific answers to the member opposite's questions as far as seeing this supervised housing.

Again, if there is a specific question from this debate that the Department of Justice wants to add to, then I will definitely get back to the member opposite on that.

I agree that this is a great opportunity to ask these questions in the Legislative Assembly. Again, when I prepare for general debate of a supplementary budget — that is kind of where my

brain is right now, and that is where we are. These are very specific questions for the Department of Justice.

We will get back to the member opposite if there is anything else that she might need on this particular file.

**Ms. White:** I would point out that justice-involved women needed that housing 10 years ago, and they still need it now. They have needed it for the last four years. They need it now. They will need it in four years. It is one of those critical pieces of infrastructure that we don't have in the community. Women leaving the correctional facility don't qualify for Kaushee's as they are not immediately fleeing violence. Women will often go back into the exact same bad situations that they left, because there is literally nowhere else to go. I saw it for two years when I worked there.

I saw people as the stress built up as they got ready to leave and were not sure where they were going to go. So, this is critical. If we want to talk about supporting people, this is critical. I just want to put it on the floor that this is one of those things that needs to happen sooner rather than later.

There was a report that — maybe I will just put a bunch of these on, as I understand that the Premier does not have these answers right now.

In 2018, 40 recommendations were made to change the Whitehorse Correctional Centre. This report was groundbreaking, and it was in response to the horrific and unacceptable treatment of a person who was incarcerated. I wanted to know if the department had any updates or reports on the implementation of these following recommendations. How does the department now define "separate confinement"? More specifically, how many people in the jail, if any, have been kept in administrative separate confinement and for how long? Is there an on-site mental wellness coordinator at the Whitehorse Correctional Centre, and what hours are they accessible? What addictions treatment services are being offered to people in the facility? Do all folks in the facility — sentenced or on remand — have access to the same treatment? What supports are there for people in jail who use substances for detox support? What mental wellness training is being offered to correctional officers and other staff at the Whitehorse Correctional Centre? Are folks at the jail currently being charged for local and long-distance phone calls? Are people who are re-entering their community after being at the facility connected with a doctor, a social worker, or a psychiatrist as follow-up to ensure that they continue medication and receive the right supports after their time in the facility?

The reason I am putting those on the floor are that those are important. We didn't have the opportunity to ask them this spring. It is signalling that they are important and we want it to go on.

The next question that I have is based on a briefing that we had during the flooding this summer. I, like many others in this House, went out and volunteered and did things, but we were surprised to learn in a briefing that people at the Whitehorse Correctional Centre would also fill sandbags for the Yukon government to use in flood prevention. It was explained to us at the time — and this is in quotation marks because we wrote this down because it was surprising — "an enjoyable activity

and fresh air for the inmates". That is what we were told in the briefing. So, my question — hopefully for the Premier to answer and just to put it out there — is: Did he have the correctional facility fill sandbags for Yukon government, and, if so, were they compensated for their labour?

**Hon. Mr. Silver:** So, three questions — because I am going to go back to do some context with the member opposite, talking about the first question. Again, supervised community housing — supports for justice-involved men. I agree that this has been provided for over 20 years in the Yukon via non-governmental agencies. There have been no equivalent services for justice-involved women in the territory. We recognize that.

Concerns have been raised with respect to the recently established supervised community housing service for men, provided by the John Howard Society, which does not include those services for women.

A little bit of background, as well: Supervised community housing has been available for justice-involved men since the mid-1980s. Through a contract service provider, men had access to programming, community supports, housing, and alternatives to custody as a tool to support discharge planning and also a community reintegration.

Now, 15 years ago, the Salvation Army provided beds for justice-involved women. Since then, this gap in service has been filled intermittently through various solutions. These have included attempts by the Elizabeth Fry Society to set up housing as well as funding for two beds in the home of a retired social worker. Neither of these options currently exist for justice-involved women in the Yukon.

Case managers at the Whitehorse Correctional Centre and at the Justice Wellness Centre work with clients to address immediate housing needs. However, no 24/7 supervised housing is available for justice-involved women who present a higher risk or who are vulnerable and need a structured or supervised, supportive environments.

Now, fast-forward — in August 2020, our government invited agencies and organizations to submit options for housing locations and program models. Some of the community partners and stakeholders engaged to date have included Challenge Disability Resource Group, the Council of Yukon First Nations, the Safe at Home Society, the John Howard Society Pacific, Yukon Anti-Poverty Coalition, and also the women's transition home and Betty's Haven.

On July 5, 2018, in our mandate letter to two of my ministers, we've included a requirement to establish a program to provide supportive community housing to justice-involved women that will be gender responsive, culturally sensitive, and trauma-informed with supports from the Women and Gender Equity Directorate.

The Department of Justice and the Women and Gender Equity Directorate are working together on Cabinet and Management Board submissions to seek approval for the supervised community housing for justice-involved women in Whitehorse.

The second question was about the Whitehorse Correctional Centre and the 40 recommendations that the member opposite was asking about. Before we get to that, I will

say that the Whitehorse Correctional Centre residents — the inmates — did fill sandbags. I am not sure what the compensation was right now, but we will get that information for the member opposite.

When it comes to working on the 2018 Whitehorse Correctional Centre inspection report, those recommendations were made in the inspector's report. They fall broadly into four main categories of being related to mental wellness, segregation practices, programs and services for the First Nation communities, and justice system initiatives. The implementation working group has determined that, to date, 28 of the 40 recommendations made in the Whitehorse Correctional Centre inspection report have been completed. Work is currently underway toward completing and implementing a further nine recommendations.

The implementation working group will provide input and support the fulfillment of the inspection report's recommendations and has recommended that the continued oversight shift to the community advisory board. I will make sure that we check the Blues and check Hansard to see the specific questions as well and pass them on to the department or departments responsible. Again, just to end on this, the Whitehorse Correctional Centre inspection report provides very valuable guidance when it comes to how we can work with our partners to increase confidence in our institutional operations and enhance the administration of justice in the territory.

I think that the Department of Justice, working in collaboration with the Women and Gender Equity Directorate, First Nation governments, the Council of Yukon First Nations, and community-based non-governmental organizations — it is a lot of great work to improve the delivery of programming, recognizing — and I agree — that we have a long way to go on those recommendations and our support for justice-involved women as well.

**Ms. White:** Just a quick clarification — did the Premier say that he has directed his ministers in the recent mandate letters to —

Okay, there was a nod. I am just making sure of the timeline.

Are there any plans from the Yukon government to increase the funding or capacity at the Legal Aid clinic? We know that we get calls fairly regularly from folks who are looking for support and then they get told that the clinic is under-resourced. Is there any intention to increase funding or capacity at the Legal Aid clinic?

**Hon. Mr. Silver:** I do know that our government increased that budgetary contribution in our last mandate. The legal aid cost-sharing by Government of Yukon and Canada between 2016-17 and also in the 2020-21 fiscal year — the total funding to Legal Aid increased from \$2,179,000 to \$2,640,000. Due to an increase in funding from Canada, the total funding in 2021-22 fell slightly, back to \$2,608,000 from that \$2,640,000. We recognize the importance, as the member opposite clearly does, for that stable and predictable funding to ensure that operations are stable and that the accessibility of this vital service to low-income Yukoners is there.

Both the Government of Canada and the Government of Yukon are in the last year of a five-year funding agreement. We expect to negotiate a new funding agreement later this fiscal year. I will also say that funding for the Yukon Legal Services Society is designed to provide a stable core budget for its regular operations. Occasionally, certain cases require legal services that can be contracted due to conflicts with the Legal Aid staff council. These cases fall outside of the Yukon Legal Services Society's core budget and require the society and the Department of Justice to ensure that contract fees may be provided appropriately. These are unexpected costs, normally resulting in funding being covered through existing departmental funding as well. I just want to make a note of other avenues and other funding that does happen. We definitely have, in our bench strength here, the Member for Riverdale North, who would have a lot more to say about this particular Legal Aid Society and who has a breadth of knowledge therein, and I thank him for his service in that agency.

**Ms. White:** Are there any updates right now on the bilingual health centre that was committed to during our recent territorial election?

**Hon. Mr. Silver:** We are moving forward with a bilingual health centre in Whitehorse, which will integrate into our existing health care system. An advisory committee is in place to review options and to participate in the creation of the bilingual health centre, and the new health centre, to advance the recommendations of the *Putting People First* report, establishing the bilingual health care team.

In 2020, Health Canada approved \$400,000 in funding, which will be used to support the planning and establishment of that bilingual health centre. The French Language Services Directorate has also committed funding, through the Canada-Yukon agreement on French language services, to support establishing a bilingual health centre.

Opening the bilingual centre in January 2022 is expected to relieve stress from our health care system, as it provides more options and resources to Yukoners. That would be the update that I have for the member opposite right now. I don't have any more information for the member opposite. If she needs more, then we can direct her to the Department of Health and Social Services, which will be presenting in the budget process here in Committee of the Whole.

**Ms. White:** I thank the Premier for that.

A question, just because it falls under French language services and the French Language Services Directorate — it is my understanding that language classes are being taught at the Wood Street School.

I wanted to know if the government has a policy that allows other government departments to quarter off parts of schools for separate things, and if so, are classes being taught during school hours? Is there a requirement to use separate washrooms from where the students are? Do people who are accessing those classes have RCMP checks? Have they been cleared to attend the school that children are attending?

**Hon. Mr. Silver:** That is a very specific question in a supplementary Committee of the Whole general debate that doesn't have money set aside for the French Language Services

Directorate. The question is on the record, and I will endeavour to get back to the member opposite with the arrangements or agreements that have been made.

**Ms. White:** I appreciate the time with the Premier today. I think that it is important that, at different times, things just get put on the record. I know that there is an entire group of folks who have to listen to this every day, and I trust that the questions I have asked will get to the right departments.

With that, I look forward to getting into the departments. I will hand it back to my colleagues to the right.

**Mr. Cathers:** I am pleased to rise here. I notice that we unfortunately don't have much time remaining this afternoon, so we will have to resume at a later date.

I want to begin, first of all, with asking the Premier some questions about the growth in full-time equivalent employees. According to the handout that we were provided by the Department of Finance at the briefing on the supplementary estimates, there is an increase of 110.5 new FTEs in the supplementary budget. Again, according to that handout, we were told that 87.3 of those FTEs are new positions related to pandemic management. One of the questions that immediately arises from that is that the Yukon, of course, like the rest of the world, has been dealing with this pandemic since early 2020.

We saw a need for governments to ramp up in terms of resources dedicated to the pandemic through things such as the vaccination, management enforcement, and so on, but what is a little hard to fully understand in the absence of an explanation is why, this fall, the government is adding 87.3 FTEs for pandemic management on top of the ones that they added in the spring.

According to the handout in the spring, there were 71.9 FTEs being added, just this spring, due to COVID. So, in total, for a year when it would seem like the operational strain on government would not be dramatically different from 2020, between the spring budget and now, the government has added, according to the handouts that they provided us, 159.2 full-time equivalent positions related to COVID and pandemic management.

I would like to start by asking the Premier if he could provide an explanation of that, especially the new positions being added in this supplementary budget, but also explain why, on top of the 71.9 FTEs that they added in the spring for COVID, they have added an additional 87.3, which, I believe, works out to a grand total of just under 160 full-time equivalent positions added this year alone on top of what was added last year.

**Hon. Mr. Silver:** As we know, in the revised 2021-22 main estimates, the government has 5,324.4 full-time equivalent positions budgeted for the fiscal year for the Government of Yukon to support programs and services. In the *Supplementary Estimates No. 1*, there is an increase to budgeted FTEs, including 14.7 permanent and 95.8 term positions, or a 2.1-percent increase from the revised 2021-22 main estimates.

Almost 80 percent of the increase is related to COVID in order to support Yukon's continuing response to the pandemic for the safety and well-being of Yukoners. As the member opposite knows very well, from spring until now, we have not

seen the end of this pandemic. We definitely need to make sure that we have the personnel to provide those programs and services. That's really important.

Again, while the state of emergency has been lifted, additional staff continue to be needed and required for initiatives such as continued vaccinations and also potential surge support as well. Remember that not all of these FTEs are necessarily full-time permanent; some of these are temporary as well. The remaining increase of the 23.2 FTEs are mostly related to emergency medical services, the supervised consumption site, midwifery, and also early learning and childcare. I think that, for a more fulsome conversation about the specific FTEs in those departments, the member opposite can ask those questions to the ministers when they get on their feet in Committee of the Whole.

I will say that, as a government, we are fully committed to providing a transparent and up-to-date account of the budgeted FTEs with the mains and the supplementary budgets. We regularly share these updates with the House and with the members during regular briefings or when requested.

The total that the member opposite mentioned of the 110.5 additional FTEs — I guess, from the member opposite — I didn't want to put words in his mouth, but it seems like a big number — I guess that is the question, but in the context of combatting a global pandemic, a mid-year FTE increase of about two percent does not, in my opinion, seem unreasonable. The fact that we have responded effectively and are still managing a COVID response and maintaining progress on other priorities, like early learning and midwifery, within departments is nothing short of remarkable, in my opinion.

The government is committed to providing these services that Yukoners depend on, and we will continue to ensure that we have the human resources that are necessary to assist and to protect Yukoners.

Just as another note of interest for the member opposite, the COVID-19 87.3 positions that we mentioned — all of those are term positions. All of these are for COVID specifically — again, these are term positions — not permanent, but term.

**Mr. Cathers:** What I do have to point out to the Premier, in looking at the handout that was provided by the Department of Finance and at the briefings here — and just to quote from that — is when they described FTEs, it says: "An FTE is a full-time position budgeted for the entire fiscal year."

In the section where it lists, by department, the additional positions, it describes 87.3 ascribed to "Pandemic Management" under Health and Social Services. Further, at the bottom where it describes the changes, it has under the column "COVID-19" and the column beside it, which says "Non-COVID", and then the column on the right says that it is the total of those two columns — under "COVID-19", it says 87.3. The Premier can talk about the percentage increase, but I am asking why these positions were necessary. It does seem that government may be at times using the pandemic as a convenient excuse to blame all new spending on the pandemic.

We, of course, do not for a moment dispute that there is spending required that is related to the pandemic. That is obvious. But how much those spending needs have increased

in comparison with the previous fiscal year — 2020-21 — is a little bit hard to understand in the absence of an explanation. What we don't have is an explanation.

Two words — “pandemic management” — are not an explanation for hiring 87.3 people. I am asking for details on why those additional positions were necessary and what those positions are. We are asking for details, not just a narrative ascribing those to the pandemic.

As I noted — and I have the handout provided by the Premier's government in the spring in front of me as well — the increase that was ascribed to COVID in the spring budget was 71.9 FTEs related to COVID. It was made very clear to us by officials, when we asked, that the additional FTEs being added in this fall supplementary budget are in addition to the ones that were added in the spring. We see a combined total of 159.2 FTEs that the government is describing as being related to COVID or pandemic management. That, of course, is on top of positions that were added last year.

The Premier can say, as he indicates off-mic, that they are temporary positions, but if temporary positions are carrying forward for a term, and then new positions are being added on top of that, the fact that the positions may not be permanent positions that exist for the next 10 years doesn't change the fact that they are new positions.

Again, as the Official Opposition Finance critic and as critic for Health and Social Services, I am not questioning that there are some additional needs, nor am I saying that these additions are necessarily unreasonable. I am asking the Premier for more details to explain — to not only us but to the public whose money is being spent — what those additional positions were required for and why that increase — when the Premier is comparing it to the government as a whole, it may not sound that large. But in terms of the total resources that are specifically being dedicated to the pandemic, an increase of just under 160 staff is a significant increase.

Again, Deputy Chair, I am not saying that some of those positions aren't necessary — perhaps even all of them. What I am asking for is a more detailed breakdown of what they are for. If the government has nothing to hide, then don't hide it.

I want to also just go on to another area, recognizing the limited time that we have available this afternoon. There has been a lot of discussion about the housing crisis. Ministers of that government have stood up — including today, I believe — and talked about the housing crisis. But what we don't seem to be hearing from this government is a recognition of how, through certain actions they take — such as increasing the size of government — they are the largest single source of pressure on the housing market.

I'm just adding up some numbers for the Premier and his colleagues. I am just looking at the numbers that they have provided previously through handouts or that, in a couple of these cases, I have written down in my notes from briefings provided previously by department officials. According to their own numbers, if you look at the increase in the spring of this year for just two departments — Justice and Health and Social Services — they added 125-plus full-time equivalent positions.

Adding on top of that are the 110.5 new positions that are being added here in the supplementary this fall. That combined total is over 236 new positions.

Now, contrasting that, the government this spring, with great fanfare in the Premier's budget speech and in the second reading speech by the Minister of Community Services, they talked about the amount of money that was being spent on land development and touted the creation, according to the Minister of Community Services, of 171 lots for planned release later this year.

Now, quoting from the Minister of Community Services, Hansard, May 18, page 122, the Minister of Community Services said — and I quote: “... we have work underway on phase 6 of Whistle Bend for completion this summer. It will create some 171 lots for a planned release later this fall.”

Fast-forward to today — we've been advised by the Department of Community Services that, in fact, phase 6 has been split into phase 6A and 6B and that, in phase 6A — the only one that is actually going out for release this year — that number has been cut down from the number of 171 lots that the Minister of Community Services gave us in the spring to just 70 residential lots.

The government budgeted \$32 million in the spring for land development. That included \$21.7 million for continued development of the Whistle Bend subdivision in the Whitehorse area, as noted by the Minister of Community Services on page 122, May 18, 2021, Hansard. So, from that budget, we see significant delays. Instead of the 171 lots that the minister promised in the spring, we see that number being cut down to just 70 residential lots that are actually being released from Whistle Bend this year and an additional four lots from the Logan subdivision. So, a total of 74 lots in the Whitehorse area is being released by government this year.

They have trouble actually getting land development done, but the Premier has no trouble growing government by hiring hundreds of additional staff that he is apparently not willing to explain the need for.

Those 74 residential lots that are actually being released in comparison to the 236-plus staff that government is hiring just this year — if the Premier is trying to figure out where the housing crisis is coming from, perhaps he should start by looking in the mirror.

I would note, Deputy Chair, for the record that the number I had at my fingertips for the increases in the spring were just related to two departments, so the total increase this year would be to over 236 FTEs. That is actually a lower figure than the total number. Just for the importance of members understanding it, when the government on the one hand, whether for the pandemic or other reasons, chooses to add 236-plus full-time equivalent positions in one fiscal year while there is a housing shortage, yet only get 74 new residential lots on the market — I should note that those lots aren't actually on the market yet, as they just expect them to be done before the end of the year — the Premier and his colleagues should take a hard look at how they themselves are driving pressure on the housing market.

The Premier is kibitzing off-mic as he likes to do, but the reality is that most of the Whistle Bend lots that they promised in the spring are actually being delayed. Hiring is going forward at a rate of over 236 full-time equivalent staff, 159 of which are being ascribed to pandemic management or COVID, and yet government, in contrast, is only releasing 74 residential lots — if they manage to get that done. Does the Premier see a little bit of a problem here with what they are doing on the one hand and what they are doing on the other hand?

With that, Deputy Chair, just to give the Premier time to think about that and to prepare a response, I will wrap up my comments on that part there. I would just note that, when we next enter debate, I would like more detailed costs for the flooding this summer. We have seen costs related to Community Services. We know that there are costs embedded in other departments as well as the Yukon Housing Corporation, for which we don't have a full breakdown.

Seeing the time, Deputy Chair, I move that you report progress.

**Deputy Chair:** It has been moved by the Member for Lake Laberge that the Chair report progress.

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Premier 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

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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 House do now adjourn.

**Speaker:** It has been moved by the Minister of Energy, Mines and Resources that the House do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:28 p.m.*

**The following sessional paper was tabled October 19, 2021:**

35-1-20

*Cannabis Yukon Annual report — Yukon Liquor Corporation — April 1, 2020 to March 31, 2021 (Pillai)*



# Yukon Legislative Assembly

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Number 18

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 20, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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** — Emily Tredger, MLA, Whitehorse Centre

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
Hon. Sandy Silver	Klondike	Premier Minister of the Executive Council Office; Finance
Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
Hon. Nils Clarke	Riverdale North	Minister of Highways and Public Works; Environment
Hon. John Streicker	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
Hon. Ranj Pillai	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
Hon. Richard Mostyn	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
Hon. Jeanie McLean	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### 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
Emily Tredger	Third Party House Leader Whitehorse Centre
Annie Blake	Vuntut Gwitchin

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Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Wednesday, October 20, 2021 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

**Speaker:** We will proceed with the Order Paper.  
 Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Mostyn:** I have this afternoon a long list of introductions for the tribute this afternoon. I beg the indulgence of the House and also the folks in the Chamber. With their masks on, I hope I don't miss anyone.

I have for introduction this afternoon: Devin Bailey, the acting chief of Yukon Medical Emergency Services; Damien Burns, who oversaw much of the flood and fire response this summer; I have Mike Sparks, the senior operations advisor; I have his son Tristan Sparks and his partner, Franziska Lux, in the Chamber this afternoon — Tristan Sparks, I should note, is also a stores person; I have Mike Sparks' daughter Cayley Sparks here as well; I have Luke Bibeau, who is a FireSmart and fuels management specialist; I have Vern Marshall, who is the telecommunications supervisor; I have Jocelyn Thompson, who is the finance and admin clerk; I have Nicole Charbonneau, who is the finance and administrative clerk; we also have Ben Asquith; Fred Koe; Chad Thomas; Jesse Latoski; Corey Riemer, who used to work with us — it's great to see you again today; and David Johnson. If I have missed anyone with their mask on, I do apologize. Welcome everyone to the House this afternoon.

*Applause*

**Hon. Mr. Streicker:** Mr. Speaker, today for our tribute on workplace bullying — or against workplace bullying — please welcome to the Chamber Paul Moore, the Public Service Commissioner, and Ken Schamber, the manager of Corporate Health and Safety. We also have a few folks from Respectful Workplace Office. We have Patrick Gardiner, Jan Malfair, Rob Horne, and Morgan Settle. Can we please welcome them all?

*Applause*

## TRIBUTES

### In recognition of Workplace Bullying Awareness Week

**Hon. Mr. Streicker:** I rise today in recognition of Workplace Bullying Awareness Week from October 17 to 23. For years, we have taught our kids not to bully in our schools. It turns out that we also need to address bullying in our own workplaces. Workplace bullying generally involves a pattern of behaviour that can cause either emotional or physical harm. It

includes tactics such as verbal, psychological, and physical abuse. The intention is to intimidate, degrade, humiliate, or offend a person or a group.

The negative effects of workplace bullying on our well-being are extensive. People who experience workplace bullying may begin feeling frustrated and vulnerable. They may also start to have physical symptoms such as loss of sleep and lessened appetite. Beyond these already serious issues resulting from workplace bullying, victims may also experience psychosomatic symptoms such as headaches, anxiety, and difficulty concentrating.

Within the workplace, not only may employees notice a decrease in job satisfaction, bullying and harassment can also cause lower productivity and increased absenteeism. For all these reasons, we must work to end workplace bullying.

Unfortunately, bullying in the workplace remains too prevalent in many Canadian workplaces. In 2018, one in six Canadian workers reported experiencing harassment in the workplace — one in six. Women experience more bullying than men. The most common type of harassment is verbal abuse. This is an issue that affects individuals who work in the territory. If you have never experienced workplace bullying, I am sure that you know someone who has. This is why it is important to recognize Workplace Bullying Awareness Week. It's imperative that we work together to end workplace bullying.

Here in the Yukon, organizations such as All Genders Yukon Society and the Yukon Human Rights Commission, as well as Yukon First Nation governments and the Public Service Commission, offer support to people experiencing violence and harassment in the workplace.

I would like to give a shout-out to the Northern Safety Network Yukon, which provides resources to workers and employers, like information, training, and safe work procedures on bullying, harassment, and violence.

A safe workplace protects our physical and psychological well-being.

I would like to thank the Northern Safety Network Yukon for their exemplary work in educating and providing assistance and resources to all Yukoners. We must work together to end workplace bullying.

Mr. Speaker, I would like to thank you for your efforts to make this Legislature — our workplace — a more respectful place.

*Applause*

**Ms. Van Bibber:** I rise today, on behalf of the Official Opposition, to pay tribute to Workplace Bullying Awareness Week, October 17 to 23.

At all stages of life, we have all probably experienced bullying. From grade school to one's working life, we have encountered some form of behaviour that is questionable, but today we focus on workplace bullying. On the stage of a work environment, bullying affects many: the victim, the employer, the one accused of being a bully, and investigators. The situation can affect the whole atmosphere. Some incidents

might be subtle and others encounter very blatant — that one is being marginalized in their workplace.

We wonder how this can happen in our information-laden world where we know about social issues and hurtful actions that are not acceptable. Sadly, it does happen — but remember, the systems that have been in place can enable and protect those who have behaviours and values that are resistant to change and those individuals in need of control or power. Employers and leaders should ensure that the subject is front and centre, hand out tip sheets, have presentations and talks, and welcome the chance to change whatever is harmful to the whole. Most importantly, there should be no retaliation for speaking out or complaining about the workplace — no fear of losing a promotion or a job change — and this is a real fear.

If workplace bullying is in your space, it is probably one of the most harmful health issues to one's mental and physical wellness, and it also has a ripple effect, right into your personal and homelife. We must work on workplace safety every day of the year. It seems so simple. Help each other gain experience and knowledge by encouraging and offering assistance when needed or asked for. Be the support person who will do just that.

*Applause*

**Ms. Tredger:** Mr. Speaker, I rise on behalf of the Yukon NDP to pay tribute to Workplace Bullying Awareness Week.

I often think about how much of our lives we spend with our co-workers. We don't choose them, and yet they play an enormous role in our lives. Many of us spend about a third of our waking hours at work. What happens during those hours can be life-changing.

Working with kind, thoughtful, and friendly people can make being at work enjoyable, even when the work itself is challenging or stressful. Unfortunately, that is not the reality for everyone, and far too many people go to work afraid of the cruelty they will face.

I want to speak a little bit about the role that we, as bystanders, play in bullying. I know that I have been in the situation of watching something unfold that I knew was not okay but not knowing how to intervene. It's easy in these kinds of situations to be paralyzed by doubt or to be afraid of making things worse or to be afraid of becoming a target yourself.

Last summer, as part of Pride, Queer Yukon sponsored a bystander intervention workshop where I and others received training on how to intervene with more confidence. I really believe that most people want to support their coworkers. They just need the tools to do it in difficult situations. I would encourage all workplaces to make training like this available and all employees to take it.

Kindness at work is an individual choice, but it is also a product of the culture, support, and resources that a workplace provides. So, today we pay tribute to everyone who works to create workplaces that make kind and compassionate behaviour the norm. We want to pay tribute to everyone who goes out of their way to be thoughtful, kind, and compassionate to their co-workers.

*Applause*

## In recognition of Wildland Fire Management

**Hon. Mr. Mostyn:** I rise today to pay tribute to another successful season of Wildland Fire Management in the Yukon. 2021 is a notable year for Wildland Fire Management branch; it marks the 75<sup>th</sup> anniversary. It was founded by Canada in 1946.

Since then, a team has been developed with First Nation governments and Yukon government crews. Their focus is to protect Yukoners, their property, and to mitigate risk by creating more wildfire resilient communities. I congratulate the Wildland Fire Management branch on 75 years of protective service.

With this year's addition of the White River First Nation to the initial attack program, the wildland fire program now has agreements with all 14 First Nations in the delivery of initial attack wildland fire services in the territory. This incredible collaborative partnership has created some of the most highly trained and well-respected crews in the country.

The Wildland Fire Management program forged a relationship in recent years with Yukon First Nations Wildfire, creating a unit crew program, also unique in the country. The unit crew provides more capacity as we face fires and floods. The unit crew is well-trained and hard-working, and they have proven themselves to be committed stewards of the land. As we continue to build capacity to better protect our communities, these important partnerships also provide employment and career opportunities in our communities.

All of the amazing work is done at the direction of an incredible group of technical experts, meteorologists, fire scientists, finance and procurement experts, and wildfire management officers, who plan, strategize, and ensure that the crews are supported to keep Yukon safe. This summer, these resources were needed; 112 fires burned more than 118,000 hectares of Yukon forest, some of which were close to communities and people, resulting in an evacuation alert in the Dawson district.

We were not just dealing with wildfire, Hon. Speaker. Much of the success that we realized in our 2020-21 flood response was thanks to the professionals at Wildland Fire Management. Over the course of the summer, fire crews, officers, and support staff led the incident management and coordinated the response on the ground. Above all else, Yukoners in flooded areas remained safe while responders protected critical infrastructure and as many private properties as possible.

Wildland Fire Management's teams were critical in this success. Their professionalism was also noted to me by the military officers who worked under Wildland Fire Management's incident command, with much kudos and respect. In addition, later in the season, our wildland fire team responded to the call for help from our neighbours in BC. Together with Yukon First Nations Wildfire, our crews and officers deployed south. I was there to see them off, and in all, 49 firefighters and officers were airlifted by the 435 Squadron of the Royal Canadian Air Force to assist in what was one of BC's worst fire seasons on record. Crews were deployed to the Garrison Lakes fire near Princeton, the White Rock Lake fire

near Vernon, and the Mount Law fire in West Kelowna. They did us proud as they battled these large, complex fires and worked alongside firefighters from across Canada and beyond.

One of our Yukon air tanker groups was also deployed to Revelstoke to help with aerial suppression. The air tanker group included three Air Tractor AT802 aircraft, a Bird Dog plane, pilots, an Air Attack officer, and an Air Attack officer trainee. They not only served the response, but this opportunity also gave our team valuable experience on the fire line.

So, on behalf of Yukoners, thank you to the management staff, crews, and First Nation partners of the Wildland Fire Management branch for your efforts at home in fire, in flood, and on export, and congratulations to you on 75 years of Yukon service.

Hon. Speaker, as the fire season comes to an end, I would also like to make an important salute to a long-time operations manager, Mike Sparks, who is hanging up his boots after 40 years of service to the wildland fire community.

From his earliest days in the late 1970s as a fire lookout in Alberta, Mike became a crew leader before driving up the Alaska Highway in 1988, the year before me, to join the federal government's wildland fire program in Watson Lake. Later, as a resource management officer, Mike worked countless fires — of note, as leader and as a Yukon duty officer — and was instrumental in safeguarding our responders, communities, and limiting loss of property and values.

Mike was instrumental in developing nation-leading firefighting agreements with First Nation governments, including the first signed on to with the Liard First Nation, some 25 years ago. With Mike's leadership and guidance, Yukon firefighters are renowned for their ability to manage wildland fires across a vast geographic area, with a relatively small team of professionals that is Yukon Wildland Fire Management.

Thank you for your years of committed service, and Hon. Speaker, I thank everyone involved in our wildland fire service across the territory — extraordinary.

*Applause*

**Ms. McLeod:** I rise on behalf of the Yukon Party Official Opposition to join the House in recognizing and thanking our Yukon wildland firefighters and staff for their role in supporting British Columbia this summer in their efforts fighting wildfires. The Yukon sent 40 firefighters and four supervisory staff in August to assist BC, which saw a wildfire season that has been recorded as the third worst on record in terms of area burned — over 8,700 square kilometres of land over the season.

The 2021 fires in BC were disastrous. Thousands were displaced in central Okanagan, and the Lytton Creek fire burned through the town of Lytton, leaving two dead. Yukon firefighters were deployed to the Garrison Lake and Mount Law fires near Princeton and West Kelowna on August 16 for a 19-day deployment, assisting on the active fire line for 14 days.

Our territory saw its share of wildfire activity this summer. Hot and dry conditions saw a number of blazes ignited by

lightning strikes, and more were found to be human-caused. We are fortunate to have such incredible homegrown crews — both in Yukon wildland fire and the Yukon First Nations Wildfire team — to not only defend our beautiful Yukon against wildfire, but that are willing and able to help our neighbours in their time of need.

I would like to note that the Yukon First Nations Wildfire initiative that has grown so much over the years has been doing exceptional work to incorporate innovative strategies and traditional indigenous knowledge in a way that is reshaping traditional wildland firefighting not just here in the Yukon, but around the country and the world.

A special thank you to Chad Thomas who negotiated the deal with BC to get the Yukon First Nations Wildfire crew to BC.

We've had fire seasons in the Yukon that have varied in severity over the years. We have seen the importance for the government and municipalities to take precautions and to ensure that each community has an emergency plan and adequate fire breaks. Firesmarting efforts have ramped up over the years, and I'm happy to see community associations and other organizations making the effort to clean up areas and mitigate wildfire risk.

So, thank you to our local wildland firefighters for your efforts in Yukon and BC this summer. Your dedication and expertise were appreciated by crews and residents in BC, and I understand the opportunity to gain expertise on new ground is always welcomed. Thank you.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP caucus to celebrate Wildland Fire Management and firefighters — these dedicated teams of first responders who protect the lives and property of Yukoners, our infrastructure, and our natural resources.

These individuals work hard, walking toward situations that most of us would run from. They work long hours without knowing what the days or weeks ahead may look like, but they are always ready to do what is asked of them.

From the advice and experience that was shared on the ground with their colleagues in Australia to their calming presence at intense moments like the residential school teardown in Lower Post and to the able and willing help provided at this year's flooding, Wildland Fire Management does it all.

In recognition of all the great things that we heard today, and to the million other things that we will never hear about, Wildland Fire Management and firefighters deserve our thanks. So, it's with that gratitude and respect in mind that I wonder why wildland firefighters do not enjoy the same benefits afforded to other firefighters under Yukon's WCB act. Changes are long overdue to include wildland firefighters in this legislation. We need to recognize the hazardous nature of the occupation and provide support for the people involved in this aspect of public safety. In order to truly honour those who show up for us, it's time that we show up for them.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Mr. Dixon:** Mr. Speaker, I have for tabling a letter addressed to the Premier in regard to the Yukon education review of inclusive education, 2021, from the Yukon First Nation Education Directorate, the Yukon Teachers' Association, Autism Yukon, and LDAY.

**Mr. Cathers:** Mr. Speaker, I have for tabling here today an open letter addressed to the Premier from a parent at Hidden Valley school.

**Hon. Mr. Pillai:** Mr. Speaker, pursuant to section 12(3) of the *Arts Centre Act*, I have for tabling the Yukon Arts Centre annual report.

**Speaker:** Are there any reports of committees?  
Are there any petitions?

### PETITIONS

#### Petition No. 3 — additional signatures presented

**Mr. Cathers:** Mr. Speaker, I have additional signatures to add to those signatures already tabled for Petition No. 3, regarding Hidden Valley school.

**Speaker:** Are there any bills to be introduced?  
Are there any notices of motions?

### NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to consult with the Association of Yukon Communities as well as directly with municipal governments before making regulatory changes or introducing further amendments to legislation to facilitate the creation of a new home energy retrofit program that will be operated by the municipal governments.

**Ms. Van Bibber:** Mr. Speaker, I rise to give notice of the following motion:

THAT this House urges the Government of Yukon to immediately reverse the cancellation of remaining individualized education plans for students with special learning and neurodiverse needs as the government was obligated to do within 30 days of the implementation of the confidence and supply agreement under the terms of that agreement with the Yukon NDP.

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

THAT this House urges the Government of Yukon to address the housing crisis by urgently implementing *Putting People First* recommendation 5.7 to create a guaranteed annual income program for Yukoners.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to implement *Putting People First* recommendation 5.5 by urgently conducting a review of social assistance rates.

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

THAT this House urges the Government of Yukon to provide the resources to reduce wait times of up to three years for psychoeducational assessments of students.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to resolve the urgent need for commercial wood permits by issuing a decision on the Quill Creek timber harvest plan.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to honour its 2020 commitment to the Friends of Mount Sima Society by providing the funding for the electrification of snow-making operations at Mount Sima ski hill.

**Speaker:** Is there a statement by a minister?

### MINISTERIAL STATEMENT

#### Emergency medical services

**Hon. Mr. Mostyn:** We have a beautiful territory with a great economy, and that's drawing more people to the Yukon. It has been for a few years. That has many implications for the territory, including for our emergency medical services. They are incredibly efficient; however, as the territory has grown, so has the number of emergencies that they have had to respond to. Emergency Medical Services has struggled with this growing call volume for years without complaint. Now, we are investing in this vital service that helps Yukoners and alleviates pain and suffering and saves lives every day.

It is important for Yukoners to know about the incredible and, in some cases, nation-leading services that our Yukon emergency services have pioneered. The Yukon EMS is a diverse team of professionals that responds to crisis. They see us at our worst and always respond with care, compassion, and empathy; 125 emergency responders are bolstered by a crackerjack support and administrative staff, but one dispatcher working 12-hour shifts alone can only do so much, so, this year, EMS added a second emergency response coordination officer. This dual-operator system will better support responders across the territory and dramatically improve employee and patient well-being and safety.

Responders are the backbone of the EMS community operations, and they are in high demand in Canada. Recruitment and retention have to be our focus, so we are funding a new clinical educator position that is dedicated to community emergency responders. The clinical educator will tour the territory with a state-of-the-art mobile training unit to ensure that responders have access to timely training programs for their own professional development and to improve the delivery of emergency medical services to Yukoners.

Additional investments are being made to support employee well-being, on-boarding, quality assurance, and quality improvement.

We are also improving services in rural Yukon. One of our most challenging response areas is in the southeast Yukon, which sees many calls over an enormous geographic region. We are making a new staffing model in Watson Lake permanent. In 2020, Watson Lake EMS responded to 491 incidents. This volume, combined with the extended transport time, made it unsustainable to rely solely on our valued community responders. This new model decreases the burden on community responders and supports public safety for the residents of Watson Lake, the surrounding region, and thousands who travel through this gateway to the Yukon.

Hon. Speaker, this year, Yukon EMS also launched the new SKY — sick kids Yukon — flight team. This is an innovative and nation-leading program that expands the territory's air ambulance service to include obstetrical, neonatal, and pediatric critical care transport capabilities. This new multi-departmental program provides highly specialized care to expecting women and the youngest Yukoners, resulting in shorter response times for patients to arrive at southern jurisdictions, cost-savings from reduced use of southern air ambulance services, and, just as importantly, enhanced obstetrical, pediatric, and neonatal services in rural Yukon communities.

In partnership with the University of Maryland, Yukon Emergency Medical Services is the only licensed educational site of the pediatric/neonatal/critical care transport training program in Canada, providing ongoing education to our critical care paramedics.

Currently, there are 13 critical care paramedics in the Yukon. We thank the dedicated team of public servants behind Yukon Emergency Medical Services' program for continuing to provide professional care for patients throughout the territory.

**Ms. McLeod:** Thank you, Mr. Speaker, for this opportunity to respond to this ministerial statement. This statement focuses on a very important aspect of all rural communities — emergency medical services. With great distances between communities throughout the territory, if something happens, we understand that it may take a bit of time for first responders to arrive. They are often putting their lives on the line to make sure that help arrives in a timely manner, no matter how remote the location, and for that I thank them.

I hope that these announced changes have resulted from officials meeting with rural EMS providers who are delivering these vital services and the residents who need them. We are pleased to hear about the new SKY — sick kids Yukon — flight team that expands the territory's air ambulance service. Improving access to EMS care and air response is something that we can all support. I would appreciate if the minister could indicate how many additional cases this program will be helping and how many cases were identified as having needed it previously.

We have heard how EMS workers, particularly those in rural Yukon, need access to training to do their jobs. In rural Yukon, we've heard of volunteers turned away or giving up on the program as they are being asked to undertake additional training for credentials to maintain their roles. That's why I'm pleased to hear that a new clinical educator position will be available to support rural EMS staff and volunteers.

Can the minister tell us how this training module unit will address challenges that we've heard about, including credential requirements, time expectations, and lack of volunteers?

There are questions that remain with my community of Watson Lake and southeast Yukon. The minister says they are making — I quote — "... a new staffing model in Watson Lake permanent."

Now, does the minister mean that the current staffing model, which has been in place for years, is what is being announced in his statement? Because during a departmental briefing, we were told that there will be an increase of 3.2 FTEs to EMS in Watson Lake. Now, does that mean that Watson Lake will have 6.4 full-time positions? Because three of those FTEs have been in place for a number of years.

The minister just said that, in 2020, Watson Lake EMS responded to 491 incidents. He also acknowledged the increase in call volume and a growing territory. I know that there have been many times that there have been gaps in service lasting many days.

So, when the minister says that the model decreases the burden on community responders and supports public safety for the residents of Watson Lake, residents might not know what he is talking about.

I congratulate the minister's work to date to improve EMS for Yukon, and southeast Yukon in particular, and I hope that these changes reflect the reality of what is happening on the ground. The minister does have a track record of failing to consult with rural Yukoners, and his solutions don't always align with what residents need.

I look forward to his clarifications on this.

**Ms. White:** Our Yukon EMS team is often on the front lines of a crisis. As first responders, they are there no matter what, and we thank them for that.

The opioid crisis that we are experiencing in the Yukon has added a whole new dimension to the work of emergency responders. Providing new opportunities for training will help to keep them and their patients safe.

Working through the COVID-19 pandemic has been a particularly difficult time for first responders, adding more layers of risk and stress and also literal layers of uncomfortable PPE to an already tough job.

The new SKY team and critical care paramedics play a critical role in connecting Yukoners to southern health services that can't be provided locally, and I'm so glad to see improved services for our youngest Yukoners and their parents and caregivers.

I know that dispatch at EMS has been stressful and am pleased to see the addition of a second full-time dispatcher. This will improve services and safety for the dispatch team, for

Yukoners, and for our EMS teams on the ground, particularly in rural areas. We recognize that staffing in EMS is a national issue, and we thank all of our EMS teams for working such long hours and frequent overtime to help keep Yukoners safe.

The Yukon NDP caucus is hopeful that these changes will help to address the chronic staffing challenges faced by Yukon EMS going forward.

**Hon. Mr. Mostyn:** I thank the Member for Watson Lake and the Member for Takhini-Kopper King for their gracious support of the work that our government is doing to expand and enhance the service delivery by our EMS folks and to increase the staffing. That's very important, and I think it's a worthwhile investment for our territory.

Strong leadership has guided us through the pandemic and kept our economy going. We are working to make sure that all Yukoners benefit from our territory's economic growth. We're building a brighter future for our territory by improving the Yukon's Emergency Medical Services' vital services that help Yukoners in critical need and save lives every day.

In my early remarks, I noted the addition of a second emergency response coordination officer to the EMS team. This dual-operator system will better support responders across the territory and dramatically improve employee and patient well-being and safety.

The addition of a new clinical educator position dedicated to community emergency responders will ensure that responders have access to timely training programs for their own professional development and improve the delivery of emergency medical services to Yukoners.

We're also improving services in rural Yukon, as I mentioned. A new staffing model in Watson Lake will support the response team that covers one of the largest and busiest areas in the southeast. The new model decreases the burden on community responders. It will expand the support to those areas and close the gaps that we have seen in this very large geographic area with a lot of calls.

I also mentioned the new SKY flight team that has expanded the Yukon's air ambulance service to include obstetrical, neonatal, and pediatric care transport capabilities.

Partnerships are important to improve service delivery throughout the territory. I didn't have time to mention the partnerships that are improving services at the Whitehorse Emergency Shelter. Yukon EMS is participating in a multi-departmental pilot project that embeds paramedics directly at the shelter. This project helps clients and relieves pressure on the emergency system, allowing for improved responses to urgent care calls. The results of this pilot project have been dramatic, and it's really great to see us thinking of new ways of serving the Yukon public.

Paramedics interact directly with clients at the shelter and divert non-emergency cases by referring clients to the appropriate resources. They have built relationships with staff and local residents while they manage treatment plans and work toward enhancing the well-being of clients. Since October 21, 2019, one paramedic has been on-site for 10.7 hours per day, seven days a week, covering peak hours. This

may evolve as we learn through the pilot initiative that is set to continue into the spring.

By investing in the services and supporting our dedicated team of first responders, our government is improving service and saving lives. Mr. Speaker, all Yukoners owe a debt of gratitude to the dedicated people who make sure that Yukon's Emergency Medical Services are available around the clock and when they are needed most. I want to thank them on behalf of our government, and we will continue to support their vital work.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Cathers:** I have more questions for the Deputy Premier. In an attempt to deflect questions about why the Deputy Premier did not notify parents about sexual abuse of children at Hidden Valley Elementary School, the Liberals have created a smokescreen of a so-called "independent review". The review looks at a small period in 2019 and specifically does not look at what the Liberal Cabinet knew or didn't know. It is clear that this is nothing more than an attempt to deflect and ignore the real concerns and questions raised by parents, the media, and the opposition and to prevent a true investigation of what actions ministers took and did not take.

Will the Deputy Premier stop hiding behind this smokescreen and just tell us why she made the decision not to notify parents?

**Hon. Ms. McLean:** Mr. Speaker, I welcome the opportunity to once again rise and speak to Yukoners about these very serious incidents that happened in 2019 within the Hidden Valley Elementary School and our Department of Education's and other departments' response to this.

I have stated over and over and over that I have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley Elementary School. Again, this is a strong commitment that I made to parents of Hidden Valley Elementary School. The independent review will, of course, look into our internal and interdepartmental processes of 2019 and beyond. I have asked the investigator — the person doing the review — to go where the investigation needs to go, which is that we want this to be a broad and comprehensive review of established government policies and procedures around operations, reporting, and communication to address serious incidents in our Yukon schools.

It will include reviewing how the Department of Education, the Department of Health and Social Services, and the Department of Justice work together to respond to incidents in schools and how they interact with the RCMP.

**Mr. Cathers:** Mr. Speaker, as the Minister of Education knows, the review excludes ministers. We are seeing an appalling lack of ministerial accountability from this government.

Earlier this week, I tabled a petition with signatures of nearly 350 Yukoners who want the Deputy Premier to stop

hiding behind this farce of a review, and her colleague, and just start answering the questions.

Parents know that this is an attempt to avoid answering questions about why the Deputy Premier didn't notify parents of the sexual abuse at the school after she learned of it.

According to CBC, one parent said — and I quote: "... he wasn't interested in waiting to get answers via a review ordered by the government into his handling of the situation, describing it as politicians 'kicking the can down the road, hoping it will go away'."

Will the Deputy Premier listen to parents and stop trying to hide this by kicking it down the road, hoping it will go away? Because this is not going away.

When did the Deputy Premier find out, and why didn't she ensure that parents at Hidden Valley school were informed?

**Hon. Ms. McLean:** Mr. Speaker, again, I want to focus on the steps that we are taking now to get answers to the questions that are on the floor and have been on the floor for the last seven days. We have acknowledged that it was a mistake that other parents were not made aware of the situation and that steps could have been taken at the time to better inform and support families.

I, and the former Minister of Education, have apologized to parents for that, and we are taking action to improve our system going forward.

I am the Minister of Education now, Hon. Speaker, and I am working to get to the bottom of these questions. This is why I have launched a review of our government's response. This is a commitment that I made directly to the parents of Hidden Valley Elementary School. I tabled, in this House, the terms of reference for this independent review, which will have a full fact-finding relating to the responses of the Department of Health and Social Services, Department of Education, and the Department of Justice to the incident in 2019. It will also include recommendations that we will follow.

**Mr. Cathers:** Once again, Mr. Speaker, the Deputy Premier continues to insult parents by dodging questions. The so-called "independent review" is nothing more than a smokescreen designed to try to kick the issue down the road. It does not look at what the Deputy Premier knew and why she did not share information with parents. It doesn't look at why she was briefed over a year and a half ago and didn't tell people about it, nor does it look at why she kept the new Education minister in the dark. Nearly 350 Yukoners have signed a petition demanding that the Deputy Premier come clean and start explaining what she did at the time and why she didn't tell people. They don't want to wait for this farce of a review for the Deputy Premier to explain why she chose not to inform parents. They want answers now, and the minister can provide them right now. She knows that she can answer these questions now.

Will she stop disrespecting parents who have been waiting for answers and just tell us: Why did the 2019 letter not get sent, and why did she not live up to her responsibility to inform families?

**Hon. Ms. McLean:** I am happy to continue to rise to again talk to Yukoners, the families, the children, and the

school community about these important and devastating incidents that happened in 2019. I want to focus on the work that we're doing. I take exception to the comments of the Member for Lake Laberge in casting a shadow over a really important process that is underway right now.

Our department is participating in this as we speak. We have our families and those directly impacted by these incidents in 2019 participating in this review as we speak. They deserve the respect of this House to allow this process to proceed in a respectful way. We have ensured that we have a very qualified individual who is doing this review in an independent way. That is what is happening. I have committed to releasing the findings by January 31, 2022.

### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Over the course of this legislative Sitting, we have asked several questions about the incidents at Hidden Valley school — in particular, the role of the Liberal Cabinet in that scandal. The response from the Liberal government has been to stonewall, ignore, and hide behind the so-called "independent investigation". Parents have been seeking answers and have made it clear that they want those answers to come from the minister who was in charge, because ultimately it is that minister who is accountable for the decisions of the department.

The unwillingness of the Liberal government to answer many of these questions has been disappointing and disturbing to many.

Does the Premier recognize that Yukoners are losing confidence in this government due to their unwillingness to provide answers, to take responsibility, and to accept accountability for what happened under their watch?

**Hon. Mr. Silver:** We are taking this extremely seriously, and the process that the minister and our teams have put in place is going to answer the questions — absolutely.

The Minister of Education has been on her feet countless times explaining exactly that. She has launched an independent review of our government's response to this incident, as well as the internal processes and protocols to respond to this incident in kind. We will be answering all questions through this process, this independent process, as the member opposite casts aspersions on the independent review of this.

The review will involve parents; it will involve guardians, as well as partner agencies and organizations, with the goal of understanding what occurred and to make sure that improvements are made in our education system. The minister today even said that, as we speak, these conversations are starting. This process is moving forward. The commitment is there for the educational community; the commitment is there for the teachers and for the parents.

**Mr. Dixon:** What parents have told everyone, including the public, the media, and legislators, is that they want answers from the former minister. They aren't interested in a review of protocols within the department.

Parents and families are feeling ignored by the Liberal government. They have reached out to the former minister and

have been ignored. Some have been forced to speak publicly about their desire for the minister to answer questions, and they have been ignored. Hundreds have signed a petition demanding that this minister respond, and they have been ignored. They have faced questions in the Legislature and have refused to answer them.

Surely the Premier must recognize that they cannot continue to ignore these direct requests from Yukoners. How long does the Premier think that the former Minister of Education can ignore this before even the NDP loses confidence in this government?

**Hon. Ms. McLean:** As I started this Sitting, I spoke about how there is nothing more important, of course — and I have said it many times — than the well-being, safety, and protection of our students when they are in our care. I want to go back to that value. This is an absolutely devastating situation for everyone involved. We know that folks have been impacted, particularly the children and the families, the school community, and Yukoners.

We acknowledge that there has been a breakdown in trust between families of Hidden Valley and the Department of Education. Once again, our children are at the heart of this, and that is the most important aspect of this. We are absolutely committed to rebuilding that trust and strengthening our education system, which is why I have launched this independent review. I have tremendous faith that the answers will come through that.

We are also working with families to ensure that they have the supports that they need. If they are not receiving those supports, I really want to hear from them, Mr. Speaker. I want to ensure that they have the supports that they need.

**Mr. Dixon:** Mr. Speaker, since the election, the Liberal government has been hanging on by a thread. They were forced to make considerable concessions to the NDP in order to stay in power, but now they aren't even answering the serious questions that are put to them by the NDP. The Leader of the NDP even said to the media last week — and I quote: “The truth of the matter is, had this not been mishandled from the very beginning, we wouldn't be in this position right now. Families would have support. Children would have support. And those other kids who were part of the allegations wouldn't have been 21 months without support...” — that they needed — “And that is a failure of the Department of Education, and that is a failure of the Liberal government.”

How long does the Premier think that the Liberals can continue to ignore this issue before even the NDP loses confidence in his leadership and his government?

**Hon. Ms. McLean:** I think that the fact is that we are not ignoring this situation. We are taking active steps to get to the bottom of the questions that have been posed during this Sitting, and we are committed to getting those answers. We have three reviews underway. One is an independent review that is being conducted by Amanda Rogers. I have spoken about the terms of reference. I tabled them here in the House earlier in the Sitting. We also have the Child and Youth Advocate conducting a review. We are supporting this work to happen.

Something that hasn't been spoken about a lot — and it is really interesting that the opposition hasn't asked a lot of questions about that aspect of it — is in terms of the RCMP's role in this situation back in 2019. They have admitted that things were not done correctly in this investigation. They have also launched a comprehensive review of their role in this situation in 2019.

#### **Question re: Health care services**

**Ms. Tredger:** Over a month ago, the Yukon lost its only walk-in medical clinic. For over 2,000 Yukoners who don't have a family doctor, this was their only access to primary care. This was their only place to get prescriptions, checkups, and referrals. Now all these people need to go to the already crowded emergency room for non-emergency care. This is a massive waste of health care resources.

What immediate action is the minister taking to close this giant gap in health care services?

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker, and thank you for the question. This is, of course — and I say “of course” because everyone knows that, during the course of the pandemic and before, physician and nurse recruitment has been an issue all along.

What I've learned recently is that not everyone knows that physicians' clinics here in the territory operate as private businesses, so we don't have notification that they are going to close or that they are going to stop taking clients or stop providing services to Yukoners. That becomes something that needs to be responded to through, I think, physician and nurse recruitment.

Through the *Putting People First* report, we found out that approximately 21 percent of Yukoners do not have access to a family physician. That's a serious matter. As we implement the recommendations from the report, we're continuing and committed to ensuring that Yukoners have access to primary care health services. The entire *Putting People First* report focuses on just that fact.

The pandemic has significantly impacted our ability to recruit nurses and physicians and other care providers, and I will continue, I hope, in the next question.

**Ms. Tredger:** While I appreciate that the minister would like to put the blame on private clinics, providing primary health care is the responsibility of the government.

There are over 2,000 Yukoners on the wait-list for a family doctor. This wait-list didn't appear overnight. It wasn't caused by the closure of the walk-in clinic, but without a walk-in service, the people on this list have nowhere to go but the emergency room.

Can we really say that our health care system is universal when there are over 2,000 people waiting for a family doctor?

Health care workers at the ER are already burned out and overwhelmed. Now they are left dealing with this government's lack of vision and leadership in health care. This could have been avoided, but here we are.

Does the minister expect the hospital to be the primary care provider for an extra 2,000 people who have nowhere else to go?

**Hon. Ms. McPhee:** As I was noting, the pandemic has significantly impacted our ability to get folks to move around the country and come to new places to work in many, many areas. We continue to explore options to connect Yukoners to primary health care services. Previously, we have connected over 1,000 Yukoners with a physician through the find a family doctor program, expanded access to virtual care alternatives, and increased the number of resident pediatricians and psychiatrists, all important elements of the description that the member opposite has given about the health care system.

As we implement *Putting People First*, we are looking to hire additional nurse practitioners. We are meeting with the Yukon Medical Association to address a physician recruitment and retention plan. Soon to be opened in January 2022 will be the bilingual health centre. We think that will help with some pressures, and that primary health care setting in Whitehorse is expected to reduce some of the pressures on the primary health care system.

**Ms. Tredger:** Even before the pandemic, Yukoners have been dealing with a shortage of health care providers. This government knows the solution; the road map *Putting People First* is in their hands. It is not a lack of solutions; it's a lack of political will. Right now, Yukoners need nurse practitioners, we need dietitians, we need registered nurses, we need midwives, we need psychologists, and we need doctors. It is the government's responsibility to make sure that people in Whitehorse and people in rural Yukon have proper access to primary care.

When is the government going to open a public walk-in clinic?

**Hon. Ms. McPhee:** I think it's important to note that, during the 2020 calendar year, Yukon was supported by a total of 75 resident physicians and an additional 20 specialists, as well as 95 visiting physicians and specialists. Physician counts are calculated at the end of each year. Between 2019 and 2020, Yukon's supply of resident physicians increased by approximately eight percent. This does not count locums or visiting physicians. There were 14 nurse practitioners, 529 registered nurses, nine registered psychiatric nurses, and 227 licensed practical nurses regulated to work in Yukon in 2020, according to our Canadian Institute for Health Information. This represents a number of providers in the Yukon, and not just within the Department of Health and Social Services.

We are certainly recruiting for vacant nurse positions, for physicians to come to this community and to build their lives here and to increase the availability for individuals to have a family primary caregiver through *Putting People First* implementation.

#### **Question re: Student behavioural issues at Jack Hulland Elementary School**

**Mr. Kent:** I wanted to follow up with the Minister of Education on questions asked yesterday about safety concerns at Jack Hulland Elementary School. Yesterday, the minister mentioned the Grove Street handbook. She said it — and I quote: "... was a commitment from a previous meeting to review the handbook with the school council, school

administration, and Student Support Services. This was completed in September."

My question is: Where can Jack Hulland staff and families find a copy of the reviewed handbook that was completed in September?

**Hon. Ms. McLean:** I did speak yesterday about the commitments made to the Jack Hulland school council, and particularly, there were three things that we brought back to have in place by the time that meeting happened on October 6. One of them was a communication protocol. The other was the reviewed Grove Street handbook. My understanding is that it can be found on a website of the school. I will check that information, though, and ensure that this is accurate.

During these discussions with the school council, we also committed to meetings with the staff. I'm looking forward to those discussions later this week. We are very committed to the well-being of that school and ensuring that the commitments that we have made are adhered to, of course, but that we are focusing on the safety and well-being of not only our students, but of our entire school community, including our staff.

**Mr. Kent:** I checked the school website this morning, and I couldn't find this reviewed handbook, so I am glad that the minister is going to look into that. If it's on there somewhere, she can direct us to it.

The minister also mentioned a new communication protocol in terms of how matters are communicated to parents and the school community. She said that this came from a council meeting that she had attended in September. Has that protocol been completed? If so, where can it be accessed by the school community?

**Hon. Ms. McLean:** I am following up on the questions that were posed yesterday. I did talk about the communication protocol. That was a commitment made at a September meeting that I was not in attendance at. I was in attendance on October 6 when we brought forward the discussion around these three commitments that were made in a previous September meeting. I just want to be clear about that.

Again, the communication protocol — when we discussed this at the October meeting, it was a commitment that was made to have that available as well on the school website. If that has not in fact happened, I will follow up on that and I will ensure that folks have that information. This is a very important tool that is going to make a huge difference for the understanding and expectations between parents, the school community, and educators in how matters are communicated and when they are communicated.

**Mr. Kent:** That is great that the minister will ensure that the Grove Street guidebook and the communications protocol — if they are not already there — are uploaded to the school website as soon as possible.

After we raised these issues yesterday, I had heard from others in the school community about incidents of violence, bullying, and vandalism at the school. As mentioned, many of these incidents involve students attending the Grove Street school, which is housed within Jack Hulland.

Yesterday we mentioned an April 5, 2021, Yukon Liberal election press release regarding supportive education. In that

press release, the Liberals said that they would look at behavioural support programs, such as the Grove Street program, to ensure that they are meeting the intended purpose.

We asked if this review had started, but the minister did not answer that question, so I will ask again: Has this review of the Grove Street program started, when will it be completed, and can we see the terms of reference for the review?

**Hon. Ms. McLean:** Thank you very much, Mr. Speaker. I did speak yesterday a little bit about the importance of this Grove Street program and that it was established in 2011 and is a significant program that helps to support children with diverse learning needs.

I'm going to talk about the 2019 report of the Auditor General of Canada on K to 12 education in 2021, and the review of inclusive and special education and the child advocate review on attendance highlights that there are many things that our education system can do better. It took many decades for the Yukon's education system to become what it is today.

However, right now, we — I as the minister and all the staff of the Department of Education and schools — are certainly assigned and carrying a huge amount of responsibility to make the systems change and to be better. We are collaborating with Yukon First Nations Education Commission, and the Advisory Committee for Yukon Education, on the implementation plan for the inclusive and special education, looking forward to digging into this on November 12.

#### **Question re: Sexual assault cases**

**Ms. Clarke:** Earlier this year, the Yukon Status of Women Council and other Yukon women's organizations criticized the decision to halt the Yukon advocate case review that was set up to examine sexual assault cases. This was an important project, as Yukon's sexual assault rate has been reported as 3.5 times the national average. The rate of cases deemed and founded is 25 percent in the territory, compared with 19 percent nationally.

Yukon women's groups have asked for the decision to be reversed. Can the minister tell this House: Will they reinstate the Yukon advocate case review that was set up to examine sexual cases in Yukon?

**Hon. Ms. McLean:** This is certainly a subject near and dear to my heart and work that I've spent decades working on in the Yukon. As I came into my position in 2017 as the then-Minister responsible for the Women's Directorate and now the Minister responsible for the Women and Gender Equity Directorate, it remains a very high priority.

I am very well aware of the high rates of violence against women — even more so against indigenous women. One of the key initiatives — and I will speak about this first, and perhaps the Minister of Justice will stand and speak more about this — I am going to talk about the sexualized assault response team. This is a major initiative that our government undertook. It was launched in March 2020. We have worked hard to increase the coordination of existing services, while also building public awareness of new services for all victims of sexual assault. Key components of SART include a 24-hour confidential, toll-free,

Yukon-wide support line for all victims of sexualized assault, victim support workers available during the week and after hours, and many other system changes. This is a huge accomplishment for the Yukon, and I am proud of this work.

**Ms. Clarke:** The Yukon advocate case review was set up to examine sexual assault cases that police labelled “unfounded” or where no one was charged. We know that the review was halted due to legal advice citing privacy concerns. Women's groups are concerned that the system is failing victims of violence and sexual assault. It is important that privacy concerns don't bar victims of sexual assault from access to justice.

Can the minister indicate if the Yukon government will work with the Yukon RCMP M Division to reinstate the sexual assault review process that was recently halted?

**Hon. Ms. McPhee:** I would be happy to rise to address what has probably been an issue in my life and my work career for — I don't want to say how long — probably 30 years or more, and that is the importance of having victims of sexual assault have justice. Our government has taken many steps to improve the response and the way in which victims of sexual assault are, in fact, treated.

Back in March 2020, SART was launched — the sexualized assault response team — and we have worked hard to increase the coordination of existing services so that any victim who enters the process at any place will have respect, compassion, and information that they might need.

We are also building public awareness of the new services for all victims of sexual assault.

Key components of the SART include a 24-hour, confidential, toll-free, Yukon-wide support line for all victims of sexualized assault. Victim support workers are available during the week, and for after-hours support, if necessary. There is a roster of physicians at the Whitehorse Correctional Centre, and I hope to be able to give more information if there's a next question.

**Ms. Clarke:** The system may have failed Yukon victims of sexual abuse. In a February 12 CBC article, the Minister of Justice was quoted as saying: “... we are limited in our ability to directly influence the national operational policies and procedures of the organization...” However, in the same article, the Yukon RCMP said that they would like to have a Yukon version of the RCMP's review process with the participation of local women's groups.

Will the minister please tell this House if they will develop a made-in-Yukon version to help vulnerable Yukoners access the justice system?

**Hon. Ms. McPhee:** I will respond as the Minister of Justice, just because of the nature of the question — that's fine. I want to make sure that the member opposite understands that the program she is speaking about is a federal program, that there have been objections across the country for the ending of that program, and that there has been much pressure placed, by those who are unhappy about that happening, on the federal minister and on the RCMP federally, because it is a program that was done by them.

I can indicate that we do partner with the RCMP with respect to our SART program, or sexualized assault response team. The RCMP is a key part of that organization and that program for the purposes of making sure that individuals — I should say that it also includes training and the concepts — if they go to the RCMP, if they go to a nursing station, or if they go to the hospital, or if they call a friend who helps them get to the sexualized assault response team, they will have a compassionate response, and they will have the help that they need.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 9: Act to Amend the Cannabis Control and Regulation Act (2021) — Second Reading**

**Clerk:** Second Reading, Bill No. 9, standing in the name of the Hon. Mr. Pillai.

**Hon. Mr. Pillai:** I move that Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now read a second time.

**Speaker:** It has been moved by the Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission that Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, be now read a second time.

**Hon. Mr. Pillai:** This government is pleased to bring forward this amendment to the *Cannabis Control and Regulation Act* for second reading. I will start by saying that these are fascinating times for Canada's cannabis industry, which is now just under three years old. Across the country, the industry is facing dual catalysts.

Firstly, the cannabis market is maturing. Statistics Canada estimates that, in the second quarter of 2020, the market share of legal cannabis overtook illicit cannabis for the first time. This gap is widening across the country, thanks to an increase in legal stores and a diverse and consistent supply of legal products. Despite these gains, there is still work to be done. The illicit market continues to exist as a source for cannabis. It is convenient and accessible, both online and offline.

The second catalyst is the pandemic. It has accelerated consumer and business demand for the flexibility and physical distancing offered by e-commerce. All Canadian jurisdictions offer e-commerce — the majority through government-run platforms. We know that licensees appreciated the ability to temporarily offer online payment to support physical distancing during the pandemic.

When the legislation's framework is finalized, the Yukon will be the fifth Canadian jurisdiction to offer private retail online sales and delivery.

The proposed amendment to the *Cannabis Control and Regulation Act* is short but represents a significant first step. It paves the way for the development of comprehensive

regulations and ensures that licensees can deliver efficiently to homes in remote communities, far from their retail stores. Three of our five licensed retailers are in Whitehorse. They should have authorized ways of selling that help them to reach Yukoners over the age of 19, no matter where in the territory those adults live.

With this amendment, a person performing functions in relation to e-commerce and delivery will now be able to possess cannabis provided to them by a licensee. The person can possess the cannabis, as long as it was originally provided directly to the licensee by the Yukon Liquor Corporation. The amendment, together with the regulations, will ensure that the Yukon's private retail e-commerce system can combat the illicit market effectively.

Requirements for licensees to check for age and intoxication when making a sale are already present. The ongoing work of the regulations will finalize the overall e-commerce framework and ensure that it meets the needs of the current business landscape. The goal is to avoid red tape while introducing appropriate safeguards to prevent access by youth. The proposed amendment supports what we heard from Yukoners at legalization. Approximately 58 percent of respondents said that they strongly agreed, or somewhat agreed, that, regardless of whether stores are privately or publicly operated, services such as online sales and home delivery should be allowed for cannabis. Eighty-eight percent of respondents said they strongly agreed, or somewhat agreed, with a policy approach that focuses on developing legal and controlled access, while displacing illegal and criminal activity.

Three years on from legalization, the new sales option will allow the Yukon Liquor Corporation and licensees to continue accomplishing this policy approach.

In the 2020-21 fiscal year, total cannabis sales through the Yukon Liquor Corporation exceeded \$6 million. There is every indication that the industry can continue to grow.

This summary represents the highlights of the bill that I have tabled.

In conclusion, the government is pleased to bring forward the proposed amendments to the *Cannabis Control and Regulation Act*. We believe the amendments will support the rollout of a robust e-commerce framework and will pave the way for regulations that balance the needs of business and the protections needed for youth and public health.

I look forward to discussing the bill with all members of this House.

**Mr. Dixon:** It's a pleasure to rise to speak to this Bill No. 9, the amendment to the cannabis act. I am pleased to speak about it as well, not just because of the content of the bill itself, but what it means for the industry as a whole.

To start, I think it would be useful for me to note, at the outset, that we certainly agree with this piece of legislation and we will be supporting it. I have a number of thoughts about its arrival here in the Legislature today and some of the background though, and so I have a few comments.

When the government first introduced the emergency provisions of the *Civil Emergency Measures Act*, one of the

OICs issued under the state of emergency was the short-term allowance of private retailers to utilize this very e-commerce platform that Bill No. 9 enables.

At that time, the Yukon Party had asked that it be made either permanent or facilitated for a longer time, because it was really an important new sales channel for private retailers to access. It allowed them to connect with their customers online and limited the face-to-face contact necessary in a normal retail interaction. It also protected their staff, as fewer individuals needed to enter the store at a time when there was obviously great concern about the growing pandemic.

Earlier this year, that OIC was removed, and the decision was made by the government to stop that practice and to cease the operation of private retailers offering e-commerce. Instead, what they did was indicate that they would consider legislative options to do that, and that's what we've seen here today.

Unfortunately, Mr. Speaker, what many in the industry found was that it took a great deal of time, much longer than it needed to, and it was at a time when the ongoing support and ongoing access to e-commerce was of great importance to the industry and those retailers.

I note that, for the period that the OIC was in place that allowed this, the retailers accessed it readily. Once the OIC came off — and this was ceased — I noted that one local retailer posted something on their website that read as follows: “Due to YLC repealing an emergency ministerial order allowing e-commerce for cannabis, we are no longer able to process payments for orders online. However, we are working with YLC to develop a permanent policy to allow e-commerce in the future. Photo ID, age and impairment restrictions will still be applicable to anyone picking up your order.”

So, as that particular private retailer noted on their site, they were no longer able to offer that sales channel. They will now be, eventually, able to access that sales channel, once the regulations are brought forward pursuant to this legislation. Before going any further, I should note that I very much appreciated the briefing earlier today from officials from the cannabis corporation, and I appreciated the brevity of that briefing because of the fact that this legislation is so short.

Where the real rubber will hit the road will be with the regulations, and the department noted to us that the regulations are being advanced as quickly as possible, but they were reluctant to offer a timeline as to when we might expect them to be in force. Those regulations are obviously needed by the industry to know when to begin planning for their own e-commerce platforms to repopulate the websites and get their systems back in operation.

I hope, in his response to me, or perhaps in Committee later in this Sitting, the minister will have the opportunity to update us on the development of the regulations and the prospective timelines that we may expect to see for those regulations.

The department officials also indicated to us that, while there wasn't specific consultation on the legislation at hand, the legislation was the result of ongoing discussions with retailers over the last year. That was a very polite way of saying that the industry is pushing very hard for this, ever since the OIC under

CEMA came in and then was terminated. So, this is of great interest to those retailers.

The Yukon Party has raised questions about the decision to cancel the OIC over the course of the last year or so. One of the reasons that was given earlier is that the effect of that decision was that it allowed the government retail store to have access to e-commerce when private retailers weren't given private access to e-commerce, which was obviously an unlevel playing field for a private industry that needs to compete with government. Other than the period when the emergency order was in place that allowed for e-commerce, private industry found itself in the position where their customers could go online and purchase cannabis through an e-commerce platform operated by the Yukon government, but private retailers could not. Private retailers were quick to point out that this was unfair and that it put them at a clear disadvantage when it came to their competition with the government-owned retail store.

Mr. Speaker, while I am very supportive of this bill and I am happy to see it come forward, I would like to see more. We have been pushing for changes to the legal cannabis retail model here in the Yukon for some time. It was an issue in our platform in the spring, and even before that — going back to the original introduction of cannabis here in Yukon — the Yukon Party has taken a bit of a different position than the Liberal government.

I noted that back in April 2018 when the initial consultations were underway, the Yukon Party, prior to my time as leader and when I was not even an MLA, put out a release on the subject. They noted at the time, on April 20, 2018, that the proposed Liberal *Cannabis Act* would considerably grow government, and they expressed a concern about that. The Official Opposition at that time had proposed an alternative approach for the regulation and control of cannabis that limits the growth of the territorial government while creating opportunities for the private sector. The model that they proposed at the time would have been similar to the Saskatchewan model. To achieve that goal, the Official Opposition provided its rationale and proposed constructive amendments to move sections of that legislation that would have created a new cannabis corporation and government-run retail store.

I know that this has evolved since then. I know that the government has made gestures that they would like to move out of the retail space. Of course, since then, they have sold off their previous physical space and converted strictly to an online platform for the delivery of cannabis from government retail.

I remain convinced that there are better models available to us, and I would push for further changes to the act to allow for that. I don't think that there's any one system in Canada that we would necessarily emulate exactly, but I do think, as a general guide, that Saskatchewan's legislative and regulatory framework is a good one for Yukon to consider. In documents produced by the Government of Saskatchewan, they lay out the general framework for cannabis legalization within Saskatchewan that guided the initial development of their legislation.

It laid out a wholesale, distribution, and retail sales model that focused on a number of key principles. Those included protecting public health and safety, including keeping cannabis away from children and youth, eliminating the illegal market, minimizing taxpayer exposure to risk, incorporating regulatory best practices, and building on experience from other jurisdictions.

According to the Government of Saskatchewan, in conjunction with feedback from public consultations, the government, at that time, concluded that the four principles are best served by a competitive private model for the wholesale, distribution, and retail sale of non-medical cannabis in Saskatchewan. This model minimizes the upfront cost to taxpayers and has been successful in other jurisdictions in combatting the illegal market and protecting public health and safety by ensuring a safe, regulated supply of cannabis to those of legal age.

In that case, Mr. Speaker, the Saskatchewan Liquor and Gaming Authority acts as the regulator. In addition, the SLGA established a licensing regime for wholesalers, distributors, and retailers with strict qualifying criteria, including criminal background checks and inventory tracking and reporting capabilities. Wholesalers, distributors, and retailers in Saskatchewan are required to purchase non-medical cannabis from a federally licensed producer.

That's important. In that model, retailers are allowed to go directly to a federally regulated wholesaler and purchase their product directly. The model here in the Yukon is that they have to purchase the product directly through the Yukon government wholesale system. I'm of the view that we should consider allowing individual retailers to connect directly with wholesalers that are, of course, federally regulated and following the federal laws to procure their supply of product.

The reason for that, Mr. Speaker, is that it allows local retailers to really hone in on the kinds of products that they want to offer themselves, the kind of experience that they want for their customers, and it allows them to reach the kinds of deals that we see in other supply chain-oriented businesses.

I know that, in my time working in the mining industry, one of the features of a retail industry is the ability to go out and seek product that you want to sell to your customers and that you think your customers want. Right now, the way it works is that retailers need to go to the Yukon government. If they want a product that is not currently available to them, they need to convince the Yukon cannabis corporation to go off and sign a deal with a company. What that then means is that any retailer in the Yukon has access to that very same product, so no individual retailer can become an exclusive supplier of a certain kind of product. For instance, if I were to open a business in Yukon that solely wanted to focus on a particular type of product that was available on Vancouver Island and be the sole supplier of that product in the Yukon, I wouldn't be able to, under the current model.

There are some benefits to the government being involved in the distribution, and I recognize that. Some of the smaller retailers have indicated that they do appreciate the purchasing power of the government-run distributor, and that is fine. I think

that both can happen, but I do think that, if retailers are interested in it, they should be given the freedom to reach out to those growers and producers of cannabis and reach those kinds of commercial arrangements that we see in other types of supply chains.

So, all of that is to say that I think there is a better structure out, and the better structure, I think, would achieve a few different things. First of all, I think that it would create private sector opportunities for these retailers. I think that the industry would grow and thrive in a situation that is less controlled by the government. Some of that is a function of my political leanings, but I also think that there is some empirical evidence of that as well.

I also think that it will help us to allow legal sellers of cannabis to compete better with the black market, because that was one of the goals that was stated right from the beginning about the legalization of cannabis — that having legal, regulated cannabis in Canada will allow for legitimate operations to displace private black-market operations. Unfortunately, over the course of the last few years of legalization of cannabis in Canada, we haven't seen that as much as any of us, I am sure, would like.

I think here in the Yukon, we really could go a long way to improving our private retailers' ability to compete with the black market if we are able to carve back and pare back some of the red tape and regulatory burden that exists on them.

So, it's not just about creating business opportunities, although I believe those are important; it's about enhancing our ability to drive out and suppress the black market here in Yukon.

Following that, I would note that it's not just me who believes that. I know that the Canadian Chamber of Commerce has taken up the cause and developed a specific cannabis working group. One of my colleagues and I had the opportunity to be briefed by the policy advisor for the Canadian Chamber of Commerce cannabis committee. That was some good insight into some of the federal machinations on this file.

Obviously, when the Canadian Chamber of Commerce is representing the issue, they're looking at a lot of different types of businesses than we have here in the Yukon. They are much bigger, and there is much more money involved in some of the clientele and businesses that make up the Canadian Chamber of Commerce, but I thought that there were some important lessons that we can learn here.

In December 2020, just about a year ago, the Canadian Chamber of Commerce put out a policy piece that they entitled *New Years Resolutions for the Canadian Cannabis Industry*. There are a number of aspects to that, but one of the important suggestions that they made — and I'll quote from the Canadian Chamber of Commerce's *5 Minutes for Business, New Years Resolutions for the Canadian Cannabis Industry* at this point, December 15, 2020.

Number four on their recommendations is: "Keep investing energy in educating governments and advocating for sensible policy changes. In a new, highly regulated, and stigmatized sector, all orders of government have been cautious and reluctant in their approach to cannabis policies. Issues such

as retail restrictions, marketing and branding limits, licencing challenges and all kinds of red tape have frustrated cannabis entrepreneurs. The industry must continue to speak strongly with a unified voice to help governments improve the most problematic policies that are holding back the regulated industry and indirectly prop up the illegal market.”

Mr. Speaker, I thought that quote was great. I thought the Canadian Chamber of Commerce really hit it on the head there. I think that, here in Yukon, that very much rings true. I think that we have the opportunity to take some of the red tape and limits on current cannabis entrepreneurs here in the Yukon off and let them grow and thrive.

Another thing the chamber noted — and I will just note this at this point, because we are in second reading. I probably won't mention it in Committee, but I would note that we are very much aware that the federal government is currently reviewing their federal *Cannabis Act*, and Health Canada is required to start that review right around now. It was supposed to be commenced by October 2021 originally. I haven't heard an update from the federal government as to whether or not that is the case now.

Speaking of that, there are a few other issues I wanted to note that aren't included in this bill and were referenced by the Canadian Chamber of Commerce but are things I have heard directly from retailers here, and that is some of the red tape and limits on them in regard to advertising. Currently, cannabis retailers are very restricted in the amount of branded material that they can offer. When I say “material”, Mr. Speaker, I mean non-cannabis retail products. A good example would be things like a T-shirt, a hat, a water bottle — things that we would consider under the term “swag”, I believe. They are really limited in their ability to offer those types of products.

For instance, if a retail cannabis store wants to sell a T-shirt with the name of their store on it, they can't do it in their store; they have to sell outside of their store. An example would be — I will pick on one — I won't say it by name, but it will be obvious to all of us. If you operate a cannabis retail store in Carmacks, you cannot sell your branded T-shirts in the cannabis store. You can sell them in the gas station next door. That kind of thing, I think, doesn't make sense to a lot of folks in the retail industry — why they can't just advertise their products in their store, appreciating the fact that some of those regulations are intended to limit the ability of targeting cannabis products to youth and to promoting the use of cannabis to a greater extent.

I think there is a middle ground that can be found there. I think that some thought needs to be put into how we can reduce some of that red tape and burden that currently exists for cannabis retailers.

Another important aspect, which is one mentioned by the Canadian Chamber of Commerce, as well, and is something I've heard here in the Yukon, is the inability of Yukon retailers to offer rewards or loyalty programs. Some of the bigger national cannabis retailers — and we have a few here in the territory that have franchises set up here in Whitehorse — are able to offer national rewards and loyalty programs. So, if you purchase a certain amount with a store, you could get tickets to

a hockey game or a free water bottle or something like that as a gift. It's a royalty rewards program that we see commonly in a variety of industries. We certainly see it in the airline industry, coffee shops, and other types of smaller retail stores, where a retail store will offer a rewards or loyalty program.

Cannabis operations in Yukon aren't able to do that, so the locally owned cannabis retailers are at a bit of a disadvantage, because their counterparts that are national chains or franchises are able to offer those loyalty programs through their national operations. It is just a little bit different and I think it would go a long way to improving the ability of locally developed businesses and local entrepreneurs to enter this market and compete on a level playing field with bigger businesses.

Mr. Speaker, another issue that I would like to put on the floor today is the issue of pricing. I think that there is no bigger issue holding the legal sale of cannabis back against the black market than pricing. I think that, if the legal market is able to even come close to competing on price, they will have success, and they will displace the black market, but they need the tools to do that. Onerous markups and onerous tax structures that drive up the cost of legal cannabis only serve to promote the black market. I think that we really need to give some thought to a comprehensive price review of cannabis products here in Yukon. I have been told that this could be underway, but we are years in now and we really need to get moving on that.

I am also aware that Yukon has by far the highest markup in the country of any province or territory. That markup is what drives up the cost for the purchaser of the cannabis. Again, all of this just sends a price signal to consumers that they should be buying from the black market, and I don't think that this is right, Mr. Speaker. We should be encouraging and supporting our legitimate legal retailers of cannabis.

I could go on and on about my thoughts on this. I have tried to make a few points about concerns that I have with the current model. The reason I have done that is because those kinds of things aren't captured in this bill, and while we certainly support what is being proposed in this bill and the legislation that it will change, I do want to just put on the record that we would like to see further change. If we can help with that — if we can help the minister — we would be happy to do that, because I think that it is something that would really — especially as we emerge from COVID and we are trying to grow the small business and entrepreneur sector, this is a perfect industry for that. I think that getting government out of the way of this would go a long way to supporting that economic recovery that we need, following what is hopefully the decline of the pandemic.

A final piece that I will say is about the regulations. I do know that the regulations will set out much of the details of this. I hope that, in the course of looking at those regulations, the minister and his colleagues give some thought as to what the government has been operating under so far and making sure that what we impose on the private sector doesn't become more onerous than what the government had. What I mean by that is that, right now, there is a fairly loose system between the corporation and Canada Post, whereby, if I go on to the Yukon cannabis website, purchase product, pay for it online, and have

it delivered to me — it is delivered by Canada Post — that is a sound system. I think it works fine, but I know that some private retailers are worried that, if they are required to do delivery, which they want to do, that there will be additional burdens put on them — things like unrealistically high liability insurance and unattainable training — those types of things that can really burden a small business that is trying to break into this.

So, I hope that is something they consider, when they start looking at these regulations, that we try our best to make sure that we meet the standard when it comes to making sure that it is people of age, that it is not people who are under the influence, and it is meeting all of those safety issues that need to be met, but also recognizing that these are small businesses and that they need to be supported and not held back by unreasonably difficult burden through red tape.

With that, I will conclude my remarks. I am very pleased to support the bill, and I thank the minister for bringing it forward. I know that this was a case that we made previously, to the previous minister. At that time, he was not interested in bringing it forward and instead opted for the regulatory tool of the ministerial order.

I think that this is something that could have been brought forward earlier. I think that it could be more broad and that there could be more things included, but it is something that we support and we will be voting in favour of it here. I'm happy to have a bit of a discourse with the minister when we get into Committee.

**Ms. Tredger:** I wanted to first start by expressing my appreciation for the briefing that we had this morning — to the officials for their time for that briefing. We're happy to see this amendment coming forward. We're happy to see the concerns of small businesses being responded to by this government.

We are interested, like my colleague, the Leader of the Official Opposition, in knowing the timeline for the regulations as this is what it will actually affect when businesses are able to compete on an equal footing with the government. We look forward to hearing a timeline for that.

**Hon. Mr. Streicker:** Mr. Speaker, I want to go back a little bit in time, but I would like to begin by thanking the Leader of the Official Opposition for his position around cannabis. It's a welcome change.

When we first introduced the act to legalize cannabis here — so, cannabis was legalized, I think, in October 2018, but the act came through in that spring. My recollection is that the Official Opposition voted against legalization. When they stood to speak about it — and I would have to go back and read Hansard more closely, but I heard that there were aspects of legalization that they supported and there were aspects that they didn't support.

The concerns that they seemed to be talking about at that time were that they had heard from members of the public that legalization would lead to extra use, that there would be problems because cannabis is an intoxicant, and they were worried. Our position, at that time, was that we felt this could

be done well and safely, so we were happy to bring in the legalization.

Of course, there are two levels of laws that we have to work through. I heard the Leader of the Official Opposition refer to it often as “red tape”. I think that some of those laws have a real purpose. I take his point that we want to try to make sure that we support businesses to do well, but I think that we also shouldn't just lump all things around the legalization of intoxicants to be just “red tape”.

I heard on the radio yesterday discussions around vaping and youth. It was how vaping was originally brought forward as a way in which to help people quit smoking, but really it has had a lot of impact on our youth. We need to be very careful around the way in which we set up both acts and regulations so that we are achieving the ends that we wish to achieve.

Just a day or so ago, my colleague, the Minister responsible for the Yukon Liquor Corporation and also the cannabis corporation, tabled in this Legislature the 2020-21 annual report. I am just going to quote from it on page 2. The Leader of the Official Opposition was talking about Saskatchewan and the principles or goals that they were trying to achieve with their legislation. Ours has goals as well, which is to displace the illicit trade in cannabis and to protect public health and safety, with a focus on youth. It sounds pretty similar, except that the Leader of the Official Opposition says that, in Saskatchewan, they have a better model around dealing with wholesale and retail. I am going to talk about that in a moment, but what I want to point out is that, three years ago, when cannabis was legalized here, there were still a lot of questions. How would this unfold with us as a territory and as a country? We wanted to make sure that the way in which it unfolded grabbed the positives of the legalization while not grabbing the negatives of the black market. That was the goal.

Let me talk for a moment about online versus not online. I am looking at page 10 of the report that was tabled in the Legislature a couple of days ago.

Total sales, as the minister said in his opening remarks on second reading, over the last year, around \$6 million — just over \$6 million. How much of that was for online sales? \$12,000. That is 0.2 percent, so this is not a big chunk of the market. Most of the market is in place. But when I talk with private retailers of cannabis, they feel that they can do better at that, and I think they will do better at that, but, of course, we should acknowledge that this includes that period of time when the order-in-council was brought into place to allow for online sales for the private retail market during the start of the pandemic. I just want to put it in context. We are talking about 0.2 percent this past year.

So, what happened with that order-in-council? Why did we bring it in? We brought it in because, at that time, we believed that it was part of the pandemic response — that there was a way to allow citizens to purchase their cannabis online, which would reduce or minimize the amount of contact at stores. As we were trying to navigate at the beginning of the pandemic, it was a way in which to support Yukoners so that we didn't get as much contact with people and we could keep people safe. It was about keeping people safe. Those OICs were always about

public safety. Sorry, I keep saying “OICs” — orders-in-council, regulations.

That is why it was brought in, but we need to recall that it was brought in under the state of emergency, and the members opposite criticized the orders-in-council broadly, largely. They just said, “Hey, you shouldn’t be bringing in all of these regulations. It’s not right.” We kept asking, “Which ones don’t you want?” We said that these were to help protect public safety. There was criticism that there were too many. I still wonder which ones were not wanted. We also said that, once some of the restrictions were starting to lift and people were able to go back to retail more safely, we should not use a state of emergency to bring in regulations unless they really were in support of the state of emergency.

When I talked with retailers at the time, I explained to them, “We hear you — that you want to get online sales for private retail. Let’s see if we can do that. Let’s work toward that, but let’s not use the state of emergency.” I think that for the government to use the state of emergency to just say, “Well, this is good to have. Let’s use that...” — no, we have always said that the state of emergency should only be used for those things that were urgent and part of that whole public safety side.

All right — that work began. I will say that, whenever I have talked to the private sector, they sure would like us to move as fast as possible — so that was a year ago. I think that the order-in-council was rescinded in September 2020, and here we are a year later. Yes, it took a year, and what I want to say is thank you to all those folks at the Liquor Corporation and the Department of Justice who work on a ton of legislation. There is a lot of work that goes into it. I don’t in any way wish to minimize that. I appreciate the comments from the Leader of the Official Opposition that industry would like it to be faster; I get that. I am very glad that the diligence has been done and that we’re here today.

Let me talk for a moment about retail and how it is going. There have been a couple of times here in this Legislature when I have stood up to report on how we are doing with the legalization of cannabis and how sales are going — a couple of times when the Official Opposition has said to me: “Oh, you’re just promoting the sale of cannabis” and I have said: “No, I am promoting the sale of legal cannabis.” One of our main goals has always been to displace the black market. I have stood up here and talked about all of the data that is available through Statistics Canada on cannabis sales. I have talked about how we are doing compared to, for example, Saskatchewan. One of the things that Statistics Canada tells us is that, overall, since the legalization of cannabis, we don’t believe that the usage of cannabis by all Canadians has gone up. It has stayed pretty steady. This was one of the things that the Official Opposition said might happen. We said that we didn’t think so, and now, three years in, the statistics show it to be correct — that the usage of cannabis has stayed the same. It might have changed through the pandemic. We will have to see how that change has happened, but generally speaking, legalization didn’t change usage patterns.

What that also helps to do is to say that now we can look at the sales and we know that those legal sales are therefore displacing the black market.

We now know that, across the country, the legal sales are exceeding black market sales. Here in the Yukon, we think it’s even better. How do we know that? Because we can see sales here on a per-person basis compared to other jurisdictions and say: How are we doing? Well, it turns out that legal sales here in the Yukon are highest on a per-person basis compared to all other Canadian jurisdictions.

Let me look, for example, at where we are against Saskatchewan — Saskatchewan, which is doing not bad, but still, we are one and one-half times better. So, when the member opposite says we should use the Saskatchewan model, I wonder if there isn’t a legislator in Saskatchewan saying that they should use the Yukon model, because it is out-performing.

Having said that, that doesn’t mean that there aren’t ways to improve, and I think that the Leader of the Official Opposition is correct, that we should we always look for ways to improve the system. I think that is a good thing, and that’s exactly what’s happening here. That came directly from talking with the private retail market here.

I don’t characterize all those things — the other things — as being just about red tape. I think it’s very important that we maintain those original goals around making sure that we keep the public safe, especially our youth, and making sure that we’re working to displace the illicit market.

I made some suggestions today. I know that I’ve had conversations with the minister, where I know they’re working on some of those things and working closely with the private sector.

Originally, when we legalized cannabis, I heard from the members opposite that we would never get out of the business of selling cannabis. Then, was it a year later that we sold off the store? I think it was a year, to the day, that we sold off the one government store that we brought in, in order to try to establish that the way in which we would do this would be to keep the public safe and to displace the black market. One year later, we closed that store, and we’re pretty much on to a couple of years after that, and we’re now going to allow the private sector to take over that portion of the online sales. I think that’s a great thing.

I appreciate that the members opposite are supportive of this, and I appreciate that now they feel that cannabis is not the same threat to the public that I heard them debate when we first brought the legislation forward. I thank them for all of their suggestions around how to improve the system. I note that the Yukon is leading the country in displacing the black market. I think that this is down to our great private retailers and the choices that we have made together on working to displace the black market.

I thank them for their great work, and I think that the choices that we have made so far have been really well done in the territory.

**Acting Speaker (Ms. Tredger):** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Pillai:** Thanks to all members of the Assembly for their contributions to the debate around second reading and the conversation around second reading. I appreciate the comments from the opposition, as well as from my colleague. I think it's important to make note of the commitments that were made three years ago during this process and then fulfilled by the Yukon Liquor Corporation and the cannabis corporation.

First of all, I thank my colleague who, at the time, was the minister in charge. It was a very new conversation to this Legislative Assembly and to all provincial and territorial houses of governance. There was anxiety around it for many. There was fear from others. I want to commend the folks who rolled out legislation, went out to the public and conducted what still may be one of the largest consultations, or feedback for consultation, that we have seen the Yukon government undertake. Essentially, the response from Yukoners was very significant. I think that is important to note.

The minister of the day and the department didn't look to another province or territory; they looked to Yukoners to understand what Yukoners wanted. When we get into Committee of the Whole and we have an opportunity to debate some of the points, we will get into the data that we have and statistically why we made those policy decisions.

I heard previously in the last mandate — and we are hearing it again — that Saskatchewan always seems to be the choice of the Official Opposition as the best model. We heard that on COVID, and I'm certainly glad that my colleagues took the decision they did. Now we are hearing it again. I think part of what was just touched upon by the former minister is providing the analytics to show why we believe that the work that was done by the good public servants at the Liquor Corporation and cannabis corporation should be something that is commended. As well, rolling out in the beginning stages of this, the largest percentage of Yukoners wanted to see a hybrid model. That's why we rolled out a hybrid model.

If you go back into that statistical information — I will provide that to the opposition from the "what we heard" document — you will see that — and I may be off by a percentage point — about 58 percent of Yukoners wanted to see that. If you break down to a private model only, or a government-controlled model, the percentages were much less.

Again, I appreciate the expertise at the Canadian Chamber of Commerce on this topic and how they look at it, not just from retail, but also understanding production. I will make sure I review the documentation that might be public, or reach out to the Canadian chamber, so I am equipped for that conversation and debate.

Inevitably, the corporation did a fabulous job. They had that store built; they brought in folks who were on term positions. They rolled out an option for Yukoners at the time and then fulfilled the commitment that was made. Now the bricks and mortar are in the hands of the private sector.

Similarly, we want to be able to walk through this particular process here. We want to amend this policy and then step back and remove ourselves from that online activity. We want that in the hands of the private sector.

We will likely try to keep the conversation in Committee to this, but I want to be flexible, and I think there were good topics that were defined by the Leader of the Official Opposition, and I am looking forward to discussing those and debating that.

It was touched on, and I am excited about that. That is a change, and it is a change, because the folks who are sitting across the way voted against this legislation.

There was a period of time — and I have to go back and look at the voting record — but what I remember is that there was one member who voted in support of it. I don't know if the vote was whipped by the leader of the day or something else happened, but there was one individual in the Yukon Party who supported it, and then, when we went to the final reading, all the members of the Yukon Party voted against it. One of the most vocal on this topic, as I remember, was the Member for Lake Laberge. There seems to have been a sea change there in the view of this. I don't know — maybe as a good constituency MLA, some of the constituents of Lake Laberge have changed the mind of the member — I am not sure, but I'm glad to see that the member is now a great champion in ensuring that the private sector retail is supported, and I commend that — to be joining the rest of us in making sure that we see the sector blossoming as well.

I guess, the fact that, potentially, the first production will also happen in the Lake Laberge riding — and again, it is significant. When you take into consideration the agricultural sales in the territory and just the impact of one of these operations, and once they go through their process with Health Canada, what economic impact that is, which is pretty significant — not just the jobs, but the output and their ability to supply local.

I look forward to discussions around some of the other items, such as — we can talk a bit about the branding pieces and how we can support our local businesses. I certainly want to support them in the sense that many of these folks have invested significant dollars — both in Whitehorse and in the communities — into their operations. We will also have our technical folks here to touch on some of that, where Health Canada's regulation prohibits certain activity and what controls we have, and we will have an opportunity to talk a little about our participation on the legislative review working group at the federal level.

We will also have an opportunity to touch on correcting the record. There was a point brought up about the rewards program that some of these larger operations are providing, and, of course, that is something that is not prohibited in the Yukon, and if they are still conducting that, then we will have a discussion about that, but, again, we will clarify some of the information that has been tabled today.

We also — you know, I think that there is a good opportunity to have a debate. One thing in my role, I want to ensure — as Minister of Economic Development — is that our

local entrepreneurs have the best possible supports. This could lead to a potential debate. The leader of the opposition touched on the political view of the Yukon Party as a laissez-faire sort of free market; and I appreciate that.

But I also have a view that, when you do have large retailers — and there was an example made from previous work experience around when you're in that service sector and you're trying to provide particular lines of supplies and product, and then there are other players who can come in who have larger buying power — that was touched on. What can that do? Yes, you do have that ability, maybe, to get that one type of product and be able to really entice, but at the same time, your competitors are going to be watching — which they do.

We have probably one of the most active interfaces between the retailers and government, probably almost in the country; I can't speak for the other territories, but it's almost on a weekly basis that we're making sure that we're talking to our five retailers. Part of that is there is that concern from time to time that one of the bigger chains continues to buy up and have this very significant buying power and what that can do to others. Again, we know that there are differences of opinion on that concept.

We, as an organization, are trying to ensure that we're supporting the folks who have made this investment and that we're trying to make sure we're keeping folks safe, which we committed to, and it's one of our major pillars — that we're taking into consideration how we protect folks who are under the age of 19 and, at the same time, continue to move this out appropriately.

I think it's also important to understand that — or to share, I should say — as a previous minister identified, it was under the emergency CEMA orders that we had that opportunity to provide the online opportunity. Then that was removed. The leader of the opposition touched on the fact of how that was a big impact. I will take this as an opportunity, again, though, to touch on the fact that we had the most comprehensive business supports in this country — again, public servants all Yukoners should be proud of — working inside the Yukon government to support. So, not only was it that ability to pivot, for a period of time, to online sales, but also the fact that, for the companies or the businesses that were in a difficult position, we were truly there and, of course, it is probably important to note that, in areas such as tourism, we are continuing to provide those programs.

I appreciate that there are other jurisdictions that folks think we should look to. We didn't do that when we walked into COVID and we put business supports in. We listened to Yukoners, and Yukoners came up with solutions. Folks should be proud of that because, a year later, provinces that are much bigger with larger resources were calling the Yukon government to get our templates to understand programs.

Whether it is our sick leave, which some folks from the opposition have supported us on and put their hands up as champions of that, it is understanding that this work was done very quickly, and we did it based on what Yukoners told us. That is why I think that, even as we go forward, it is really important to respect the comments of what Yukoners wanted to

see in the beginning of building this legislation. We do feel that there are some pieces from across the country that you can always learn from, but we think a made-in-Yukon solution has been very successful here.

I look forward to some of the other discussions on concerns that may arise as we get into regulations and timing of those regulations. I want to make sure that I have a good conversation with my colleagues — that what we end up doing when it comes to any of this work is that departments can lead it. We are conferring with the Justice department and working with them.

We also found ourselves in a position where, historically, there has been legislation passed that Yukoners wanted to see, with maybe not as much focus on making sure the regulations are in place; therefore, what tends to happen is that you might have a backlog of work for drafters, who are highly sought after and provide great expertise to us, but, at the same time, that is one of the things we have been really focused on over the last four years — making sure that we address the backlog on regulations and, at the same time, make sure that we have a very robust approach to the legislation that we want to see put in place.

We will have an opportunity to talk about that and truly be open to learn from folks in opposition and their findings. They seem to have done some pretty significant research on this conversation, so, I think it is appropriate for me to learn where I can do better in this role and where I can bring those ideas back to the cannabis corporation, when it comes to maybe some of the smaller decisions and operational changes that we can make to ensure that this is supportive and that the private sector can absolutely thrive in this environment.

Again, I am always happy to rise during Question Period on this topic when it comes to the pricing models. We may get into a number of those things, but there is not a supplementary budget, so, if the opposition wants to dig into some of those items prior to general debate or the spring budget, I would certainly wish to rise — or, if the questions are tabled, I am more than happy to get back with written responses — either/or — to some of those questions that might be outside of the scope of debate during Committee of the Whole, when it comes to this amendment to legislation.

With that, I thank everyone for their comments today. I look forward to getting this in place. We all know it is very important to those retailers. We are happy to move away and not occupy that space as quickly as we can get this amended and get regulation in place and let those folks who are doing a really, really good job, and a very responsible job, continue to flourish and to continue to grow an already very significant, growing economy.

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

**Some Hon. Members:** Division.

#### **Division**

**Speaker:** Division has been called.

*Bells*

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 9 agreed to*

**Hon. Mr. Silver:** 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 Hon. Premier 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 (Ms. Tredger):** I will now call Committee of the Whole to order.

The matter before the Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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:** I will now call Committee of the Whole to order.

### Bill No. 202: *Second Appropriation Act 2021-22*

**Deputy Chair:** The matter before the Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Mr. Cathers:** I would just like to recap briefly, before handing it over to the Premier for answers, that yesterday when we left debate on the budget, I had asked a number of questions,

including pointing out the fact that, although the government, with great fanfare, has a habit of doing in the spring — bragged about the size of the capital budget, including the land development budget — we saw \$32 million budgeted this spring for land development. Most of that was due to the continued development of the Whistle Bend subdivision.

The Minister of Community Services told this House in May 2021 that we would see 171 lots later this year. In fact, most of those lots have now been delayed, and we see just 70 residential lots in Whistle Bend and four in Logan, according to the information that we were provided with by department officials. There is a total of 74 residential lots in the Whitehorse area that are being released by government this year. They have trouble getting land development done, but the Premier has no trouble growing government by hiring hundreds of additional staff that he also has not been willing so far to explain the need for.

Of those 74 residential lots in comparison to the fact, as I mentioned, that, according to the government's own numbers, the increase just this year alone is north of 236 full-time equivalent staff that, as I mentioned yesterday, with the information that I had at my fingertips from the spring — the increase was related to just two departments, Health and Social Services and Justice, and excluded other departments. It's a lower figure than the total number, but when you combine that with the 110.5 new full-time equivalent positions being added here in the fall, we see an increase in just this year of 236 new full-time equivalent staff positions.

As I tie it to land development, the point is that, when you already have a housing crisis and when the government is hiring 236 new staff and releasing only 74 new residential lots, it shouldn't take much of a math whiz to figure out that government is a significant cause of the continued pressure on the housing market and that in fact, because of their continued increase to the rate of hiring of government, the largest single contributor to the housing crisis is the Yukon government. If the Premier is wondering why we have a housing crisis, he needs to look no further than in the mirror.

With that, I wrap up my recap, and I look forward to answers to the questions that I asked at the tail end of yesterday.

**Hon. Mr. Silver:** I am going to start today by again welcoming Scott Thompson, Deputy Minister of Finance, to the Legislative Assembly. Upon reflection on some of the questions of the previous days, I want to add some information to some of the previous questions, plus to the questions offered by the Member for Lake Laberge at the end of the day yesterday.

I am going to start with the Committee of the Whole question from the Leader of the Official Opposition on the *Second Appropriation Act 2021-22*. I will just quote him directly. He said that the Premier mentioned funding for air carriers. Can he elaborate on the funding and whether the decision was made by YG, or was it based on parameters from the federal government? We were talking about funding for aviation.

Some of the information provided is that \$5.256 million was provided to Government of Yukon under the agreement to

ensure air services to remote communities with Transport Canada. The purpose for that funding under this agreement is to provide assistance for operational deficits incurred from January 2021 to June 2021 to air service providers to maintain essential services like medevac in Yukon. We talked about how the program was oversubscribed, and the full \$5.256 million was allocated to 11 eligible operators — this is new information — including both scheduled service providers and chartered fixed-wing and rotary operators that provide critical medical services and essential services in the Yukon.

The funding provided is 100-percent recoverable from the federal government, and all expenses put forward were eligible for that funding.

Also, priority for that funding was required by the federal government to go to schedule services and medevac to ensure essential services; that's how it was prescribed. Remaining funding was allocated to charters based on the amount of essential services that they were providing.

Future details on the calculations of the final amounts can be provided to the folks opposite when the Department of Highways and Public Works is called.

I also had a question from the Leader of the Official Opposition about — the government currently reports on ministerial travel: Is the Premier aware of any travel in 2021? I did respond, at the time, that there was nothing necessarily budgeted for ministerial travel. Then, just to be clear on that, due to the pandemic, out-of-territory travel was suspended, and once travel resumes, we will continue to publicly report ministerial travel outside the Yukon — just to clarify.

The Member for Lake Laberge started yesterday with — he would like some more detail on the cost for flooding. Earlier this week, I spoke to some very high-level estimates for flooding costs in the territory. I would like to now provide a further breakdown of these costs borne by the Department of Community Services where I'm able to provide total allocation numbers in the supplementary estimates, as well as actuals from October 1.

Again, a great place to continue this conversation would be with the Minister of Community Services when they appear in Committee of the Whole.

For imported teams, cost to date — actuals to date — is \$372,000. Cost examples would have been contracts from Alberta, Saskatchewan, and Manitoba. Personnel — YG Community Services personnel — is just under half a million dollars, so \$462,404.64. That's overtime. That is for casual hires — those types of things.

Contracted workforce — this would be Yukon First Nations Wildfire crews. It is great to see those folks in the gallery here today. That would have been at \$712,506.

Equipment rental, which we talked about in the Legislative Assembly yesterday — that would be heavy equipment, and that is \$1,172,494. That was the actuals to date. Then we had a commitment from those actuals — another \$1,358,708, for a total in the heavy-equipment rental category of \$2,531,202.

Equipment replacement — that is purchasing of hoses, pumps, et cetera — that was \$210,655.

Transportation — the total, if it's actuals to date, or commitments to date — this is vehicle rentals to the tune of a total number of \$241,406.50. Transportation for the military — this is buses to transport military personnel to flood sites — a total of \$77,312.50. We had fuel, non-vehicle fuel, of just over \$9,044. We had a category of spend for meals and accommodations: meals provided to military, labour in the field, military accommodations provided at the cadet camp with no cost to the Yukon, just as a note, but travel, meals, and accommodation total \$547,371.

Materials such as sand, rock, poly — those types of things — totals \$2,166,410. Last but not least, services — and this is miscellaneous — rentals, pump-outs, for example, and other services, totalling, with the actuals to date and the commitments to date of \$782,620.

So, the total cost to date of all of those breakdowns in those departments is \$8,112,941.64. Remediation and recovery work is to the tune of \$2,860,058.36. These are high-level estimates, but funding will be used to support EMO to engage experts and engineers to evaluate options for permanent mitigations measures.

As we move from response, EMO will also be working with the Yukon Housing Corporation and across governments, as well, to help plan and get a program together to support the 2021 flood-impacted citizens. We spoke about some of the meetings that are happening in different parts of our community. Funding is also required for some ongoing berm and mitigation maintenance. These are berms that need to be removed before the winter, for example.

I think that is it for that particular question from the member opposite. We have a further breakdown of the 87.3 FTEs in the supplementary and all pandemic management FTEs, which is 159.2 FTEs total, as cited by our Finance handout. In the spring, \$30 million was budgeted for land development, and 171 lots were planned for release later this year. You can see that in Hansard on May 12, page 122. Phase 6 had been split into 6A and 6B. The only one that is going out for release this year, 6A, has been reduced from 171 lots to just 70 residential lots in Whistle Bend and four lots in the Logan subdivision, for a total of 74 lots.

Does the Premier see a problem with this? That was the preamble from the member opposite. In response to that, in total, the 159.2 temporary FTEs have been approved to address Yukon's ongoing pandemic management, which we have stated in the Legislative Assembly a few times this year and this fall. This made up 71.9 in the mains and also 87.3 FTEs in the supplementary estimates, all of which — all of which — are time-limited positions.

These 159.2 FTEs are temporary and have been deployed across the six priority pillars outlined in the *Forging Ahead: The Yukon's Continuing Response to COVID-19* document: 49.9 temporary FTEs under the vaccination pillar, which included immunizers and staff supporting the proof of vaccination credential; 14.0 temporary FTEs under the testing and surveillance pillar, which includes the ongoing staffing needs at the COVID testing and assessment centre; 2.0 temporary FTEs under the surge capacity pillar; 21.4 temporary

FTEs under the social supports for vulnerable populations pillar, including social workers and mental health workers; and 72.0 temporary FTEs under the public health measures pillar, which includes infection protection and control in long-term care homes.

Now, I know that the member opposite said that, without knowing what these are for, in his mind, we're just using COVID as an excuse to pad the government in employment. It's simply not the fact. These are temporary; they're identified under the plan forward, and they are necessary to deal with the pandemic. Our COVID-related needs continue to change, based upon evidence and the advice of the office of the chief medical officer of health and also the evolving challenges presented by COVID-19 and its variants. So, to say that, at the mains, we should have been able to figure all this out, I would disagree, respectfully, with my colleague across the floor.

The number of FTE supports that are supporting the COVID-19 response fluctuates. It's going to fluctuate based upon need, total numbers of infected people, information, necessity to get into communities and to go back into communities. This total represents the overall temporary FTEs needed in 2021-22 and is not representative of a single moment in time.

We continue to experience how quickly COVID-19 can spread, such as during the summer of 2021, when we had an outbreak, or during the current increase in activity that was connected to the Delta variant. It's essential that we remain equipped and prepared to respond to COVID-19.

Again, outlined in the *Forging Ahead: The Yukon's Continuing Response to COVID-19* document is exactly that. We need to make sure, as we move on from pandemic to endemic, that we have supports in place or, if we know that there is going to be a chance of outbreak or a chance of a variant, we also need to be able to respond very quickly so that we are not trying to figure out where the supports are going to come from in a quick time frame. The departments working together — Health and Social Services with its partners — working with the chief medical officer of health, I think, have done an extraordinary job of keeping people safe and preparing for whatever it takes to make sure that we keep Yukoners safe and protected moving forward as well.

The member opposite also spoke about land development. The Land Development branch is continuing to work extremely hard to increase housing stock right across the territory by planning and developing an adequate supply of building lots in Yukon communities for housing, as well as businesses and economic development opportunities. The branch is working with communities, with their stakeholders — supporting official community plans, for example — to develop a range of lots to meet short-term and medium-term demands — to plan for their land development needs for the short, medium, and long term.

The branch uses three different approaches to deliver their land development program, which is important to know: developing lots in subdivisions in Whitehorse and also in the communities; exploring and facilitating opportunities for private sector land development; and supporting First Nations

to develop their lands for citizen housing and for economic development opportunities. It is extremely important work. We know how hard they work and how seriously they take their occupation.

When it comes to Whistle Bend work and also the future lot availability, as I mentioned earlier, work is underway on phase 6 of Whistle Bend for partial completion this fall. The Land Development branch anticipates the release of 70 of the 171 lots, with release of the balance next year.

The tender for phase 7 required a redesign and will be retendered later this fall for targeted lot release of about 50 lots in each of 2022 and also 2023. A similar phase 8 in Whistle Bend specific will also be tendered this fall to deliver out about 40 lots in 2022.

Phase 9, as well as a lift station, will be tendered later in 2022, and 27 more commercial lots along Keno Way in Whistle Bend and four new serviced lots in Logan will be released later this year.

Whistle Bend lot sales in December 2020 — the largest Whitehorse lottery was launched, which was 147 single-family, which includes two duplex and five country residential, and there were also 91 townhouse lots, 11 multi-family lots, eight commercial lots, receiving over 780 applications.

The Land Development branch continues to invest also in trails and landscaping so that Whistle Bend becomes an even more beautiful neighbourhood. The summer of 2021 included work on boulevards in phase 2 and 3 and also 4a, as well as the completion of key connectors, trails — and seeding work on Cadzow Park was also started, and Casca Boulevard landscaping. Also phase 4 and 5 green streets — the remainder of phase 4 boulevards and more will be tendered over the fall and winter to make for a very busy summer in 2022.

The Whitehorse infill and periphery — there is servicing for four new Logan lots. That was completed this summer. They will be released in the fall/winter 2021 lottery.

The Kwanlin Dün First Nation and Government of Yukon master planning process for the Range Point Road area has been extended and should wrap up in early 2022. Subdivision construction could also begin as early as the summer of 2023 as well.

I see that I am running out of my time here. I have a whole bunch more notes on the development of lots and land availability. I would like to get out of Whitehorse for a bit and talk about some of the rural communities, but I have completed my time here, so I will cede the floor to my colleague across the way.

**Mr. Cathers:** I do appreciate the partial answer.

In terms of the addition of almost 160 positions related to COVID, it was a start for getting more detail on there, although I would still appreciate more of an explanation because I do understand that the operations of vaccinations do require additional staff. That is an obvious one, but the addition of 160 positions is a lot of positions, so having a little more detail about whether these are ones related to backfilling due to vacancies or other operations would be useful. While the vaccination clinic is clearly an activity that we didn't have before the vaccines were available last year, most of the government's

activities related to COVID appear to be operating at about the same pace. Again, we're not saying that they aren't justified, but more detail would be appreciated because we haven't heard much of an explanation for most of those positions.

I would also note that the Premier is very fond of encouraging people to check yukon.ca for the most up-to-date information, particularly about the pandemic and vaccination clinics, et cetera, related to it, but one thing that I received complaints from Yukoners about recently was when the government began offering influenza shots at the convention centre and that information was not easily available on the website. I received a couple of complaints from people who told me that they had checked the website and it had looked to them like the clinic was open to get vaccinated for COVID, but they went there and found out that they couldn't and were turned away. I would just ask the Premier why the government didn't have it prominently displayed on the website that the COVID vaccinations were being temporarily impacted by the influenza vaccine clinic.

Related to that, I would also note that I did receive a complaint from one gentleman who was not that comfortable dealing with booking online. As the Premier will know, there are varying degrees of tech savviness and comfort in the Yukon public, particularly with some older Yukoners, but also those with literacy issues or who are just technologically challenged and may have difficulty or lack of comfort booking online.

In this case, the gentleman who contacted me told me that he didn't want to book online. He called to book an appointment and wasn't comfortable giving his health care number over the phone, but the person at the other end was not willing to book an appointment without that. I would just note that I'm guessing that it's related to the way they currently have their booking system set up — and I do appreciate the work that all of the staff are doing in offering the vaccination clinic.

I would flag that, not so much even as a criticism, but just a notation that I would encourage government to address that so that, if there are other people who call and either don't have their health care card handy or are concerned about the privacy of giving it out over a cellphone or other things of that type, it would be, as part of providing easy access to all Yukoners, regardless of technological capacity or comfort level with giving their information over the phone, et cetera — providing that easy access to bookings for a COVID vaccination appointment is, I think, important. I would hope the Premier and staff would agree.

I would just flag that and hope that they will address that so that, if there are Yukoners in the future who call wanting to book an appointment, as did my constituent, they are able to find some way to accommodate that. Then, of course, at the time when they actually arrive, understandably at that point in person, they will have to present their health care card.

The next — actually, I'll just turn it back to the Premier at this point.

**Hon. Mr. Silver:** So again, there are three different questions really. Lot development was mentioned. As the member opposite keeps on saying that he doesn't get enough information, I have to make sure that I give all of the

information, and again, it's a great opportunity to dig down deeper into the Department of Health and Social Services when it comes to FTEs, and also, the departments of Community Services and of Energy, Mines and Resources will be presenting here in Committee of the Whole, but I will continue to give more information to the member opposite.

Again, in that 2021-22 first supplementary estimate, proposed funding for those 87.3 FTEs — more information — social workers and mental health workers through the territory to support the needs of individuals. We have screeners, we have greeters, and we have sanitizers who have to work in public facilities, such as the vaccine clinics, long-term care homes, and the shelter, to ensure that folks are properly masked and free of COVID-19 symptoms and to provide a high level of cleaning and sanitation, above and beyond the amazing work that these folks do, on a daily basis, without a pandemic.

Domestic aids and home support workers assist individuals in their homes by providing services to support those in self-isolation or who are unable to move safely in the community among others.

Immunizers and immunization support workers — they are absolutely key to the successful and efficient ongoing operations of the programming. But it's not, as the member opposite says — well, he says that he understands that there are more people needed for vaccinations — Team Balto, Team Togo, Team Fox — but it's more than that, as I'm outlining here.

It's extremely important that we have the testers to deliver the critical information and the screening of tests as well.

There are other operations, such as: communications staff to ensure that Yukoners receive important information from the office of the chief medical officer of health; IT staff to support the Panorama health system and the vaccination system; finance staff to ensure that the costs are managed in an accountable manner; administrative support, as well, to the vaccination clinic; and so much more.

Again, for general debate, I hope that the member opposite is satisfied that, in a general debate situation, we're giving a lot of information specific to the departments. If they want to question why we need this level of support to make sure of the health and safety of Yukoners through this pandemic, I would say that this is extremely important work. I would say that it has worked.

Compared to other jurisdictions, we've had to have a lesser amount of restrictions. To be able to have restaurants opened this summer, to not to have to shut down schools last year while other jurisdictions were grappling with many more restrictive situations, that was a lot of the good work done by the departments.

Again, all the way through this, we have been following the advice and recommendations of the chief medical officer of health. We will continue to do that. The opposition sounds like they are wavering on whether or not to support the most current recommendation from the chief medical officer of health, which I think it dangerous, but, at the same time, we will continue to do that. With that comes costs. Are we growing the government on a permanent basis with these jobs? No, these are

temporary positions. They are very important positions as well. We need to balance that.

I am going to go back a bit here to talk about — actually, I will stay in Health and Social Services for a second and address the most current question from the member opposite about how he or some of his constituents are finding it hard to get some of the information on the website. As he was speaking, I typed in “flu shot” into yukon.ca. Looking at the website now, Deputy Chair, I will just read through it. There are sections here about finding a flu shot clinic. It talks about why we are doing it at this particular time and how every person, six months of age or older, can get a flu shot. It explains — is it free? Yes, it explains that it is free for Yukon residents. The Yukon residence piece is very important. You are going to have to show your health card because we need to make sure that it is a service for Yukon residents.

If there is a specific concern about being on the phone versus in person, I will tell you what — the best thing to do is, if the member opposite can help us to casework this, give us some information about his constituent who is having some trouble, and we will walk that individual through this procedure with that specific concern. It is no problem at all. Just give us the contact information and we will make sure that this person gets his flu shot — and thank him for getting it.

The website goes on and says, “When can you get your flu shot?” It also states that some clinics are for those who are considered to be high risk. Some clinics are for the general population. It gives you a checklist about high risk, including seniors — people aged 65 or older. I am not sure if the member opposite’s constituent fits into one of those categories and maybe has some questions about whether or not they should go to the general clinic or some of those clinics that are considered for high risk. It then goes through how you can go to pharmacies. You don’t necessarily have to come to ours. There are pharmacies and opportunities here right online to book your appointments at Shoppers in the Qwanlin Mall or by booking your appointment at Shoppers on Main Street. It shows all of the times for all of these places. Again, as the member opposite mentioned, his constituent or person who reached out to him did know that there are phone lines to call.

You can book your appointments online. It goes through the communities as well — and not just Whitehorse — in alphabetical order — all available information online.

Also, there is what to expect as far as — you know, the flu clinics look different these days, during the pandemic. There might be a possibility of longer wait times; there might be screening for other illnesses or exposure to COVID-19, so there are other considerations. I think that the website is full of information here that is really pertinent to somebody who is preparing for and wanting to take the flu shot.

Last year we had a very successful inoculation session, and we hope that this year we are going to do even better.

There is also a section here about how to prepare for this year’s flu clinic and how to dress and be prepared to answer some screening questions. There is lots of great information here online and also e-mails and phone lines that you can reach out to. Again, if there are some specific concerns from the

member opposite or a constituent, please let your constituent know that we will absolutely casework his individual situation.

Deputy Chair, I am going to continue with answering some of the questions from the member opposite on land development. The Land Development branch recovers the cost of development through the lot sales and sets lot prices between market and development costs as per the *Lands Act* to keep them affordable. The development costs include the invisible infrastructure in a subdivision, such as all the buried work — the horizontal infrastructure there, the waste water, the storm water pipes, electrical, and the communications hardware. There is a lot that goes into this. It also includes the parts that make the subdivision feel like a community: roads, trails, parks, boulevards, and the detail on access to accessible curbs, low-light streetlights, and also traffic stops, traffic controls, and busing areas. There are also soft costs like planning, engineering, assessment, regulatory compliance, project management, and the list goes on.

When it comes to availability under the 2006 *Land Development Protocol* with the City of Whitehorse, YG and also the city have a mutual goal of maintaining a two-year inventory of lots within the city — a mutual goal. With high lot demand, the Land Development branch continues to strive to meet that goal.

The City of Whitehorse is now targeting the summer of 2022 for releasing their new official community plan, their OCP. That is extremely important work and will determine priority areas for residential, commercial, and industrial development here in this great city.

The City of Whitehorse also has a transportation study underway, with a March 2022 target for completion date.

The completion of both of these municipal planning and design processes is extremely essential for our branch, for Land Development, to further its development work, working with OCPs, working with the City of Whitehorse.

In the rural communities, Land Development is working toward achieving and maintaining a mixed inventory of urban and country residential, commercial/industrial lots. The rural land development program was transferred from Energy, Mines and Resources to Community Services a couple of years ago, in July 2018. The program now resides within the Land Development branch. We are trying to get those two departments together.

As part of this transfer, the branch continues to build on its range of work that Community Services is doing in the communities to strengthen and enhance the rural land development program. The Land Development branch is working to reframe that rural lands development program to support communities from the early staging plans right through to the development of lots and subdivisions to ensure a sustainable supply of land for residential, for commercial, and for industrial development.

This takes time, as they are working with individual communities on their land development priorities. Working government to government to government during the pandemic — and trying to be respectful of the recommendations of chief medical officers of health and to respectfully travel through

communities — adds a whole other level of burden, but I think the Land Development branch has done an exceptional job to be able to work with partner governments.

Some municipal project deliverables this year would include, in my hometown of Dawson — Dawson is determining how to advance the north end residential project after the 2021 landslide risk study identified a higher than previously known risk in that area, with the Yukon government committing to the design and the implementation of a monitoring system. We are working with the City of Dawson to advance the project, which includes installation of a monitoring and early-warning system.

I have to give a shout-out to the outgoing mayor, who basically loses his job in about a day. Wayne Potoroka did exceptional work on this. There are an awful lot of technical details, an awful lot of studies, and it has taken some time to develop that north end, which is frustrating, but his ability to work with us and to be completely informed and to have an excellent opinion on the ground floor, in the community, working with our stakeholders, and also bringing to the table, on different projects — not just the north end — a brain trust of individuals in the community who have had some historical knowledge or information to share.

That type of community-to-community, government-to-government work is extremely critical in solving some not-very-simple problems.

Also, in Dawson City, two urban lots will be released this fall, and an industrial lot parcel, targeting private sector development, will be released this fall or spring. A detailed review of mainly city-owned vacant lots was completed, which is great; however, the municipality determined that none were suitable for reconfiguration on a short-term release.

There is a master plan for the Dome Road, which should be finalized this fall, following YESAB, and detailed design work which could see tendering for off-site work on phase 1 lots to go out as early as late spring or summer 2022. That's some exciting work there. We also have Dredge Pond 2 planning, which will advance in early fall and wrap up in the spring. This design and tender of early phase lots is targeted for release in the fall of 2022.

The City of Dawson council redirected commercial infill 1 and 2 parcels to be partially residential, which will trigger an OCP amendment. That's going to take a little bit more time, but these parcels are on hold until this work has been advanced by the city. Hopefully, after the elections, we will have some folks to chat with on that, very quickly.

Moving on to Carmacks, the Freegold Road country residential lots are being prepared for release this fall. One or two of the five lots may be held back temporarily because of heritage findings. A small urban development tender is being prepared for release, and that's for early 2022.

Planning work for future residential and industrial parcels and some joint planning with Little Salmon Carmacks First Nation will advance in 2022, and that's guided by the village and also Little Salmon Carmacks First Nation interests. In Keno, there is feasibility assessment work that has been completed for potential lots, but they are on hold due to some regulatory issues.

The Town of Watson Lake has approved the Land Development branch work plan of land development projects. The branch is working through Liard First Nation consultation issues, interests, and broader corporate issues.

The Land Development branch hopes to tender the Frances Lake serviced urban lot development in the fall this year to advance construction next year — 2022. The Thompson Drive and other country residential lot developments — Garden Creek industrial planning — will advance as soon as LFN consultation issues are resolved. Summer or spring 2022 tenders — that's the tentative target.

I'll move on to Mayo. Four to five of the 10 vacant upgraded lots will be released for the fall 2021 lottery to see how well they sell. The Land Development branch is hoping to initiate with the First Nation of Na-Cho Nyäk Dun joint or parallel planning of a country residential development on the upper bench above Mayo in early 2022.

Haines Junction — Land Development branch completed feasibility work on five parcels identified through the Village of Haines Junction OCP work. The branch will be working with them to develop a land development work plan and initiate short-term land development planning. The branch will also work on a vacant lots assessment tool. They will identify urban lots that could be released or reconfigured and released.

Moving on to Faro, the Land Development branch is working with the Town of Faro to service and possibly release three residential lots in the fall 2021 lottery. The branch will be working with them once they start their OCP work to identify future development parcels.

I'm going to speak, for the rest of my time here, on partnering with First Nations. It's extremely important as we see movement on their ability to offer housing for all folks. The Land Development branch is partnering with First Nations and providing dedicated supports to help them meet the growing housing needs for their citizens and providing economic development opportunities. It's exploring roles and responsibilities and next steps to support First Nations in developing their lands, which is pretty exciting work.

The branch and the Kwanlin Dün First Nation, for example, are nearing the completion of a joint planning of the Range Point Road residential area in Whitehorse.

The branch is constructing the Yukon government's half of the Teslin Tlingit Council-YG Lone Tree country residential project. YG's half will provide 23 lots and provide the main highway access, the road through to the Teslin Tlingit Council side. The Teslin Tlingit Council side will provide an additional — around 17 lots for their citizens.

Construction is nearly complete on the Champagne and Aishihik First Nations Marshall Creek subdivision infrastructure expansion. It will extend water and sewer services from Haines Junction to provide more than 30 new lots for Champagne and Aishihik First Nations citizens and some services to current residents on their land.

The Land Development branch initiated planning with the Carcross/Tagish First Nation for adjacent YG and Carcross/Tagish First Nation parcels. There is a bit of a hold there. The Yukon government parcel is undergoing an

assessment because of hydrocarbon contamination. The branch is trying to advance planning on a second access route into Carcross.

Also, the Land Development branch this year has initiated planning and discussions with Selkirk First Nation, the First Nation of Na-Cho Nyäk Dun, and Little Salmon Carmacks First Nation. As well, the branch will continue discussions with the Ta'an Kwäch'än Council and Kluane First Nation to identify and advance their land development needs.

So, lots going on — we talked up front in our second supplementary speech about some of the delays and some of the work that is happening writ-wide right across the Yukon, so I wanted to provide the members opposite with a brief summary of all of the different projects and opportunities for land development, not only in Whitehorse, but in the rural communities as well. I am happy to answer questions from the members opposite.

**Mr. Cathers:** A question that my colleague, the Leader of the Official Opposition, asked the Premier yesterday that he didn't get an answer to — I will give the Premier a chance again today to answer it.

When did the Premier find out about the sexual abuse that occurred at Hidden Valley school?

**Hon. Mr. Silver:** Deputy Chair, we have been asked lots of questions from the members opposite. We have been responding, saying that — as opposed to the Yukon Party being judge and jury — we are making sure that we are going to provide all of the evidence, all of the information necessary, to the independent reviews. The minister has been on her feet several times talking about three different reviews. We know that the Yukon Party is seeding a narrative of these reviews being — I won't even use the word that I was going to use. But again, we are launching independent reviews. They are casting aspersions on the independent reviewer. We have a child and youth advocate who is also working on an independent review — and the RCMP as well.

The minister has said countless times in the Legislative Assembly that all the pertinent information that is necessary for the kids, the students, the parents, and the school community will come out in those three reviews. We will be providing information to all three.

The Yukon Party has already decided what has happened. They have already decided the situation. We are going to do the independent reviews. The Minister of Education has launched an independent review with our government's response to this incident, as well as internal policies and protocols to respond to incidents of this kind. Again, this review is going to involve parents and guardians, as well as partner agencies and organizations, with the goal of understanding what occurred and to make improvements that ensure that our education system is protecting the kids, protecting the students, and supporting the school community as well. This is the commitment that the Minister of Education made directly to the parents of Hidden Valley Elementary School.

This is an absolutely devastating situation for everyone involved. My minister has acknowledged that mistakes have been made and that there has been a breakdown in trust between

families, the Hidden Valley Elementary School, and the Department of Education. They have both apologized to parents and the school community. Conversations are ongoing. The independent reviews are happening as we speak. The minister has said, time and time again, that this is where the information will flow.

The Yukon Party, as judge and juror, have already made their decisions about what has happened. We on this side of the Legislative Assembly disagree with the Yukon Party on that. We are absolutely committed to rebuilding the trust and strengthening our education system. This is extremely important work, and this is exactly what we need to see to answer all the questions that the parents and teachers have to make sure that we move this forward and strengthen our education system.

**Mr. Cathers:** I asked a simple question. I didn't get an answer. People have a right to ask when ministers knew and what they did when they found out and to expect an answer. The Premier read from his talking points, but he didn't answer the very simple question that I asked and that my colleague, the Leader of the Official Opposition, asked him yesterday.

When did the Premier find out about the sexual abuse that occurred at Hidden Valley school? It's a simple question. Just answer the question.

**Hon. Mr. Silver:** Again, he can ask the question over and over again. I'm going to continue to answer the question the way I'm going to answer the question, which is that there are three independent reviews happening. We are going to absolutely respond to those independent reviews. We are going to make sure that all the questions are answered. The minister spoke today about a timeline of early 2022, and that process will determine what has happened and what we can do to fix things.

Scott Sheppard has already talked about the RCMP's involvement, to begin with, and some of the mistakes that were made there — all of this is going to go into the process. We do know that there is court action right now. We know that our Attorney General is being extremely considerate of that process. The ultimate goal is to make sure that we don't in any way interfere, but, at the same time, the questions that will be asked in the independent reviews will be answered by our team.

I can talk about the Minister of Education's response — which has launched the independent review. Members opposite are going to continue to make it seem like that review is — what were the words that they used today, Deputy Chair? — “smokescreen” — independent reviewer from away, not from here — again, casting aspersions about that particular individual. I think that approach is very interesting, but we believe that the best thing to be done is to have the three independent reviews, including by the Child and Youth Advocate.

So, all questions will be answered, and the Yukon Party has already, as judge and juror, decided what has happened, connecting dots that are not necessarily connectable, but the review will involve parents, guardians, as well as partner agencies and organizations, with the goal of understanding what occurred and to make improvements and ensure that the

school and students are protected — and supporting the school community.

**Mr. Cathers:** I asked a simple question; I did not receive an answer. People, Yukoners, have a right to ask when ministers knew and what they did when they found out about it. They have a right to expect an answer from their elected representatives.

So, I will ask again. It's a very simple question: When did the Premier find out about the sexual abuse that occurred at Hidden Valley school?

**Hon. Mr. Silver:** We can do this all day — no problem. Again, all questions will be answered in an independent review. We will work hand in glove with the independent reviewer, the Child and Youth Advocate, and also the RCMP, who are doing their own individual review.

We will answer the questions in these processes. The Yukon Party has already decided. They are making a narrative, and they are connecting dots that are not connectable. Again, we will make sure that these questions get answered through the appropriate streams. The Minister of Education has said time and time again how important this independent review is to making sure that there are policies and protocols that will respond to incidents involving students in these types of situations for all of our schools so we can move forward and make sure we have better access and better policies.

Again, this review will involve parents and guardians, as well as partner agencies and organizations. We will fully participate with this independent review. We will answer all questions in this process. Very early in the new year, as folks work through this, all of the answers that will ultimately — for the goal of making sure that we protect our students and that we have a better school system. That is the important work. We are going to do that through the independent review. The Yukon Party can continue to put their narrative out. We disagree with them completely, but we will be open, accountable, and transparent to the independent reviewer. We will absolutely make sure that the school system is better as a result of those actions.

**Mr. Cathers:** People have a right to ask ministers when they knew and what they did when they found out. They have a right to expect a truthful answer. That is about the principle of ministerial accountability.

The Premier is attempting to suggest that we are framing a narrative, but again, as I have done prior to this afternoon and as my colleague, the Leader of the Official Opposition, did yesterday — I am asking the Premier a very simple question, and Yukoners have a right to hear the answer from him. The question is this: When did the Premier find out about the sexual abuse that occurred at Hidden Valley school?

**Hon. Mr. Silver:** Just because the member opposite doesn't like my answer, it doesn't mean that we are not answering the question.

All of these questions will be answered through the appropriate procedures. We are here in the *Supplementary Estimates No. 1*, having general debate on the supplementary budget. I see that the opposition has no real interest in talking about the actual budget, but I do. I have an interest in making

sure that our school system is safer for our children as well. That is why we have the independent review, and that is also why we have the time in the Legislative Assembly today to talk about the supplementary budget.

The supplementary budget — the 2021-22 estimates forecast — increasing money spending — I don't know if the member opposite, the critic for Finance, wants to talk about this or not, but we will continue to talk about the budget and we will continue to answer their question on the Hidden Valley school. If the member opposite doesn't like the answer, okay, but we believe that the Yukon Party is forming a narrative, and really, we believe the most important thing is to make sure that we are transparent and open with the independent reviewer. We're working hand in glove with the Child and Youth Advocate. These processes will get the answers.

That's the answer to the question. The member opposite can continue to ask questions. The Attorney General has been very clear about ongoing legal actions that are happening, and how very careful we are to make sure that we don't impede that — again, answering the question.

But the member opposite doesn't like that. So, if he's going to continue to ask that question over and over again, I have given him that answer. The minister has given that answer countless times, and we will continue to give that answer, even though the member opposite doesn't like it. That's fine, but I will remind him about why we are here today: to talk about the supplementary estimates; to talk about the increase of \$72.2 million in spending appropriations; the \$58.4 million in O&M spending, with an offset increase of \$37.1 million in recovery; to talk about the \$31.8 million in capital spending, with an offset increase of \$12.3 million in recoveries; to continue to talk about the 70-percent rate of recoveries for spending that illustrates the collaborative approach with the federal government and how that is paying dividends — they don't want to hear about that.

Once recoveries net out, we expect an overall increase of \$22.8 million in new spending. Revenues are also expected to decrease by \$10 million, mainly to reflect timing of the release of the lot sales, which I thought the member opposite was interested in. He started down that road. When I started answering the question, he pivoted and didn't want to talk about land and lot development anymore — to talk about the changes in the supplementary estimates, the revised forecast of a deficit of \$18.2 million.

I think that this is extremely important information that Yukoners would expect questions from the opposition on, as opposed to asking the same question over and over again and not liking our answer but still asking that question over and over again.

A large portion of the increase in spending that we talked about to Yukon continues to be that response to COVID-19 for the safety and well-being of Yukoners. This includes continued vaccination and surge support. We talked about the FTEs that the member opposite was interested in earlier but has dropped off and they have changed their strategy. There is additional spending also for the local tourism sector to stay afloat with new economic recoveries. I don't think that we have heard one

question from the Yukon Party about the tourism industry this year — not one — or the mining industry for that matter, which is very interesting.

Thanks to the economic supports for this industry and the elimination of the public health measures, the industry is expecting to recover. Let's talk about the long-term plan for working in partnership with our tourism partners.

The supplementary estimates are also being extended into the aviation sector by providing funding to air carriers in order to maintain essential air services to the communities. Over \$11 million is included to support the response to the initial recoveries for the Southern Lakes flood costs. Like most emergency spending, they are difficult to forecast, and we have talked about that a bit too with the Wildland Fire Management and floods. The Leader of the Official Opposition asked if there was a new way of budgeting for that. We had a conversation.

I would like to talk as well in the budget about the almost \$10 million included in the early learning childcare initiative, as we move forward toward a vision in which all children have access to affordable, high-quality learning and childcare opportunities. Again, this is 100-percent recoverable from Canada. I am glad that we had a little of a conversation about this earlier, Deputy Chair. I think that the Leader of the Official Opposition was confused as to when that was budgeted, where that money came from, and how that related to CASA. He admitted that he was mistaken on that, so I'm glad that we had a conversation on at least part of this budget.

On this side of the House, we would like to talk about the increases in capital expenditures, mainly for the Mayo-to-McQuesten transmission line and battery-grid projects, which are 100-percent recoverable. Also, there are modular classrooms at the Robert Service School, the Whitehorse housing complex at 4th and Jeckell, and the increase to the innovative renewable energy initiative funding program — all some very exciting, extremely interesting, and extremely important initiatives, programs, and policies. Normally, if we didn't get this information out, the opposition would say that we are not accountable or getting this information out. This is important Committee of the Whole work in general debate to talk about what is inside the budget.

The members opposite want to continue to ask a question in the Legislative Assembly for which we said: "Yes, these questions will be answered, and they will be answered through independent reviews, not through the judge and jurors of the Yukon Party."

Also, talking about other changes to capital, there are some really important initiatives of the expansion of the IHealth information network. There is also really important information about other O&M changes, including those cultural activities for children in and out of home care, the repairs of highway washouts, and funding for the Pride Centre as well.

There is lots of information in this budget, as you know, Deputy Chair. We need to get through general debate to be able to then have further conversations in those other departments, and also on the bills that we put forth, but I don't know when we are going to get to those. I guess, if we are going to continue to ask the same question over and over and the Yukon Party not

wanting to move on to this important work, that is okay. What I will do is continue to provide more information about the budget, about the bills, in Committee of the Whole, as the member opposite continues to ask the same question over and over.

**Mr. Cathers:** Well, Deputy Chair, the Premier — like the Deputy Premier — suggests that people should just move on from this. Those were his exact words. He said we should move on.

I would remind the Premier that we are asking these questions on behalf of Yukoners who want answers from the Premier and the Deputy Premier. It comes down to the very principle of ministerial accountability — to answer the questions that the public is asking about what you knew, when you knew it, and what you did about it.

I would remind the Premier that the petition that I tabled, signed by close to 350 Yukoners, said this, in part. I am not going to read the full petition, but I will conclude with a key action part of it to remind the Premier — and I quote:

"... the undersigned ask the Yukon Legislative Assembly to urge the..." — Deputy Premier — "... to clearly disclose to the public when she was made aware of the 2019 sexual assault at Hidden Valley Elementary School, and what direction she gave Department of Education officials — including any direction regarding communicating about this serious incident to parents."

Clearly the Premier doesn't want to answer the question, but that doesn't mean that he shouldn't answer it. The question is simple: When did the Premier find out about the sexual abuse at Hidden Valley Elementary School?

**Hon. Mr. Silver:** I will answer the question the same way I have answered the question in the past. Again, if the member opposite doesn't like the answer, I must apologize to him. It's not about moving on; it's about moving on to the independent review. It's not about not answering the question; it's saying we will answer all questions that are pertinent to the independent review.

The members opposite can say what they would like to say about where we want to be. Where we want to be is we want to make sure we have a safe, secure, healthy place for our students to go to school. That is extremely important to us. We want to make sure that the independent review does the good work. What the Yukon Party wants to do is cast aspersions on this independent review: calling it names, making it seem like this is not what it actually is, which is answering the questions, getting to the bottom of all these issues, making sure that the parents and the school community all have the answers and ultimately a better school experience.

The members opposite can make it sound like, because we are not answering their specific question here in the Legislative Assembly directly about timelines, that means a whole bunch of other things. That simply is not the case, Deputy Chair. I have dedicated my life to educating the citizens here in Yukon. It has been one of the greatest opportunities of my life, not only being a math teacher, but having your door open after work as well. I couldn't imagine working in a larger centre somewhere else. The small school community is extremely important to

me. It is extremely important to the ministers. I have two ministers — both the Minister of Education and the Minister of Justice — who are extremely strong leaders, and they have dedicated their lives as well to advancing justice in our territory and promoting equity in our society. These are two of the strongest leaders I know in this community, and I have ultimate confidence in them.

Again, we will continue to answer the questions from the member opposite by saying that these appropriate questions will be answered in appropriate due time through the appropriate channels. The Yukon Party obviously wants to create a narrative. We disagree with their narrative. We will know very soon — in early 2022 — through a response from this independent review, focusing in on the parents and the guardians, as well as those partner agencies and organizations, with the goal of understanding what occurred and making improvements and ensuring that the education system is protecting students and supporting the school community. That is important to us.

What also is important in the democratic process is to use our time in the Legislative Assembly to talk, in Committee of the Whole, in general debate, about the supplementary budget.

I will continue, as the Minister of Finance, the Minister responsible for the Executive Council Office, to speak on the important issues around the budget — for example, our interim fiscal and economic outlook. I don't think that we're going to get a lot of conversation or questions about that in opposition, because, as a community, as a territory, things are looking good in the Yukon, but the Yukon Party doesn't want to talk about that.

This update has expectations for the Yukon's finances, for the economy, and its updates from the March fiscal and economic outlook. The 2021-22 *Supplementary Estimates No. 1* is forecasting, as I said in the past, an overall increase of the \$72.2 million in spending in both operation and maintenance and in capital, with \$49.4 million in recoveries. A large portion of the O&M increase is related to the COVID-19 pandemic, as we talked about, driven primarily by public health care measures, as well as economic and financial relief targeted to the tourism sector — an extremely important part of our economy and our culture here in the Yukon.

Approximately \$11 million in additional spending is to support the response and the initial recovery of the recent Southern Lakes flooding to ensure the safety of Yukoners — extremely important — and almost \$10 million being included to support for families accessing early learning and childcare programs. You would think that maybe the members opposite would talk about — have a conversation about — two different approaches — where the Yukon Party was going to campaign on a different approach to early childcare and how that approach would have mirrored up with a federal approach, which works extremely well to develop spaces, training, education — not just money, a tax credit, or a cheque into a pocket where we're not really sure if the actual pedagogy, the development of this extremely important profession, came alongside with the reduction in cost to parents.

We talked a bit about the index of well-being and how important that was to our policies when we developed our universal childcare position.

We talked a bit on the floor of the Legislative Assembly in the last seven days about the GDP growth. So, just to reiterate there, the estimated growth of 1.1 percent in 2020, and the real gross domestic product is forecasted to grow by six percent in 2021 and also by 8.1 percent in 2022.

Higher mineral production is a predominant driver of growth in both years — a successful rollout of vaccinations being key to allowing for the lifting of restrictions on capacity and social distancing. All of this has weighed on the economy, and so to be able to remove the internal border restrictions and to loosen those international restrictions to support the forecast of a recovery in local tourism activity is extremely important. That's extremely key. I didn't get any questions yet from the members opposite on any of that.

With visitation expected to return to pre-pandemic levels by 2023, we've been having some great conversations with colleagues and peers in Alaska, talking about tourism initiatives between Haines, Skagway, and Whitehorse. Governor Dunleavy is extremely excited to see the opening up of borders. We, of course, have concerns of the health and safety of Yukoners at every turn. We're working hand in glove with the chief medical officer of health to make sure that what we move forward on is based on those recommendations.

I heard some interesting comments on the radio from both opposition parties about whether or not we should be following that advice. That's interesting. I think that the reason why we are where we are is because of that advice. I remember the very first days of COVID and Dr. Elliot and I going out and having to cancel the Arctic Winter Games. At that time, it was very interesting. It was very hard; it was one of the hardest things that I've done. But we did know afterward how extremely important that was — how extremely important that was to the health and safety —

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

**Deputy Chair:** Order. The Premier has the floor.

**Hon. Mr. Silver:** Thank you, Deputy Chair. I don't know why this is a laughing matter, but I guess the Yukon Party thinks this is a laughing matter.

But no, this is extremely important. How we move hand in glove with the chief medical officer of health is indicative to the health, not only of our citizens, but also our economy. The budget in front of us is a reflection of where we are in time, compared to other jurisdictions — where we are with our forecasts, where we are with our financial methods, but also our ability to use science as a determining factor as to how we move forward in a situation that is very unknown, not only in the Yukon, but in every jurisdiction. It is extremely important and pivotal to where we are, to the numbers on the pages here that the Yukon Party does not want to talk about.

We had a few hints of a conversation with the Yukon Party about universal childcare and the importance therein and, I guess, a little bit of confusion from the Yukon Party as far as when the election happened, when the budgeting happened, amendment when CASA happened. I'm glad the Yukon Party

now understands and apologized for not knowing the difference between those things. Earlier there were questions that were related to that early learning and childcare on the mains and the supplementary estimates, so to be able to take some time to explain answers that I gave there — again, prior to announcing and implementing our universal childcare program in the spring, that childcare service was administered out of Health and Social Services.

If members opposite want to dig down further on this, then the Minister of Health and Social Services will be here to answer any of their questions, but I can give a general overview of that. When this responsibility was shifted to Education, for example, the budget for childcare, which was approximately \$10.4 million, moved with it. When we announced the implementation of universal childcare for the 2021-22 fiscal year, an additional \$15 million was allocated to the Department of Education to fund those enhancements, which included substantial reductions in the amount that families pay for spots in the licensed childcare programs and enhanced funding for operators to enhance their operations and to pay for their early childcare educators.

This move followed through on a commitment that we made much earlier. If we can think back to July 2020, I announced that the Yukon would be moving to a universal affordable childcare system. This followed many months of consultation and engagement during 2018 and 2019 with First Nation governments, childcare operators, early childhood educators, families, and stakeholders to better understand the needs of children and families.

Also, during that summer, the index of well-being — every year becoming more specific to indicators that are Yukon-specific, as opposed to where the University of Waterloo started us off. We wanted to make sure that the indicators were more Yukon-specific — and then, during a pandemic, having the chief medical officer of health's team joining us with those indicators to really bolster an already excellent survey and analysis of where we are. It really did help augment all of this important work that was done with these departments.

As we know, as we fast-forward, this past summer, the federal government offered to enhance spending to the territories and provinces to support an early learning and childcare program. Our government was very pleased to sign on to two different agreements: an extension to the Canada-Yukon early learning and childcare agreement, and also to the new Canada-wide early learning and childcare agreement.

As I mentioned, these two agreements will be providing the Yukon with over \$54 million over the next five years. The amount being provided in the first year of 2021-22 is \$9.9 million in O&M funding and just over \$515,000 in capital funding. This matches the amounts that were being requested in the supplementary estimates and explains why these additional amounts are 100-percent recoverable. With the addition to the funding in the 2021-22 main estimates, this new funding allows for enhancements or expansions to existing programs and many new programs that contribute to that quality childcare programming. Examples of enhancements are things like more subsidized spaces, the support childcare

worker program, enhanced professional development for early childhood educators, and more funding for the Child Development Centre.

Deputy Chair, examples of programming that we have been able to initiate because of the federal agreement are things like the establishment of a quality and analytical framework; we were able to hire a statistical analyst and an early learning specialist and support First Nation minority language and non-profit centres, as well. We are very happy that the federal government shares our commitment to quality, affordable, flexible, and inclusive early learning and childcare. It is extremely important.

Again, as we had the conversation the other day with the Leader of the Yukon Party admitting that he is kind of catching up on things about the dollars and values and how this program augmented or beefed up what we already had as initiatives, here are just a few of those examples of some of the things we were able to accomplish because of the federal government's commitments.

I think that there was a question about other funding, but I think that was basically a good response for the member opposite and questions from the Leader of the Official Opposition when they asked a question that was actually pertinent to the budget. The continuing questions over and over again is one method, for sure, of keeping a government to task on one topic, I guess, while maybe leaving some of their other obligations at bay, but again, we will continue to answer the questions of the member opposite that are specific to Hidden Valley, and our answers are very specific.

They are, again, that the independent review will answer all the questions. We will be working with them. We will be answering all of the questions that they present to us. The review is extremely important work. The Yukon Party is trying to make it seem like it is a smokescreen, which I think is just nonsense. I would hope that the members opposite would want this independent review to not be tarnished with their words, with their opinions, or with their approach to a very devastating situation, but I guess this is what we have come to learn as the MO from the Yukon Party.

I will leave it at that and let the member opposite, as opposed to speaking when I am speaking, have the opportunity to speak while I sit.

**Mr. Kent:** I want to turn the Premier's attention to page 18 of his *Interim and Fiscal Economic Update* from October of this year, with respect to the mineral outlook. The document states that, beyond 2021, the outlook for mineral production value is strong, with annual totals forecast to exceed \$1 billion in all years, out to 2025. Of course, this includes placer production, but I am curious if the Premier can tell us which hard rock mines are included in these forecasts.

**Hon. Mr. Silver:** I am happy to speak on the floor of the Legislative Assembly on a very important industry to Yukon, a very important industry to my community of Klondike. Just to put a little context in here, the member is speaking from the *Interim and Fiscal Economic Update* and talking about forecasts. I want to talk a little bit about production, as well, as I answer his question.

We have seen increased production from the Eagle Gold mine, along with production from Alexco Resource Corp., the Keno Hill project. Those are extremely important drivers of growth here in Yukon. I had the opportunity to pour the first gold bar in the Eagle Gold mine. It is quite a thing to sit there with over \$2 million of gold in one bar in your hands and not be tempted to run out the door. It's really something to be able to go from the first shovel in the ground with the Chief of the Na-Cho Nyäk Dun, Simon Mervyn, and then all along the project, watching it go from a dirt-turning to an amazing, world-class production and, during the pandemic, see the operators really hone in on local hire.

Some of the conversations I have had with leadership in that community and also with the president and CEO of Victoria Gold about folks who, if they weren't working in their home community with Victoria Gold at the Eagle project, they were not really sure where they would have been during a pandemic. It is about self-worth and being able to provide and being in their own community. That is extremely important anecdotal information to an extremely important mining project and an extremely important industry.

The production from both those projects is now forecasted to fall below those expectations from their March forecasts. The *Interim and Fiscal Economic Update* talks about offset — that stronger than expected production of the Minto mine, as well.

I have to say, expectations for the placer gold production is 84,000 crude ounces. We have seen a massive injection into our economics in these rural communities. We have invested heavily into exploration. We also have seen the spinoff of this industry — the grocery stores in my community of Dawson are still open and providing. There are enough family members in rural communities to have the assets to have high schools. I have said this so many times on the floor of the Legislative Assembly: Without the placer industry, there wouldn't have been a high school in Dawson for me to be able to teach in.

It's an extremely important industry, knowing that, from the placer and quartz industries moving in through the pandemic and looking at the forecasts of the overall value of mineral production in 2021 at \$780 million, up \$240 million from the year before, but below those March forecasts of \$900 million — in this topsy-turvy world of pandemic, it's extremely important that we give a shout-out to the placer mining families who, again, I saw a massive effort from in those early days — March 2020 — getting folks safely from all over the world into those placer camps and working away in our economy; we're very grateful.

The member asked specifically in these forecasts: Which particular projects? Those projects would be Minto, Eagle Gold, and Keno Hill, as well. A strong pricing environment continues to be a positive for that local mining sector.

Gold and silver prices — they've maintained and remained elevated in 2021.

Copper prices have seen robust growth, as well, which is extremely important, as we see some other projects, hopefully, on the horizon. Increased production from the Eagle Gold project, along with the production from that Alexco Resource Corp. Keno Hill project, will be primary drivers of mineral

production over the medium term, while output from both mines is contributing to very notable year-over-year production growth in 2021 and production of both projects and forecasts to fall below those expectations from the March forecast, as I just mentioned, from the *Interim and Fiscal Economic Update*.

Also, lower production from the Eagle Gold and the Keno Hill mines will partially be offset by stronger production at the Minto mine. I know that the minister had a tour of the Minto mine just prior to getting into session, and it was wonderful to see the production there in between Pelly and Stewart. It's kind of my halfway mark when I'm driving home — the road into the Minto mine — sorry, I'm going the wrong way, in between Carmacks and Pelly.

The current forecast has a value of mineral production in 2021, as I mentioned, at \$780 million, and now that's up \$240 million — I'm going to say that again: 2021 was up \$240 million from 2020 and that's at \$780 million.

Again, the forecast that came out in March had that figure at around \$900 million. Beyond 2021, the outlook for mineral production value is strong, with annual totals forecast to exceed \$1 billion — that is \$1 billion, with a "B" — in all years out to 2025. Again, it is an extremely important industry. I have to say that the three mines that I spoke about, those companies know how important it is for strong relations with the First Nation governments and communities in which they are mining and that their mines affect. When it comes to the environment and when it comes to the economy, we believe that we have amazing corporate citizens with these companies. We are going to continue to promote mining that works hand in glove with First Nation communities, respects the environment, and contributes to our economy.

**Mr. Kent:** The Premier mentioned the three existing mines — Eagle Gold, Alexco's property, and the Minto mine. Obviously, he left out the Kudz Ze Kayah mine. It has not yet gone through the permitting process, so taking what the Premier said, those numbers will not be reflected in this forecast here.

I just want to take the Premier back to January 25 of this year, when he released the following statement. I will quote from a press release on that day, entitled "Statement from Premier Silver regarding the Kudz Ze Kayah Project". He said — and I quote: "I am very disappointed with the federal government's decision to refer the recommendation for the Kudz Ze Kayah Project back to the Yukon Environmental and Socio-Economic Assessment Board (YESAB) Executive Committee for reconsideration."

The news release goes on to say: "Following four years of regulatory assessment, this decision creates unreasonable and unnecessary uncertainty for the proponent and sends a troubling signal. The Government of Canada absolutely needs to take steps to streamline these processes going forward to ensure greater clarity and certainty for the mining industry."

I will continue to read, quoting the Premier: "I have written to the Chair of YESAB to inform them that the Yukon government was prepared to accept the recommendations and issue a decision document. Unfortunately, due to the Government of Canada's decision, we cannot issue a decision document accepting the recommendations at this time.

“The Government of Yukon does not agree with the decision to refer the project back to the Executive Committee for reconsideration.

“We feel the YESAA process has resulted in a comprehensive review and analysis of the project, and the recommendation to proceed with additional mitigations and monitoring as reasonable.

“We remain committed to consulting on the project to ensure potential impacts to Kaska Nation’s asserted rights are addressed and we will continue to work with all parties to best ensure that we can continue to move forward.”

That closes off the press release, and again, this was dated January 25 of this year. We are almost 10 months later. October 25 will be Monday, so still no decision document for this project — extremely disappointing. I have to say that, when the Premier first put this statement out, I was encouraged, because I think that it may have been one of the only — if not the only time — he has ever stood up to his federal Liberal cousins with respect to anything for the Yukon. But soon afterward, of course, that hope turned to disappointment, as this project continued to drag on. Obviously, there was a YESAA process that had to be undertaken with the referral back, but after that, I believe the executive committee with four members was split on this, so the recommendation was put forward.

I wrote to the Minister of Energy, Mines and Resources this summer, asking him for an update on this project and the decision document, and I asked him if the Premier was still disappointed and still sticking to the words that he put out in January of this year, but the minister seemed to water down those expectations somewhat and really can’t commit to a sense of when we can anticipate some sort of a decision document coming with respect to this.

The federal Cabinet, I believe, will be sworn in on Monday of next week, and how much longer after that does this project proponent have to wait until there is a decision document? Does the Premier still not agree with the decision to refer the project? Is the Yukon government still willing to sign off and issue a decision document for this project, and a positive one, as he mentioned in this statement? Again, these were strong words from the Premier back in January of this year, but 10 months later, this project is still in limbo.

It is something that we understand is coming up at investment conferences, where the investment community is asking Yukon proponents: What’s going on in the Yukon? What’s going on with BMC’s Kudz Ze Kayah project? The company needs greater clarity and certainty, as the Premier mentioned. I’m curious if he, as the Minister of the Executive Council Office, which would issue decision documents on these executive committee screenings, can give this House an update on where we’re at with respect to the Kudz Ze Kayah project and a decision document.

**Hon. Mr. Silver:** Well, I would disagree with a lot of the premise of the member opposite’s question. Like, for example, while he was the Minister of Energy, Mines and Resources, mining was ending, and we, in our tenure so far, have had mines opening. I think that’s what the shareholders and the investors should know — also, some of the most successful placer and

quartz years, in recent history, compared to the member opposite’s track record, which was subpar at best.

Again, I take a little umbrage on the whole concept of that the only time that we disagreed with the federal government — that’s completely not true. One just has to look at how we fought for more flexibility on the Canadian health transfer with the THIF funding, whereas it was a lot more flexibility locally than the member opposite was ever able to get with their buddies in the Harper government, I guess.

One only has to look at the pandemic vaccinations. We had to fight to get their vaccinations schedule back on. We had to use the NACI, National Advisory Committee on Immunization, and their recommendations, and the conversations from the Council of the Federation, to get back on to the commitment from the federal government. I went on national news. I guess the member opposite was asleep that time. So, to say that this is the one and only time, that’s just not the case, but again, the Yukon Party has a different lens than most.

I’ll also say that, from the letter that he quoted, I stand by every single word — absolutely. I absolutely stand by every single word. We continue to consult with Kaska First Nation on the Kudz Ze Kayah project in a way that meets our obligations and supports our commitments to build a strong relationship with the First Nation — something that the members opposite didn’t get very well when they decided to change YESAA through Bill S-6. I don’t have enough time to talk about that debacle that set back the industry by 10 years, for sure.

And if anybody is talking about uncertainty in the Yukon, to have to get back on track with a memorandum of understanding and then into a mineral development strategy, all really because we’re trying to get some of the abeyance and potential litigation from the actions of the Yukon Party to move forward —

I see, you know, there are some comments from the supporters of the Yukon Party about the percentage of land that’s withdrawn from staking and kind of blaming it on land use planning, but really, a lot of that is because of the Yukon Party and in this particular part of Yukon, as well, when it comes to class 1 notification and the debacle that has created.

When we are talking about stakeholders, talking about industry, and talking about what we are going to say, we are going to talk about the most successful years of placer. We are going to talk about the exponential growth of our exploration through the Department of Energy, Mines and Resources under our leadership. We are going to talk about three active quartz mines in the Yukon. That is what we are going to talk about. We are concerned that the Yukon Environmental and Socio-Economic Assessment Board executive committee issued a referral conclusion stating that the four participants were deadlocked in its consideration of the screening report. We are absolutely concerned. We are considering the results of the executive committee’s referral conclusion and screening report and collaboration with the federal decision bodies to reach a decision on that project. That is extremely important.

We have had countless conversations with the federal government. The member opposite might not have known, but I am sure he does. There was an election that really — when

you have a writ period, that is another delay. But we were concerned about the delays that existed in the process, for sure, but our government remains very supportive of responsible mineral resource development and remains committed to finding efficiencies in the assessment and regulatory review of projects.

We have talked with folks in the industry as well about the Water Board and the changes there. We have worked with the Water Board for a memorandum of understanding to redefine the role and responsibilities, the quasi-judicial nature of the Water Board, but also the obligation of the secretariat government employees to the government. We have been working on that process as well.

Again, we are extremely interested in making sure that our regulatory processes are adhered to. That is a lot of our conversation with the federal government. This particular screening report and the recommendations from YESAB have very comprehensive considerations for the environment. A huge onus will be on the proponent, but I have to say that BMC, from the early days — even when I was in opposition — Scott Donaldson and his team — I remember the president and CEO coming to me very early, when I wasn't even in government. I was an MLA, Third Party. They were conscientiously reaching out to all political parties, I assume. We had a conversation with them and were asking right up front — not promoting but asking, “What do I need to do?”

I guess I was already in slogan mode, or I was already in campaign mode, because I said that the most important thing is the environment and the economy. We want to make sure that First Nation governments, whose traditional territory is going to be affected — it is an extremely important conversation. You need to go and talk to the First Nations in those communities first and foremost before you talk with me.

That is extremely important. I believe that BMC, as a corporate citizen in Yukon, has done everything that they need to do, in my opinion, as far as going through the process, being very respectful, engaging, and being present in the Yukon. I think that this is extremely important to note here as well. It is also extremely important to note that the former minister, the current minister — the engagement not only with Energy, Mines and Resources and the Department of Economic Development and how we support the industry — we have gone international. We have had conversations with folks saying that it is great to not only see just the ministers, but the Premier coming to these events, whether they be on a financial basis or the exploration basis — that it means a lot to see that support.

The Kaska, in this particular consideration, have identified concerns, and we are continuing to seek a pathway forward. That is extremely important.

Also working with the northern project management officer, Fisheries and Oceans, and NRCan — they are decision bodies. They are decision bodies. The feds are in caretaker mode. We are going to continue to consult with the Kaska First Nation to meet our obligations — that is an extremely important part of this as well — but also with the federal government. We know that there is a new minister coming, again furthering the

delay. We need to know who to specifically directly speak to. That is extremely important.

Again, the member opposite is saying, “My goodness, what would we ever talk about? What would the stakeholders talk about?” Well, it has been an extremely successful five years under a Liberal government in the mining industry. Our economy is booming. I think that there is lots to talk about.

Deputy Chair, seeing the time, I move that you report progress.

**Deputy Chair:** It has been moved by the Hon. Premier that the Chair report progress.

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Hon. Premier 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**

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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 House do now adjourn.

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

*Motion agreed to*

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

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

**The following sessional paper was tabled October 20, 2021:**

35-1-21

*Yukon Arts Centre 2020/21 Annual Report (Pillai)*



# Yukon Legislative Assembly

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Number 19

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Thursday, October 21, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 21, 2021 — 1:00 p.m.**

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

*Prayers*

## DAILY ROUTINE

**Speaker:** We will proceed with the Order Paper.  
 Introduction of visitors.

## INTRODUCTION OF VISITORS

**Hon. Mr. Mostyn:** Hon. Speaker, this afternoon we have a lot of folks from our Yukon Libraries and Archives. I would like the House to please welcome them robustly when I finish reading out their names.

We have today Melissa Yu Schott, who is the director of Yukon Public Libraries; we have Fiona Munroe, who is the Whitehorse public librarian; we have Roreigh Eftoda, the acting finance and administration assistant; we have Andrea Bols, the library assistant; we have Linda Fair, the Carcross librarian; we have Keith Seaboyer, chair of the Isabelle Pringle Library Board in Carcross; we have Alison Lindsay, who is the circulation supervisor; and we also have David Schlosser — apologies for my pronunciation — territorial archivist of the Yukon Archives — if you could all give them a robust welcome.

*Applause*

**Ms. White:** I invite my colleagues today to join me in welcoming two very special guests. We have Lennox and his dad, Adam. You may recognize that Lennox is seven months older than the last time he was here, but they are here to hear a response to a petition. Thank you so much for being here.

*Applause*

**Speaker:** Tributes.

## TRIBUTES

### In recognition of Canadian Library Month and Yukon Libraries Week

**Hon. Mr. Mostyn:** This afternoon I have been asked for poetry or interpretive dance. I am sorry to disappoint; you will find none of those things this afternoon.

What you will find is an earnest tribute to our great folks at the Yukon Libraries and Archives branch.

I rise to pay tribute to Yukon Libraries Week, which is happening from October 18 to 24 around the territory. Our Yukon celebrations are part of Canadian Library Month, which is being observed around the country. This year, “one million possibilities” is the theme for this celebration.

It is fitting, as the range of library services in our territory is remarkable. Our territory not only has public libraries, we also have the Yukon Public Law Library, the EMR library, Yukon Archives and Yukon College library, as well as school

libraries in all our communities. Each of these facilities is unique, with their own resources and programs.

Each of them provides the staff space and resources to help Yukoners explore ideas, find information, and share knowledge.

Hon. Speaker, I am proud to be the minister responsible for the public libraries. Whenever you walk into a library, which I did a couple of weeks ago, and look at all the materials, tools and resources, or go online and roam the e-catalogues and magazines, there are indeed one million possibilities.

New worlds open up — new skills, new knowledge, new connections. They are literally endless. We are very fortunate to have a public library in most of our communities. In all, we have 15 across the territory. Beyond borrowing books, these public libraries allow Yukoners to access learning opportunities, workspaces, meeting rooms, and make connections within the community.

They also provide Yukoners with more access to e-books, audiobooks, music, movies, and digital magazines and newspapers — those old hand-dirtying things that I used to work for. You can now access library materials from the comfort of your own home. Our Yukon public libraries also offer a broad range of programming as well. For instance, Yukon Public Libraries has a strong partnership with the Kwanlin Dün Cultural Centre to virtually host the popular indigenous book club. You can also visit Yukon Public Libraries’ social media accounts to interact with library staff and find out about programming and services.

That’s not all. Library staff can search libraries across North America to find a copy of what you need, if your local library doesn’t have it.

Hon. Speaker, they did have the book that I recommended within their own collection.

Let me wrap up by saying that I’m amazed by the passion I have seen in our Yukon librarians and their teams as they go about their work. I welcome all Yukoners to visit their local library. A visit to any one of our libraries could open up a new world of possibilities. It could, in fact, open up one million possibilities, and every month can be library month for Yukoners across the territory; all it takes is a visit to one of our incredible libraries.

Thank you very much.

*Applause*

**Ms. McLeod:** I rise on behalf of the Yukon Party Official Opposition to recognize October as Canadian Library Month and October 18 to 23 as Yukon Libraries Week. This week, I encourage Yukoners who have never visited one of our many libraries to take a look. Visit a library and check out a book or three.

This year’s theme for the national celebration is: “One card, one million possibilities”. Whether you are new to reading or an avid bookworm, like the Member for Porter Creek North, books offer something for everyone.

We have 15 incredible public libraries throughout the territory. They are all connected. If you can’t find what you’re looking for, chances are it’s available in another community

and will make its way to you for your reading pleasure. If you are a travelling reader, feel free to borrow and drop off books at any location.

In addition to your traditional public and school public libraries, we have specialty libraries, such as the Energy, Mines and Resources Library and their seed library, the law library, and Yukon Archives. We have the Yukon Family Literacy Centre, home to an incredible array of children's books.

I would like to thank our librarians and library assistants across the territory who dedicate their careers to fostering a love for stories and adventures in their communities, schools, universities, literacy centres, and more. Thank you to the Yukon Library Association for their role in promoting library service in the Yukon.

I encourage Yukoners to visit one of our many libraries this week and check out a book or three. Take your kids to visit the reading nooks and instill in them a love of stories. Get them their own library card and teach them how that one little library card can unleash one million possibilities.

*Applause*

**Ms. White:** Mr. Speaker, I rise today on behalf to the Yukon NDP to celebrate Yukon Libraries Week.

This week, we celebrate all of the ways that libraries mend and uplift our community. For so many of us, public libraries were the door to other worlds, to literacy, and play.

I remember when the Whitehorse Public Library was just at the other end of this building where there was program after program for young Yukoners to discover parts of themselves and the world in the books around them.

But libraries are also about so much more than literacy. They are, and continue to be, socialism in action. Public libraries are funded by everyone in our community for our community. Regardless of your income or status, libraries are a place for everyone to access support, knowledge, and tools, with no barriers and no cost.

Anyone can go to the library for free. They can browse the shelves of books, movies, and magazines — no questions asked. Anyone can access a library, and everyone cares for it.

Public libraries are also a place for free access to the Internet. COVID has shown us just how essential it is. The Internet is our social infrastructure. It's how we stay connected with friends, find out about events and news, and, more recently, where to go for COVID information. But to a lot of Yukoners, the Internet is far too expensive so, again, libraries fill that gap.

In the midst of a housing crisis, libraries are one of the only places where people can go to get warm and dry and use a washroom with no costs or expectations. People in insecure housing can go to a library, browse collections, watch their kids play with free toys, and rest without judgment.

The people at the forefront of these magical places are library workers, and across the Yukon, we are fortunate enough to have libraries across the territory, and it is our responsibility to make sure that everyone who works in the public library is paid a living wage, is working fair hours, and has the support that they need to keep the local libraries running.

Because even in the face of rising costs and private interests, libraries stand strong as the best of socialism. If this model can work for libraries, then it can work for many other systems too. Libraries don't make a profit, they can't be sold off to a corporation, and they give social goods without a price.

It's one of the few environments that doesn't judge anyone or take advantage of anyone. It offers people dignity and nobility by empowering the disenfranchised. Public libraries treat goods like a commons, they are a collective, they are compassionate, and, most importantly, they are essential.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Silver:** I have for tabling the Government of Yukon's financial accounting report for the period of April 1, 2020 to March 31, 2021.

**Hon. Mr. Streicker:** I have for tabling today a legislative return in response to questions from the Member for Porter Creek North last week on October 14.

**Hon. Mr. Clarke:** I have for tabling two legislative returns.

**Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 1 — response

**Hon. Mr. Streicker:** Hon. Speaker, I rise today to respond to Petition No. 1.

This petition is calling on the Government of Yukon to incorporate a climate change lens into all Government of Yukon decision-making processes for policies, programs, and projects that include estimated greenhouse gas emissions and, in consultation with the promised and newly formed Yukon Climate Leadership Council, launch the promised information and social marketing campaign outlined in *Our Clean Future* to meet Yukon's commitment to reduce greenhouse gas emissions by 45 percent over 2010 levels by 2030.

I am pleased to speak to this petition, and I thank the people who are passionate about climate change and are lobbying their government to address it. This is a top priority of our government. We are working aggressively to reduce our greenhouse gas emissions and assist Yukoners and businesses to do the same.

We have an ambitious goal of reducing our territory's greenhouse gas emissions by 45 percent by 2030. This is not an easy goal; it is a necessary one. That is why we all need to do our part, and our government is here to help everyone in this regard.

With respect to the first item, I can reassure the petitioners and all Yukoners that the Government of Yukon has already started the implementation of a climate change lens onto

government decision-making processes. This is the smart thing to do. *Our Clean Future* commits to continuing territorial climate-risk assessments for all transportation infrastructure and building projects. While this is just one example, we recognize that our policies, our programs, and our laws have an impact on our climate. This is why a climate change lens is important across government so that our decisions work together toward solutions.

Under *Our Clean Future*, we have committed to set greenhouse gas reduction targets in law under a clean energy act. This legislation will set reduction targets, energy standards, and reporting requirements to increase access to renewable energy, help the Yukon to adapt to climate change, and build our green economy.

We look forward to hearing from the public on how best to set reduction targets under the act, like whether we should legislate sales targets for zero-emission vehicles.

I am happy to announce today that an engagement on this new legislation will be starting soon. The clean energy act will aim for a target reduction of 45 percent by 2030. We will work with the Yukon Climate Leadership Council to identify additional actions, alongside of those already established under *Our Clean Future*, to meet this target.

I would also like to thank the Youth Panel on Climate Change, which developed recommendations to inform Government of Yukon actions committed to under *Our Clean Future*. The Minister of Environment tabled those recommendations earlier this week. We are reviewing their climate change recommendations in detail and have committed to report back to the panel.

The Department of Energy, Mines and Resources is implementing 42 key actions from *Our Clean Future*. These include seven energy initiatives that target the Yukon's largest sources of greenhouse gas emissions: transportation and heating. In the past 10 months, the Government of Yukon issued rebates for 57 zero-emission vehicles and 319 electric bicycles. Rebates for zero-emission vehicles are expected to make a significant contribution to lowering our transportation-related emissions.

Yukoners installed 25 heat pumps in 10 months, and participation remains high. These renewable heating systems reduce our heating emissions and lower our demands for electricity. The Government of Yukon set a target of 97 percent of electricity on Yukon's main grid to be generated from renewable sources by 2030. This is supported by the Yukon Energy Corporation's 10-year renewable electricity plan. We are planning to communicate our work and encourage Yukoners to take action through a multi-year information and social marketing campaign that is in development as we speak.

Information on current greenhouse gas emissions and progress on climate action can also be found in the recently released *Our Clean Future 2020 annual report*.

These concerns expressed by the petitioners are ones that my colleagues and I share. We see evidence of the climate emergency in our backyards and around the world. Working together as Yukoners, I know we can achieve the goals that we

set out and do our part to solve one of the most critical issues of our time.

## Petition No. 2 — response

**Hon. Ms. McPhee:** In response to Petition No. 2, tabled in the House on May 31, 2021, I would like to first acknowledge and thank the petitioner and the over 900 signatories to the petition. Expressing their collective support for parents as full-time caregivers of children with disabilities reflects the person-centred, relationship-based care that Yukoners are seeking in the reform efforts that are underway right now, and come from *Putting People First* and our amendments to our health care system based on that.

The Department of Health and Social Services is committed to supporting the well-being and inclusion of people with disabilities. The department's policies and programs support individuals and families in a range of ways, including direct services, funding to families, and support for NGOs. We are building on this as we implement the recommendations of *Putting People First* and its final report.

There are a number of recommendations specific to improving people's experiences through development and delivery of person-centred, integrated programs and services for Yukoners with disabilities.

Recommendation 5.12 recommends combining adult disability services and child disability services into one needs-based program and developing a new eligibility and assessment framework for services based on the needs of the adults and children with disabilities.

Recommendation 5.13 seeks to expand the mandate of adult programming to cover a broader range of disabilities and create new services as appropriate to meet the needs of this expanded group.

Recommendation 5.14 is about providing self- or family-managed care funding to enable adult Yukoners with disabilities to live at home for longer.

Our Disability Services unit supports families to care for children living with disabilities. In-home childcare is one of the supports offered to families of children with disabilities in the event that out-of-home care is not available or appropriate.

We recognize the benefit of choice for parents and their care networks. Currently, in-home childcare funding allows a family to hire someone to provide care for their child, including extended family, but currently excludes parents. The funding is \$25 per day for up to 40 hours per week.

Our government supports the continued pursuit of alternative and equitable options that support care providers of children and adults with disabilities. Yukoners have asked for change, and we hear you.

Meeting the needs of caregivers of Yukoners with disabilities must consider expanding the current in-home childcare policy to include parents and other best practice policies. Those can range from care allowances to care provider wages with various eligibility criteria to consider.

We recognize the need for equitable inclusion of parents as full-time caregivers and programs that support families with

children who live with disabilities. Parents must be central to the scope of options available to them.

Together, with continued input from families and the disabilities services community, we will continue to improve the lives of Yukoners with disabilities and those who play such critical roles in their lives.

This must, and will, include parents of children with disabilities.

**Speaker:** Are there any petitions to be presented?

### **Petition No. 2 — additional signatures presented**

**Ms. White:** Thank you, Mr. Speaker, and thank you for that reminder. I have additional — probably just about 50 — signatures to go along with the petition that we just heard the response to about supporting families with children with a disability.

**Speaker:** Are there any bills to be introduced?  
Are there any notices of motions?

### **NOTICES OF MOTIONS**

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

THAT this House recognizes that permitting and licensing delays are eroding investor confidence in our mining sector and urges the Government of Yukon and the Government of Canada to prioritize the issuance of outstanding decision documents for projects in the assessment process, such as the Kudze Kayah project in the southeast Yukon.

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

THAT this House urges the Deputy Premier to clearly disclose to the public when she was made aware of the 2019 sexual assault at Hidden Valley Elementary School and what direction she gave Department of Education officials, including any direction communicating about this serious incident to parents.

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

THAT this House urges the Government of Yukon to get back to the table with the Yukon Agricultural Association and support Takhini River valley farmers by addressing their concerns with elk management in the area.

**Speaker:** Is there a statement by a minister?

### **MINISTERIAL STATEMENT**

#### **LGBTQ2S+ inclusion action plan**

**Hon. Ms. McLean:** Hon. Speaker, this year our government released the Yukon's first ever *LGBTQ2S+ Inclusion Action Plan*. This five-year action plan represents our commitment to inclusivity and equality and ensuring that government programs and services are meeting the needs of the LGBTQ2S+ community.

We recognize that LGBTQ2S+ Yukoners have faced discrimination for far too long, and we have taken significant

action to create a more equitable territory. The LGBTQ2S+ community has always told us, "Nothing about us without us", and we have stayed true to that principle.

Three years ago, we began an extensive public engagement. From those results, we worked internally to draft a plan, then worked closely with LGBTQ2S+ organizations to review it and get it right.

It is thanks to years of hard work and dedication from this community that we finally have an action plan. A physical space was one of the top priorities shared with us during our public engagement. We heard loud and clear that having a safe physical space to deliver education, access programming, find resources, and build community and connection is critically important.

Our government has committed to work in partnership with the Queer Yukon Society to establish the first pride centre in the territory. The opening of the Yukon's very first pride centre — the first in the north — is a historic milestone that Queer Yukon and the entire LGBTQ2S+ community can be very proud of. We are honoured to be a partner in this work.

The establishment of the Pride Centre is just one of more than 100 actions included in the inclusion action plan. The inclusion action plan intersects with some of our other major strategies across government, including Yukon's MMIWG2S+ strategy, the aging-in-place plan, the *Putting People First* plan recommendations, the *Yukon Tourism Development Strategy*, and the review of inclusive and special education — just to name a few.

The plan is also a living document. We are committed to regular review, which will include hearing directly from stakeholders, LGBTQ2S+ organizations, and community members at key intervals. We will adjust, as needed, based on what we hear and what we learn. Our government is committed to a territory where everyone feels safe, welcomed, valued, and celebrated. The inclusion action plan will help to create a more equitable government and a safer workplace and will improve programs and services for LGBTQ2S+ Yukoners. Our territory's diversity is a strength, and when we remove barriers for LGBTQ2S+ Yukoners, we all benefit.

In closing, I would like to thank all citizens, organizations, and public servants who were involved in the development of the *LGBTQ2S+ Inclusion Action Plan*. Whether you partnered in a survey or a focus group, provided input, or are now supporting the implementation, your involvement matters. Thank you for your time, knowledge, and experience. Thank you for believing that we can indeed make things better for LGBTQ2S+ Yukoners. This inclusion action plan represents a major step on a journey toward a more inclusive society.

*Applause*

**Ms. Clarke:** Thank you, Mr. Speaker, for the opportunity to respond to today's ministerial statement.

We all want the Yukon to be an inclusive territory where all Yukoners are treated with respect and dignity, a place where everyone is treated fairly and without discrimination, no matter if you are a new Yukoner or one whose family has been here

for generations or a Yukoner who is part of the LGBTQIA2S+ community.

All are welcome to live, work, and play in our beautiful territory. That is why we are pleased to see this ministerial statement come forward today and the announcements and commitments that have been made.

During the last territorial election campaign, we heard from members of Queer Yukon about the need for a new pride centre. We were proud to make the commitment to help this group to fulfill their plans of building a new centre that would be community driven and collectively imagined, a physical space where community members can gather and access resources, programs, and supports — a safe community space.

Mr. Speaker, we believe that every Yukoner deserves to be safe — safe to live how they want, safe to express themselves how they want — and to freely congregate with whomever they so choose. That is not just the basis of Yukon, Mr. Speaker, but the freedoms of Canada. I have to acknowledge that there may be some Yukoners who still have questions for the LGBTQIA2S+ community. I encourage those people to reach out to Queer Yukon, ask the tough questions, and learn about this exciting and vibrant community.

From what I have seen, they are definitely open to answering any and all questions, no matter who you are. In June, I joined with my colleague, the Member for Porter Creek North, on the wharf to help kick off Pride Month. After some remarks, participants broke into groups and joined in a circle to get to know a little about each other. I could see how difficult it was for some members of the queer community to talk freely in an open space, and this was on the wharf, Mr. Speaker — a place for all Yukoners. This is why the Yukon Pride Centre will become such an important place for our community. The centre is also a main pillar of the government's inclusion action plan, developed in conjunction with Queer Yukon.

The Yukon Party welcomes the Yukon Pride Centre, and we sincerely wish Queer Yukon all the best in building a space where everyone is welcome.

I would like to thank the minister for this statement and for their support of the new Pride Centre, as well as the inclusion action plan.

*Applause*

**Ms. Tredger:** I want to start my response by providing some context for this plan. Until very recently, the LGBTQ2S+ community was entirely supported by volunteers. Volunteers organized events like Pride with piecemeal one-off grants. They attended meetings and consultations with government, advocating for the needs of their community, but always in a volunteer capacity because there had never been funding for a staff position. It has been about a year and a half since the very first funding was provided to an LGBTQ2S+ organization in this territory, and that's a big deal.

I want to quote from the message from the minister that is written at the beginning of this plan. She writes: "We acknowledge that so often, changes do not happen simply due to the goodwill of the government but through direct community action and hard-won challenges to unjust

legislation and procedures." I was very happy to see these words included and acknowledged, because the truth of it is that this plan is long overdue and there has been a heavy cost to that.

When individual people are forced to stand up to fight against governments and institutions, even when they win, they pay an enormous personal cost.

I have watched people under immense stress as, on their own, they have competed with the full force of government. I have watched volunteers burn themselves out as they tried to be what their community needed. The people whom I really credit with this plan are the people who finally decided that they had enough and repeated over and over to government, "We will not do your work for free."

So, it's these people whom I really want to thank. Some are visible; some are not. I see the sacrifices that you have made, the things you have given up, the stress you have taken on. I see what you have done for our community, and I am so, so grateful. We are so grateful. I'm so proud of what we have fought for and gained.

What Queer Yukon Society and All Genders Yukon Society have been able to accomplish with their funding is incredible. The resources available for queer and trans Yukoners today versus even what there was a year ago — it is night and day. There are so many things that I could highlight, but I'm going to pick one. That's the engagement that was done to plan the Pride Centre.

The Pride Centre knew that queer and trans Yukoners were tired of having their time taken for granted by being asked to consult for free, and so they adopted a model where, every time they asked people to participate and to contribute their time and labour to this project, their efforts were honoured by providing something in return. Our community was consulted at bonfires and drag shows and trivia nights. It was a lot of fun and it was wildly successful.

I have talked a lot about the sacrifices made because they got us to where we are now and to where we will be in the future. But I also want to celebrate our successes and share my absolute joy and delight about the opening of the Pride Centre.

I would have given a lot for something like this space when I was growing up here when nothing like this existed. I'm so proud of my community for making this happen. I'm so proud and so excited about the ways that we are going to support each other, the ways that we're going to shake up the world, and we're going to have so much fun doing it.

So, thank you. Thank you to everyone.

*Applause*

**Hon. Ms. McLean:** Thank you, Hon. Speaker, and thank you to my colleagues from across the way. Thank you for the emotion. I think it is important that we show our emotion in the House, in our Legislative Assembly. I am so proud of the work that we have done together and that we were able to deliver on the commitments that we made as a government.

Since taking office in 2016, we have prioritized modernizing legislation, policies, and programs to ensure that government is serving all Yukoners. Our Liberal government has taken significant action to make the Yukon a more inclusive

and welcoming society. I think back to early days and the early meetings that we had with the LGBTQ2S+ community and to the emotions and the commitments that we three women leaders made to the community. We delivered on them. Today is a really huge milestone that I am proud of, and I am proud to have worked alongside our fellow Yukoners to accomplish this.

I am proud to share some of our other accomplishments. There are many, but I really want to put this on record. We passed the *Sexual Orientation and Gender Identity Protection Act* to ban conversion therapy in the Yukon. In the early days, we changed our *Vital Statistics Act*. We changed the *Human Rights Act*. These are important pieces of legislation. We passed the *Gender Diversity and Related Amendments Act*. We changed so much language that was outdated and unacceptable to have in our laws in the Yukon. We changed the Yukon *Public Service Labour Relations Act*, and we passed an act on the equality of spouses and a statute amendment act, which was, again, long overdue.

We have recently formally changed the name and mandate of the Women's Directorate to Women and Gender Equity Directorate. We expanded health care insurance coverage for trans and the transgender community, extended coverage for gender-affirming therapy for trans Yukoners, extended coverage for trans-affirming medical therapies, procedures, and surgeries.

We now provide free of cost PrEP and PEP for HIV pre-exposure. We offered World Professional Association for Transgender Health training at no cost to Yukon government clinicians and non-governmental organizations. We continue to modernize legislation. We will continue to do better. We made LGBTQ2S+ awareness and inclusion training available to all Yukon government employees. We offered mental wellness funding to All Genders Yukon Society. We renovated the Yukon Visitor Information Centre to provide the first newly renovated gender-inclusive washroom. We provided operational funding to Queer Yukon Society. We are now working in partnership with all LGBTQ2S+ societies to support the establishment of the Yukon Pride Centre. These are just a few highlights of the work that is happening to advance inclusion across the Yukon. We need to keep working with our partners to advance gender equality and to end discrimination.

Thank you, Hon. Speaker, and thank you to members of this House for your support.

*Applause*

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Student behavioural issues at Jack Hulland Elementary School

**Mr. Kent:** Mr. Speaker, I want to return to a number of questions about Jack Hulland Elementary School. Yesterday we mentioned that, on April 5, 2021, the Yukon Liberal Party put out an election press release regarding supportive education. In that press release, the Liberals said that they would look at behavioural support programs such as the Grove Street program to ensure that they are meeting the intended

purpose. We asked a couple of times if this review had started, but the minister did not answer that question.

I will ask again for a third time: Has this review of the Grove Street program started? When will it be completed? Can we see the terms of reference for the review, or is the minister abandoning this promise that her party made to the Jack Hulland school community?

**Hon. Ms. McLean:** Mr. Speaker, I am happy to rise today to speak about and continue on with the discussion that we have been having about Jack Hulland school. I want to go again to the work that we've done around the review of inclusive and special education and the child advocate review on attendance that highlighted a number of areas where we can do better.

It took many decades for Yukon's education system to become what it is today; however, right now, I, as the minister, and the staff in the Department of Education and schools are assigned to carry out many responsibilities on behalf of Yukoners.

I am excited about the work that has happened to review inclusive and special education, which will bring significant change to our system. We are working collaboratively with the First Nations Education Commission and the Advisory Committee for Yukon Education. We have now a draft work plan to implement the recommendations from the review of inclusive and special education. We will be hosting an education summit on November 12 to further advance this work at the community level and with all partners. We are working with partners to collaboratively develop a student outcome strategy, as well, to ensure that we are tracking action that we take together and making the impact that we want.

I will continue on with my answer.

**Mr. Kent:** So, the question that we asked was specific to the review of the Grove Street program and the commitment made by the Liberals during the election period to review that program.

The minister has also mentioned that there is to be a facilitated meeting with staff at Jack Hulland Elementary School that was scheduled for this week. I understand that, at the October 6 school council meeting that she attended, there was a commitment that staff could speak at this meeting with no fear of repercussions or discipline from the department. So, I understand that the meeting is scheduled for today at 3:30 p.m.

So, can the minister commit that she will attend that meeting in person and that staff can speak openly and freely at that meeting?

**Hon. Ms. McLean:** Yes, I have met with the Jack Hulland Elementary School Council, which included a number of parents and staff members, and I have heard their concerns. I am meeting with the teachers this week. We have made other commitments at this meeting, which I believe we have met.

Actually, I will go back. The commitments that were made around the review of the Grove Street handbook and the protocols for communication were made at a September meeting, and I delivered those to the meeting on October 6. It was at that time when I heard directly from teachers the

concerns that they have. I made the commitment to have a meeting so that they can be heard, and that is happening. I am looking forward to further work with the school community, and I look forward to continuing this discussion, of course, on the floor of the Yukon Legislative Assembly.

At the heart of this is the well-being and the education of our children, which we all take very seriously, and we are committed to doing the best job that we can.

**Mr. Kent:** The question that I asked the minister was with reference to the staff meeting scheduled for today — that she will attend in person and that the staff there will be able to speak without reprisal — and I never got a response to those questions.

We continue to hear about stories of violence toward staff and students and bullying and vandalism at the school. One parent who reached out to us said that the focus has shifted at her dinner table from: “What did you learn at school today?” to “Was everything okay today at school?”

Families are desperate and looking for action and leadership from the minister and from the Liberal government. The next school council meeting is scheduled for November 3, and we understand that many members of the school community are planning to attend. So, will the minister commit to attend the next Jack Hulland school council meeting and bring forward concrete steps to address the concerns of the school community?

**Hon. Ms. McLean:** It is vital that our education system meets the needs of individual students in a way that reflects the diversity of learning needs in our schools. We continue to improve how we provide education to support all of our students. It is vitally important to me that our schools are safe and welcoming spaces for our children and for the staff who work hard to provide education to our students. I know that the specific question on the floor is whether I will attend the next Jack Hulland school council meeting. I will, of course, attend if I am invited. That is what happened for the October 6 meeting. I was invited to attend that meeting, and I did so at the request — I had asked to come to the September meeting, and the school council had asked that I come in October instead because they had other business that they wanted to deal with at the school level.

I really want to thank the school councils across the Yukon Territory. I have had a chance to meet with many of them. I’m aiming to meet with all of them in the near future. They do an incredible job and have a huge responsibility to undertake on our behalf.

#### **Question re: Physician recruitment and retention**

**Mr. Cathers:** Over 2,000 people do not have a family doctor. This summer, the only walk-in clinic closed, leaving thousands of people with no alternative other than going to the emergency room.

Yesterday, the Minister of Health and Social Services talked to media and gave the impression that fixing this problem isn’t really a priority. That’s concerning for us and thousands of Yukoners who don’t have a family doctor. It’s also concerning that, despite the previous success of the

physician recruitment and retention officer position in the Department of Health and Social Services, the position was abandoned by this government.

Will the Minister of Health and Social Services tell us why the physician recruitment and retention officer position was dropped? Will she now agree to re-establish this important position and increase the government’s focus on physician recruitment and retention?

**Hon. Ms. McPhee:** Hon. Speaker, I had the opportunity yesterday to speak to media about this very important matter, and I was pleased to do so. The importance of everybody in the Yukon being able to have access to personal medical care and eventually, we hope, a personal medical care team is absolutely critical. That is the focus of *Putting People First*. The implementation of polyclinics in that report is all about making sure that every Yukoner has a medical team in place to provide primary health care services that they need.

We are aware, from *Putting People First*, that approximately 21 percent of individual Yukoners do not have a family physician. This is a national and global shortage. We continue to recruit through the national and online forums and to support and supplement staff here at this time during the pandemic with agency nurses and out-of-territory resources.

**Mr. Cathers:** That response sounded like the minister is planning on moving away from doctors rather than supporting the retention of doctors. We know that she is growing her department substantially this year but has neglected to make physician recruitment and retention a priority.

People who depended on the walk-in clinic were upset when it closed, and they are concerned that the minister doesn’t seem to see fixing the family doctor shortage as a high priority. Her government abandoned the physician recruitment and retention position and is not putting nearly enough focus on encouraging family doctors to move to the Yukon.

We know that this Liberal government has had a rocky relationship with the Yukon Medical Association, including treating the YMA as a minor stakeholder during their health review. Worse, the government’s commitment to move away from fee-for-service doctors has created uncertainty about the future.

Doctors are reluctant to move here and establish new practices or buy into existing clinics when it forces them to make a major personal financial commitment without certainty.

Will the minister agree to make working with doctors to improve and enhance physician recruitment and retention a high priority and repair their relationship with YMA?

**Hon. Ms. McPhee:** In 2019, our government instituted a “find a doctor” program, which has, since that time, connected over 1,050 individual Yukoners with a physician here in Yukon. We have expanded access to virtual care alternatives. We have increased the number of pediatricians, psychiatrists, and surgeons who live and work here in the community. We, of course, need more nurse practitioners. We plan, in January 2022, to open the bilingual health centre, which we expect to take some of the pressure off, currently, of the physician shortage.

We are working with the YMA to address the physician recruitment and retention policy and plans — that we can move forward together to have more doctors come and live in our community. We already have financial incentives, in that we — here in the territory — pay physicians about the same rate of pay that they earn in British Columbia, plus 30 percent.

We have a vacancy — I'll stop there.

**Mr. Cathers:** Well, Mr. Speaker, that is cold comfort for thousands of Yukoners without a family doctor. During the minister's speech about their fall budget, she didn't even mention the family doctor shortage or the importance of attracting more doctors to move here. I talked about it during my budget response, as did our colleagues to the left in the Third Party, but the Minister of Health and Social Services didn't even mention the issue. From her comments here yesterday, she implied that she wasn't even aware that the walk-in was closing, despite the fact that it was widely reported on by media.

This issue is something that the government has paid lip service to, but they abandoned the physician recruitment and retention officer position and haven't done nearly enough to work with the YMA. In fact, it is fair to say that, for most of their time in office, their relationship with the YMA was distinctly frosty.

Will the minister agree to work with the YMA on jointly developing new recruitment and retention efforts to attract doctors to move to the Yukon and end the family doctor shortage?

**Hon. Ms. McPhee:** Unfortunately — I am sure that the member opposite didn't hear my last answer, which was that we are working with the Yukon Medical Association to move forward and have their best advice about how we can recruit and retain physicians here in the territory.

Hon. Speaker, the very best possible recommendation to get doctors and nurses to come to the Yukon is our lifestyle here — the proximity to outdoor activities, to arts and culture, to community services, to things like the track or the Canada Games Centre. In fact, the federal president of the Canadian Medical Association is a Yukoner herself. I know that we have lots of profile, and people are interested in coming here.

The characterization, if I can say that, of either what I said yesterday to the media or of our priorities for looking at the absolute requirement that medical professionals are needed here in the territory — and we will continue to recruit them — is simply incorrect from the other side of the House.

This is not a problem that will be solved. We will work on this long term because of people's choices to move back and forth, and it is a priority.

#### **Question re: Mining project oversight**

**Ms. White:** The recent Alexco mining inspection report highlighted a lot of unauthorized activities. There were unauthorized settling ponds being constructed on the tailings site, illegal burn sites, unauthorized backfilling, and many other environmental violations. It is hard to comprehend how the government could let things get that bad.

Can the Minister of Energy, Mines and Resources tell the House what, if any, consequences will be imposed for these violations?

**Hon. Mr. Streicker:** I can say that we have a great group that deals with mining inspections. Whenever there is a spill, first of all, the mine is required to report it. If they don't and our inspectors find that spill, then the mine is considered offside. There are specific consequences around spills when they happen. The first thing that happens, almost always, is that work is done to make sure that the spill is contained and that the environment is safe. Then, depending upon what happens afterwards — and in a review that is automatically put in place — there is work that is followed up.

I will work to get a specific answer for the member opposite about spills or incidents at Alexco, but I can say that our mining inspectors work closely to make sure that the mines are safe whenever there is an incident or an accident.

**Ms. White:** Well, Yukoners are hopeful that it will be more than a \$240 fine.

Here we have a mining company with a long list of environmental violations, and this was not the first inspection that found problems — illegal burn sites, burning unauthorized materials, unauthorized backfilling, unapproved settling ponds, discharges into the creek that exceeded TSS standards, and debris blocking public access to a trail.

We are talking about a mine site that overlooks a Yukon community, and we are talking about residents who have worked hard to transform the community into a tourism destination, a town that has lost their water well due to contamination, had their fire truck removed by government, and is now facing the closure of their transfer station. What is the minister doing to ensure that the residents of Keno City get a fair shot at saving their community instead of slowly being taken over by a mining company that keeps violating its permits?

**Hon. Mr. Streicker:** Mr. Speaker, what I want to say to the folks in Keno is that I'm always happy to work with them to make sure that the mine that is happening there is happening in a safe fashion. I'm not sure that I would characterize it in the way that the member opposite has. I know that there have been incidents. The incidents that have happened have all been ones that have been dealt with and addressed. I look forward to getting some specific information for the member opposite.

The way in which this works, Mr. Speaker, is that whenever there is an incident within a community or wherever that mine incident happens, it is reported. If it is not, then the mine is offside of the rules. Our inspectors go and look at it. They make sure that things are safe, and then they work to correct the situation. Fines or sanctions are then applied as necessary, according to the severity of the incident. I'm happy to get some specific details for the member opposite, but, in general, I believe that the system is working properly with respect to Alexco.

**Ms. White:** Mr. Speaker, I think that the minister would find that Keno City residents have a completely different understanding of the situation.

Let's sum it up again. Two parent companies are operating in the Keno area and both seem to be getting away with environmental violations. On top of this, the government continues to cut services to Keno City but seems to have very little interest in making sure that the mining sites follow the rules. Keno residents are asking themselves a very important question, and others are wondering the same thing: Does the government care about the residents of Keno, or are they waiting for them to get tired and give up so that the government can just simply walk away?

**Hon. Mr. Streicker:** I'm trying to recall how many times I've travelled to Keno and met with the residents. I think it is three or four times. Certainly, I do care about the residents of Keno.

The member opposite talked about water. Well, when the well was found to be contaminated, what the Department of Community Services began to do was to deliver water to the community so that they could have safe drinking water. That's not about abandoning Keno.

Keno asked, previously, that we work to resolve some of the conflicts and encroachments around land. I know, again, that the Department of Community Services worked to support the folks from Keno. I know that the Premier himself travelled to Keno to meet with residents.

I will look into the specifics of Alexco for the members opposite and for the residents of Keno. I think it's important that we make sure that things are done well there. I have not had it flagged to me by the department that Alexco is offside from the work that they are doing. I look forward to ensuring for everyone — Alexco, Energy, Mines and Resources, the residents of Keno, the members of this House — that I report back on the status of those spills and make sure that things are working well.

#### **Question re: Fuel-wood supply**

**Mr. Istchenko:** In early June, the Wood Products Association met with the minister to inform the government that there was a pressing shortage of firewood for commercial woodcutters. They gave the minister plenty of notice to try to address the issue. Yet, here we are in late October and we are hearing from many Yukoners, especially in rural Yukon, who are very worried about the availability and cost of firewood.

Can the minister tell us what steps he has taken to address this issue since he was made aware of it almost five months ago?

**Hon. Mr. Streicker:** I believe that we met with the Wood Products Association in the month of June — so four months ago — and we began working that day. The response from the Wood Products Association — and they heard me say it to the deputy minister and the forest resources branch — was please work with the Wood Products Association to support them in order to try to get the supply of firewood, but also timber, in the short term, medium term, and long term. It is a very important issue.

Specific steps that we took — we got two interim cut blocks approved around Haines Junction for woodcutters there. We met with YESAB to try to talk to them about how we could

move ahead on processes. There was a large application in for Quill Creek around Haines Junction, and that one now has the recommendation in — thank you to YESAB for getting that done — and it's now with the Department of Energy, Mines and Resources, and I know that they are working hard on that.

We met with Community Services to talk about how to work with the wildfire protection areas — the work to protect our communities — whether we could use that for firewood, and there are several other steps that we have been taking. I am happy to get up again and talk about the work that the department is doing to support access to firewood.

**Mr. Istchenko:** We have heard from several commercial woodcutters this week that they are either relying on commercial wood coming from British Columbia or they are deciding to shut down. We only need to look around the Yukon to know that there is plenty of wood out there, but there is a shortage of urgency and willingness by this Liberal government to allow Yukon woodcutters to access that wood. We have heard that more than 90 percent of the firewood that will be used this winter will have to be imported from British Columbia, Mr. Speaker. That makes no sense from an environmental perspective, and it certainly doesn't make from a cost perspective.

What is the minister doing about the critical shortage of available firewood here in the Yukon?

**Hon. Mr. Streicker:** First of all, there is some wood coming from British Columbia, and I completely agree with the member opposite that, if that wood is coming from places far away — Fort Nelson or Smithers — that is a problem. As I have said to the forest resources branch and the Wood Products Association, we don't want that. If the wood is coming from Lower Post, that is different. I asked the department, even this week, to confirm — I know that they had spoken with the woodcutter in Watson Lake and talked to him about where the wood was coming from and where he was sourcing his wood from and also whether the blocks that we were identifying — whether they were good blocks for him to do that firewood-cutting work.

What I said, Mr. Speaker, is that I asked the department to do all they could. So, we have done a series of things. For example, I approached Highways and Public Works because they were doing some roadside clearing and there was a bit of wood in there, and I asked whether that would be an accessible way to get at wood. There was a block that was being identified near Mount Sima for some work, and I asked whether that could be used, and we connected up one of the wood producers with the group that was getting the clearing done.

So, Mr. Speaker, I have asked that they work on all fronts to try to support the access to firewood across the territory.

**Mr. Istchenko:** We have heard from several seniors in rural Yukon who are struggling to access firewood, and what little is available is extremely expensive. One of my constituents sent the minister an invoice that showed that she paid \$4,000 for eight cords of wood. We have heard of waiting lists that go way into late January. Many Yukoners are genuinely just worried about freezing this winter.

I will ask the minister: Can he give some suggestions to Yukoners who are having trouble accessing firewood so they aren't left to freeze this winter?

**Hon. Mr. Streicker:** As I have said, I asked the departments to work closely with the Wood Products Association and also on personal-use firewood permits to provide as much access as possible. I will also note that, apart from the other ways that I have already enumerated, we have been working to try to approach — I also had a call with several First Nation chiefs to talk about the issues and to talk about how we could work together to support access to more firewood.

Broadly speaking, there has been a short-term slowdown, and when that was brought to our attention, the department began to work on it right away. I think it is also true that there are some costs that have gone up broadly — like the cost of diesel and gas have gone up — so the costs for our woodcutters have gone up. I think we should anticipate some of those costs being there. They are outside of our control, but I agree that we are working hard to get access to more wood block lots for cutting. I talk to the department weekly about this issue to see the progress on the file.

#### **Question re: Yukon Advisory Council on Women's Issues membership**

**Ms. Clarke:** The Yukon Advisory Council on Women's Issues is an important body that promotes women's issues in the Yukon. Unfortunately, the council has not been as active as it should be over the past few years. The minister is required by law to appoint a chair and ensure that the council has enough members.

Currently, the council has only three members and no chair. We have heard that they have asked for these appointments to be made. Will the minister responsible fulfill her obligations under the act and appoint more members and a chair?

**Hon. Ms. McLean:** I am happy to rise today to talk about the Yukon Advisory Council on Women's Issues. This is an important body. We value the advice and recommendations that the Yukon Advisory Council on Women's Issues has provided to Government of Yukon since its inception in 1992.

I know that the member opposite knows quite well, because she herself has been a member of this committee recently, that we've been working closely with this council along the way as we move toward the name change and the update in the mandate to the Women and Gender Equity Directorate. Again, this is an important body. I know that there are vacancies and we are working to recruit folks to be part of this council.

I note that there will be some changes going forward. As I mentioned, the previous council member would know that I worked alongside them to review the function of YACWI and the current context — and I will continue with my answer.

**Ms. Clarke:** Mr. Speaker, under the act, the council is required to meet at least four times per year. But with so few members on the council, it has been hard for the council to meet this requirement.

Can the minister tell us how many times the Yukon Advisory Council on Women's Issues has met this year and whether they will meet the legislative obligation to meet at least four times in 2021?

**Hon. Ms. McLean:** Hon. Speaker, as I've stated, we are continuing to advertise and recruit for new members who will bring the expertise and representation to this council. I encourage Yukoners who are passionate and actively working toward gender equality to consider putting their names forward.

As I've noted, we worked alongside the council previously as we worked to review the function and focus of the Yukon Advisory Council on Women's Issues. We have now made that mandate change and name change, and we will be taking further steps with the Yukon Advisory Council on Women's Issues as we evolve into a new mandate for the directorate.

I thank the members who are currently on the council and look forward to filling those positions and moving this important advisory council forward.

**Ms. Clarke:** Mr. Speaker, there are many women's groups that have taken note that the Yukon Advisory Council on Women's Issues has not been a priority for this government. The fact that it is has been left with so few members and no chair is a clear sign of this. Can the minister confirm her commitment to the importance of YACWI, commit to appointing the necessary members and a chair, and ensure that the council does not continue to languish?

**Hon. Ms. McLean:** Hon. Speaker, as I have stated, we absolutely value that the advice and recommendations that the Yukon Advisory Council on Women's Issues has provided to our government. Since its inception in 1992, it has done really important work. As I have stated, we are continuing to advertise and recruit new members who will bring expertise and representation to this advisory council. I encourage Yukoners to put their names forward as we move into this next phase and era of this important advisory council.

I have worked alongside all of the equality-seeking groups in this territory in a very passionate way. It was part of my life before being in the Legislative Assembly and it will continue to be my priority in seeking equality and equity for all genders in the Yukon.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

### **ORDERS OF THE DAY**

**Hon. Ms. McPhee:** Hon. 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**

**Deputy Chair (Ms. Tredger):** Order, please. Committee of the Whole will now come to order.

## Motions re appearance of witnesses

### Committee of the Whole Motion No. 1

**Hon. Mr. Streicker:** Deputy Chair, I move:

THAT, from 3:30 p.m. to 5:30 p.m. on Thursday, October 21, 2021, Justin Ferbey, president and chief executive officer of the Yukon Development Corporation, and Andrew Hall, president and chief executive officer of the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to answer questions relating to the Yukon Development Corporation and the Yukon Energy Corporation.

**Deputy Chair:** It has been moved by the Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation:

THAT, from 3:30 p.m. to 5:30 p.m. on Thursday, October 21, 2021, Justin Ferbey, president and chief executive officer of the Yukon Development Corporation, and Andrew Hall, president and chief executive officer of the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to answer questions relating to the Yukon Development Corporation and the Yukon Energy Corporation.

*Committee of the Whole Motion No. 1 agreed to*

**Deputy Chair:** The matter now before the Committee is general debate on Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*.

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

### Bill No. 4: *Act to Amend the Motor Vehicles Act (2021)*

**Deputy Chair:** The matter before the Committee is general debate on Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*.

Is there any general debate?

**Hon. Mr. Clarke:** Deputy Chair, I would like to introduce my officials from Highways and Public Works and Justice today: Andrea Bailey to my right, and Chris Butler to my left.

The legislation that is before us today is about reducing impaired driving in the Yukon. The proposed amendments to the *Motor Vehicles Act* include: aligning the language with the updated *Criminal Code of Canada*, providing Yukon enforcement officers with better tools to impose penalties for impaired driving, expanding the ability to impound vehicles, and updating the ignition interlock device program. Aligning our legislation with federal law will strengthen our ability to combat impaired and dangerous driving offences. These

amendments are an important step and are necessary to keep our roads safe for all users.

Specifically, the major amendments to the *Motor Vehicles Act* include the following: First, this bill will align the blood alcohol limit for roadside sanctions with the *Criminal Code of Canada* from greater than 0.08 percent to 0.08 percent or above. This change, while seemingly small, is an important change. We need to be able to prosecute drunk driving as soon as the 0.08 level is reached.

Next, this bill will align the waiting periods for the ignition interlock program to the *Criminal Code of Canada*. I will speak about this ignition interlock program specifically later on, but the misalignment between our current legislation and the *Criminal Code* has been a source of confusion for those involved with the program, both from those participating in it and those who are administering it.

Third, we are strengthening the authority for Yukon enforcement officers to issue immediate licence suspensions and vehicle impoundments when drivers refuse to comply with a roadside alcohol screening demand. When you think about it, this is fairly common sense. If a driver gets pulled over in a busy section of highway for drunk driving, the police can't leave an unattended vehicle for the rest of the evening in a place where it could create a traffic hazard. Really, this is just about clarifying the authority to do so.

Another change is that peace officers will have the authority to impose a 90-day roadside suspension for criminal impairment by drugs and/or alcohol. We need to take impaired driving as seriously as we can and keep those who endanger themselves and the public off the road.

As well, peace officers — or more specifically, the RCMP — will be better empowered to issue immediate roadside impoundments and response to failure to stop after a collision, fleeing from an officer, and when suspending a driver for 24 hours. This is another common-sense provision, but it is really about clarifying and strengthening the language and the authority for our enforcement officers.

Understanding Bill C-46 — to understand the need for this legislation, we need to understand why the federal legislation was updated in the first place. Across Canada, impaired driving has been an issue for decades. So many people die or are injured needlessly in Canada because of reckless and irresponsible actions of drunk or impaired drivers. In response, the federal government decided that they would change the criminal penalties for those who break the law.

On April 13, 2017, the government introduced Bill C-46, *Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*.

Bill C-46 aimed to strengthen existing drug-impaired driving laws and create an impaired driving regime in Canada that would be among the strongest in the world. The preamble to the act sets out nine considerations that motivated the legislation. This preamble is an important legal instrument that sets the context for the rest of the act. It is intended to be read as part of the bill and assists in explaining its purposes and objectives.

To summarize at a high level, it notes: (1) dangerous and impaired driving are unacceptable at all times and in all circumstances; (2) it is important to give law enforcement better tools to detect impaired drivers; (3) that it is important to simplify the law relating to proving blood alcohol concentration; (4) that it is important to protect the public from those who consume large amounts of alcohol before driving; and (5) that it is important that federal and provincial laws work together to promote safety.

In fact, this preamble is so important, I would like to read it now as much of it is directly relevant to the context we see in the Yukon. The preamble to this federal piece of legislation reads as follows:

“Whereas dangerous driving and impaired driving injure or kill thousands of people in Canada every year;

“Whereas dangerous driving and impaired driving are unacceptable at all times and in all circumstances;

“Whereas it is important to deter persons from driving while impaired by alcohol or drugs;

“Whereas it is important that law enforcement officers be better equipped to detect instances of alcohol-impaired or drug-impaired driving and exercise investigative powers in a manner that is consistent with the Canadian Charter of Rights and Freedoms;

“Whereas it is important to simplify the law relating to the proof of blood alcohol concentration;

“Whereas it is important to protect the public from the dangers posed by consuming large quantities of alcohol immediately before driving;

“Whereas it is important to deter persons from consuming alcohol or drugs after driving in circumstances where they have a reasonable expectation that they would be required to provide a sample of breath or blood;

“Whereas it is important that federal and provincial laws work together to promote the safe operation of motor vehicles;

“And whereas the Parliament of Canada is committed to adopting a precautionary approach in relation to driving and the consumption of drugs, and to deterring the commission of offences relating to the operation of conveyances, particularly dangerous driving and impaired driving;

“Now, therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows...”

That is an excellent of summary of why laws are vital to dealing with impaired driving.

One of those points I just read states that it is important for federal and provincial laws to work together to promote the safe operation of motor vehicles. That is exactly why we are here today: to ensure that both federal law and territorial law are working together to provide an effective legal regime aimed at deterring impaired driving and ensuring the safe operation of motor vehicles.

Now, on to the federal act itself. The legislation reformed the entire *Criminal Code* transportation regime to create a new modern, simplified, and more coherent system to better deter drug- and alcohol-impaired driving. It also supplemented the existing drug-impaired driving offence regime by creating three

new offences for driving while under the influence of a drug. The law now specifies that the driver cannot have a certain level of drug in the driver’s blood within two hours of driving.

As we all remember, the federal government passed the *Cannabis Act* a few years ago. That was about controlling the production, distribution, sale, and possession of cannabis across Canada. On October 17, 2018, this act came into force and using and possessing cannabis was now legal — of course, with some limits.

However, it was still very much illegal to drive under the influence of drugs. But what did this mean? How could the law enforce this? What levels would be determined for criminal impairment?

The federal *Cannabis Act* changed the game and Bill C-46 was the answer for ensuring that officers could prosecute drug-impaired driving by providing specific limits on the amount of a drug that could be in the driver’s blood. Exceeding this limit while driving was now a criminal offence. The penalties outlined in Bill C-46 depend on the drug type and the levels of the drug or the combination of alcohol and drugs, but it was a big step forward in improving the drug-impaired driving offence regime in this country.

In December 2018, the federal bill, Bill C-46, came into effect, providing for increased fines for impaired driving and clarifying the blood alcohol and drug concentration levels that constitute impaired driving. This federal legislation was the impetus behind the bill before us today, as the Yukon needed to update our laws to be in alignment with the *Criminal Code of Canada*.

The driving force behind these amendments in front of us today are really about reducing impaired driving in the Yukon. Impaired driving is a serious issue, Deputy Chair. Every day, up to four Canadians are killed in alcohol- and/or drug-related vehicle crashes. The number of those injured is higher still, as statistics don’t really get to the heart of the matter. Numbers alone do not drive home the true extent of the damage that is caused. Every one of these deaths is a tragedy in itself — the loss of a child, woman, or man whose hopes, dreams, and aspirations will go unrealized because they were violently torn from this world for no reason and certainly completely avoidable. Every time I read or hear of a death due to a drunk or impaired driver, it is hard — it is hard because it is such a preventable tragedy. It is carelessness and recklessness that has such severe consequences. Sometimes it is the impaired driver who suffers these consequences, but more often than not, it is an innocent bystander who, through no fault of their own, is suddenly severely injured or tragically has been killed. A single mother driving home from work one evening, a family out on their vacation driving back at the end of the day, a retired couple coming back from a friend’s house — all driving normally, following the rules of the road, not impaired, when suddenly it is over.

If they are fortunate, they will not succumb to their injuries and wake up in the hospital. Sometimes those killed or injured by impaired drivers are not even driving. They are out for a walk with their dog, they are crossing the street, or they are coming home from school. It is heartbreaking; it truly is.

However, the devastation does not end there. Their loss also transforms the lives of those around them, for they are someone's daughter, son, sister, brother, mother, father, or friend — a unique and irreplaceable individual to those who love them.

We all know or have heard of parents who have lost their children in this way. We have all heard about family members, relatives, or friends who have been impacted for the rest of their lives with chronic pain or disabilities resulting in and from an accident that was brought on by an impaired driver. It is heartbreaking, but what makes it worse is that these tragedies are entirely preventable.

No one needs to drive impaired. No reason is sufficient for that driver to endanger the lives of others and the general public. There can be a lot of excuses. In a previous life, I certainly heard a lot of them, as defence counsel — it was only a few drinks, it's too late to get a cab, it's only a few blocks to drive home — but the horrible destructive result can be the same.

While strengthening laws like we are doing today is a good start, we can't solely rely on the justice system and law enforcement; we all have a role to play.

Do not drive if you are impaired. Do not let your family or friends drive if they are impaired. If you see someone on the road who you think may be impaired, call 911. Be responsible, be alert, and stay safe. These are the messages that we must all communicate to our constituents, our families, our friends, and our loved ones.

It is a tough subject, talking about the impacts of impaired driving, the preventable tragedies, the sheer recklessness and selfishness of it. It is made even more difficult when we understand how bad the problem is in our territory.

While many of us in this room today understand the prevalence of impaired driving in our territory, I think it is important that I highlight some key facts to illustrate the sheer extent of the issue. Driving under the influence of alcohol, cannabis, and other drugs remains a major issue in the Yukon. Here are a few sobering statistics: In 2019, the territory's impaired driving rates were significantly higher than in the provinces, with a rate nearly three times higher than that of Prince Edward Island, and Nunavut, which had 1,779 incidents per 100,000 people, put it in the lowest rate of impaired driving in the territory. Let me repeat: That was the lowest rate among the territories in 2019, but was still three times that found in Prince Edward Island. That is shocking, but unfortunately, it gets worse. The Yukon and the Northwest Territories reported rates of 2,068 and 3,139 incidents per 100,000 people respectively. To summarize, Yukon had significantly higher rates than Nunavut in 2019. This highlights how bad of a problem impaired driving is in our territory.

Continuing with this trend, police reported that impaired driving rates in the territories have also significantly increased in recent years. Between 2015 and 2019, impaired driving rates have increased by 71 percent in the Yukon. When we all look at this in combination, it paints a truly dire picture.

On a per capita basis in recent years, the Yukon's impaired driving rates have been as high as nine times the national

average. Our collision rates have approached six times the national average, and our collision fatality rates have been the highest in Canada, exceeding the national average by three times.

According to a 2015 report by the Yukon's chief medical officer of health, entitled *Motor Vehicles in Yukon: A Public Health Perspective*, there were a total of 3,789 collisions in Yukon between 2011 and 2015, with a total of 1,424 individuals who attended the emergency ward of Yukon hospitals.

Suggested reasons for these differences include a variability in climate, socio-economic status, rates of alcohol consumption, access to trauma care, and differences in road infrastructure and enforcement measures, but, no matter the reason, this is a serious problem for the Yukon.

High rates of impaired driving have translated into high rates of alcohol-related injuries and fatalities on Yukon's roads. Between 2011 and 2014 —

**Deputy Chair:** Order.

**Mr. Hassard:** Thank you, Deputy Chair, and I would like to thank the officials for being here today and for the briefing that we received. It was certainly a thorough and educational briefing. As I said during our second reading speeches, we wouldn't have many questions on this. For now, I will cede the floor to the minister so that he can continue his opening remarks.

**Hon. Mr. Clarke:** I thank the Member for Pelly-Nisutlin.

Between 2011 and 2014, 25 percent of collisions that resulted in serious injury in Yukon involved alcohol. During this same time period, 50 percent of motor vehicle deaths involved the driver who was driving compared to 29.2 percent for Canada. That is close to double the national average. These are troubling statistics, and our government is doing everything we can to counter this trend.

I will address our actions in a few moments, but I want to stay on the Yukon's troubling statistics for a few more minutes. Let me be clear: Driving while impaired by alcohol and drugs remains the most prevalent factor contributing to serious road crashes in the Yukon. Despite the progress that has been made, impaired driving continues to present a high risk to the safety of road users in the Yukon. Between 2015 and 2018, Yukon saw an increase in impaired driving convictions from 3.9 times the national average in 2015 to 5.1 times the national average in 2018. While some might see it as a positive sign that our enforcement officers are convicting more people who are breaking the laws — actually, it would be judges — what it really points to is a dramatic increase in people who are driving impaired.

Another important data point on this issue is that the 2018 Yukon roadside survey had some very enlightening work come out of it. Let me start by reading the executive summary as well as some interesting points of this report. To summarize for those who are unfamiliar, a roadside survey of drivers was conducted in the Yukon to obtain an objective valid estimate of the prevalence of impaired driving. Data was collected in the City of Whitehorse from June 13 through June 16, 2018.

Drivers were randomly sampled from the traffic stream at 12 pre-selected locations between the hours of 9:00 p.m. and 3:00 a.m. on Wednesday through Saturday night and invited to participate in a voluntary study of alcohol and drug use. Participants were asked to provide a breath sample to measure their alcohol use and an oral fluid sample to be tested subsequently in a toxicology laboratory for the presence of drugs. Of the 463 vehicles which were randomly selected for the survey, 392 drivers agreed to participate — a participation rate of 84.7. Of these drivers, 92.3 percent provided a breath sample and 85.7 percent provided an oral fluid sample.

So, what did the survey tell us? 22.3 percent of drivers had alcohol, drugs, or both in their system while driving; 17.8 percent of drivers were positive for drugs; and cannabis was the most common drug, accounting for more than 77 percent of all drugs detected. I would just note that I have often heard over the course of the last four or five years in the Legislature that, of course, alcohol is a drug in and of itself.

As well, the highest percentage of drinking drivers was found on Friday night — 9.3 percent. Drivers aged 20 to 24 years old were the most likely to have been drinking, 10.6 percent; males were more likely than females to test positive for drugs, 21.6 percent versus 12.4 percent respectively.

Drivers aged 20 to 24 were most likely to test positive for drugs, 30.2 percent, and drug use was common every night of the week. Just to recall, that was over the course of four nights.

Among drivers in the graduated licensing program, 30 percent tested positive for cannabis. The use of psychoactive drugs by drivers exceeded the use of alcohol by a wide margin. Cannabis was clearly the drug of choice by drivers, but other psychoactive substances, such as cocaine and methamphetamine, were also detected. We also learned that drivers between the ages of 20 and 24 are a key target group for countermeasure activities.

Remember, Deputy Chair, this was a survey where people volunteered to participate. They volunteered and yet still we had shocking numbers show up. What about those who chose not to participate? Would they have changed the statistics even further, perhaps making these shocking results even worse?

What is clear, Deputy Chair, is that this issue is widespread and that far too many Yukoners are driving impaired. With statistics and surveys showing that we have a long way to go still, tackling this issue requires a multi-pronged approach. One aspect is updating and improving the legislation to allow enforcement officers to do their jobs and remove drivers under the influence. That is why we are here today.

To underscore that point, I also want to say that Yukon is one of the few jurisdictions in Canada to have no penalties for drivers with a blood alcohol concentration between 0.05 and 0.8 percent, even though drivers in this range have a higher risk of collision. In jurisdictions with stronger impaired driving laws — for example, British Columbia, Alberta, Saskatchewan, and Ontario — there has been a marked decline in motor vehicle collisions and deaths. We are hoping that the updates to the *Motor Vehicles Act* in front of us today will result in that same decline in our territory.

I also want to note that, to tackle this issue over the past two years, we have increased fines up to \$500 for distracted driving and for illegally passing a school bus, the maximum currently allowable under the act. As well, speeding fines went up in May 2018 and now can cost up to \$200 which, for those of us who have travelled to other jurisdictions, we well know that those are still very modest numbers. We have been increasing penalties where we can to help to reduce impaired and dangerous driving in the territory, but this bill is another significant step forward.

I am proud to be speaking to this bill today, and I fully believe in its importance. However, another very important aspect in tackling impaired driving in the territory is working with others who are tackling this problem from an awareness and educational campaign standpoint.

I want to emphasize to my colleagues that not only are we modernizing our legislation to ensure adequate enforcement against impaired drivers, but we are also working closely with many organizations on campaigns and public messaging directly targeting the problem of impaired driving. Our government continues to partner with the RCMP and the Yukon Liquor Corporation on education and awareness campaigns against impaired driving.

Another important group that I want to mention is the federal-provincial-territorial justice ministers' impaired driving working group, which has developed model laws for how provinces and territories can better address impaired driving. This group — which consists of a committee of federal and provincial officials representing justice, highway transportation and licensing, and the police — began its work in October 2017. The focus of the group has been to design a model law that would be helpful for all Canadian jurisdictions to refer to when updating their own legislation regarding enforcement regimes for alcohol- and drug-impaired driving.

The scope of the group's work and the development of this model law considers a wide variety of topics, including the basis for suspension, the length of suspension, the length of suspension in cases of repeat offences, the use of the interlock program, as well as treatment programs.

According to this group, the scientific literature clearly shows, with a few caveats, that each of the topics that I just listed affects a different offender demographic and reduces the incidents of impaired driving in overlapping and distinct ways.

As such, serious attempts to reduce impaired driving require the adoption of most, or all, of the above strategies. I know that the work of this group has been helpful to the work underway in Highways and Public Works as traffic safety is a complex area with many interactions and dependencies, including provincial and federal responsibilities, regulatory and criminal distinctions, commercial and technical realities, not to mention the abundant psychological and scientific literature relating to best practices that should be considered.

Deputy Chair, it's interesting to note that, according to this group, when they formed, there were almost no evaluations of the effectiveness of the current administrative licence programs in Canada and no studies that compared the effectiveness across jurisdictions of the different approaches that were adopted.

Given the differences in jurisdictions — Prince Edward Island and Ontario, for instance, have very different regimes, and even within jurisdictions, there can be significant factors that must be considered — for instance, urban, rural, and remote areas.

Determining our best practice is sometimes difficult in a Canadian context. However, the federal-provincial-territorial justice ministers' impaired driving working group has developed their model law by developing comparable statistics, including establishing baseline data against which the effectiveness of programs can be measured.

I look forward to learning more about this working group and how the Highways and Public Works policy team is using their information as they progress through the major *Motor Vehicles Act* rewrite. For now, I am using this example to highlight how the problem of impaired driving in Canada is complex and requires a lot of different organizations and jurisdictions to work together on solutions.

These groups are incredibly important for moving forward together in a coordinated and evidence-based way in tackling impaired driving.

One other group that I would like to quickly touch on is MADD, or Mothers Against Drunk Driving. MADD is a strong and effective advocate for addressing impaired driving in Canada. This organization started in Canada in 1989.

It has worked tirelessly to change the attitudes and culture around impaired driving for decades. The exact number of lives saved as a result of the work done by MADD Canada along with its predecessor organizations and many other groups cannot be known for certain, but there is no doubt that this group has had a tremendous impact over the last 30 years. MADD Canada estimates the total number of lives saved at roughly 42,526 in the last three decades. This demonstrates strong progress toward MADD's goal. Unfortunately, during that same time frame, 45,394 Canadians were killed in alcohol-related crashes, and impaired driving remains the leading criminal cause of death in this country. We need to do more to keep more people safe.

To remind people of the terrible impact of impaired driving, every year MADD coordinates a campaign called Project Red Ribbon. I will be speaking to this later in this session, but this campaign takes place each year over the holiday season from November 1 to the first Monday after the new year. Deputy Chair, this timing is not a coincidence. The holiday season is generally a busy time on most people's social calendars. It is a time of year when we get together to enjoy the festivities, fine foods, and, let's be honest, there is often alcohol as well. Unfortunately, this time of celebration also corresponds with an increase in impaired driving incidents. For over 30 years, volunteers in communities across Canada have distributed millions of red ribbons to the public to attach to their vehicles, key chains, purses, and backpacks.

Displaying this iconic red ribbon means two things. First, it serves as a reminder and as an appeal to drive sober during the holiday season. This reminder is all too important in Yukon where we have one of the worst records for impaired driving in the country. We can do better. This brings me to the second meaning behind the red ribbon. These ribbons also serve as a

tribute to honour all those who have been killed, injured, or affected by impairment-related crashes. What makes the situation so tragic and difficult to accept is that impaired driving is not an accident but a preventable crime.

For every life lost or changed by impaired crashes, there are significant effects and impacts on our communities. Road safety is everyone's responsibility.

I will take this opportunity, as Halloween is just around the corner, to remind everyone, particularly those going out to Halloween parties this year, to please be responsible. Please never drive impaired or ride with an impaired driver. Please plan ahead and arrange a safe way home by organizing a sober drive, taking a taxi, or spending the night. Also, let's all commit to calling 911 and reporting a driver who you suspect is impaired.

My department, Highways and Public Works, continues to strive for safer roads through engineering, maintenance, education, awareness, and enforcement. We are pleased to work in partnership with MADD, the RCMP, the Yukon Liquor Corporation, the Department of Justice, and many others, both in and outside the territory, who want to reduce the number of impaired drivers on our roadways.

There are so many good people working to reduce impaired driving, but I would like to give a shout-out to the MADD Whitehorse chapter in particular — to their executive and to the numerous volunteers who have worked for MADD over the years. Your dedication and tireless efforts are helping to save lives, and we thank you. I would also like to encourage anyone who is passionate about this to talk to the local MADD chapter and to offer to volunteer. I am sure that they could use your help.

I know that the department will be proud to display the red ribbon, when the time comes, on our government fleet vehicles and transportation maintenance vehicles.

One of the other organizations that deserves a special acknowledgement today is the RCMP. It is the police whom we turn to when we need our laws to be followed, and it is the police who are on the front line enforcing the law around impaired driving. These officers are the ones on the ground every day, keeping Yukoners safe and ensuring there are consequences for those who are not following the law. I want to thank the officers for their dedication to public safety in everything they do. The RCMP in Yukon are also partners with the Yukon government in making the Yukon a safer place to live.

For example, the RCMP provides information packages that are inserted into new driver's licence kits that are provided to all newly licensed drivers.

I would like to recognize Operation Corridor — a joint effort between Yukon carrier compliance and the Yukon RCMP. Operation Corridor is a great example of working together.

I have a few more comments, but thank you.

**Mr. Hassard:** I didn't realize that the minister was filibustering his own bill or I probably would have asked my questions and maybe we would have had an answer in that time as well.

So, Deputy Chair, I will ask a couple of questions in the hopes of getting a couple of answers as we have very few minutes left. I am curious — during second reading speech and from the previous minister, we heard lots of talk about a major review of the act coming forward, so I am curious as to why the government felt that these changes needed to be done before that major review came forward — as well, if we could find out who all was consulted on these changes.

**Hon. Mr. Clarke:** Thank you for the question from the Member for Pelly-Nisutlin. With respect to the new *Motor Vehicles Act* rewrite, I am advised that there have been extensive public engagement campaigns, which I will certainly provide additional detail about during the Committee of the Whole supplementary budget discussions.

With respect to the question as to why this act came forward before the complete rewrite — essentially the amendments, which we will likely be speaking to at another meeting of Committee of the Whole — it is to make the territorial *Motor Vehicles Act* in compliance with the *Criminal Code of Canada* in various important areas.

To focus specifically with respect to these amendments, they are designed to enhance road safety through expanding the roadside suspension impoundment authorities of peace officers. Peace officers can now impose 90-day roadside suspensions for criminal impairment with drugs or a combination and drugs. Peace officers also now have the authority to impound a vehicle in specific circumstances, including failure to stop after an accident, flight from a peace officer, and existing driving suspension.

I think, to answer the member's questions, I will get to this.

Last year in the Yukon, at least five people who were eligible to drive immediately with an interlock ignition device under the *Criminal Code of Canada* were prevented from doing so by the existing waiting periods in the *Motor Vehicles Act*. The proposed amendments will ensure this inconsistency is realigned by changing the waiting periods for the ignition interlock program to reflect the same waiting periods as found in the *Criminal Code*.

As well, as a result of the updates to the *Criminal Code of Canada*, there have been some problems sanctioning certain impaired driving offences because the existing *Motor Vehicles Act* only applies to above 0.08 percent. The amendments will reduce the risk of legal challenges to impaired driving sanctions by updating the impairment threshold for blood alcohol content to match the *Criminal Code of Canada* language, which is 0.08 percent or above.

During the Government of Yukon's collaboration with the RCMP and the Driver Control Board, we received input on addressing specific high-risk safety issues, as well as aligning the current *Motor Vehicles Act* with the *Criminal Code of Canada*.

The RCMP were supportive of the additional enforcement tools for roadside suspension and impoundment duties. The Driver Control Board also supported updating provisions related to the *Criminal Code* — specifically the waiting periods for the ignition interlock program — along with the alignment of Yukon's law with the federal law.

Essentially, in my view and my understanding in speaking to my officials and to my department, there was some urgency in having these laws align with the *Criminal Code of Canada*, and in that, the complete rewrite and comprehensive rewrite of the *Yukon Motor Vehicles Act* will still take some time. This was viewed as being important for addressing issues of road safety and protecting the Yukon driving public in the interim.

Deputy Chair, given the time, I move that you report progress.

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

*Motion agreed to*

**Deputy Chair:** Pursuant to Committee of the Whole Motion No. 1 adopted earlier today, Committee of the Whole will receive witnesses from the Yukon Development Corporation and the Yukon Energy Corporation.

In order to allow the witnesses to take their places in the Chamber, Committee will now recess and reconvene at 3:30 p.m.

*Recess*

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

### Appearance of witnesses

**Deputy Chair:** Pursuant to Committee of the Whole Motion No. 1 adopted on this day, Committee of the Whole will now receive witnesses from the Yukon Development Corporation and the Yukon Energy Corporation.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses and I would also ask the witnesses to refer their answers through the Chair when they are responding to members of the Committee.

*Witnesses introduced*

**Hon. Mr. Streicker:** It is my pleasure to welcome the witnesses from the Yukon Development Corporation and the Yukon Energy Corporation here this afternoon. I would just like to begin by making a small clarification for the record. This past Tuesday afternoon, the Member for Porter Creek North rose to give notice of a motion — and I quote:

“THAT this House urges the Premier to ensure that witnesses from the Yukon Development Corporation and the Yukon Energy Corporation appear as witnesses in the Legislative Assembly during the 2021 Fall Sitting and provide the House with notice of the date they will appear, without further delay.”

The reason that I am drawing attention to this is because parties were informed both this past Monday morning and Tuesday morning that the Yukon Development Corporation and Yukon Energy Corporation would be appearing as witnesses today.

So, here we are. The witnesses appearing before the Committee of the Whole today are Justin Ferbey, president and chief executive officer of the Yukon Development Corporation,

and Andrew Hall, president and chief executive officer of the Yukon Energy Corporation. These organizations are leading the development, funding, and implementation of our renewable electricity strategy. We are very excited to be part of the important initiatives that will help to ensure that Yukon's electricity needs are being met sustainably and affordably.

Projects funded through Yukon Development Corporation's programming and the Yukon Energy Corporation's 10-year renewable electricity plan will help us to reach our carbon-reduction goals as outlined in our climate change strategy and will diversify our sources of renewable energy and so increase energy security. These projects and initiatives demonstrate what can be accomplished in the north when we work together.

I would like to take a brief moment, Deputy Chair, to thank the current members of both boards — those whose terms have ended and those newly appointed. While we work to meet the increasing demand for energy, and do it in a way that is both economically and environmentally sustainable, we are going to have to rely on the broad range of skills and experience that these individuals bring to the table. Their contributions are very much appreciated. Again, I would like to thank the officials from both corporations for being here. I look forward to today's discussions.

**Deputy Chair:** Will the witnesses like to make brief opening remarks?

**Mr. Ferbey:** Thank you for the opportunity to provide information for the members of the Legislature with respect to the Yukon Development Corporation.

Developing new, sustainable sources of electrical energy is an important tool for reducing the overall carbon footprint. Yukon Development Corporation and Yukon Energy Corporation are working together to ensure that we have the electrical generation, distribution, and storage systems in place to meet the needs of Yukon's growing population and economy now and into the future.

Additionally, Yukon Development Corporation continues to research alternatives for large-scale renewable energy generation and storage and will provide clean, reliable, and affordable energy based on Yukon's long-term energy needs.

Through the independent power production policy, the Innovative Renewable Energy Initiative, and the Arctic energy fund, we are encouraging the development of First Nations' community-led renewable energy projects to offset the use of fossil fuels in generating electricity across the territory.

Meeting our territory's growing energy needs will require a broad collaborative approach, and YDC is actively working with all levels of government, as well as utilities, to identify and support the renewable energy projects that best meet Yukon's increased demand for power.

From local and traditional knowledge in our communities and First Nations through the experience and technical depth in the utilities to the policy and programs that we have across all levels of government, it is only by bringing all of these together that we will be able to address the challenges successfully and support the development of a new energy ecosystem.

As well as supporting investments in renewable energy, we must also continue our focus on ensuring that we have the energy, that we use energy wisely. Diversifying our energy portfolio will both increase the resiliency of our communities and reduce the dependence that we have on energy generation from fossil fuels.

Deputy Chair, thank you for the opportunity to speak on YDC's behalf. I would now like to turn over the floor to the president and CEO of Yukon Energy Corporation.

**Mr. Hall:** Thank you, Mr. Ferbey. Minister, Deputy Chair, thank you for the opportunity to be here today to share information with members of the Legislature about the exciting ways that Yukon Energy is working toward building a sustainable energy future in the Yukon.

It's a future with more sources of renewable electricity, lower greenhouse gas emissions, and more First Nation and community partnerships, as envisioned by the Yukon government's climate change strategy, *Our Clean Future*.

In January 2020, we took a big step forward toward that future with the release of our 10-year renewable electricity plan.

Our plan outlines the key steps, projects, and partnerships needed over the next decade to address growing demands for clean electricity in Yukon and to help us reduce carbon emissions in the territory. It is a plan that sets Yukon Energy up to supply, on average, more than 97-percent renewable electricity to Yukoners by 2030.

I am pleased to report that, since releasing that 10-year plan, Yukon Energy has made good progress on a number of projects within the plan. We have signed electricity purchase agreements with three independent power producers that build and export solar power to the grid starting this year. When complete, these three solar projects will generate enough electricity to power more than 200 homes in Yukon each year. We have also selected a site for a new 7.2-megawatt grid-scale battery in Whitehorse, and the procurement process for this battery system is well underway. When complete, the new battery will help us to improve grid stability, respond to power outages quicker, and eliminate the need for four diesel units each year.

As part of the battery project, we are also proud to have signed a term sheet with Kwanlin Dün First Nation and Ta'an Kwäch'an Council that will see both First Nations benefit directly from this project.

We have also made great progress on negotiating an electricity purchase agreement with Tlingit Homeland Energy Limited Partnership for purchase of power from the proposed Atlin expansion project. By providing us with another dependable source of renewable capacity that we can rely on each winter, purchasing power from Atlin will help us to eliminate four more diesel rentals from our existing fleet each winter. We hope to finalize this electricity purchase agreement for the Atlin project by the end of this year.

While advancing projects in our 10-year renewable electricity plan has been a major focus for Yukon Energy over the last year, it is not the only thing that has occupied us. I am particularly proud of the protocols that our team has put in place

to keep all our staff and our customers safe during the COVID-19 pandemic.

With that, I thank you for your time this afternoon. I welcome the opportunity to answer your questions.

**Mr. Dixon:** I would like to begin by thanking the visitors to the gallery, Mr. Ferbey and Mr. Hall, for joining us today and answering questions. Of course, we will cover a range of topics today, and we have a lot to talk about. I will just jump right into it, if that is all right.

I will begin with questions that I believe will more likely be aimed at the Yukon Development Corporation. I would like to ask a few questions about the Arctic energy fund. My understanding is that \$400 million was allocated by the federal government for energy projects in the north, as the name would suggest, and that \$50 million of the \$400 million was allocated for Yukon. To date, I know that a number of projects have been funded under the Arctic energy fund, including a project in Old Crow, a project in Beaver Creek, a project in Destruction Bay, and, I believe, a project in Watson Lake potentially. I am wondering if the witnesses can provide me an outline or a breakdown of the allocation of that funding, under the Arctic energy fund — which projects have been funded and how much — and what the criteria or selection system is for deciding which projects are funded and which are not. I know that there are some parameters available from the federal infrastructure website, but I think that little is available in terms of what the Yukon Development Corporation uses to decide which projects to support. With that, I will turn it over to the witnesses.

**Mr. Ferbey:** In terms of the projects from the Arctic energy fund that were approved this fiscal year, we have Whitehorse with roughly \$13 million, which was the four-megawatt project for the Haeckel Hill wind — led by Chu Niiikwān Development Corporation, the KDFN's development corporation. In Dawson City, we have \$486,000 for a 309-kilowatt dome solar project that is being led by the Klondike Development Organization. In Burwash Landing and Destruction Bay, they are working toward a 300-kilowatt Kluane wind project by the First Nation — that is \$4.9 million. Other projects that are in the works in the Arctic energy fund include another solar project in Beaver Creek — a 1.9-megawatt project — and the First Kaska partnership in Watson Lake equally is looking at a solar project of 2.85 megawatts, and they are working on their Arctic energy application. Of course, the Old Crow solar project has been commissioned and is up and going — the 940-kilowatt solar project.

The terms and conditions of the Arctic energy fund were renegotiated to align more closely with Yukon's energy environment. The proposed changes were accepted by all parties in 2021. Today many of the First Nations are leading renewable projects that are owned by their respective development corporations. Some of the changes allow the development corporations to be reconsidered as indigenous ultimate recipients, giving them access to higher levels of financing that in turn make their projects financially viable.

Additionally, expanding eligibility criteria of the fund to include on-grid communities allows Yukon to reduce its dependence on fossil-fuel generation throughout the territory.

One of the large changes was allowing First Nation development corporations to be included as indigenous ultimate recipients to be able to leverage more of the Arctic energy fund, particularly on the grid.

**Mr. Dixon:** So, I would like to walk through some of those projects just to clarify the numbers. I don't think I kept up with the witness on some of the numbers.

I will start instead with a question about the change in programming to allow for on-grid projects, because I know that when the original Arctic energy fund came out, it was focused primarily, if not solely, on off-grid diesel replacement. I'm wondering if the witnesses can explain some of the decision-making around changing it from off-grid diesel replacement to on-grid projects and why that criteria were shifted.

**Mr. Ferbey:** Yes, there have been changes to allow on-grid projects. One of the — if you will — challenges at the time was two-fold, one being that the commission of these projects does take quite a period of time to bring the actual due diligence, the implementation, and actually the construction. Of course, this fund has a closed end date. One of the projects that was moving forward was the wind project from Kluane, and so there was discussion to allow greater flexibility to allow some of the projects that are more advanced to be able to be put on grid. Secondly, the challenge previously — where the development corporations, which are leading most of the projects, weren't considered under the indigenous ultimate recipient, meaning that they couldn't leverage 75 percent of this contribution to their project until that late change was made. So, to date, all the communities that are off grid still have the access that they need to the Arctic energy.

One of the things that we do balance is to ensure that those communities that are off the grid still have the financial capacity within Arctic energy to bring their projects to commission. There is the room for the communities that are dependent on diesel also.

**Mr. Dixon:** Perhaps the witness can explain just a little bit more about the allocation breakdown — how much the proponent is required to provide, how much Arctic energy provides, and how much Yukon Development Corporation provides on any of these projects.

**Mr. Ferbey:** Deputy Chair, with the allocation, we've been working with proponents first to ensure that the project, if you will, is right-sided with the proponents.

They can apply for up to 75 percent of their project cost through Arctic energy. In most instances, the proponents also are stacking other revenue sources from other federal streams and additionally from our Innovative Renewable Energy Initiative to reach their entire capital structure of 100 percent.

What we've been doing through our own exercise internally is ensuring that each of the projects — particularly the diesel-dependent communities — have access to this fund, given the fact that many of these projects can be very large, so we are balancing that to ensure that places like Watson Lake and Burwash Landing — those communities that are dependent on diesel — have access to resources that they need to bring their projects to ground.

**Mr. Dixon:** Deputy Chair, I would like to walk through some of those projects that the witness listed. He started with the Whitehorse project, the Haeckel Hill project. Obviously, this is a project that previously wouldn't have been eligible for the Arctic energy fund prior to the policy change that the witness indicated — that was made earlier this year. In past years, my understanding is that applications were made for that project and were denied or didn't seem to be eligible because of that requirement. Previously, the proponent was a company called Northern Energy Capital, and I'm wondering if the witness can provide us with a bit of background as to what changed and when the current proponent came on and when the previous proponent dropped off.

**Mr. Ferbey:** Deputy Chair, with this project, one of the challenges at the front was that the only consideration of an ultimate indigenous recipient was a First Nation government, not its development corporation — of course, the challenge being that many of the First Nation governments are running their for-profit opportunities through a development corporation. So, at the time, Chu Níkwän was in a partnership. They were not 100-percent owned in the application, but, as an ultimate indigenous recipient, the First Nation proponent needs to be a 100-percent owned company. So, I believe the change to the name of the company was that the Chu Níkwän took over 100-percent ownership of this project, which led to a different company. Now it is wholly owned by the KDFN shareholders of their corporation.

**Mr. Dixon:** That was very clear. I appreciate that.

Can the witness please repeat — I believe I missed it — the total size of the project and the total cost of the project? I wrote down four megawatts, but I may be wrong there, and I didn't catch the total capital cost of the project.

**Mr. Ferbey:** Yes, the project is four megawatts, and \$13 million is their application to the Arctic energy fund.

**Mr. Dixon:** The next project that the witness listed was the Dawson project. My understanding is that this is a solar project involving the KDO in Dawson. The witness mentioned that it was 486 kilowatts, I believe, but perhaps he could let us know the size of the project and the capital cost of the project.

**Mr. Ferbey:** It is \$486,000 to Arctic energy, and the size of the project is 309 kilowatts. It's a solar project.

**Mr. Dixon:** Again, the proponent in that case — I would like to know who the proponent was and if it is correct that this is another project that wouldn't have been previously eligible for the fund prior to the policy decision made earlier this year to allow for on-grid projects.

**Mr. Ferbey:** The proponent is the Klondike Development Organization, and, yes, they became eligible when the criteria allowed for on-grid energy investments.

**Mr. Dixon:** Moving on, there is the Destruction Bay-Burwash Landing — I believe it is a wind project. Can the witness provide the size of the project and capital cost, as well as the proponent?

**Mr. Ferbey:** The proponent is the Kluane First Nation. The financial allocation that they are seeking is \$4,935,000, and it is a 300-kilowatt wind project.

**Mr. Dixon:** There was a project in Beaver Creek, I believe, which I heard was 1.9 megawatts. Can the witness confirm that, as well as the capital cost and the proponent?

**Mr. Ferbey:** Still under consideration — these communities are working toward their applications — these include the 1.9-megawatt solar project in Beaver Creek, and the applicant is the First Nation Development Corporation, called Copper Niisüü Limited Partnership. Another development corporation that is in application is the First Kaska, which is the Liard First Nation's development corporation. They are working toward a solar project of 2.85 megawatts. Lastly, I mentioned the Old Crow project, which is in commission and is a 940-kilowatt solar project.

**Mr. Dixon:** I was just looking for the capital costs of those projects. Do we have those yet?

**Mr. Ferbey:** The capital costs that I quoted for the other projects is because they have been approved this year. The other projects that I mentioned — Copper Niisüü and First Kaska — are in the application process, so they haven't finalized their numbers.

We are also providing them support through the Innovative Renewable Energy Initiative, and they are doing some of the pre-feasibility work, which includes working toward a class of cost. With that, they would firm up the number that they are looking for to apply, so I don't have an accurate number of what ultimately the application will have, given that they haven't been approved yet.

**Mr. Dixon:** Could the witness let us know when the Arctic energy fund expires?

**Mr. Ferbey:** The bilateral was signed in 2008, the total funding amount is \$50 million, and it ends in 2027-28.

**Mr. Dixon:** I am just trying to get a sense of — if the total amount in the pot, so to speak, is \$50 million, the witness has listed \$13 million for the Whitehorse project, half a million dollars for Dawson; \$4.935 million for Destruction Bay — is it safe to say that the remaining projects that he listed in Beaver Creek, Watson Lake, and Old Crow will consume the remainder of the fund?

**Mr. Ferbey:** Deputy Chair, when we looked at the tentative budget, which includes these projects, there are other projects that we understand that are in application. An example would be — two that I am aware of in Carcross. The number of these projects, when they get brought to the commission — they are in the range of \$13 million to \$14 million to \$15 million. What we are trying to do is to ensure that these communities have access to a portion of the Arctic energy fund, but if we look at the budget that we do have, understanding that applications are in the works, it would have to allocate all of the Arctic energy fund. There are enough projects on the books today that, to allocate them, would be over \$50 million. It is a matter of timing the application from the proponents with balancing the need, which, in many instances on the energy side, supersedes the amount of revenues available.

**Mr. Dixon:** So, it is clear then that there are more projects than there is money for this fund, and some of the projects that have been approved were approved under the basis of the change to the policy decision to allow for on-grid

projects. So, it is possible that, in a year or some time down the road, projects would be denied that are off grid and designed to displace diesel. Is that correct?

**Mr. Ferbey:** What we have done in those projects that are diesel dependent — we have left the budgetary capacity within the Arctic energy fund for those communities that are in the works and diesel dependent to ensure that all of the fund wouldn't be allocated on grid. In essence, we left the fiscal capacity, for example, for Beaver Creek and Watson Lake and the diesel-dependent communities.

**Mr. Dixon:** So, it's safe to assume then that off-grid diesel-reliant communities are being prioritized over on-grid projects?

**Mr. Ferbey:** Deputy Chair, we have left the fiscal capacity for those off-grid projects, so we're balancing the entire budgetary appropriation on the Arctic energy to ensure that there is the capacity for the off-grid communities, recognizing that, at this point, there are a few advanced projects that are on grid. But we will definitely keep the capacity for those communities that have a notional allocation that they are expecting in their capital structure. So, we are ensuring that, when the communities are able to advance their projects and seek an application through the Arctic energy, the fiscal room is still available for them.

**Mr. Dixon:** So, based on what the witness has told us so far on the projects that have been approved, of the \$50 million, there is \$13 million for Whitehorse, \$500,000 for Dawson, and \$4.93 million for Destruction Bay. That leaves about \$13 million and change available. If we assume, based on the comments by the witness, that these projects tend to cost between \$13 million to \$15 million each, that would suggest that there is only really room for two of these projects left. Is that correct?

**Mr. Ferbey:** Deputy Chair, in speaking with the proponents, there are other funds out there. For example, one is called SREP; it's an acronym. We are working with the proponents as they also consider other federal sources of funds that we do know they are seeking, so we're in constant discussion with them to understand what capital structure they need to commission their projects. There are weekly — or, if not, biweekly — meetings with the proponents to ensure that we have the fiscal capacity.

Also, there are instances where some of the proponents are filling some of the room that would have used Arctic energy with other sources of funds — that we keep in close contact with them to assist when they are going to have their application ready.

**Mr. Dixon:** So, yes, ultimately where I'm getting with this is that I am just wanting to understand that, with a limited amount of money, we are prioritizing communities that are off grid and diesel reliant, because that was the original intention of the fund. It sounds like the availability of funds isn't a concern to the development corporation at this point.

He also referenced the smart renewables and electrification pathways fund, which I am aware of, as another source of federal funding, which could, in the future, provide support to these projects.

Can the witness offer some explanation as to Yukon Development Corporation's role in regard to the smart renewables and electrification pathways fund?

**Mr. Ferbey:** What we have been doing is providing a concierge service. Of course, when there is an announcement of these funds, there are lots of federal ones and we assist with our proponents to understand what funds are out there. Of course, we talk with federal colleagues to ensure that the proponents — if they need assistance on the applications.

In many instances, it is quite detailed, so we have taken more of a project management type of role and are actively working with the proponents to help them to advance their proposals, and formally, from time to time, the proponents have sought assistance through the Innovative Renewable Energy Initiative for early due diligence. In many instances, that information has to be included in their federal applications, so we provide financial resources to help them have the resources to put their applications into the federal system.

**Mr. Dixon:** Which of these projects is most advanced, and which would be most likely to be providing electricity the soonest, and at what stage in the process do the proponents need to begin negotiations for an electricity purchase agreement — or if at all?

**Mr. Ferbey:** The most advanced project is the Haeckel wind project. I believe that the community has commissioned this and are now ordering long lead-time equipment. Dawson City is also advanced in terms of the power purchase agreement and when that is negotiated. I will turn that over to Mr. Hall.

**Mr. Hall:** The projects that Mr. Ferbey has referred to have to proceed through the regular application process for the independent power producers standing offer program, so they do, in due course. In the case of KDO in Dawson, we have signed an electricity purchase agreement with them.

As Mr. Ferbey mentioned, the wind project — we have not yet signed an EPA, but I expect that should happen sometime this year. As he has mentioned, they have proceeded with the ordering of equipment.

**Mr. Dixon:** That is a wonderful segue for me into the IPP. The IPP, in its current iteration, came forward, I believe, in January 2019, and I would be happy to be corrected if that is incorrect.

The first project submitted to the IPP went in a number of weeks after that. I'm not sure exactly how long, and I would appreciate the witnesses letting us know when that time was. My understanding was that the first project that will be commissioned will occur next month or this month in 2021. That, to me, looks like over a three-year lead time for one of these projects to start the process and application and get to commissioning.

I am wondering if the witnesses can describe why that process takes so long and what steps have been taken by the corporations to ensure that independent power producer projects can be identified, brought on, negotiated, and connected in a timely fashion.

**Mr. Hall:** In terms of when the first proponent into the application process — I do not have the date of that. I can say that it has been quite a learning experience for everyone — for

us and for the proponents — in terms of what it takes to analyze a grid connection of even small projects such as these. One of the drivers of the timeline is the requirement for the proponents to pay us an amount of money to complete a grid impact study, which analyzes what happens when their project connects to the grid — in particular, whether there are any constraints or bottlenecks that would emerge.

In particular, if you think about the North Klondike project, for example, down the Mayo Road, they are actually connecting into a pretty skinny ATCO distribution line. In that case, we have to work with ATCO to analyze what is going to happen when you suddenly get one megawatt of solar in the middle of a summer's day. That is a fairly complicated analysis. It is not simple, and it takes time.

So, that is my first comment. Technically, these are quite — even though they are relatively small projects, they can be quite complex to analyze in terms of what they do to the system, and they may drive costs, in which case, the proponent — so the IPP — may be on the hook to pay any grid improvement costs that are required. So, it's a complicated process and it does take time.

The other comment I would have is that, as Mr. Ferbey suggested, these proponents have various strategies and approaches to raising the required funds, so that can take time as well. They don't all have the money required to move through the process all at once. So, depending on what's happening with the funding — and it's not only Yukon funding; it will also be federal programs that they are applying for — they may go on hold while they progress their funding applications.

So, putting those two factors together, it does take some time to progress them through the process. We are working with Energy, Mines and Resources and Yukon Development Corporation on a two-year review of the program to look at what improvements can be made to speed up our responsiveness, but I would just caution the members here that it is complicated, even for small projects, and we can't not do the right work up front to make sure that it is safe and reliable.

**Mr. Dixon:** So, in the case of the first project to come in the door — I believe that it was the North Klondike project that will be commissioned very soon, perhaps this month, perhaps next month — the witness has indicated that there are two factors that caused the delay in time — one being technical and the other being financing. In this particular case, in the case of the North Klondike project, did financing from the proponent cause any delays, or was it strictly the technical issues related to that project?

**Mr. Hall:** Deputy Chair, I am not exactly sure of the specifics. I suspect that it was probably more on the technical side in their case — that we had to look at a number of scenarios, we had to work with ATCO on analyzing not only their system, but our system, so I suspect that the balance of the drivers in that case were more on the technical side.

**Mr. Dixon:** I would like to talk about that technical side. My understanding is — and the witness referenced it — that the proponents are required to pay up front to have a grid impact study conducted. My understanding is that this is done by an

independent third-party contractor that the Development Corporation requires the proponent to use. It is not a choice of who the proponent wants to use — they must use a particular third-party contractor — and that contractor looks at the design and costing of the connection of the project to the grid.

I am wondering if the witnesses can talk a little bit about why that structure is in place, why they require the independent third-party contractor to be a middle man between the proponent and the corporation — and if the witness could confirm the costs that are imposed on proponents for that work. My understanding is that they charge \$25,000 up front for that grid impact study, as well as an additional \$25,000 for legal and management costs. So, I would be happy if the witness can confirm that this is the case.

**Mr. Hall:** Deputy Chair, the member opposite is correct that we do use the third-party contractor to do the modelling work. The reasons for that are a couple. One is that it is fairly specialized work, and we have one individual who could do it off the side of his desk, but he has a lot of other things to do. So, given the nature of the work required, we made the decision to contract that work out. We went through a competitive process to obtain pricing from a couple of different engineering firms to find the best deal in terms of those costs. We awarded a contract to a particular firm to do the work, and actually we switched firms. We were using another contractor previously. We went through a competitive process, and actually another firm ended up winning that contract. So, the work is contracted out for sure. We provide project management around that, but the technical analysis is done by those contractors.

I will clarify that there are two steps to it. They first look at the technical requirements and then they look at the cost of any equipment or upgrades that may be triggered by the proponent connecting. Those could be costs on ATCO's system or indeed on our system, so it is a two-step analysis.

In terms of the costs required, those numbers sound right. I don't have the details to correct the numbers that are being quoted, but I can certainly return if there are any corrections required.

**Mr. Dixon:** So, if I am a proponent and I want to come to the Energy Corporation with an IPP project, I'm required to use this third-party contractor that the Energy Corporation has contracted. I appreciate that the competitive process was undertaken to hire that person but, ultimately, that third-party contractor — I'm using the term "middle man" and that could be inappropriate — works for the Energy Corporation. Oftentimes, they could be in a position where they need to make a decision or make a recommendation that is in the best interests of the Energy Corporation. I'm wondering — do I have that correct? If I'm an IPP proponent and I want to bring a project forward to the corporation, I have to go with that third-party contractor that the Yukon Energy Corporation has hired?

**Mr. Hall:** Yes, that is correct, and I think that there is a very simple reason for that. We are talking about a third party connecting and supplying electricity to our system, and we are responsible for the reliability of the system for Yukoners and the safety of the system for Yukoners. So, we are ultimately

responsible and, at the end of the day, I need to make the decision on who does that analysis.

**Mr. Dixon:** So, in that case, the third-party contractor is certainly looking out for the interest of the Energy Corporation — I get that — but is there not an ability to provide some sort of advocacy or — basically my question is: It is clear that the third-party contractor is looking out for the Energy Corporation, but I'm wondering who is looking out for the proponent and offering alternatives or creative solutions in that process to allow for the advancement of these types of projects, given the fact that we all think that they are important and should be added.

**Mr. Hall:** I have a couple of thoughts on this. I think the first one is that we certainly do sit down with the proponents once we get the results and talk about them and look at different scenarios. One of the reasons — and I'm not sure if I mentioned earlier that why sometimes this takes so much time is that the proponents ask us to study a number of different scenarios. So, I think that there is evidence of flexibility and our willingness to work with proponents to solve solutions by the number of scenarios that we run to look at different ways they can connect. I think that there is flexibility and goodwill that we bring to the table, for sure. More broadly, I think that our colleagues at Yukon Development Corporation are certainly working the funding angle to help support and secure the funds required to help these proponents walk through the process. If you look at what both Yukon Energy Corporation and Yukon Development Corporation are engaged in doing, the support is there for those proponents. Frankly, I would argue that if we look at the pipeline that we have ahead of us and the prospects for those projects, it could be that we are fully allocated within a couple of years — the full 40-gigawatt hours of capacity available and *Our Clean Future*. That is a success, I would argue. I think that we can all be quite happy about that in terms of Yukon government, and it was because of the drivers from the industry and the public to bring more renewables to the table. I would argue that the standing-offer program has been very successful thus far.

**Mr. Dixon:** I don't think that there is any question that it has been successful in the sense that we have seen projects come online or are soon to come online. My question is: What steps has the corporation taken, having gone through this process now, to improve their processes going forward? I appreciate that he said at the beginning that the two factors causing delays on the project are financing and the technical capacity. I think that if we set aside the financing piece — because that is not something that the corporation needs to concern itself with, but the technical capacity certainly is. I am wondering if there have been any steps taken by the corporation to enhance their technical capacity so that they can speed up the process by which future projects can integrate into the system and we don't need to look at a lag time of two-and-a-half or three years for a project to come forward.

**Mr. Hall:** I spoke about this a little earlier. We are undertaking that "lessons learned" process with the Energy branch and with the Development Corporation to look at those process improvements. If you were to talk to the proponents

now, I think that they would probably say that things have improved already. I sit in on monthly meetings that we have internally around our project management — the funnel of projects that we have in front of us — and I have observed improvements in terms of our internal business processes. I think that, over the next three months or so, there are probably some additional improvements that we can make.

I would just caution, in terms of expectations, that we are not going to reduce this down to one day. It is going to take time, just by the nature of the work. It is not work that can be done instantaneously.

**Mr. Dixon:** I certainly wouldn't suggest that one of these projects should be turned around in a day. My simple suggestion was that, in this first case, the first project was somewhat of a guinea pig — the first proponent to go through this process. I am sure that there were lessons learned, and I am glad to hear that there is a two-year review of the IPP and I hope to return to that, but I know that I am thin on time, so I will jump ahead.

In the negotiation of the EPA, the proponent and the corporation negotiate a variety of aspects, including the price. As a part of that discussion, though, there is the consideration of carbon credits. Carbon credits obviously exist throughout — certainly in North America, where a proponent of a renewable energy project receives carbon credits for the development of their project.

Can the witnesses outline what happens with the carbon credits in an EPA between a renewable energy proponent and the Energy Corporation? My understanding is that those credits go to the Yukon government and are not used or sold on the market. Can the witnesses confirm that?

**Mr. Hall:** Deputy Chair, that's correct. Any carbon credits or carbon attributes are transferred to Yukon Energy. But that's really important, because if this power is going to contribute to us reducing Yukon's greenhouse gas emissions, we need to retain ownership of those credits. If they were sold on the open market into Ontario, then Yukon couldn't claim the benefit. If the IPP standing of a program is going to help at all in reaching our climate objectives, those credits have to accrue to us.

**Mr. Dixon:** I'm not sure that I understand. What does the corporation do with the credits? If they don't sell them on the market and trade them, what do they do? Do they just stockpile them?

**Mr. Hall:** Deputy Chair, there's no actual transaction there; we don't monetize them.

Just to clarify a few other things, the price is fixed; it's set in the standing-offer program. It's our avoided or lost regulatory-approved cost of thermal generation. It's not negotiated, so it's a fixed price.

**Mr. Dixon:** Thanks for that clarification on the fixed price, but I want to return to the carbon credits piece. If, in the negotiations, you allow proponents to keep their carbon credits and sell them on the market, it would drive down their capital costs and make their projects more viable and thereby increase the viability of renewable energy projects in the Yukon. Why wouldn't we decide to offer those carbon credits to the

proponent instead of having them go to the Energy Corporation to do nothing with them?

**Mr. Hall:** As I said before, if the proponent was allowed to keep the carbon credits, they could sell them on the open market outside of Yukon. Therefore, the carbon-reduction effect would leak outside of the territory. We would essentially be buying what is called “null power” and we wouldn’t count toward government’s greenhouse gas-reduction targets. I think we would all agree that one of the benefits of the IPP standing-offer program is to help us reduce our GHG emissions.

So, allowing the proponent to keep the credits and to trade them freely would not help achieve our climate goals.

### Deputy Chair’s statement

**Deputy Chair:** Just to make the proceedings go more smoothly, can I ask the witnesses just to indicate when they are done so that I know when to pass the floor?

**Mr. Dixon:** I’m not sure that I understand. If we were to require proponents to sell their carbon credits within Canada, it would still contribute to Canada’s overall climate change targets. Yes, I suppose, in a theoretical sense, that it would import carbon into the Yukon by selling them, but it would help advance renewable energy and increase our overall Canadian contribution to our efforts to reduce our greenhouse gas emissions. If we make these renewable energy projects more viable by allowing them to have the carbon credits, it will further incentivize renewable energy. So, I’m not sure that I understand the argument that we would be working against our greenhouse gas emissions targets by allowing proponents of renewable energy to sell their carbon credits on the market.

I would appreciate that if we sold them in Europe, we would be importing theoretical carbon from Europe, but could we not regulate them to just sell them in the Canadian market?

**Mr. Hall:** I think that Yukon Energy’s primary responsibility is to help Yukon achieve its targets. The member is correct that, if they were sold within Canada, they would help Canada to reduce its emissions, but it would do nothing for Yukon. I think that our primary responsibility is to help Yukoners reduce their emissions.

Also, I think that us getting into the business of trying to monitor and police these IPPs in terms of where they sold those credits would be a burden on us, and I don’t even know how we would do that.

**Mr. Dixon:** Is it not the case that several other jurisdictions in Canada offer proponents the ability to sell their carbon credits?

**Mr. Hall:** I wasn’t making the statement that they couldn’t sell them in Canada — they certainly can — but again, our primary goal is to help Yukon support its climate change goals; therefore, the logic is quite clear that we need to attain that ownership.

### Deputy Chair’s statement

**Deputy Chair:** Can I just ask one more time for witnesses to indicate when they are finished? Thank you.

**Mr. Dixon:** Thank you, Deputy Chair. When I sit down, I’m finished, but that is easier for me to say than the witnesses, I appreciate.

This is perhaps a conversation that we will need to have a further conversation on. I will move on, but suffice it to say that I think there is an opportunity that we are missing by just simply leaving these carbon credits to waste.

I will move on to the current rate application before the Yukon Utilities Board. Just for simplicity for our witnesses, I am looking at the final argument of Yukon Energy Corporation that was submitted to the Yukon Utilities Board. It is dated October 12, 2021. Before I do that, why don’t I let the witnesses explain the nature of the 2021 rate application — why it has come forward and what is being asked right now of the YUB to consider.

**Mr. Hall:** Deputy Chair, it is a fairly open-ended question. The rate application asks for an 11.5-percent rate increase in 2021. The timing of the rate increase was requested such that there would be no impact on customer bills. We requested that the interim and the final rates be timed with the expiry of certain riders, so those are sort of cost-adders that were falling off on July 1 and December 1 of this year, such that the timing works out — the customer bills will be unaffected in the case of residential and actually go down in the case of commercial bills. Those are the numbers.

In terms of why we applied for a rate increase, there are a couple of reasons for that, but, very simply, we had seen our return on equity erode quite substantially over the last three years. I believe that our most recent return on equity prior to the GRA was around three percent, so we had seen an increase in costs and an erosion of our profitability. Really, that means that when profitably drops, we have less in funds to invest for Yukoners in our growth — assets that require refurbishment — and in the new renewable energy assets and other generation assets that we need to meet the growth that we’re seeing.

**Mr. Dixon:** So, the corporation is seeking an 11.5-percent increase to rates. One of the significant factors, according to the GRA submission, is the renting of the diesel generators that Yukon Energy Corporation is using currently. Can the witness provide what the contribution is of those rental diesels to this rate application increase?

**Mr. Hall:** There are pluses and minuses in these numbers, but the diesel rental costs account for about four percent of the 11 percent.

**Mr. Dixon:** I appreciate that — so a little less than half.

The Energy Corporation, in its 2021 rate application, which I noted, makes particular note, on page 21, of the several detailed assessments taken previously for a more permanent option instead of the rented diesels. I am referring to the 2019 decision to cancel the permanent fossil-fuel-driven backup generators or diesel plants, that I believe that, at the time, the corporation considered diesel, LNG, and a diesel blend.

In 2016, the resource plan identified that infrastructure. Ultimately, a decision was taken in 2019 by the board not to go with that and to instead go with diesel generators.

Can the witness tell us how many diesel generators we are renting this year and for how long we are planning to rent them?

**Mr. Hall:** We will be renting the same number as last year, so that is 17 units.

**Mr. Dixon:** How long are we anticipating that we will be renting those diesels?

**Mr. Hall:** It is the December through March time frame. Sometimes, depending on what is going on in the system, we will have some flexibility around when we terminate the contract in the spring.

**Mr. Dixon:** I am not sure that I understood. For how many years going forward do we need to rent diesels to meet the dependability capacity gap?

**Mr. Hall:** The requirement to rent diesels will change over time as we bring new sources of capacity online. For example, when the battery bank comes online, that will reduce the requirement to rent by about four units. We also have a project to replace some diesel engines that are either retired already or are forecast to retire. That will be 12.5 megawatts of permanent diesel generation that keeps our diesel fleet at a constant level. That will get rid of 12.5 megawatts of rentals.

If and when the Atlin project comes online, that again would reduce our rental requirement.

If you look at a long-term renewable solution to close that capacity gap, it would be upon the development of something like Moon Lake, which we are working on, where our requirement to rent would cease. This is obviously contingent on what happens to that growth, because one of our learnings in the 10-year renewable plan is that significant growth drivers in terms of the outcomes of electrification, in particular — so, electric vehicles, electric home heating — to reduce those carbon emissions are driving that growth in peak demand. There is some variability there. It depends on the uptake of electric vehicles, ultimately, as to how quickly that peak will grow, so I can't say for sure how and when the need to stop renting will happen, but it is going to be out to 2030 at least, I would say.

**Mr. Dixon:** The 2030 date is a new one. That is the first time that I have heard that. Prior to that, it sounded like we would be renting diesels indefinitely. I am interested to hear that now that we are anticipating those rented diesels would come offline perhaps in 2030.

Is 17 the peak? Can we expect to see more rented diesels coming to Yukon as Yukon's demand grows for electricity? Do we anticipate that further units will be need to be brought in to address that gap?

**Mr. Hall:** I have maybe a couple of comments here. I think that we have been very transparent about the date on which diesel rentals would cease.

I would point the member toward figure 20 in our 10-year renewable plan on page 56, which pretty clearly shows the end of diesel rentals around the end of the 2020s. It is pretty clear. The information has been there from the beginning.

In terms of the maximum number of rentals, based on the numbers in the forecast that we presented there and what I have in front of me, yes, 17 is the maximum. Again, there is a lot of variability in that in terms of the timing by which new resources would come online and also the pace at which the peak demand

continues to grow. It's a tough number to forecast with, with absolute certainty.

**Mr. Dixon:** So, I believe the 10-year renewable plan suggests that the rented diesels would cease being needed in 2028. So, perhaps I'm looking at the wrong graph. Today the witness has suggested 2030 or perhaps even indefinitely. But it sounds like there is a lot of uncertainty about this anyway. It sounds like we're not quite sure exactly what the demand forecast will look like.

Can the witness give us a good sense of the current dependable capacity gap? What does that gap look like? I know the plans to address it. I know about Moon Lake, Atlin, and the battery. But, absent those projects, what is it today? Because those projects aren't online yet, what is the dependable capacity gap today?

**Mr. Hall:** The dependable capacity gap is 27 megawatts right now — the forecast for this year — which is the equivalent of 15 rentals. So, the strategy again is 15 units rented and two spares on top of that to bring it to 17.

**Mr. Dixon:** So, of the 17, where are they physically in the Yukon?

**Mr. Hall:** Deputy Chair, 10 are here in Whitehorse and seven are in Faro.

**Mr. Dixon:** Can the witness describe the decision-making process to put the seven in Faro as opposed to them previously all being in Whitehorse?

**Mr. Hall:** Deputy Chair, just to clarify, they were never previously in Whitehorse. If you want to talk about 17 units, they were never previously in Whitehorse. We have only a certain amount of transformation capacity in our S150 substation, so there is a limit to the number of rentals that we can house in Whitehorse.

The incremental seven units could not be housed in Whitehorse and had to go to another location. In terms of the decision-making on why Faro, the decision at that point was: Is it Faro, is it Mayo, is it Dawson? Our facility in Faro had certain attributes that made it very amenable to accepting the seven units. We had access directly to our 138 KV transmission infrastructure. We had existing transformation capacity available and we had some room available under our existing air emissions permit for the Faro facility.

**Mr. Dixon:** I will move on to the replacement of other diesel generators in the territory. The witness indicated that there is a plan to replace 12.5 megawatts of diesels. I believe that is in Dawson. Could the witness give us an overview of that project very briefly?

**Mr. Hall:** Deputy Chair, the plan is five megawatts in Whitehorse, five in Faro, and two and a half in Dawson. There are two quite small units in Dawson that will be retired and we will take advantage of that retirement date to essentially reduce the amount of diesel generation that we have in downtown Dawson. The new units will be placed out at our facility in Callison, which is an industrial area outside of Dawson.

**Mr. Dixon:** What is the status of those replacements? Where are we at in the process and how was the site outside of Dawson selected — the Callison site — as opposed to the one in town?

**Mr. Hall:** The status is that we engaged in some public engagement and submitted a YESAB application for the Faro project earlier this year. We expect the YESAB evaluation report shortly. That is for basically expanding our air emissions permit in Faro. I have kicked off engagement with Tr'ondëk Hwëch'in First Nation and the public engagement on the Dawson project and we will be submitting our YESAB application by the end of this year. If all goes well, we will be putting an RFP out in January for a full design/build of a packaged diesel solution for all three sites.

**Mr. Dixon:** Thank you, Deputy Chair, I appreciate that. What are the anticipated capital costs of that replacement, and how will that cost be reflected in rates?

**Mr. Hall:** I don't have an accurate number because, obviously, for the costs, we are waiting for that RFP process to get confirmation on cost. I believe it is in the \$40-million range, but I will come back with a confirmed current estimate based on the engineering we have done so far.

How will that be reflected in rates? As normal, we would put those assets into the rate base and they would drive depreciation and return on those additions to the rate base.

**Mr. Dixon:** I will move on to the battery project. I believe it is commonly referred to in Yukon Energy's documents as "BESS" — the battery energy storage system, I suppose.

What is the status of that project? Where is it physically going to go? How much is it going to cost, and when do we anticipate those costs being reflected in the rates?

**Mr. Hall:** The status of the project: We announced the selection of the site. It will be located on a piece of Kwanlin Dün settlement land at the intersection of the south access and the Alaska Highway, which will be really transformational for the First Nation in terms of bringing that settlement land into commercial use. We will take a piece of it, but they will be renting out the other portions of what ultimately will be commercial land.

We have signed a term sheet with both Kwanlin Dün and Ta'an Kwäch'än, which basically outlines how we will work with both, because, obviously, the project is located on both their traditional territories going forward.

In terms of procurement, as I mentioned in my opening statement, we are pretty far into the procurement process, so we are engaged in a two-step procurement exercise where we put out an initial call for requests for interest. We then whittled that down to a selected group, which then went out to RFP. We just got the RFP results back. We are evaluating them, and I expect that we will take the procurement decision to our board by the end of this year. You will see an announcement of the selected vendor and the confirmed capital cost at that time. Obviously, until we select the winner, I can't say what the capital cost is exactly, but the most recent estimate that we had was around \$32 million. Obviously, that will be refined once we announce the winner of the RFP. The federal funding contribution toward that is \$16.5 million.

**Mr. Dixon:** I am aware from YEC's final submission to the GRA with regard to the battery project that the corporation included in this a debenture investment opportunity. I am

hoping that the witness can describe that debenture investment opportunity. I believe this is the first time that this has occurred in a YEC project, although previously they have occurred in YDC projects. I am wondering what the structure of that investment looks like and whether or not it has any impact on the rates.

**Mr. Hall:** Yes, the debenture investments that are often associated with the projects are very similar in form to the debenture investments that the Yukon Development Corporation entered associated with prior Yukon Energy projects. So, there is quite an established precedent if you look back in history. Previously, they were entered into by the Development Corporation around our projects, but the philosophy and the principle go back to chapter 22 of the final agreements where it talks about the ability of First Nations to invest up to 25 percent of the proponent Yukon Energy Corporation's equity interest in a project. In the case of the battery, the debenture is based on that 25-percent number, so 25 percent of the equity that YEC will be putting into the battery project, and it pays a return based on our actual ROE achieved each year.

**Mr. Dixon:** I would also note that it is my understanding that the debenture investment opportunity will not have an impact on the rates — just to fill in that. I realize that I am running short on time, so I am going to skip ahead on that one, Deputy Chair.

Can the witness provide us with an update on the Aishihik re-licensing project and what stage that is at? Obviously, the debate between the Champagne and Aishihik First Nations and the corporation spilled over to the media a few years ago and I am wondering what the current status is of that project, what the ongoing discussions are like with CAFN, and whether or not we can anticipate a successful negotiation of a longer term agreement for the Aishihik hydro facility's long-term permitting.

**Mr. Hall:** As folks may be aware, we were granted a three-year licence, which we are operating under now. We submitted an application for a 25-year licence which proceeded through the YESAA process while the three-year was in place. We received a YESAB evaluation report earlier this year, and that is currently with the decision bodies, so that would be the Yukon government and the Department of Fisheries and Oceans. Any day now, they are due to issue their decision documents, which would be the next step to then allow us to proceed to the Water Board. That's where we are in terms of the regulatory process.

In terms of the negotiations with Champagne and Aishihik First Nations, I am pleased to say that those are due to restart tomorrow. That is following a leadership-level meeting that occurred earlier this month to really — now that the territorial election is past and the chief is back from some leave that he took, the parties are ready to re-engage — that's a broader framework agreement, the objective of which is to address issues outside of the regulatory sphere but that really speak to securing Champagne and Aishihik First Nations' overall support for the re-licensing over the long term of that facility.

**Mr. Kent:** I have a few questions for the witnesses as well, and I appreciate them appearing here today. The first series of questions that I want to ask about is with respect to procurement at Yukon Energy Corporation. Going on the website here today to take a look at the tenders, I noticed that they use the MERX platform, whereas the Yukon government, of course, uses Bids and Tenders as their procurement platform. I'm curious why the Energy Corporation chose that platform when Bids and Tenders is used for the Yukon government.

I will leave it at that and then have some follow-up questions as well.

**Mr. Hall:** As an arm's-length corporation, there's no requirement for us to use exactly the same procurement mechanisms as the Yukon government. We certainly have a goal and do regular reviews of this to make sure that we're consistent in our approach with Yukon government procurement, but in terms of the use of MERX, that is a widely used tool for the release of public tenders through industry and we're comfortable that it provides the appropriate amount of transparency and openness throughout our procurement process. Our board and management are comfortable that it achieves the same outcomes that Yukon government might through its particular mechanism that it uses.

**Mr. Kent:** I appreciate that answer from the witness.

Deputy Chair, with respect to another procurement question for the witness — obviously, the First Nation procurement policy has been adopted and it's in the process of being implemented by the Yukon government. I'm curious if the Yukon Energy Corporation will also adopt that First Nation procurement policy with respect to any tenders that are let by the corporation.

**Mr. Hall:** Yukon Energy has had its own First Nation procurement policy for a couple of years now. We developed ours a few years ahead of Yukon government largely because, again, there's no requirement for us to follow government policy in this area, but I think, broadly speaking, I'm sure that we have the same overall objectives of Yukon government in terms of what that First Nation procurement policy is supposed to deliver. We have a very different business reality from government and so we made a decision to tailor our First Nation procurement policy to our particular needs and objectives in terms of particularly the development of projects within specific traditional territories.

**Mr. Kent:** Looking on the Energy Corporation's website, there is currently an RFP there with respect to physical asset management managed system, process and procedure implementation. So, without having gone in to look in detail at this RFP, I did notice in the description that it says — and I'll quote: "Given the significant investment required to sustain YEC's existing asset base..." which is approximately \$50 million over the next five years, that "... YEC has recognized that a holistic approach to asset management is required..."

I am not disputing the need for the approach, but just to dig in on that \$50 million over the next five years — my colleague from Copperbelt North was asking about the diesel replacements. Is that \$50 million over the next five years for

diesel replacements, or is it more for the transmission assets and the main renewable assets, such as Mayo and Whitehorse hydro and Aishihik hydro, as well as the transmission systems?

**Mr. Hall:** I am going to have to take that away to look at that. I don't review every single RFP that goes out, nor should I. I will take that away to dig into what that number is intended to refer to.

**Mr. Kent:** I appreciate that, and I will look forward to receiving that response, either through the minister or in correspondence from the Energy Corporation.

I have some questions about the Atlin project as well. I am curious if the witnesses have any of the latest cost estimates for this project and if it can be broken down to include transmission line construction — obviously from Atlin to Jakes Corner — and then upgrades to the ATCO-owned line from Jakes Corner to Whitehorse.

**Mr. Hall:** We have some visibility on Atlin's capital costs. They do share some information with us, but I would say that it is not complete information-sharing, and probably nor should it be, because, at the end of the day, while we are collaborating to secure federal funding, it is an arm's-length transaction, so there is not complete sharing of full information.

My understanding is that the capital costs are approximately \$200 million, in rough numbers, total. I would say, though, that they are going through their procurements of their general contractor and their water-to-wires package — at least getting the RFPs out right now. Really, that number will only get firmed up once they get the RFP responses back. There is some uncertainty, as you would expect, prior to receiving those bids back.

In terms of the breakdown between the hydro works and the transmission line, I don't have that number. I'm not sure they have provided it to us. I can verify that.

Upgrades to the ATCO system are between \$10 million and \$14 million. We are just finalizing the work to sharpen up that number.

**Mr. Kent:** When the power purchase agreement is negotiated — and believe the witness said earlier on that it is to be concluded later on this year. Are we just purchasing the power, or will we own the transmission assets? Obviously, ATCO will maintain ownership, I'm assuming, from Jakes Corner to Whitehorse, but what about the piece along the Atlin Road?

**Mr. Ferbey:** Yes, so the current deal is that the project developed by THELP — that is the acronym that we use for Tlingit Homeland Energy — includes the work in Atlin to expand their facility there and the transmission line and actually the substation at Jakes Corner, so they will own all of that, and we will take delivery of the power at Jakes Corner.

**Mr. Kent:** In the documents that we saw, it looks like there will be an additional 8.5 megawatts of power available from that. I am curious if that will be consistent throughout the year, or will there be — and I don't mean small seasonal variations, but will we see significant variations in the winter versus the summer, depending on the water flow in Atlin, or will this be a consistent 8.5 megawatts throughout the year?

**Mr. Hall:** Yes, I think that it is important to note that where we really need that capacity in the energy is during the winter. Our load is highest during the winter. We have surplus during the summer in terms of hydro. What is nice about the Atlin project is that it is a storage hydro facility, so they store up the water that arrives during the freshet, they refill the lake, and then they generate from sort of October-time through until freshet, which would be in about May. That is when we need the power. So, it is definitely winter-focused, and actually, they will have a shutdown period during the summer where we won't be buying anything because we don't need it. We will have the option to buy during the summer if we want it, at a discounted price, but we don't need that summer energy — at least in the short term — based on our current load forecasts. It is really a winter energy-producing facility, which is really attractive for us.

In terms of when it will run at the full 8.5 megawatts, that would be during what is, in the deal, called the “peak winter period”, which would be December through sort of mid-February, which is when we have the coldest weather in the Yukon and when we have our greatest load. Then it will start feathering back as they manage their water through to freshet.

**Mr. Kent:** I appreciate that answer from the witness; that is helpful for us.

Appreciating, obviously, that the proponent, Tlingit Homeland Energy, will own the transmission line along the Atlin Road, there are still a number of residents and properties along that road that would like to displace their current diesel generation for power and hook into the grid. To my understanding, that opportunity may not be afforded to them, but I am curious if the Energy Corporation is able to — and perhaps there are technical reasons why it can't be done, but I am curious if the Energy Corporation is able to work with Tlingit Homeland Energy to give those residents and property owners an opportunity to tie into the new grid once it is in place.

**Mr. Hall:** It is correct that, under the deal and the nature of a spur line like that, there is no ability for the proponents — so, Tlingit Homeland Energy — to supply those few residences along the road. I would point out that is ATCO's service territory. It is certainly within Yukon, so it is not really up to us as to how those residents might get served with grid power.

**Mr. Kent:** With respect to the power purchase agreement that is being negotiated, is the witness able at this time to offer us any of the anticipated costs of purchasing this power from the proponents? I think he said that it would be negotiated and completed by the end of the year, but I am curious if he is able to provide us today with any early cost estimates for purchasing this power.

**Mr. Hall:** Given the state of the negotiations — and we are relatively close to the end — I prefer not to talk publicly about those numbers. I think that once the PPA is signed, it will get submitted to the Yukon Utilities Board for review and it will be fully transparent and public at that point, and everyone will have an opportunity to take a look. That will be probably, if all goes well, by the end of the year. I think that within quite the short term, there will be full transparency and visibility on those numbers.

**Mr. Kent:** I will look forward to the public release of those numbers, because I think the witness said \$200 million for 8.5 megawatts of power. That seems like quite a lot. We will be interested to see how much of that is transferred to Yukon ratepayers when the purchase agreement is signed.

I have one more question before I cede the floor to my colleague, the Leader of the Third Party, and that is with respect to the flood mitigation costs from the summer floods.

Obviously, there were impacts from the Southern Lakes flooding on the control structure near the Lewes River bridge, or Yukon River bridge, south of Whitehorse. There were mitigation costs, I'm sure, at the Whitehorse hydro facility as well. Are there any early numbers with respect to those costs? Is there any opportunity for some of those costs to be recoverable from some of the federal flood-relief programs?

I will sit down. The next person with a question will be the Leader of the Third Party, so I thank you for your time here today.

**Mr. Hall:** The number of our total costs incurred was around \$500,000, but I would comment that this was prior to the most recent development, which you would have seen us post on social media today around the erosion at the Lewes control structure. We don't have a number of what that is going to cost in terms of repairs. I think it is going to take some time for us to develop that full repair plan. I think that the goal right now is to make some temporary repairs to get us through to next year's freshet and allow us to do the engineering on what a permanent solution looks like. I don't have, and won't have for some time, a number on the full repair.

In terms of access to federal funding to help offset some of these costs, we have been working with Yukon government and the Yukon Development Corporation on that, but I'm not too sure where that stands, frankly, and I don't know if Mr. Ferbey has any update on that.

**Mr. Ferbey:** Deputy Chair, we will have to come back with more information as it evolves at the departments.

### Deputy Chair's statement

**Deputy Chair:** Can I just remind witnesses to wait to be acknowledged so that Hansard can get the record correct? Thank you.

**Ms. White:** Thank you, Deputy Chair, and I appreciate that the witnesses are here and that I have been given access to the floor. I'm not known as the most patient person, so to sit until 5:00 p.m. is hard. So, here we are.

There are a couple of things that I wanted to follow up on. When my colleague was asking about the application for the rate, one of the things that he asked is the cost of the rented generators.

It is interesting, because I was on the website and I would just really like to let the website designer — or whoever does that in-house — know that the Yukon Energy website is very user-friendly. Information is easily found. There are a whole bunch of things that I think are really important about it.

One of the points that was made by my colleague was — he talked about the rented generators. I don't think it will

surprise anyone to know that he and I have different opinions. I don't actually think renting the generators is bad because I have a great hope in technology and these other projects getting us to where we need to go, so that is okay.

Is there any kind of cost estimate as to what the percentage of that rate increase could have been if the generators were purchased? Do we have any idea what 17 generators would have cost to buy or the 20 megawatts that was originally part of the consultation process?

**Mr. Hall:** One way to look at this is to look at some of the financial metrics that we use to compare these different options. If you are familiar with our renewable plan, you will find in there a metric called "levelized cost of capacity", which is basically: How much does it cost you to obtain a kilowatt of capacity? That is a really important metric, because those kilowatts are important — and how much it is going to cost over the life of the asset. So, if you look at the cost of renting — the numbers that we presented in the battery hearing, when there was full transparency on those different options compared — the cost of the rental was \$211 per kilowatt year. That's the metric that gets used. The cost of the most recent diesel plant analysis that we did, which was a 12.5-megawatt facility, ended up at \$212 per kilowatt year. So, it's almost identical.

There is evidence that the rentals are a cost-effective solution, particularly when you look at an interim time period. There was a prior question about how long we would be renting for. Certainly, from a policy perspective, our view is very much looking at what is going on federally and territorially in terms of climate change goals. Federally, we now have net zero by 2050. In a world where we are trying to get to net zero — and this was a large driver of our board's decision not to go the permanent diesel route — how does a permanent diesel facility fit in a net-zero world? It is a really important question.

It is one thing to maintain your diesel fleet and what you have today, but when you come to making those incremental investments, the writing is on the wall in terms of where the world is going. The decision, as was pointed out earlier, was to not go for that permanent 20-megawatt facility, but rather to pursue renewable sources of capacity, which Atlin provides, the battery provides, and Moon Lake provides.

**Ms. White:** I do appreciate that answer. There is always a cautionary lesson for me, which is that I should be more sure when I walk myself into those questions. I was pretty confident in what the answer would be, but I do think it's really important.

I think it's important that Yukon Energy Corporation, in the 10 years that I've been here anyway, has been one of the driving forces behind looking at those renewable energy options. One of the holdups, or I guess one of the challenges, that I've perceived is — and we have talked about this before — about planning outside of election cycles and making sure that plans are election-proof, because, at this point in time, I think I have gone through three looking-into-the-future energy plans. They change quite drastically in that time. From the perspective of a Yukoner who believes in those investments, I want to see them happen.

If we could talk a little bit about where we are — so, just mentioning the Atlin hydro and that connection there, which I

think is really important. It's indigenous led. It's all very important. If we can talk about where we are in the Moon Lake process — maybe some of the projects that are being looked at in the Carcross area and how that new Southern Lakes transmission line is also proposed in that energy plan and how that all fits together.

**Mr. Hall:** Deputy Chair, our 10-year renewable plan obviously outlined that future portfolio that we're working on. Then there are near-term projects and there are longer term projects. Obviously, our focus has been to get the battery project across the finish line. A lot of work is required there. Then the focus has been on the Atlin project and the negotiation of that EPA, which is a complex agreement and it's a long-term agreement. It's really important for Yukoners that we get that negotiation right.

The other aspect to the Atlin project has been securing the federal funding required to make the project work. What I mean by that is to allow us to procure the power at a competitive rate for Yukoners, but also allow the proponent to make a decent return, because obviously they need to be successful for the long-term certainty around that facility.

Procuring the funding and putting the funding package together is really important and is still an ongoing task that we collaborate closely with Yukon government on to work with Peter Kirby and the THELP folks actively to try to build that stack of funding. It is partly going to be funds that the Yukon government has more direct access to and partly program funds such as the SREP.

In terms of Moon Lake, one of the reasons why I gave a different date of 2030 versus 2028, as was pointed out, is that has taken some time to get moving. Part of that is just making sure that we put together the right partnership between ourselves, Carcross/Tagish First Nation, and Taku River Tlingit. I think that it is pretty safe to say that there will be some significant, if not complete, First Nation ownership of that facility. It is going to be a \$300-million to \$400-million facility at the end of the day, so structuring that correctly is really important at the front end. Then, also, as with Atlin, securing the federal funds for the planning of that project — I mean, I think that for a project of that size, we would be looking at upwards of \$30 million total planning costs, and our goal right now is to have that largely funded through the feds to protect both ratepayers and allow the First Nations to participate fully and not have a huge financial burden for them at the front end.

That is where we are at. Moon Lake has taken some time to get moving because we want to make sure that the deal is set up right at the front end.

**Ms. White:** I thank the witness for that. I understand the importance of the relationship-building and the cautious planning. I guess one of the concerns from my perspective — again, here for 10 years, I have gone through the mega-hydro planning project, I have gone through the — there was no LNG; there is now LNG — I have seen a few things here, and it is always hopeful that other balls are in the air and things are happening at the same time.

One of the things that was mentioned was the project on Haeckel Hill. I just wanted to know if there was kind of a timeline or an expected time when that energy would be online.

**Mr. Ferbey:** Deputy Chair, one of the important things in all of this, of course, is that all of these renewable energy projects will go to reducing diesel if they are on the grid. Of course, that is important because we are an islanding grid, meaning that we're not connected to the larger North American grid. The Haeckel Hill project — we do get updates frequently from the proponents. As I mentioned, they have ordered their long lead-time equipment. I believe that they are looking at commission and at least actually starting on development on the ground of some of the foundational work next spring. The commission period — I don't want to speculate, so I'll get you the exact answer to that from the proponents, given that they are the ones leading the initiative.

**Ms. White:** I appreciate that. Actually, thinking about another project that was announced and then cancelled and then announced and then — it was a wind project actually up in the same area. Sometimes it feels a little bit like Groundhog Day to be here, and sometimes it's really hopeful. The witness just spoke about the flood impacts to the Marsh Lake asset. Can he just walk us through a bit more of those effects? Because, obviously there were some things prior to this year. We always talk about the 2007 flood as the high point. If he can just walk us through what has happened there and next steps. Then I'll ask questions after that.

**Mr. Hall:** This has been a fairly recent discovery for us. As the water has receded downstream of the Lewes control structure, what has been exposed is some erosion that had been happening on the east bank downstream of the boat lock. We are still doing a root-cause analysis of it, but what would appear is that we have had some kind of back-eddy effect happening because we have had flow through the boat lock through the whole summer. It looks like there has been a back eddy that has eaten away at that bank. I will point out that the bank is basically glacial sand, so it is not structurally very robust, and you get natural erosion of those river banks all the way down the Yukon River. In terms of other details of the root cause, I don't have very much to report. We have had some erosion that has then sort of started to eliminate the support for some of the sheet piles of the boat lock itself. We had a bit of a collapse in of some of that bank that buckled the east piece of the boat lock out. I wouldn't say there is any sort of catastrophic failure — we are still getting flow through the boat lock — but it is going to require some repair to the riverbank and to the lock itself. I mean, we were in for a repair to the lock anyway because we had to remove the gates to allow flow through the summer, and in the action of removing those gates, the gates were pretty much destroyed yanking them out, so we knew that we were going to have to do some repairs anyway.

I would comment though that the measures that we took — the timing of opening all the gates at Lewes, opening up the boat lock, and lowering Schwatka — when we did the modelling around what benefit that had, the cumulative benefit I think was around 45 centimeters. So, it avoided 45 centimeters at the peak, which is really meaningful. If you were to be out

there at the peak of the flood and then add another 45 centimeters, it could have been fairly catastrophic for some of the residents. So, I think the measures we took were appropriate and effective. But what we are finding now is that there was damage caused and we will need to repair that.

**Ms. White:** Having the witness describe 45 centimeters — from my experience being out on Army Beach, that is probably six or so sandbags high and across the length of a property. That would have been a huge amount of labour, so congratulations on that work. Also, because, I think at the time when people were in the highest stress of the situation, it wasn't actually probably ever acknowledged on the ground at the time — the work that was being done by the Yukon Energy Corporation and the support that was being given there. Just to take this opportunity to thank all those who probably were in a fairly uncomfortable position of trying to do all that judgment and lifting those things out and moving them to the side. From the perspective of a non-engineer, it looked bananas; it was probably a fairly intense time. Thank you to everyone who did that.

Knowing that those locks need repair, will they be able to be repaired and be used for this upcoming season?

**Mr. Hall:** We will make some temporary, not repairs, but bank stabilization of some form just to make sure we don't get any further erosion. I would guess, if I was to think about a permanent repair, it would either be the summer of 2022 or possibly 2023, because it is just the scale of work that takes time to plan; you don't want to rush in there and do an incomplete job. So, I don't yet have a project plan from our team to say when it will be done, but it is going to take some time.

**Ms. White:** Just for clarification — not so much the bank erosion but the locks themselves. I am probably using the wrong terminology, but the big pieces that slide down and hold back the water — do those also need repair? If so, is that something that will happen for this season?

**Mr. Hall:** So, those locks will — so they are actual gates that control the waterflow that will need repair, as I've said before. Our plan potentially was to do that next summer, but now we have a complication; that part of the lock is now buckled in, so I don't know whether we are going to be able to fix the gates next summer.

We are working with the federal government around the *Canadian Navigable Waters Act*, which is actually an act that mandates certain passage for boats through things like that lock. There are some complications around that, but we are on top of that in terms of working with the feds to see what we are able to do. Worst case, that lock just stays open. It is navigable; it's just a bit more tricky when you have high flow.

**Ms. White:** Will that asset be able to be utilized this winter? Excellent. There was just a head nod. I was just trying to find out if that was the case.

One of the things that has been spoken a lot about in the Assembly in my time is demand-side management and different initiatives and just how important it is to be able to manage your energy use. It is my understanding that, in the 2020 annual report, it mentions that YDC is working on new legislation to

support those initiatives and that it would be ready for a review in early 2021. I was just wondering if the witness can tell us where that legislation is as far as being completed and when it will go out to public consultation.

**Mr. Ferbey:** Deputy Chair, I do understand that, in *Our Clean Future*, there is a commitment around looking at renewable energy legislation. I'm not aware of any specific demand-side management legislation, but that would be led through the Energy Solutions Centre at EMR. I could commit to speaking to EMR to get some more information around the renewable energy legislation.

**Mr. Hall:** Just to add to Mr. Ferbey's comment, what he is referring to there is either the *Public Utilities Act* update, which is a commitment in *Our Clean Future*, and then there is also the clean energy act which is coming as well.

Specifically related to DSM, there was an order-in-council that was passed to allow the utilities to incur prudently incurred DSM costs, so that's a great help to us because we have had some regulatory challenges over the years in terms of the Yukon Utilities Board's view of DSM. So, that OIC certainly provides us a path forward in terms of restarting our DSM program.

We have been doing the design work on what a DSM 2.0 might look like. We'll be taking that to our board this year to relaunch next year. I'm hopeful that, sometime next year, you'll see a restart to some Yukon Energy Corporation DSM programs.

A key requirement of that order-in-council is that we coordinate with government so that we don't have overlap with what the Energy branch may be doing. That just makes good sense so that we're not tripping over each other trying to offer the same programs. But our focus is very clearly on capacity reduction — so, reducing those peaks. That's a very different DSM program from what government is focused on, which is more around carbon reduction and overall energy use mitigation.

**Ms. White:** On the website, it has the really handy picture with the pot and the water, and it's a really good explanation if anyone is wondering about peak and use and things. One of the programs that the Energy Corporation had put out as a pilot was their peak smart. I'm bringing this up for two reasons. One, I was so excited to have been chosen to be someone who had the peak-shifting hot water tank controller and then also the absolute just being gutted getting a phone call to say that the contractor had gone out of business during COVID. I'm hopeful that, after that big investment that the Energy Corporation made, someone will be able to pick up that contract. Is there any hope that this is a possibility, that somebody else can come in with a program for that program?

**Mr. Hall:** Deputy Chair, what did transpire there is we launched a very successful program and signed up over 400 Yukoners — lots of great public interest. I think we ran about six or seven events through that winter and saw some good results in terms of the ability to bring that peak down. We ran a public RFP process to procure the hardware. Unfortunately, the vendor that we selected was a smaller company. They had been working with a number of utilities across Canada, so we

weren't the only ones. Toronto Hydro and, I believe, even BC Hydro had been using their hardware, but the reality is that Québec hydro launched a competitor and basically drove them out of business, is what we hear.

They are in bankruptcy proceedings. We are working closely with NRCan — the federal government — to see what can be done, because NRCan has actually given a lot of funding to that organization. They have an interest in seeing if someone will pick up the technology.

We do have some funds left in our NRCan funding allocation for the project. We are seeing if we can deploy that, in the worst case, by replacing equipment. We do want to continue with this; we think it's a great program, and, worst case, we will see if we can do a complete swap out of what you have in your home.

**Ms. White:** I thank the witness for that. From my perspective, you know, we have had lots of conversations here over the years about the complications of being responsible for the generation while also selling and also being responsible for trying to manage it and save energy costs and things like that.

One of the concepts I have been floating is the importance of energy infrastructure investment, similar to the creation of highways or buildings, but instead of those projects, for example, being put back on the shoulders of ratepayers, they're being more absorbed by government, obviously because of all of the complications that exist at this point.

We don't have a huge amount of time left, but I thought I would ask the witnesses at this point if there are key areas that they are excited about that they would like to share with the House at this point in time. If I have time, I will ask a question at the end.

**Mr. Ferbey:** The notion of areas that I am excited about — there are many. In particular, when we start looking at one of the things that will be debated in the supplementary is additional investment into the renewable initiative. This is a fund that has really supported grassroots organizations — particularly First Nation communities, development corporations, and just small proponents who are trying to bring renewable energy solutions to the ground. That, to me, is very exciting — seeing these entrepreneurs have access to capital that is very flexible. In many instances, as they are getting their projects bigger, the federal application process does require a lot of these projects to be almost beyond pre-feasibility. I am excited that we are able to play a role in this to help these communities, private sector players, and First Nations bring these projects to bear. As we pointed out, a lot of these are in the communities but also on the grid. The reduction of diesel, both off the grid and on the grid, is very exciting not only for our reduction of carbon but simply for a lot of the Yukon businesses that are making a go of this — that, to me, is exciting.

**Mr. Hall:** Yes, I mean, lots of exciting stuff. We talked a lot about Atlin and we talked a lot about Moon Lake — those are just great projects. I think, looking forward, a really fantastic opportunity ahead of us is the key role that First Nations can play in that energy future as proponents. That really speaks to a lot of the spirit and intent of the final

agreements — of chapter 22, in particular — and bringing that to life in a way that, as proponents, they can really use those as catalysts to uplift their communities. We see that in Atlin with the Taku River Tlingit, in terms of what that first project has done for the development corporation for that community. I think that it is a great example of what can really be transformative for Yukon First Nations. So, that is exciting. It doesn't make it easy and it has to be done very carefully, but it is certainly our goal and it is right in the 10-year plan in terms of an intent and acknowledgement that a number of those projects will be First Nation-led.

I think that what else is really interesting is the intersection of electrification with demand-side management. There is a very specific intent to electrify both transportation and home heating and how we do that in a smart way that doesn't drive our peaks and our costs. That is where the utility has an opportunity to offer those solutions and products to customers so that they can plug in their electrical vehicle and it doesn't create a problem for us. That is a business opportunity for us to bring those services to bear. I think that it will be in partnership with Yukon government, so that makes good sense. That whole intersection of DSM and electrification is where the magic is going to happen in the Yukon.

**Ms. White:** I will just take this opportunity to say thank you for appearing. It is one of my favourite visits in the fall, so thanks for sharing those last sparks of hope, because that is what I think we need to hold on. Again, I have been through a lot of project talk at this point, so those things are exciting for me. Thanks for being here.

**Hon. Mr. Streicker:** Thank you, Deputy Chair. It has been a really great day to listen to the questions, first from the Leader of the Official Opposition, then the Official Opposition House Leader, and then the Leader of the Third Party. It is interesting to me to get to hear the responses sitting from the side. So, as the members opposite are interested, I am too. So, I would like to thank Mr. Ferbey and Mr. Hall for coming in today, and I would like to thank the members opposite for their insightful questions and allowing all of this information to come to the floor. It's very important.

**Deputy Chair:** Thank you, minister. The witnesses are now excused.

*Witnesses excused*

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

**Deputy Chair:** It has been moved by the Acting Government House Leader 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

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, and directed me to report progress.

Also, pursuant to Committee of the Whole Motion No. 1 adopted earlier today, witnesses appeared before Committee of the Whole to answer questions related to the Yukon Development Corporation and the Yukon Energy Corporation.

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

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

*Motion agreed to*

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

*The House adjourned at 5:29 p.m.*

### The following sessional paper was tabled October 21, 2021:

35-1-22

*Government of Yukon Financial Accounting Report — For the period of April 1, 2020 to March 31, 2021 — Mercer (September 22, 2021) (Silver)*

### The following legislative returns were tabled October 21, 2021:

35-1-9

Response to matter outstanding from discussion with Ms. Van Bibber related to a ministerial statement re: Innovative Renewable Energy Initiative (Streicker)

35-1-10

Response to Written Question No. 7 re: pedestrian-activated crosswalks in Watson Lake (Clarke, N.)

35-1-11

Response to Written Question No. 12 re: Yukon Resource Gateway project (Clarke, N.)





# Yukon Legislative Assembly

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Number 20

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Monday, October 25, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Monday, October 25, 2021 — 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 which has been made to the Order Paper. The following motion has been removed from the Order Paper as the action requested in the motion has been taken: Motion No. 143, standing in the name of the Member for Porter Creek North.

### DAILY ROUTINE

**Speaker:** We will proceed with the Order Paper.  
Introduction of visitors.

### INTRODUCTION OF VISITORS

**Hon. Mr. Mostyn:** This afternoon, we have Nick O'Carroll of the Whitehorse Firefighters Association, and Chris Gerrior, who is with the Association of Yukon Fire Chiefs. They are here for the Yukon *Workers' Safety and Compensation Act* introduction. Please give them a rousing welcome.

*Applause*

### TRIBUTES

#### In recognition of flood response volunteers

**Hon. Mr. Mostyn:** I rise today to pay tribute to all the volunteers who contributed to this year's flood response in the Yukon. In the Southern Lakes, our government mounted the largest flood response in the territory's history. Hundreds of public servants worked tirelessly alongside Canadian Armed Forces, incident management teams from outside of the territory, and thousands of volunteers. It was the volunteers who truly brought the Yukon spirit to the response.

The Little Salmon Carmacks First Nation, Teslin Tlingit Council, and the municipalities of Carmacks and Teslin also undertook significant flood relief efforts in their respective communities.

Across the territory, thousands of Yukoners stepped up to help their friends, their neighbours, and strangers alike through a very difficult time. At sandbagging stations across the Yukon, volunteers of all ages showed up in force for weeks on end to fill sandbags for residents in need. Others helped homeowners to build berms or other protective structures on their properties. Volunteers unable to do physical labour found other meaningful ways to contribute. Some recruited additional volunteers and directed them to specific properties in need. Others brought food and refreshments to fellow volunteers and members of the incident management team, who were working long days filling and moving sandbags. It was remarkable to see the amount of time and energy that Yukoners dedicated to helping those in need. Thank you.

Hon. Speaker, the Yukon is a special place. We are so lucky to live here where the boreal forest collides with towering mountains and rushing rivers and to be able to recreate on these lands. The territory is also remote and rugged. This makes this place special, but it also poses challenges for people who live here. We feel the impacts of climate change and related extreme weather strongly in the north, as demonstrated first-hand by this year's flooding. When things go sideways, help is often far away, but it is comforting to know that Yukoners are always ready to help each other out. Yukoners are resilient and take each challenge in stride and are always willing to face the challenges posed by living in the north head on. Through every challenge that arises, Yukoners never fail to check on their neighbours, always asking, "How can I help?" That, to me, is the true spirit of the Yukon, and it became abundantly clear this summer.

So, to everyone who volunteered their time and energy to help residents, neighbours, friends, and family impacted by the floods, thank you for reminding us what it means to be a Yukoner.

*Applause*

**Mr. Cathers:** I rise today on behalf of the Yukon Party Official Opposition in tribute and recognition of all those who dedicated their time, knowledge, and effort to the 2021 Yukon flood response. This year saw unprecedented flooding in a number of areas in the Southern Lakes, Lake Laberge, as well as flooding on the Yukon River and the Takhini River. I would like to acknowledge that those involved in that response included volunteers, government staff, local businesses, the military, Yukon government, First Nations, municipalities, federal government, and, of course, flood specialists from Manitoba who assisted as well.

From June to September, people dealt with flood preparation and flood response, with the peak of those efforts in late June, July, and part of August. At one point, local stores were completely out of sandbags, and private contractors were delivering sand and gravel as quickly as they could, every day, seven days a week.

There was also a remarkable response from many Yukon citizens. Hundreds of people volunteered — some of them for many, many hours — to help their fellow Yukoners. These volunteers filled sandbags, delivered them, helped homeowners with berm construction, and did many other things in assisting with the flood response. Some delivered water, iced tea, and other refreshments. Local businesses were instrumental in helping to keep the strength of volunteers up by delivering flats of water and juice, along with sandwiches and snacks, and much of that, of course, was donated.

Mr. Speaker, this effort from volunteers across the territory was true Yukon spirit in action, and I don't think that anyone has a full count on just exactly how many people took time from their lives to help their fellow Yukoners. So, to everyone who helped out, thank you.

*Applause*

**Ms. White:** I stand on behalf of the Yukon NDP to thank the thousands of Yukoners who showed up to help their neighbours in their time of need. The 2021 flood season was a doozy. It touched shores as far south as Teslin and saw the river cutting banks as far away as Carmacks. We saw the highest water levels on record in the Southern Lakes and Lake Laberge, and we know that Mother Nature threatened hundreds of homes in a way that we weren't entirely prepared for. There are certainly lessons to be learned, but the biggest takeaway is that Yukoners — they showed up.

Hundreds of people turned up to do the heavy lifting of filling and moving sandbags and whatever else was needed. They built ingenious fillers to help ease the work. They brought shovels, snacks, and music, but more than anything, they brought heart. Yukoners showed up day after day, and businesses sent their entire staff. Yukon government staff showed up when they were able, and folks kept turning up where they were needed, when they were needed.

I know that those facing the rising water dealt with incredible stress and worry, but I also know that when they needed it, Yukoners showed up to help. Thank you to all those who did what you could to show our community how much you care.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Pillai:** Pursuant to section 7(7) of the *Historic Resources Act*, I have for tabling the Yukon Heritage Resources Board 2020-21 annual report.

**Speaker:** Are there any reports of committees?  
Are there any petitions?  
Are there any bills to be introduced?  
Are there any notices of motions?

### NOTICES OF MOTIONS

**Mr. Dixon:** I rise to give notice of the following motion:  
THAT this House urges the Yukon government to ensure COVID-19 vaccinations for children five years old and up are available to Yukoners immediately following their approval for use in Canada.

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

THAT this House urges the Yukon government to follow the lead of provinces and territories that have already made COVID-19 booster shots available to senior citizens by immediately making third doses available to all Yukoners aged 65 and older who want to receive it.

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

THAT this House congratulates Mayor Laura Cabott, as well as councillors Mellisa Murray, Michelle Friesen,

Dan Boyd, Jocelyn Curteanu, Ted Laking, and Kirk Cameron for the City of Whitehorse.

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

THAT this House congratulates Mayor Chris Irvin, as well as councillors Lauren Hanchar, Dale Burdes, Thomas Slager, and Denina Paquette for Watson Lake.

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

THAT this House congratulates Mayor Jack Bowers, as well as councillors Leif Nyland, Taylor Fetterly, Sarah McHugh, and Paul Medvid for the Town of Faro.

I also give notice of the following motion:

THAT this House congratulates Mayor Gord Curran, as well as councillors Luc Johnstone, Juanita Kremer, Trevor Sallis, and Jeff Myke for the Village of Teslin.

I also give notice of the following motion:

THAT this House urges the Minister of Highways and Public Works to delay the implementation of the new weigh scale exemption requirements scheduled to come into effect on November 1, 2021 until proper consultation with industry takes place.

I also give notice of the following motion:

THAT this House urges the federal government to ensure that the company that holds the Faro mine site remediation contract:

- (1) consults regularly with the Ross River Dena Council and the Town of Faro, provides them with project updates, and listens to their concerns;
- (2) employs local contractors to the fullest extent;
- (3) supports local businesses to the fullest extent; and
- (4) ensures that all local businesses are paid in a timely fashion.

**Mr. Istchenko:** I rise in the House to give notice of the following motion:

THAT this House congratulates new Mayor Bruce Tomlin, as well as councillors Vicky Maynes, Diane Strand, Angie Charlebois, and Mark Nassiopoulos for Haines Junction.

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

THAT this House urges the Government of Yukon to establish a public inquiry into the handling of the sexual assault at Hidden Valley Elementary School from 2019 to 2021 that will be tasked with reviewing information and recommendations on:

- (1) decisions made around the communications to parents by the Department of Education, the Department of Justice, and the Department of Health and Social Services;
- (2) communications between the former Minister of Education and the current Minister of Education and their staff; and

(3) communications and decisions made once the information regarding the sexual abuse became public in the media in July 2021.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to appoint a technical working group, co-chaired by the Government of Yukon and First Nation governments, to build consensus on Yukon wetland policies and land use planning.

I also give notice of the following motion:

THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

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

THAT this House urges the Government of Yukon to review the social assistance rates.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Great Yukon Summer Freeze program

**Hon. Mr. Pillai:** This year, our government introduced a number of new incentives to inspire Yukoners to explore the incredible opportunities and experiences available in our own backyard.

One important initiative was the Great Yukon Summer travel rebate program. The program provided Yukoners a 25-percent rebate for package tourism experiences offered by our local tourism businesses. This campaign helped Yukoners explore new places while supporting our local businesses in a safe and responsible way. Over 170 tourism packages from 62 businesses were shared with Yukoners. As of October 19, more than 1,800 Yukoners have participated in the Great Yukon Summer, spending over \$1.3 million with Yukon tourism businesses. So far, there have been 760 applications for rebates totalling over \$320,000.

This initiative not only provided opportunities for Yukoners to travel, explore, and have new experiences close to home, it created new ambassadors and champions of Yukon businesses. Yukoners now know more about the territory and have more experience of all that our tourism sector has to offer. They can tell their friends and family about their experiences and promote the many world-class opportunities available throughout the territory. This program has been good for Yukoners and good for Yukon businesses. That's why, in September, we extended the program so that Yukoners could continue to book experiences with Yukon businesses through the month of October. The deadline to submit summer rebate applications has been extended to November 30, 2021.

We also announced that the Great Yukon Summer Freeze rebate program, which builds on the success of the Great Yukon Summer, will allow businesses to offer Yukoners a wide range

of winter experiences. The Great Yukon Summer Freeze will function like the summer program, with Yukoners paying for eligible tourism packages offered by local operators and applying for a 25-percent rebate. Given the popularity of the summer rebate program, expanding it to include unique winter experiences only made sense. This will support winter operators to participate and encourage Yukoners to get out and experience winter in a whole new way. These packages are now available for booking at [greatyukonsummer.ca](http://greatyukonsummer.ca), and more will be added in the coming weeks. Great Yukon Summer Freeze experiences will be available from November 1, 2021 to March 31, 2022.

The rebate program will continue to be administered by the Yukon Chamber of Commerce, which has done a wonderful job and has been an indispensable partner in making this program happen. In May, we declared 2021 the year of the Great Yukon Summer. In true Yukon fashion, we wouldn't let the weather get in the way as we look forward to the Great Yukon Summer Freeze. Thank you to everyone who has made the Great Yukon Summer a success. I encourage everyone to check out the experience packages and show our local tourism operators some love and support by taking part in a new and different winter experience this season.

**Ms. Van Bibber:** Thank you for the opportunity to respond to this ministerial statement. We know that tourism was hit especially hard during the pandemic, as many people around the world were under various levels of restrictions and lockdowns. Those measures not only resulted in border closures, but in many parts of the world, people were encouraged to stay home to prevent the spread of COVID.

As a former tourism operator, I know that disruptions like the pandemic can have serious consequences for our Yukon tourism businesses. Many had to make the hard decision of trying to ride out the pandemic or close shop. However, tourism operators are resilient. When one door closes, another one opens. Yukoners who were accustomed to travelling outside of the territory for vacations had a chance to explore their own backyard. The Great Yukon Summer campaign gave them a little extra incentive to do just that. Tourism operators whom I spoke with said that it was great that there was at least something to encourage Yukoners to vacation in their home territory.

As border restrictions are now lifting, there are greater opportunities to travel Outside. I know that tourism operators are grateful that this summertime campaign is being extended through the winter — to continue the momentum of travelling close to home — because winter tourism operators are looking for any help that they can get. A few customers are better than no customers. Thanks to this program — which, I have to add, is being administered by the Yukon Chamber of Commerce — tourism operators have something to look forward to this winter. I thank the chamber for the work that they are doing on this program.

Now, this brings me to tourism recovery. With borders reopening and vaccination rates climbing, more people would be inclined to plan a vacation and pack their bags.

I mentioned earlier that people were staying home during the pandemic. They probably spent a little too much time on the Internet — thus the great opportunity to stumble upon anything mentioning the Yukon. I am wondering when the Yukon government will be transitioning to more external tourism marketing in our key market areas, because tourism operators like to fill their bookings well in advance and they need assurances of a marketing plan. They need to know how many visitors they can expect so that they can plan for staffing and prepare other aspects for their businesses, which will hopefully turn out to have a very busy summer season.

While this Great Yukon Summer Freeze campaign focuses on over 40,000 people in the territory, tourism operators need access to millions of potential travelers in national and international markets to not only survive but to thrive.

I know that Yukon tourism operators appreciate the business of Yukoners; however, it is travelers from elsewhere that provide the number for businesses to meet their bottom lines.

**Ms. Blake:** We know that tourism numbers will remain low this winter as COVID-19 continues to keep travellers home. Tourism is the single biggest private employer in the Yukon, and the pandemic has been devastating for this critical sector.

Making trips with local operators more accessible to Yukoners has been an effective tool to blunt the worst impacts of COVID-19 on this sector. However, when searching the list of available programs, many cultural tourism operators seem to be left out. Tutchone Tours, located in Pelly Crossing, provides tourists the opportunity to learn the history of the Northern Tutchone people as they tour Fort Selkirk by riverboat. Josie's Old Crow Adventures also connects tourists with traditional Gwitchin knowledge through storytelling and land-based tours along the Porcupine River, as well as dog-sledding adventures.

There are no packages to visit Watson Lake, which is the gateway to the Yukon. Many classic Yukon trips are available through the program: flightseeing at Mount Logan, dog sledding, aurora viewing, as well as paddling the mighty Yukon River. Perhaps the missing operators were not interested in working with the department, or maybe they were once again overlooked.

On the Great Yukon Summer website, only two results are listed under "Arts, Heritage & Cultural Experiences". Both are just outside of Whitehorse and neither feature indigenous arts or culture. So, the department, while it works to release its overdue cultural industry strategy, needs to be asking itself why these types of operators aren't reflected in this program. I hope that this program has been a success for those who chose to access it and helps to ensure that some of our many amazing tourism businesses survive these challenging times.

I am glad that this program has been extended for the winter season, and I hope that Yukoners continue to take advantage of it. I also hope that the department is working to be more inclusive of indigenous operators who are located in communities outside of Whitehorse, Dawson City, and Haines Junction.

**Hon. Mr. Pillai:** Just to respond to some of the questions and comments from the opposition — and thank you for your questions and comments. First, I think it's important to know that this program was about supporting Yukon tourism businesses — and continuing to support them. I think we've done a good job in the departments — Tourism and Culture and Economic Development — in putting very significant programs in place that I think have been very effective through the Yukon business relief program as well as our accommodation and non-accommodation programs, which have now been extended until March.

It was really about ensuring that we provided opportunity for cash flow for these organizations so that they could start to tool up and get their staff in place. It was also about, for many years — the Department of Tourism and Culture wanted to get operators to put packages together and to put them online, and there were challenges with that. Now we have almost 200 packages from over 60 businesses. That's something that we can continue to use into the future.

It also was about ensuring that Yukoners who didn't have a chance to see or experience certain things became ambassadors. As we open up over the next year, we will have that opportunity to share with friends and family and to talk about over 1,800 new ambassadors.

Concerning the questions from the opposition and the comments, I would just say thank you to the Member for Porter Creek North. I think we'll have a good opportunity during supplementary debate to maybe talk about how we're deploying our finances right now.

We have a multi-platform approach that started on October 18. If anybody was watching Hockey Night in Canada the other night, you would have seen great commercials highlighting the Yukon. We have a digital strategy that we're working with Cossette and Aasman on. We have a TV strategy or a network strategy, as well as multiple publications. They are all focused on a domestic market at this particular time across the country and really identifying a strong strategy. We've heard from industry players across the country that the Yukon has done very well in ensuring that our brand placement continued on, where others had starts and stops.

We met with Destination Canada as well. We're looking at, in Q1 of 2022, a very significant strategy that is going to go into some of those key markets that my critic already touched on — where we are getting the biggest bang for our buck, which is really in that European market.

I think that we are very well-positioned. We are going to continue to try to help here at home — build more ambassadors for winter products and, at the same time, make sure that we refocus and get those other, higher end clients coming back in, who are so, so important to our local businesses.

As for the other questions — this has really been driven by individuals. We don't choose who gets to be here. We are just here to help folks. We were also providing up to \$2,000 for any operator who wanted to put together a bit of a strategy and package. So, I would challenge my critic from the Third Party to please reach out to Mr. Josie and let them know what is there.

We will reach out to the First Nation tourism and culture group — we have a very strong relationship. I think that anybody — some of the comments that were made — who would say that we are not supportive of indigenous tourism and cultural product — that would be a big departure from the actual facts. My colleague, the previous minister, did a tremendous amount of work, working at a national level and, again, at the Yukon level, to ensure that we're highlighting those.

So, please, for any of us in the House, if you have tourism operators in your riding, please reach out to them. Let them know that this is a good opportunity. I know that in the Kluane riding, some of the biggest uptake came from operators in that riding.

Again, if anybody has any other questions, please reach out to the department. We want as many operators as possible having that opportunity to show their packages this winter.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Kent:** So, in response to questions from the opposition about additional supports for students and staff at Hidden Valley school, the Minister of Education made some very strong promises. The minister made a clear promise to ensure that additional supports are available to schools, including on-site social workers and coordination supports, as well as health and wellness resources.

However, in a letter last week, the president of the Yukon Teachers' Association responded to this promise with a very strong rebuke to the minister. I will quote from that letter: "I work closely with our Yukon schools. There are no reports of meaningful additional supports being provided, there is no Yukon Education plan shared with schools, and I understand there has been no communication of this initiative prior to the promise being made to the legislature."

So, who should Yukoners believe: the minister, who has admitted that she was not aware of certain happenings in her own department for over two months, or the Yukon Teachers' Association, who works closely with, and is familiar with, what is happening in our schools?

**Hon. Ms. McLean:** I am happy to stand again to speak about Hidden Valley and the situations that have unfolded there since 2019. I have been clear about the situation, the seriousness, and the attention that is being given.

I have spoken about some of the changes that have happened in the Hidden Valley school, and I am happy to do so again.

In terms of supports, we have made supports available, of course, to families and staff, including on-site support coordinated via the school community consultant, who is a trained social worker. I think that the opposition may be mixing up some of those facts.

Referrals to other supports and services are being facilitated as needed. I know that the president of the Yukon Teachers' Association did write a letter — and wrote a letter to

me as well. I am responding to that letter and have a meeting set with him tomorrow. I would be happy to continue on with my answer as we move forward.

**Mr. Kent:** It is clear from that letter that the president of the YTA doesn't agree with the minister's assessment of what is happening on the ground at Hidden Valley. The minister has raised expectations of additional supports for Hidden Valley school, but the unfortunate reality is that the minister has not delivered.

According to that same letter from the YTA to the minister last week, I will quote again: "It is my view that trying to make good on this promise, during a serious staffing shortage, will make the professional lives of schools Administrators and Educators untenable. The expectations of the public have been raised, but we see no plan to properly resource the solutions to meet those expectations."

What is the minister doing to ensure that she can live up to the expectations of additional supports for Hidden Valley that she has raised?

**Hon. Ms. McLean:** Again, the supports to Hidden Valley are incredibly important, more so than ever given the challenges that the school has faced this year. Referrals to other supports and services are being facilitated as needed, such as through Family and Children's Services, Mental Wellness and Substance Use Services, and Victim Services. Some examples include: child and family rapid access counselling, as well as long-term individual and group counselling support for children and their families; assistance with how to talk to children about abuse and how to support children's personal safety; helping parents to determine family needs and obtain referrals for appropriate supports and services locally; and other direct supports from Victim Services, Mental Wellness and Substance Use Services, and/or the Department of Education services.

Again, I want to thank the dedicated staff for their sincere work at the Hidden Valley school through their administration and staff, who are going above and beyond their usual responsibilities to ensure that children feel safe and supported, including monitoring the emotional well-being and psychological safety of the Hidden Valley school community.

**Mr. Kent:** The minister does a long laundry list of additional supports, but in the October 19 letter, the president of the YTA said, "There are no reports of meaningful additional supports being provided..."

Last week in the Legislature, we asked the minister to commit to prioritizing Hidden Valley school for teachers on call to help ensure that staff there are able to access the necessary counselling support that they need.

We asked that the minister ensure that the school had enough specialty teaching supports, such as educational assistants and learning assistance teachers, to ensure that students were adequately supported. At that time, the minister refused to answer clearly. Now the YTA has weighed in and suggested that the current staffing shortage will make it nearly impossible to live up to the promise that the minister made to the school community.

How will the minister ensure that the promise she made to the Hidden Valley school community will be kept?

**Hon. Ms. McLean:** We will absolutely continue to work with the Hidden Valley school community to ensure they have the supports that they need.

I will pivot over and just speak a little bit about the staffing challenges that we have had this year. Effective teachers are one of the most important factors in a student's success at school, and we work to attract and retain our best educators.

Teachers on call fill in as needed when staff are absent from work. We know that this has been an incredible challenge this year and is a very big part of our COVID-19 pandemic response. We are actively increasing the numbers of teachers on call. As of October 18, we had 176 registered, 32 applications are pending, and most of those are in Whitehorse. We acknowledge that increased staff absenteeism due to COVID-19 and the requirement to stay home when sick is an additional challenge. We continue, of course, to work closely with Hidden Valley school to ensure — as we do with all schools — that we are making best efforts to fill those positions as they are needed.

#### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** We know that the Deputy Premier became aware of sexual abuse at Hidden Valley school in 2019. She did not share this information with parents. As a result, several children went without justice for almost two years and went without support.

In an attempt to further hide and distract from the Deputy Premier's inaction, the Liberals have launched a smokescreen of a so-called independent review. Last week, in a briefing with the Deputy Minister of Education, my colleague was told that officials believe the contract for the so-called independent review was actually held with the Department of Justice. That department reports to the Deputy Premier.

Can the minister confirm that what we were told is true and that it is indeed the Department of Justice that holds the contract with the lawyer who will be looking into the scandal that was created under the Deputy Premier's watch?

**Hon. Ms. McLean:** I have spoken about this many, many times — again, a devastating situation that unfolded in 2019. There are a number of reviews underway, one of which is one that I have launched as an independent review of the Government of Yukon's response to the situation at Hidden Valley Elementary School. This is, of course, a commitment that I made to the parents of Hidden Valley Elementary School. I really do not agree with the members opposite casting a shadow and putting into question this review.

This is an important process for our families, for our children, and for Yukoners overall, and I believe that this is where the answers will come. The independent review will look into our internal and interdepartmental processes in 2019 when the allegations of child abuse were brought forward to the Department of Education, as I have said time and time again. I will continue to say that because it is an important message for the families, most of all — that this is a very comprehensive,

broad review and will answer the questions that have been posed through this session.

**Mr. Cathers:** Well, the minister didn't answer the question. This is a very important point, Mr. Speaker. The so-called independent review was already blatantly a smokescreen meant to kick the issue down the road and try to save the political career of the Deputy Premier. It is clearly designed to look only at 2019 and only look at actions by departments. It makes no mention of looking at why the Deputy Premier swept this information under the rug and chose to let children go without justice or support for almost two years.

Now, according to the Deputy Minister of Education at last week's briefing, the contract for the so-called independent investigation is actually held under the authority of the Deputy Premier's own department. Yukoners need to know if that is accurate or not, and the minister didn't answer the question.

Were Education officials correct when they told the opposition last week that the contract for the so-called independent investigation is actually held by the Deputy Premier's department?

**Hon. Ms. McLean:** Again, I have launched this incredibly important independent review, which is being conducted by Amanda Rogers. She has been on the ground over this last week and has started the work that's necessary to bring light to the questions that have been posed many times in this legislative Sitting. I am committed to ensuring that the work is done in a transparent — and in a way that brings the answers to Yukoners.

I tabled the document with the terms of reference earlier in the Sitting, which brings us to the target date of January 31 as a delivery date. This is a review that I have launched as the Minister of Education. This is a review that will look at the departments of Education, Justice, and Health and Social Services and the interaction with the RCMP as a result of the situation involving child sexual abuse in 2019.

**Mr. Cathers:** The Deputy Premier admitted to media that she was aware of the sexual abuse that took place at Hidden Valley school and knew about this in 2019, yet a decision was made not to tell parents, which directly led to children going without justice and support for nearly two years. Nearly 350 Yukoners have signed a petition demanding that the Deputy Premier explain her actions. So far, she has refused to answer even basic questions about her role in this. Instead, the government has launched a smokescreen of a review to try to kick the issue down the road and save the minister's political career.

Yukoners want answers now. Why did the Deputy Premier not share the information that she had in 2019 and 2020? Why are they hiding this information now? Is it because they are worried that the NDP will become uncomfortable propping up their government if the truth about the minister's actions were revealed?

**Hon. Ms. McLean:** Again, I always go back to this in the beginning, because I think it's really important that, at the heart of this, we acknowledge that, of course, there was a breakdown in trust between families of Hidden Valley and the Department of Education. At the heart of this are our children.

We have acknowledged it was a mistake that other parents were not made aware of the situation and that steps could have been taken at that time to better inform and support families.

I want to remind the opposition that there is an investigation going on from the RCMP as well to determine their role in this and the lack of investigation and contact with other parents. Both the previous Minister of Education and I have apologized to parents for that, and we are taking action to improve our system going forward.

I am incredibly proud to be the Minister of Education even during these difficult times, Hon. Speaker. I take my role and my commitments, particularly to the families, children, school community, and Yukoners, very seriously. I am looking forward to the results of this review, the child advocate review, and the RCMP review.

### Question re: Safe at Home plan

**Ms. Blake:** Alcohol use is associated with many diseases and conditions, including cirrhosis, fetal alcohol spectrum disorder, and cancer, among others. We know that alcohol abuse also contributes to increases in family violence, violence against women and children, and our ever-increasing rates of drunk driving.

The 2017 Safe at Home community action plan calls for the exploration of a managed alcohol program. It has been over four years since that plan was released. Has the minister directed her department to develop a managed alcohol program in the Yukon?

**Hon. Ms. McPhee:** I think that it is an important question raised by the opposition. In this instance, of course, alcohol is a serious concern here in the territory. We have noted that in many of the policies through Health and Social Services, but I would like to speak about *Putting People First* and the fact that this is a plan going forward that will include many of the services that are contemplated by the question that was noted. There was lots of information in there. The implementation of *Putting People First* and the recommendations through that plan and report to Yukoners, which was independent as well, is an incredibly important path forward for people-centred health services for individuals.

In short, I have not directed the Department of Health and Social Services to implement a managed alcohol program, but that doesn't mean that work is not happening on the issues that have been noted in the question and are being done under the umbrella of *Putting People First* and the implementation going forward.

**Ms. Blake:** The Yukon Medical Association, the RCMP, and many NGOs have all expressed support for a managed alcohol program. The former Member for Mayo-Tatchun supported the program. The former Minister of Health and Social Services also visited a managed alcohol program in Ottawa. She said in this House that we need — and I quote: "... to support the needs of all of our communities. This is a key reason why we are exploring the possibility of a managed alcohol program."

Will this minister listen to experts and commit here and now to opening a managed alcohol program in the Yukon?

**Hon. Ms. McPhee:** There isn't anything in the preamble to that question that I disagree with. We clearly have a challenge before us. We are implementing the recommendations of *Putting People First*, which was a comprehensive, independent report about the Yukon's health care system and how we can better serve Yukoners, how we can put Yukoners — every single patient — at the centre of that care. That includes the concepts of managing drugs and alcohol and the effects that they have on individuals.

I'll stop there.

**Ms. Blake:** In June of this year, the federal government announced funding for programs to address alcohol-related harms, including alcohol-use disorder. This program explicitly included managed alcohol programs. The Government of Canada has offered to pay for it. All that this government has to do is apply.

Has the department applied for this funding, and if not, why not?

**Hon. Ms. McPhee:** I have noted that *Putting People First* will help us to address — there are 76 recommendations from that report, and implementation of those recommendations is critical to changing and improving the health care system here in the territory for Yukoners. It's an exciting opportunity for that to happen.

I should also note that the government has opened a supervised consumption site for safe drug use for individuals here in Whitehorse and others who are visiting. It is our partnership with Blood Ties Four Directions and their expertise — and the operation of the safe consumption site in Whitehorse supports people who use drugs to do so safely. I do not have the specific answer with respect to the question regarding federal funding, but I can respond to the member opposite in writing.

### Question re: Affordable housing

**Ms. White:** Despite this government regularly patting itself on the back when it comes to housing, Yukoners are still in a housing crisis and tenants are dealing with the worst of it. Folks who rent can be evicted from their homes without reason, and this is an issue that we have raised in this House time and time again. It is an issue that renters and organizations like Yukon Anti-Poverty Coalition have called out for years, and still the government is pretending that everything is fine and renters are happy, so I just wanted to check something.

Does the minister believe that the status quo is protection enough, or does he believe that tenants deserve better protections from eviction?

**Hon. Mr. Mostyn:** I appreciate the question this afternoon and my first opportunity to rise in this House during Question Period. In response to the member opposite, I would say that tenants who feel that their landlord is not compliant with the act should apply for dispute resolution with the residential tenancies office. If the application fee is a hardship, or if any fees or any hardship applies to tenants, they can apply to the residential tenancies office and actually find relief there. They will mediate disputes between landlords and tenants. We know that there are issues in the territory right now with the availability of housing. Our government is working very hard

on multiple fronts to provide the housing that Yukoners need to go about their lives and run their businesses.

**Ms. White:** The problem is that the act allows for evictions without cause; that's the problem. Recently, one mobile home park forced new tenancy agreements on mobile-homeowners living in that park. The residential tenancies office sided with the tenants who brought this issue forward and directed the owners of the park to withdraw the new agreements.

But this is where it hurts: Other parks have also been forcing similar illegal new agreements on their tenants. The residential tenancies office doesn't make their decisions public, which means that other mobile-homeowners are not aware of their rights and are being forced into illegal agreements.

When will the minister stand up for mobile-homeowners and direct the residential tenancies office to make their decisions public?

**Hon. Mr. Mostyn:** Many of the Yukon's mobile home parks offer a discount on pad rent if the tenant pays their rent on time. Often this is called a "rent incentive". In a recent decision, the residential tenancies office found that, when the rent incentive is a term of the tenancy agreement, the landlord may not charge the amount of the incentive without the written consent of the tenant.

The residential tenancies office will continue to uphold the act and issue decisions informed by their experience and expertise in this evolving area of Yukon law.

Again, Mr. Speaker, tenants who feel that their landlord is not compliant with the act should apply for dispute resolution with the residential tenancies office. If the application fee — that is coming up in the House this afternoon — is a hardship, the tenancies office can waive that fee.

**Ms. White:** The problem is that those decisions aren't public, so no one knows about them. My colleague, the MLA for Whitehorse Centre, recently met with the landlord association, and they also asked that those same decisions be made public. Publishing the decisions of the residential tenancies office is good for renters and it's good for landlords. Let's be honest: A little more transparency would be good for the RTO itself. It's something that both renters and landlords have asked for, and it's not even that hard — just a matter of adding a new page on the RTO website.

So, again, will the minister commit to transparent decision-making at the residential tenancies office and direct the RTO to make its decisions public?

**Hon. Mr. Mostyn:** Once again, if a landlord serves a tenant with a notice to end a tenancy because the tenant filed a complaint or attempted to exercise a right, the residential tenancies office can refuse to allow the landlord to remove the tenant from the rental unit or mobile home pad. That is, the residential tenancies office will stand up to landlords who evict without cause in required cases. Tenants who feel that their landlord is not compliant with the act should apply for dispute resolution with the residential tenancies office. If the application fee is a hardship, the residential tenancies office can waive the fee.

I am fully in agreement that we have to have transparency within the government. I have defended that for many, many years now, as the member opposite knows. I'm not sure why the decisions of the residential tenancies office are not public, but if, within the realm of ATIPP and the access to information that we guarantee our citizens of this territory, a decision can be made public, I will certainly ask the office to do so, but I have to look at the laws regarding how these arrangements are made, public or not.

#### **Question re: COVID-19 vaccination requirement rollout**

**Mr. Dixon:** Ten days ago, in an attempt to distract Yukoners from the growing scandal related to the sexual abuse at Hidden Valley school, the Liberals rushed out a poorly thought-out vaccine mandate announcement. They did this with absolutely no details and no information. The result has been confusion and concern across the territory as Yukoners try to understand why this announcement was made with no idea at all about how it will work.

In the words of the YEU in a letter to its members, this announcement has sent a chill through the Yukon. In their rush to make this announcement, the Liberals also forgot to consult with the YEU. The result has been that the union has filed a grievance.

Can the Minister responsible for the Public Service Commission confirm that the YEU has filed a policy grievance due to the arbitrary nature of the announcement and the Liberals' failure to consider any of the serious issues with actually implementing this announcement?

**Hon. Mr. Streicker:** The way the question first started off was asking why. The reason that we talked — and the Premier discussed that with the public — was because we had recommendations from the chief medical officer of health. Those recommendations have always been about protecting the health of Yukoners. That is the first piece of the answer — that we are focusing on protecting the health of Yukoners. I thank the Yukon Employees' Union and the Yukon Teachers' Association for their work as well to protect Yukoners' health, including our staff, but also the public that comes and works with us on forward-facing offices.

As always, we have been following the science and the recommendations of the chief medical officer of health, and this is also in alignment with other jurisdictions across the country to combat the Delta variant and increase vaccinations. Yes, we have been working with the unions — thank you, Hon. Speaker. I know that the Public Service Commissioner advised the unions as the announcement was going out. I know that the Public Service Commission has been sitting down in meetings with the unions. I myself met with the unions this past Friday.

I will follow up with further answers, Mr. Speaker.

**Mr. Dixon:** Mr. Speaker, the letter sent from the YEU to its members paints a pretty damning picture of just how little thought the Liberal government put into its rushed and politically motivated vaccine mandate announcement. The letter states that there were two meetings last week with the

government — and I quote: “In both meetings, the Union asked for a detailed plan and in both meetings it was clear; there is no plan. Policy writers are scrambling to draft policy language while the goalposts move regarding vaccination best practices.”

It is clear that the Liberals are making this up as they go to suit their political needs. Will the Liberal government stop making policy up on the fly and drop this half-baked attempt to distract Yukoners from the mounting scandal related to the Hidden Valley school?

**Hon. Mr. Streicker:** Mr. Speaker, what we will not do is interfere with the chief medical officer of health’s recommendations to us, and what we will also do, at all times, is: Once we get those recommendations, we will share them with the public. That is what happened.

Two Fridays ago, we shared them with the public, and right at that same moment, the Public Service Commissioner shared that information with unions and let them know that this was coming. What we have said, in working with those unions, is that we would sit down with them to work through the details of how this will unfold, and we have been at the table with them since that time and working closely.

I sat down with the president of the Yukon Employees’ Union this past Friday. It was, of course, a tough conversation because there is a lot of interest in trying to make sure that we get the requirement for vaccines to protect the public’s health done well and that we’re rolling it out by — we said by November, but as there are other announcements that have come from the National Advisory Committee on Immunization, which may address the date — but what I have said is that we want to work with them on developing that.

**Mr. Dixon:** I can appreciate that it was a difficult conversation for the minister because, of course, the YEU thought that it was so arbitrary that they had to file a policy grievance against the government because of it. When the Liberals first made this poorly thought-out announcement, we called it for what it was: rushed, politically motivated, and intended as a distraction from Hidden Valley School. But now we are getting a glimpse of just how poorly planned and how rushed it was. They have no details, they have no plan, and they have no idea.

Last week the Premier told CHON-FM that they were fully committed to implementing this on November 30, but just today, it seems that the minister responsible for the Public Service Commission is considering a delay to deal with the issues raised by the union. Can the government confirm that they are reconsidering the date of implementation?

**Hon. Mr. Silver:** Hon. Speaker, what I can reconfirm here in the Legislative Assembly is that we don’t interfere with the recommendations from the public health office. This has been what we have done for the last almost two years now, when it comes to the recommendations.

It should come as no surprise to the members opposite that, as soon as the recommendations are ready to come out, they come out. That’s from the independence of the chief medical officer of health. We know that the members opposite would rather pick and choose which ones are politically expedient for themselves as far as the chief medical officer of health’s

recommendations — we’ve seen it over the last 18 months — but we will continue, on this side of the government, to make sure that we get that information as soon as possible and then work out the logistics. There is a reason for the time between the announcement and the deadlines of those mandatory situations. It’s to have these conversations.

I know that every single department, whether it is Economic Development, Public Service Commission — as the members opposite talk and don’t want to hear the answers clearly.

There’s a full court press as far as all of our departments working out the logistical challenges of the recommendations as the members opposite make it seem like these are politically motivated decisions. They are not, Hon. Speaker. They are from science; they are from the chief medical officer of health, and in Yukon, we’ve been very clear that this is where we’re going to get our direction from, whereas the opposition has decided that they will pick and choose which ones of those recommendations are good for them politically.

**Speaker:** The time for Question Period has now elapsed. We will proceed now to Orders of the Day.

## ORDERS OF THE DAY

### GOVERNMENT BILLS

#### **Bill No. 8: *Workers’ Safety and Compensation Act* — Second Reading**

**Clerk:** Second reading, Bill No. 8, standing in the name of the Hon. Mr. Mostyn.

**Hon. Mr. Mostyn:** I move that Bill No. 8, entitled *Workers’ Safety and Compensation Act*, be now read a second time.

**Speaker:** It has been moved by the Minister responsible for the Workers’ Compensation Health and Safety Board that Bill No. 8, entitled *Workers’ Safety and Compensation Act*, be now read a second time.

**Hon. Mr. Mostyn:** Hon. Speaker, it is my pleasure to introduce Bill No. 8, *Workers’ Safety and Compensation Act*, for the Legislative Assembly’s consideration.

In doing so, I fulfill a specific directive given to me in my mandate letter from the Premier. To quote from that letter, I am to: “Introduce modern, comprehensive legislation that provides for safe workplaces and a fair system of compensation for workplace injuries.”

The bill before us will enhance prevention statutes along with recognizing community inputs. I thank the Premier for entrusting me with this important responsibility.

I also want to thank my colleague, the current Minister of Education, for all the work that she did putting together this piece of legislation and shepherding it to the House earlier this year.

The *Workers’ Compensation Act* was last updated in 2008, and although —

**Speaker:** Order, please. The Member for Watson Lake, on a point of order.

**Ms. McLeod:** I am wondering if we can ask the member to speak into the microphone so that we can all hear what he has to say.

**Hon. Mr. Mostyn:** Thank you very much, Mr. Speaker, and I thank the member opposite for letting me know that she couldn't hear me. I appreciate that.

The *Workers' Compensation Act* was last updated in 2008, and although many issues were identified at that time, only select issues were addressed. In addition, since 2008, new and emerging issues have surfaced. The *Workers' Compensation Act* needs to be modernized to bring the legislation in line with modern workplaces. The same can be said of the *Occupational Health and Safety Act*. Yukon's health and safety legislation has remained largely untouched since it was first drafted in 1984. At that point in time, it was sewn together piecemeal from other legislation across the country. This has resulted in a lack of clarity, misinterpretation, difficulty in compliance, and obstacles to effective enforcement, resulting in difficulty interpreting and applying the legislation.

This government has set forth a number of priorities that have guided our mandate. Two of these priorities — that Yukoners live healthy and happy lives and that Yukon communities are healthy and vibrant — made clear that the legislation governing the Yukon Workers' Compensation Health and Safety Board needed modernization.

In the fall of 2019, our government asked the Workers' Compensation Health and Safety Board to undertake a public engagement to understand the views of stakeholders and members of the public about a range of policy issues related to the *Workers' Compensation Act* and the *Occupational Health and Safety Act*. The board received feedback on a host of issues, ranging from coverage for work undertaken outside of the territory, to the appeals and reconsideration framework, and to the composition and training required for workplace health and safety committees.

Issues around compensation, assessments, appeals and reconsiderations, and occupational health and safety were brought forward during this engagement. The board visited four communities outside of Whitehorse, held 10 targeted engagement sessions, and sought feedback through public open houses, written submissions, and surveys.

Hon. Speaker, an awful lot of work has been done trying to sort out and reconcile these two pieces of legislation into a cohesive whole. Throughout the engagement, our goal was to enable ways for stakeholders and members of the public to contribute to the development of legislation that meets the needs of Yukon's workers and employers now and into the future.

I am proud to say that the bill before you today showcases these efforts, and I would like to take this opportunity to thank the Yukon Workers' Compensation Health and Safety Board staff, who have worked so diligently, for so long, on this issue. I acknowledge the work of the Department of Justice and other key government departments that contributed time and effort to ensure this legislation is comprehensive and comprehensible.

I would also like to thank the many Yukoners and stakeholders who participated in the public engagement and contributed their ideas and time in advancing Yukon's workplace safety and compensation systems. In doing so, we make meaningful change for the workers and employers of today and into the future, along with creating a positive impact on Yukon's economy in a time when this issue matters so very much.

The Yukon *Workers' Safety and Compensation Act* enhances safety in Yukon workplaces in line with modern workplace health and safety practices. This act builds upon the core principles of workers' compensation, improves compensation benefits, and reduces red tape.

The *Workers' Safety and Compensation Act* reflects gender-neutral language, ensuring that all Yukoners can see themselves reflected in the law. The changes put forth in the *Workers' Safety and Compensation Act* can lead to enhanced worker safety, a reduction in the number of workplace injuries, fewer appeals, faster return to work, and potentially lower employer assessment premiums.

At a high level, the *Workers' Safety and Compensation Act* will expand the PTSD presumption to cover all workers, recognizing that all Yukoners have the potential to suffer from PTSD as a result of being exposed to traumatic events due to their employment. We are proposing to add nine cancers to the list of cancers eligible under the presumption, including three cancers that primarily affect women.

We will improve fairness and earnings-loss benefits for low-income workers. We will increase the maximum duration of earnings-loss benefits for older workers. We will no longer reduce earnings-loss benefits as a result of Canada pension plan disability benefits. We will provide payment of retirement and permanent impairment benefits as a lump sum, allowing individuals to control their finances.

We will provide an additional benefit to spouses or other estates of a deceased worker in the amount of \$15,000 to reflect the costs associated with funerals and cultural practices of First Nations.

We will reduce red tape associated with workers who perform work outside the territory for temporary periods of time. We will: clarify and update general health and safety duty statements, including duties of persons with multiple roles in a workplace; clarify employers' responsibilities in larger workplaces requiring health and safety management systems and establish minimum requirements; clarify responsibilities related to health and safety committees; clarify the process triggering the right to refuse unsafe work, allowing opportunities to remedy the situation internally; update, clarify, and strengthen provisions prohibiting reprisals and provide an administrative process to resolve complaints; and simplify the appeals process by having all compensation, assessments, and occupational health and safety appeals go through an internal reconsideration, as well as an external tribunal, if required.

Hon. Speaker, throughout the public engagement, we heard that Yukoners want change. We heard that Yukoners want to bring Yukon in line with other Canadian jurisdictions. We heard that Yukoners want legislation to be clear, simple,

and accessible. We heard that Yukoners want legislation that reflects and accommodates the diversity of Yukon's workplaces and workers. Bill No. 8 addresses these issues. We have listened and we have acted.

I bring before you today a bill that, when passed, will: bring Yukon in line with other jurisdictions; a bill that is clear, simple to understand, and accessible to all; a bill that supports and promotes workplace safety for all Yukoners; a bill that reflects Yukon's diverse and vibrant workplaces; a bill that, at the heart of it all, will enhance safety systems in our workplaces while taking a compassionate approach to helping our workforce if they are ever injured while in the course of their employment.

I stand before the House today with pride and excitement for our future — a future where the Yukon's workers and employers of today and tomorrow are supported under: legislation that is fair, responsive, and clear; legislation that puts the safety of our workplaces first; and legislation that will make a positive impact for years to come.

Hon. Speaker, I thank you for this opportunity, and I look forward to hearing now from the others members of the Assembly present today.

**Ms. McLeod:** I am happy to rise to speak to Bill No. 8, *Workers' Safety and Compensation Act*, which replaces the existing *Occupational Health and Safety Act*, modernizes the *Workers' Compensation Act*, and amalgamates the two.

I will start by saying that we do have some questions that we will raise with the minister responsible during Committee of the Whole, but we feel overall that it was a positive step to bring the two acts together. According to the "what we heard" document and in conversation with individuals or businesses that have taken an interest in this legislation, there has not been much negativity expressed around the consultation or the drafting process.

According to the board of directors in the "what we heard" document, not everyone who participated agreed on all the issues, but that is to be expected. The important thing is whether the proper balance was applied during the drafting of this legislation and whether concerns that were identified were investigated and addressed during the process of identifying that middle ground of worker and employer interests. There has been concern expressed around whether they will be consulted on regulations or whether it will be considered that there has already been adequate consultation done during the initial review process. I would flag this for the minister to ensure that he is aware of the fact that there are certainly a number of businesses and individuals who would like to be part of the process prior to the writing or adoption of regulations.

I will have questions around the extent of consultations with businesses during the review phase. For instance, can the minister explain how businesses were consulted, how many businesses were contacted versus how many responded, and the nature of concerns businesses have, if any? Did they see the text after it was drafted and before it was tabled here in the Legislature? How much will businesses be directly affected as a result of changes made to this act during the modernization

and amalgamation process? What are the changes to compensation that they must be aware of? How will these changes be rolled out to businesses to ensure that they understand the full extent of how this new act affects them, their business, and their employees?

I want to take a moment to thank the Whitehorse Fire Fighters Association, Local 2217, for the brief they provided around the inclusion of new firefighter cancers into the presumptive cancer legislation. Whereas the Yukon government is prepared to increase the number of cancers covered under the presumptive, there is a request being made to include two additional types of cancer, those being thyroid and pancreatic cancers, which now have a clear scientific connection to firefighting.

I thank the association for making the argument that much scientific information has come to light since the Yukon Party government passed the original presumptive legislation for firefighters in 2011, which allowed for 10 cancers that were identified at that time — an additional 10-plus years of research that identified an additional seven cancers, which are to be added, but in total nine cancers that actually have a connection to the profession of firefighting. As mentioned in the argument made by the Whitehorse Fire Fighters Association, it is becoming evident that firefighter cancer risk is greatly underestimated. Firefighters go from having a 30-percent chance of cancer due to their health and fitness to a doubled risk as compared with the general public in as little as five years for some cancers.

Now, I just want to quote here, Mr. Speaker: "In dealing specifically with Thyroid and Pancreatic cancer we are seeing many Canadian firefighters being diagnosed with these two cancers and science believes it is because of 2 products we have historically used to help us fight fires — Fire retardants and firefighting foam contain PFAS foam. The nature of the exposure dangers for these 2 cancers were likely late to be studied largely because studies were more concentrated on the fire scene itself and not the chemicals used by firefighters to fight these fires."

Again, thank you to the Whitehorse Fire Fighters Association for their comprehensive brief, and I look forward to hearing more from the minister on the government's plans going forward in response to this information.

Again, thank you, Mr. Speaker, for the opportunity to speak today. While we will have some questions in Committee, the Official Opposition will be voting in support of Bill No. 8 at second reading.

**Ms. White:** Today, in speaking in response to the second reading speech of Bill No. 8, it's a pleasure to be here.

It's also a really big deal to have firefighters in the back row because, a number of years ago when we were talking about presumptive PTSD legislation, I had to tell a room full of firefighters that it wasn't far enough and that it wasn't that I didn't acknowledge what you did as your job, but that we needed to make sure that it was covered for all employees — that was the former Leader of the Yukon NDP and I. We spent

a long time talking about how important it was to include all workers.

To be here today, knowing that we're on the cusp of having all workers covered for presumptive PTSD legislation, is huge. What it means is that people will have access to the help that they need sooner. It means that they will have the support sooner, and that's a really big deal.

To echo both the minister and my colleague from Watson Lake, it's really important — the advocacy that we have seen from Whitehorse firefighters about presumptive cancers. It's really important to know that Yukon is leading. We have this real opportunity in such a small place to literally lead the country — in some cases, leading North America in what actions we choose to take.

In a lot of cases, we make those decisions based on the respect and the honour that we want to show these people who do these hard jobs. So, when the firefighters approached all three political parties in the territory to talk about the importance of adding these extra cancers, from my standpoint, it was about honour, and it was about respect. It's understanding that it's not instantaneous. There is a whole slew of calculations that have to be put in place — the number of years serving, and it goes on and on and on.

Mr. Speaker, in a tribute last week, I asked the question: If we feel that way about folks who fight structural fires, why don't we echo it when we talk about wildland fires, forest firefighters?

It is interesting to hear my colleague from Watson Lake talk about the foam and about the suppression systems, because that has been highlighted as being an issue with wildland forest firefighters. It is not necessarily so much the smoke but the actual tools that are being used.

I am going to bring it up here right now that Yukon wouldn't be first. We would follow behind British Columbia to honour those folks, to bring wildland forest firefighters up, to hold them up with other firefighters, to make sure they are included in the legislation as opposed to excluded in the legislation. Because right now in the legislation, when we talk about the description of "firefighter", it says, "... firefighter' means a worker who is a full-time firefighter, a part-time firefighter or a volunteer firefighter..." Then it goes on to say, "... but does not include a wildland forest firefighter". We totally take them out of the mix.

It shouldn't surprise anyone that I am signalling right now that I think that is an important change that we have an opportunity to make. I have said it in other situations, and I am saying it again here now. If we recognize the importance of firefighters, then let's talk about firefighters. Let's talk about all of them; let's not separate them. I think the folks who are here in the House right now — again, because I had to apologize to them last time — today I am saying, "You are leading." If we raise the tide for firefighters, we can raise the tide for all firefighters. Raising the tide floats all boats, and I think that this is a real opportunity for Yukon to lead. I think we have seen that we lead in so many ways. We bravely take a step forward and say that people matter and we are going to show them that they matter. I want to highlight that.

I want to thank the Workers' Compensation Health and Safety Board for their consultation. They went out and they asked lots of questions and they got lots of feedback, and they did a really good job of bringing it together and merging our *Occupational Health and Safety Act* and the *Workers' Compensation Act*, and I don't think that it was easy. I would never guess that it was easy. Having everything in one place that you can go through makes it easier and it is more comprehensive. It was a really — I mean, we talk about briefings, and I know that is kind of lame, and it is a little bit inside baseball, but we got one of the greatest briefings ever with this legislation, where every point that was added, I could ask for the clause, and between the two officials, I have every clause, so I can print them up as we go through it. I really appreciate that.

I also really appreciated the candour of the conversation because it is important that, when we are talking to the folks who are behind it, we can ask honest questions and get honest answers. So, I did appreciate all that as well.

Standing here and speaking to this before we go into Committee of the Whole — and I appreciate Committee of the Whole because it is an opportunity for a back-and-forth — I do just want to highlight that there are a lot of times that we make decisions based on the respect or the honour that we want to show people, so here is our opportunity to show that respect and that honour to wildland forest firefighters. Instead of excluding them, we can open up firefighters to include everyone who fights fires in the territory, and I think that is really important. I am looking forward to having those conversations with my colleagues here, especially the minister, and I'm looking forward to the Yukon Party weighing in on that. Mr. Speaker, I just really look forward to having those conversations and getting into this legislation and, of course, making those changes that we know are so important and getting this on the go.

Thank you to the minister and thank you to the Workers' Compensation Health and Safety Board for recognizing the importance of expanding the presumptive cancers for firefighters. I think that here is an opportunity for us to expand the definition of "firefighter".

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Hon. Mr. Mostyn:** Hon. Speaker, I want to thank my colleagues on the other side of the House for their support for this bill. It is an extremely important piece of legislation that has gone through many, many people over the course of many, many years to get to this point.

It is one of the most — I would argue probably the most — progressive pieces of workers' compensation legislation in the country — in a country that leads in this field. By association, that means that this is probably one of the most progressive pieces of legislation in the world, but it is certainly in the country. I don't shy away from leading in this field or any field in this territory. I think that it's important that we stand up and

do the very best job that we can for our citizens regardless of the subject. I've always felt that way. I felt that way when I was in the private sector. I felt that way when I was working for the Yukon Workers' Compensation Health and Safety Board, and I felt that way when we were in government. I will say that the people working at the Yukon Workers' Compensation Health and Safety Board have struggled under the old legislation for years. The retooling of the *Occupational Health and Safety Act* is so very important to bring clarity to both workers and business about what the rules are when they're trying to protect people's lives on the job. To have this new act — one of the most progressive acts in the country, if not the most progressive bill in the country, that my good colleague shepherded through 99.9 percent of the work with the board — is absolutely extraordinary. I'm bringing it to the finish line, but I'm driving a car that was already well-built and beautifully constructed.

The amount of work that went into bringing this piece of legislation before this House was extraordinary, and I've heard that from both of my colleagues on the other side of the House — the consultation, the work inside the board, trying to figure out how to address and best serve Yukon employers and workers in this absolutely incredibly diverse and difficult field, so much work trying to cost and figure out what the implications of all of the thousands of decision points in this document — the effect on business, on labour, on governments, on municipalities, on Yukoners in general — it has been an extraordinary amount of work. I have to compliment the board for the work that it has done on behalf of Yukoners and also the Yukoners who fed into this process, which has been absolutely extensive. I look forward to having that conversation in Committee.

The Leader of the Third Party has talked about honouring people, but really, at its heart, this legislation isn't about honouring people; it's about protecting workers and making sure that, in doing so, we are making the best decisions based on science. I have had that discussion with my colleagues on the other side of the House for months now. I have had that conversation with firefighters. Like my colleague, I appreciate the evidence that they provided in helping us to make a decision on the presumptive cancers. There is an evolution happening in that field, and right now, we are leading with the list of presumptive cancers in this territory more than any other place in the country. But in a matter of months or years, there will be another change or new approach to WCB where maybe they take presumptive cancers — all of them — and just say that if you are working in any field, this is where it goes.

We will see how that evolves over the coming years, but right now the approach we have taken serves the territory, serves firefighters, and serves the way we do business. But it is based on evidence, Mr. Speaker, not on respect, although we do respect, and I will talk until the cows come home about the respect that I have for first responders in many fields throughout this territory. When we take decisions in this House on pieces of legislation that have been years in the making, I have a reluctance to change on the fly and make decisions on the fly without actually costing out and seeing what the implications of those decisions are before taking them.

I have no problem asking my colleagues in the department to look into matters to figure out what the implications of those decisions are, but after years and years of consultation, drafting, and careful consideration of everybody involved in this piece of legislation, I think that we honour the system and we honour the people who put so much time and effort into this from so many different sectors if we actually do the legwork before making decisions. This is not out of respect, although, as I said, we do certainly respect first responders throughout the territory who protect our homes and our lives, but we have to do that in a considered way with a full assessment of the implications of what we are doing this afternoon.

So, with that caution, I look forward to the debate in Committee. We have a huge piece of legislation before us to go through. I look forward to the conversations we have together to make sure that we understand this piece of legislation better. I will take your thoughts and considered opinions into consideration as we move through with the officials later this afternoon.

With that, Hon. Speaker, thank you very much, and I will relinquish the floor.

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

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called

#### Bells

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion for second reading of Bill No. 8 agreed to*

**Ms. White:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, and notwithstanding Standing Order 12.2, a motion that the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

**Unanimous consent to move without one clear day's notice Motion No. 167**

**Speaker:** The Leader of the Third Party has requested the unanimous consent of the House to move, without one clear day's notice, and notwithstanding Standing Order 12.2, a motion that the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

**Motion No. 167**

**Ms. White:** Mr. Speaker, I move:

THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

**Speaker:** It has been moved by the Leader of the Third Party:

THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35<sup>th</sup> Legislative Assembly, be amended by changing the special committee's reporting deadline to the House from March 31, 2022 to the 2022 Fall Sitting of the Legislative Assembly.

**Ms. White:** I thank my colleagues for agreeing unanimously today to be able to debate this, and now that you and I have both read this five times, I think that we are pretty clear about what we are debating right now.

I have to say that, in all the committee work that I have done, I have never been more proud of the committee work that I am doing right now on the Special Committee on Electoral Reform. We have met seven times, and we are working on a consensus basis. We have the Minister of Energy, Mines and Resources, we have the Member for Lake Laberge and me, and we are working. If we hadn't met yet, I would never have brought this motion forward, but we have met over and over and over again.

We made the decision by consensus that we wanted to make sure that what we brought forward was not just adequate, but that it was good. We wanted to make sure that we had the opportunity to consult with Yukoners where they are at — to go out to communities and to do a full survey — but that meant that our timeline was a little bit tight. I am happy to say that the three of us — after discussion and working our way through it — have agreed on everything that we have done to this point. There has been great conversation and great debate, but it also highlighted the fact that we would need more time, so today I am here to ask my colleagues to please vote in favour of this motion to allow us a bit more time so that, instead of just tabling a report in the spring of 2022, we can table something really, really strong in whatever the recommendation is for the fall of 2022.

I said, during the meeting, that I wasn't interested in just bringing something forward; I wanted to make sure that it was something that was good, and that is going to require a bit of time. So, that is why I am here today asking the House to grant us more time.

**Mr. Cathers:** Mr. Speaker, I will just be brief in speaking to this and noting that, although electoral reform was not something that the Yukon Party had committed to, as part of this committee, what we are continuing to focus on is the importance that, if this discussion is occurring, Yukoners had the opportunity to be well-involved and consulted before a report is made by the committee, because ultimately the Yukon's democracy belongs to all Yukon citizens.

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

**Some Hon. Members:** Division.

**Division**

**Speaker:** Division has been called.

*Bells*

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

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Mr. Pillai:** Agree.

**Hon. Mr. Clarke:** Agree.

**Hon. Ms. McLean:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 18 yeas, nil nays.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion No. 167 agreed to*

**Hon. Ms. McPhee:** 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):** I will now call Committee of the Whole to order. The matter before the Committee is general debate on Bill No. 8, entitled *Workers' Safety and Compensation 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. 8: *Workers' Safety and Compensation Act*

**Chair:** The matter before the Committee is general debate on Bill No. 8, entitled *Workers' Safety and Compensation Act*.

**Hon. Mr. Mostyn:** It is my pleasure this afternoon to host Committee of the Whole debate on Bill No. 8, the *Workers' Safety and Compensation Act*.

Before I begin, I want to introduce and welcome my colleague, President Kurt Dieckmann, who will be providing me with information this afternoon. This is Kurt's first time, I believe, putting a piece of legislation through the House. It will be a pleasure to actually have him here. We have worked together for many, many years in the past. This is certainly going to be, I would think, a great chapter in the work that we have done together.

I really appreciate him being here with me this afternoon to assist with this debate. It is a very important piece of legislation for the people of the territory, as I alluded to in my remarks earlier. The old act, especially the *Occupational Health and Safety Act*, has really needed a rewrite for many, many years. To bring forward such a progressive piece of legislation to the territory will certainly help workers who, tragically, are injured on the job. It will help employers understand the rules and will help manage their workplaces in a more measured way.

So, I look forward to — it's a big piece of legislation. We have a few hours this afternoon ahead of us open, so I will just close my opening remarks on that and let the opposition start to

field the questions they have about this extraordinary piece of legislation.

**Ms. McLeod:** I wanted to start off by thanking the representatives of the workers' compensation branch for the excellent briefing that they provided us. During second reading debate, I had referenced the two additional cancers that we would like to see included, and the president has clarified for me that those two cancers are, indeed, included, and so I thank him for that.

I do have a few questions for the minister that I referenced during second reading. This is a fairly hefty piece of legislation. It's not exactly light reading, so, I have a concern about how many Yukoners and — because most Yukoners are going to be affected by this legislation, so, I have a bit of a concern about how widely spread the information is.

Can the minister tell us how businesses were consulted on this legislation? Were they included in consultations on the final drafting of the legislation after the initial review but prior to the actual putting together of the drafting process?

**Hon. Mr. Mostyn:** Years ago, we asked the Yukon Workers' Compensation Health and Safety Board to engage the public on our behalf with regard to modernizing and amalgamating the *Workers' Compensation Act* and the *Occupational Health and Safety Act*. Multiple channels were available for all Yukoners to provide feedback and input, including local public meetings, community visits, online surveys, written submissions, targeted stakeholder meetings, and opportunities for one-on-one sessions with board staff.

The "what we heard" document was compiled and released on October 20, 2020, and is available on the Engage Yukon website, [engageyukon.ca](http://engageyukon.ca). The government is striving to create a culture of safety and prevention of both physical and psychological injuries in the territory, and the engagement process was an opportunity for all Yukoners to influence and enhance the future of workplace safety and compensation in the Yukon for years to come.

The legislation was tabled in the spring of the former session. After it was tabled, there was an opportunity then for labour, for business organizations, and for the firefighters to come forward after having actually read the bill, because it had been tabled to make suggestions to us. That opportunity was available. They could also reach out to the minister — myself — after I was put in charge of this portfolio. We did actually hear from one business group. I had a meeting with them. We also heard from the firefighters, whom I had asked for more information and evidence on the presumptive cancers, because they had a couple of suggestions they wanted to add to the list.

Because we would be the first jurisdiction in the country to add those cancers to the list, I asked for the evidence they had. They provided it. There were several reports in the package. The department actually reviewed the submission, and we, in the end, decided that there was enough evidence to support adding those two cancers to the presumption, and we have done so. While the legislation is almost entirely the same as it was in the fall, there were a few very, very small changes, one of which was adding those two presumptive cancers to the list of presumptions we already had.

So, we have heard from the National Air Transportation Association, Whitehorse Motors, Yukon Women in Trades and Technology, WTAY, Yukon government firefighters, Tom Luxemburger, Gary Pettifor, Gerard Tremblay, and the Women's Directorate, among others. We have had extensive consultation with business, labour, and Yukoners. The result is one of the most progressive pieces of legislation in the country.

**Ms. McLeod:** While I can appreciate that there was what seems to have been an extensive ability for people to comment, I didn't hear the minister say whether or not the public were presented with a copy or a draft prior to tabling this bill.

**Hon. Mr. Mostyn:** As I mentioned in my initial response, we tabled this piece of legislation in the spring, earlier this year. Since then, we have had all sorts of opportunity to hear from business and labour groups. We heard from very little, once the legislation was publicized, and I take that as a good sign.

**Ms. McLeod:** I thank the minister for that. How will businesses be affected as a result of changes made during this modernization and amalgamation process? I will start with that.

**Hon. Mr. Mostyn:** The question from my colleague opposite is enormous. It is a big question, and I am glad that it was asked this afternoon. We can start about the red tape. I mean, at its heart, I think — there are changes, but at its heart, workers' compensation legislation and the occupational health and safety component remain the same.

It's incumbent upon everybody in a workplace to identify hazards when you are working and come up with reasonable mitigations to those hazards so that everybody's safety is looked after. That doesn't change. It's a responsibility on us all to make sure that we identify the hazards and then actively and thoughtfully deal with the hazards and make sure that everybody gets home safe at the end of the day.

In the actual application of the act, there are lots of improvements, less red tape. You are not having to register with the board when you leave the country to go work for a short period of time outside the territory; that no longer has to happen. The occupational health and safety duties are clarified so that it's clearly noted who has responsibility on a workplace, which will make it easier for contractors to understand who is responsible. It was confusing in the past.

We have a streamlined appeal process. Previously, a lot of companies and workers thought that the board was in a conflict in the hearing of these appeals. Now we have a clear process that takes the board out of it. It actually has a third-party independent appeal process, which is something that we should have probably had for a very long time.

There are a few changes — less red tape, a little bit more clarity about who is responsible for what. The definitions within the occupational health and safety world are now aligned with that of the workers' compensation world, so there's more clarity there. The act itself will work synergistically between the compensation system and the occupational health and safety system. So, there is an awful lot in this act to make it easier for business and labour to understand and to make sure that, when they are working to protect the safety of workers on the jobsite, the roles and responsibility are clearer, but that role has not

changed. It's incumbent on all of us to make sure that we identify the hazards on a workplace and be thoughtful and diligent in mitigating those hazards.

**Ms. McLeod:** I guess that when I think about this piece of legislation, the concern that comes to my mind is that there are employers of varying sizes throughout the territory. I am a big fan, actually, of one rule for everyone, but I am wondering if there are some unintended consequences as a result of putting processes and requirements into play that a government may find easy enough to do, but a small business owner might find them quite burdensome.

Has there been any determination as to the amount of additional administrative burdens that a business might experience due to these legislative changes?

**Hon. Mr. Mostyn:** I am going to ask the member opposite for more specific information if she could provide it — the unintended consequences of what? We have a fairly comprehensive piece of legislation here. In order to properly answer the question, I would really like some more context as to what sort of unintended consequences or fears she has heard from the business community specifically that we might be able to address this afternoon on the floor of the House.

**Ms. McLeod:** When I read through some of this documentation, there are references to various reporting mechanisms and policies that must be in place where government might find it very easy to put a 50-page document into play but where a small business might find that quite a burden.

So, those are the sorts of consequences to small business that I am inquiring about, because, of course, as I said, it is one thing for government to put the health and safety plans on paper and into effect — and do they do constant daily monitoring? — but it is quite another thing for a small business to do that or a single operator. That is the sort of consequence that I am referring to.

**Hon. Mr. Mostyn:** I want to begin by saying that the changes in this — while the act itself has been clarified, streamlined, and made easy to understand, the changes between what constitutes a large business and what constitutes a small business are almost insignificant. In the new act, safety management or safety systems still only apply to shops of 20 or more employees. The larger shops have more — because they are larger — resources and they have more moving pieces, so the safety management pieces apply to those larger shops. Smaller shops with fewer employees — fewer than 20 — are, like the old act, governed under much less stringent — they have fewer obligations under the act to do that. It doesn't relieve the obligation for small business people and their employees to identify hazards on the job and identify things that may be physically or psychologically hazardous to their employees and to mitigate those hazards, but the reporting and all the obligations under the act don't apply in the same way as they would to a much larger shop.

It is the same thing for the obligation to re-employ. A large organization will have a lot more opportunity to be able to re-employ someone who was injured on the job. We will seek to have those organizations find spots for an injured worker on

their staff, but a small place with one, two, or three people may have a much more difficult time integrating an injured worker back into the workplace, so that obligation does not flow to a smaller employer as it would with an employer of more than 20 employees. I hope that answers the question for the member opposite.

**Ms. McLeod:** It does clarify things to a degree. I still would be concerned about an employer with 20 employees versus someone like the Yukon government with 3,000 or 3,500 employees, but I will move on. Thank you for that.

Are there any changes within this bill to the compensation that businesses should be aware of and perhaps are not?

**Hon. Mr. Mostyn:** I appreciate the opportunity to answer this question. Once again, it's a fairly open-ended question with a lot of possibilities, but I will hit a couple of highlights.

First of all, I think that employers should know about workers' compensation coverage outside of Canada. When I was working at the board, we had an awful lot of questions coming to us when an employer started to work outside of the country and whether or not they were covered. We now automatically cover workers travelling outside of Canada for a period of up to 14 days. Employers travelling outside of Canada for a limited period may still apply for extended coverage. This is a much easier process than under the old act.

Psychological injuries, I think, should be highlighted as well.

Work-related injuries will continue to include: chance events, willful and intentional acts; disablements; and occupational diseases. Work-related injuries will continue to exclude chronic mental stress, but will now include injuries resulting from chronic mental stress. I clarify that work-related injuries will continue to exclude those injuries resulting from employment-related decisions such as change in work, promotions, demotions, transfers, disciplines, et cetera.

So, we're actually putting a focus now on psychological injuries in the workplace. This is a huge shift for the board and for society, frankly. We've heard how debilitating psychological health in a workplace can be. I think that some business groups have estimated the cost to business in Canada to be in the billions of dollars. We're now recognizing that and making sure that workplaces are healthier psychologically as well as physically. When I spoke earlier in the day about identifying hazards in the workplace, that means mental and physical hazards and dealing with them.

We also have director liability. The *Workers' Compensation Act* already holds an officer or director liable as a party to an offence committed by a corporation. So, what we're proposing is to add a provision that would make directors jointly liable for amounts owing to the corporation under this act.

This proposal is consistent with directors' liability for other corporate obligations such as income tax and employment standards and will bring the Yukon Workers' Compensation Health and Safety Board in line with other jurisdictions relating to collections for WCB premiums. So, this is another place where we are changing some of the focus of the act — with

directors' liability. Again, this was an issue that I know the board has struggled with for years — certainly the years I was there. This was an issue that came up with directors quite frequently. We have taken an approach in this act that is consistent with the rest of the country, and it should make things a lot more easily understood by directors in the territory.

**Ms. McLeod:** How is it that the WCB organization will — how will they ensure that these changes will be rolled out to businesses to ensure that they fully understand the extent to which the new act affects them, their business, of course, and their employees?

**Hon. Mr. Mostyn:** Well, should this bill pass the House this session, there is actually a six-month implementation period to make sure that all businesses understand the implications of this legislation that is coming into force in the summer.

There will be materials available online, there will be training and information sessions for labour and business, and policy decisions will have to be investigated and extensive consultation with stakeholders done. Those policy position papers will be available for feedback online as well. I think that it is not just the implementation immediately. There will be a period through which the Yukon Workers' Compensation Health and Safety Board and its officials reach out to both business and labour to make sure that the community understands the implications and rules that are being put forward under this new piece of legislation.

**Ms. McLeod:** The "what we heard" document reflected a need to ensure that mental health is an integral part of the workers' compensation and occupational health and safety systems and, in turn, emphasized that as an intrinsic part of healthy and safe workplaces. I will just use the minister's term here: "healthier psychologically".

Can the minister elaborate on how this importance of mental health in the workplace is reflected and integrated in this new act?

**Hon. Mr. Mostyn:** Probably the largest piece in this bill is the expansion of the PTSD presumption. In 2017, when the act was amended to introduce the PTSD presumption, it did so for emergency response workers. The presumption has made a positive contribution to mental health efforts in the Yukon by raising awareness of the issue and promoting discussion.

During the 2017 public engagement — and again in the 2019 act's modernization and public engagement — the Yukon Workers' Compensation Health and Safety Board heard that other occupations — such as nurses, social workers, and corrections officers — should also be included under the PTSD presumption. Bank tellers — my mother worked in a bank. She was robbed at gunpoint and suffered years after the fact. She wouldn't have been covered. She would have been exempted, but now she would be included under the presumption of PTSD in the Yukon. You never know when trauma is going to affect a workplace, and I am happy to say that the presumption for psychological injuries has now been extended to all workplaces that suffer a traumatic event.

I want to talk about the presumption for just a second, because we talk about "presumptions" and it clouds the whole

compensation system in a way. Workers who are not covered by presumption are still eligible for workers' compensation; they are just not immediately put in that category. There are still adjudication processes used for 90 percent of workers' compensation claims successfully. It assesses the injury that the person has suffered on the job and then provides compensation for that individual through the compensation system. It is very, very important that it be done right, and it is done right so often by a lot of very compassionate people who work for the Workers' Compensation Health and Safety Board.

The presumption is there. It's done so that it speeds — once a traumatic, psychological injury has been determined by a medical professional — immediately. If you were working when that event happened, you would be covered, but if something happened that was a little murkier, you would still be assessed by the board and still be eligible for compensation. I think that it is really important that we remember that when we're talking about presumptions.

Presumptions are sort of a catch-all in some cases — for firefighter presumption, for cancers, for example — it speeds that, because we have seen scientific evidence that firefighters working in certain environments have a much higher prevalence of cancers in the workplace, so we just presume that, if they have one of those cancers, they got it on the job. But somebody else working in a dump fire — say if you were a mail clerk who happened to be at the dump and were caught in some sort of fire and inhaled gases, you might be able to get compensation for that event if it was work related — if they were on the job when the event happened. So, they wouldn't be presumed to, but there is still a very robust adjudication process to make sure that workers are covered when they are injured while at work.

**Ms. McLeod:** Can the minister elaborate on what changes were made to simplify the review process for claims and compensation matters and to provide a less formal reconsideration process?

Along with that — I guess if the minister could tell us whether he expects that decisions will be made within a shorter time frame.

**Hon. Mr. Mostyn:** I will say to everybody listening — everybody in the House today — that if you are injured on the job, make sure that you document the injury. That is the step. It is every worker's responsibility that, when they are injured on the job, they should actually file a claim for that injury, and that will speed the process dramatically. Make sure you document it. That goes for all occupations.

This government recognizes the statutory rights of employers and workers to file an appeal on any decision rendered by the Yukon Workers' Compensation Health and Safety Board.

This bill proposes two changes to the current appeals processes: first, to simplify the internal appeals processes for compensation claims and to have workplace health and safety appeals and employer assessment appeals follow the same simplified process so that it's now consistent; second, to amend the time period to appeal decisions to support timely return to health and work to promote the primacy of workplace safety.

Again, we recognize that, in the compensation system, the faster you get somebody treated, the faster you identify the injury, the faster you get treatment, the faster they get back on the job, and that's important for the worker's psychological health, for their well-being, for their economic health as well.

The simplification of the appeals process for all matters will enhance fairness and consistency by providing two levels of appeal — one internal level and one external level of appeal. This process will also reduce complexity and improve efficiency, making the appeals process easier for workers and employers to navigate.

Amending the time period to appeal decisions benefits workers and workplaces and reduces costs to employers. By streamlining processes, access to compensation is improved and red tape is reduced. Believe you me, reducing red tape in the compensation system is a worthy goal. These proposals align with this government's enduring priority that focuses on a people-centred approach to wellness that helps Yukoners to thrive. That is to say that the faster we get the appeals process finished with, the faster we can get care to people and that's integral.

**Ms. McLeod:** I'm just going to ask one more question, and then I am going to allow my colleagues to ask their questions. I may return.

However, I wanted to ask a question about section 205 of the bill, because this has come up from the public — this question about the minister's abilities under the act. So, if the minister could please explain to me what section 205 means in real terms.

**Hon. Mr. Mostyn:** Section 205 may be understood by my predecessors on the other side of the House, because this section of the act has not changed in this new iteration of the act. It is the same clause that existed before. What it says is: "The Minister may, by order, require the board of directors to investigate any matter under its jurisdiction in the manner requested by the Minister."

If a constituent or a Yukoner came to a minister, we are not allowed to get involved and start to meddle in the OH&S decisions or the claim or compensation decisions of the board, so this clause allows the minister of the time to actually hand the information to the board and ask: "Can you please investigate this properly?" — and then step away and allow the board to do the work in a way that prevents the minister from getting directly involved in a matter that they really shouldn't be involved in. That is really what clause 205 in the current act allows.

**Ms. McLeod:** So, yes, of course, section 204 flat out says that the minister can't direct compensation and direct the outcome of an investigation, of course. Yes, that makes sense.

Section 205 — I know this was put to the test when a Yukoner wrote to the minister — not this minister, the previous minister — and asked the minister to direct the board to investigate a thing. The minister wrote back and said, "It has nothing to do with me", which prompts the question as to what the intent of that section is, if the minister is saying that they cannot direct the board to investigate a thing.

**Hon. Mr. Mostyn:** The member opposite may have me at a bit of a disadvantage, having some detailed information that I am not party to. That said, we will talk in abstract about clause 205 in this bill. It is: “The Minister may...” — not “shall” but “may” — “... by order, require the board of directors to investigate any matter under its jurisdiction in the manner requested by the Minister” — “may”.

The minister has discretion when hearing a concern raised by someone in the public — a citizen of the territory — and may choose to direct the board to investigate. It doesn’t say that the minister “shall”, upon receiving these things, do this, so, it is a discretion. I don’t know what the concern was or what the circumstances were that were brought to my predecessor’s or any predecessor’s attention. All I can say is, as the current sitting minister responsible for the Yukon Workers’ Compensation Health and Safety Board, that I will assess complaints or concerns that are raised by the public as they come in, and I will respond in kind, either directing the matter to the board, as allowed under section 205, or in certain circumstances, I guess — given this — I may tell them that I can’t get involved and not refer to the board, because I don’t feel that it should go to the board. That is the discretion afforded me by the legislation before us, and it has not changed from the last act to this act.

**Mr. Dixon:** I appreciate the opportunity to rise and speak to this in general debate. I would like to thank my colleague, the MLA for Watson Lake, for allowing me to chime in with a few questions. I would like to begin, also, by thanking the officials for joining us here today, as well, and note that some of my questions were covered by the department’s briefing to my colleague, but there are a few issues that I would like to go over with the minister to ensure that they are on the public record, and they do, in some cases, relate to some of the comments that the minister has made already, and I would like to dig in, on a little bit more detail, to some of those things.

Without too much more preamble, Madam Chair, I will begin to get into the specifics. The first issue I would like to talk about is the nature of the issue related to directors’ liability. The minister has indicated that there is a change in legislation with regard to directors’ liability, and I would like to begin by giving the minister an opportunity to provide a bit of an overview of the changes being made in the legislation, and then I will get into my specific questions about it.

**Hon. Mr. Mostyn:** I welcome the Leader of the Official Opposition to the debate on this bill this afternoon.

The *Workers’ Compensation Act* already holds an officer or director liable as a party to an offence committed by a corporation. The government is proposing to add a provision that would make directors jointly liable for amounts owing by the corporation under this act. This proposal is consistent with directors’ liability for other corporate obligations, such as income tax and employment standards, and would bring the Yukon Workers’ Compensation Health and Safety Board in line with other jurisdictions, relating to collections for WCB premiums. This proposal will provide an effective tool for the Yukon Workers’ Compensation Health and Safety Board to collect unpaid assessment premiums from the director or

directors of a corporation. Corporations that are struggling are encouraged to contact the board for further information and assistance. This proposal was received positively by stakeholders at the public engagement, as other employers are not subsidizing the debts of delinquent employers through higher assessment rates.

That is the key piece here, Madam Chair. The proposal was received positively by stakeholders at the public engagement, as other employers are not subsidizing the debt of delinquent employers through higher assessment rates. We saw recently that a mining company went out of business and left the Yukon Workers’ Compensation Health and Safety Board holding many debts that were unpaid. Under the old system, the existing — let’s say there were 10 people in the rate group, and one of them goes under and doesn’t pay their debts; the other nine then shoulder the burden for those unpaid debts.

What this does is allows the Yukon Workers’ Compensation Health and Safety Board to actually claim the money that is owed the system from a director of a company. Before that, they weren’t allowed to do that. I am sure that the member opposite will have other questions.

**Mr. Dixon:** If I understand that correctly, my understanding would be then that the Workers’ Compensation Health and Safety Board could, in the event a business is delinquent, go after the directors of the company, rather than the corporation itself. I’m wondering if this represents what, in the legal world, we would consider a piercing of the corporate veil. Does it allow for the board to go beyond the corporation itself and to the directors individually as persons — as individual persons — so that those directors would have their own personal assets in play, as opposed to just those of the corporation itself?

As we all know, the fundamental structure of a limited liability company is to protect the directors from debts or obligations occurring as a result of the conduct of the business. If this allows for the piercing of that corporate veil, for the board to go after individual directors, that would be something that I would like explained a little bit more.

In the event that a corporation is either bankrupt or ceases to exist, what sort of steps would the board take to go after that individual director, or those individual directors, and can they go after their personal assets to address delinquent obligations to the board?

**Hon. Mr. Mostyn:** The *Workers’ Compensation Act* currently does not include a provision that allows the Yukon Workers’ Compensation Health and Safety Board to collect unpaid assessments of corporations from their directors. Similar types of legislation, such as the *Income Tax Act* and the *Employment Standards Act*, do have these kinds of provisions. This is not cutting edge in any way, shape, or form. If a corporate entity fails to pay the required assessment premiums, because it becomes bankrupt or has financial difficulties, the Yukon Workers’ Compensation Health and Safety Board may not be able to collect unpaid assessments, premiums from the corporation, and the result is that other employers in the system bear these costs. The drafted legislation proposes to add a

provision to make directors jointly liable for the amounts owing by a corporation under this act.

This will provide an effective tool for the compensation board to collect unpaid assessment premiums from the director or directors of a corporation. It strengthens the current provision, 110(2), which holds an officer or a director liable to the punishment as a party to the offence committed by a corporation. Personal accountability for directors can aid in employee compliance. It is consistent with the directors' liability for other corporate obligations, such as income tax and employment standards. Other employers will not be subsidized, as I said earlier, in the debts of delinquent employers through higher assessment rates. It reflects what we heard through the public engagement. It's in line with similar provisions across Canada relating to collections for WCB premiums and does not affect the volunteer directors of a registered society who fall under the *Societies Act*. There would be an exemption for volunteer directors under the *Societies Act*.

That is a lot of the background behind this and some of the rationale. The bottom line is yes, the Yukon Workers' Compensation Health and Safety Board would be able to go after the assets of a director in the event of a bankruptcy — as the member opposite calls it, I guess, "piercing the veil". It is a common practice in other pieces of legislation and would now be allowed to be done through the Yukon Workers' Compensation Health and Safety Board, and the policy within the board to actually do this will have to go through a process with employers to draft that policy.

**Mr. Dixon:** The minister started to answer the next question I had at the tail-end of his previous response. I was curious about the process by which the board would seek the personal assets of a director of a company for either unpaid assessment premiums or other obligations before the board.

I may have understood that the policy is yet to be developed, but I would like the minister to offer an explanation of how the board, or the government, would go about that process of piercing the corporate veil and going after a director of a company for the obligations of the company itself.

**Hon. Mr. Mostyn:** Yes, the member opposite — as I indicated both to his colleague and to him earlier, the policy work is going to be developed with the stakeholders that the Workers' Compensation Health and Safety Board has assembled — including directors in the territory — to find out how best to do this. As I mentioned, currently, the Yukon Workers' Compensation Health and Safety Board is unable to perform this type of thing to reclaim the money that it is owed from delinquent directors involved in a bankruptcy or whatever. I have been consulting with President Dieckmann. They still don't know how other agencies do this. That policy work will be developed in the coming months, before the act actually takes effect later in 2022.

**Mr. Dixon:** The minister has indicated that, at present, the board, or the government, isn't aware of how they will do that, so, I am looking for just a little bit of guidance from the minister: Is he anticipating that this would be a process done by policy, or would the process by which we go after directors of companies that have delinquent debts be something that would

be set out in regulation? Just to recap the question: Would it be done by policy or would it be done by regulation? If he could answer that, it would be appreciated.

**Hon. Mr. Mostyn:** I appreciate the question from the Leader of the Official Opposition. I am told that it will be done through policy.

**Mr. Dixon:** At this point, I guess I would just, by way of advice, provide some comments to the minister that I think will be an important issue to review closely with the business community here in the Yukon. Obviously, it will directly impact a director of any business in the Yukon who may be subject to obligations as a result of their ownership or holding of shares or directorship in a company. I know that, oftentimes, the limited liability corporation is viewed as a sort of sacrosanct matter that protects those individuals, but if this is piercing that and moving into going after the personal assets of a director of a company, that is something that I am sure many directors of companies in the territory will have great interest in, because all of a sudden, the activities of their corporation now impact their own personal finances and their own personal assets. So, that is something that I do think merits a significant and thorough amount of consultation with the business community.

Having said that, I will move on. The next subject area I would like to speak about is the compensation fund. I know that, in the public documents, the public consultation, and the subsequent "what we heard" document, the document indicated that feedback was shared by participants in the public engagement, who were seeking to clarify and legislate certain circumstances that would require the YWCHSB to provide rebates to employers. There was a question around maintaining the current fund range of the compensation fund.

I am wondering if the minister can first provide us with an update as to what level the fund is at, in terms of financing. I know that the range it is required to be is between 121 and 129 percent. I am wondering if, while he has his officials with him, he can provide an update on where that fund is at and whether or not consideration was given to legislating what that level is.

**Hon. Mr. Mostyn:** The board of directors of the Yukon Workers' Compensation Health and Safety Board manages the compensation fund in accordance with the policy direction that it arrives at in consultation with stakeholders. It establishes certain parameters to ensure that the rates remain steady. It's not — I guess the short answer is: Is it in legislation? Did we consider it? No, we didn't put it in legislation. We did that intentionally, because setting a rate in legislation would fetter the discretion of labour and the employers' businesses in the territory and the board to come up with funding policies that meet the needs at the time.

Policy directions, as we all know, can change — the fiscal situation in the territory — or the way that we manage workplace health and safety can change. Leaving it as a target set by the board, in close consultation with the business community, labour, and its stakeholders, allows us to meet those policy directions as they develop.

**Mr. Dixon:** So, is the minister able to tell us what the current rate is right now? What is the fund capitalized to right

now — what level of percentage? Is it within that current range, or is it beyond?

**Hon. Mr. Mostyn:** The Leader of the Official Opposition is pushing the item, and I totally understand that; I respect that. I was hoping to leave some tidbit that might be applied to the officials when they come into the House in a few weeks and address their questions directly. At the moment, all I can say is that the fund position as we know it is what it was last year — at 130-odd percent. It's enough to warrant the paying back of a dividend because it was above the chosen range, but we don't know what it is today at this very moment. It fluctuates dramatically with the goings on in the market, so that fund is invested and is subject to the vagaries of the market.

It is also dependent on the decisions that we take this afternoon — or have taken — with respect to the compensation legislation, because decisions — like adding a couple of presumptive cancers because of the evidence — do have real-world effects on the costs to the system and costs to businesses. Until we actually find out what this whole bill encapsulates, we won't be able to say exactly what the effects on the compensation fund are. The actions, additions, or subtractions that we make to the bill before it's passed have real-world effects and will affect the business community in what could be profound ways, so that's why I will wait and leave that question on the table for when the officials come in. It is a good flag for the Chamber that the decisions we take today do have real-world effects on businesses in the community, and we should take those decisions with the research and deliberations that the officials have put into this act. It was years in the making, so we should add to those things on the fly as little as possible.

**Mr. Dixon:** I take the minister's point that the board will be before the Legislature at some point in the next few weeks — at least before the end of this Sitting — so I won't spoil too much, I hope, by asking a few of these questions. The reason I asked that question, Madam Chair, is that as the Premier has indicated, we do know that the fund is beyond the current parameters set out by policy. I know that this is so often the case, as it has been at least over the last several years.

The minister indicated that it is in the — “130-some-odd percent” is the phrase that he used. That is, of course, beyond the policy direction that is provided. I know that this is the reason why there is some interest among some in the business community to see that amount legislated so that it didn't get beyond that amount. Part of why that is important is because, when it does go beyond there, we know that this necessitates the need for rebates to employers. Sometimes, when the rebates are occurring years after the fund has reached that level, there is a bit of a lag between the activities of those businesses that paid into it to get it to that level and the rebates that are enjoyed by businesses who come after the fact.

That was my point — so the reason I asked whether or not it made sense for the government to consider adding that amount into the legislation at whatever level they deemed to be appropriate. Perhaps I will let the minister respond to that before I move on to my next point.

The funding amount of the compensation fund is something that we often hear about from the business

community, and so I was curious as to whether or not the minister had explored the idea of adding a legislative limit to that, but I do appreciate the point that the market does adjust where the fund is added on a day-to-day basis and the fact that it is invested means that we lose control of it to a certain extent once it is in the market. It could go beyond that without us intentionally having a higher than anticipated return or something like that.

Maybe I will just let the minister respond to that — if they did consider the proposal to legislate a limit on the compensation fund and whether or not they would consider that going forward.

**Hon. Mr. Mostyn:** Once again, I thank the Leader of the Official Opposition for the question this afternoon. It's a good discussion.

I will say, in response to his latest question, that, yes, we did consider legislating the fund parameters and we rejected it. We felt that it was much better to work in consultation with our stakeholders — with labour and business — in setting those parameters so that it is flexible enough to meet the needs of the board, especially given potential market fluctuations, et cetera. That is how we decided to do it, but we did consider it and then rejected that idea.

As far as employers getting paid out the rebate and that type thing, I think the deep dive could probably be directed to the officials when they come into the House in the next little while.

I was in the compensation board when we set up the policy when it first came to our attention back in the day. It was set on a three-year time horizon, so employers who had paid into the fund for three years got the largest share of the rebate, and those who just came on board in the previous year would get a smaller rebate because they only paid into it for a single year. Those who just came into the fund, who hadn't paid in over the previous three years, would not get anything because they hadn't paid into the fund that resulted in the surplus that was getting paid out. If you were a newcomer, a new business that had just started up, you wouldn't get a share of the fund that you hadn't paid into.

That's basically the way the policy was developed and the way it has worked over the last several years. I hope that answers his question. If it doesn't, of course, he can direct much more spirited and pointed questions to the officials when they get into the House.

While I'm on my feet, I'm going to ask if we might have a brief break.

**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 (Ms. Tredger):** Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 8, entitled *Workers' Safety and Compensation Act*.

**Mr. Dixon:** I thank the minister for his answer prior to the break. I appreciate that some of the more detailed questions about that matter are best placed for when the board appears before the Legislature. I will certainly take the minister's advice and bring those forward then.

I do appreciate that some of the detail there, in terms of the structure of the payments to employers when the fund is overfunded, as well as which businesses receive that rebate and which do not as a result of the timing by which they have been paying into the fund, is something that I can discuss with the board. I do appreciate the minister's acknowledgement that they did consider the idea of a legislated limit and ultimately rejected that decision and proceeded with what we have before us today.

I think it is something that I would like to see revisited at some point, but it certainly is not an issue that I think holds up this legislation. It certainly won't affect my support for the bill, but I did want to note that I think that there is a possibility of a future conversation about whether or not that limit could be revisited and whether or not that limit should be considered in legislation.

I will move on to the next area that I wanted to discuss with the minister, which is the PTSD presumption clause. As the minister noted, this was initially changed several years ago just for first responders. Over the course of the last few years, upon reflection on that section and upon consideration and consultation, the government has decided now to expand that to the list of occupations included in this bill.

I would like to ask the minister if he can provide a little bit more information about how that decision was taken, why the current list of occupations is as it is, and whether or not other occupations were considered and subsequently rejected — basically, if the minister can offer any sort of further thoughts on the expansion of that list to other occupations and what that might mean from the perspective of cost and the impact on the compensation fund itself.

I note that the minister, in his previous comments, did note that decisions about expanding the eligibility, or the presumption, shouldn't be taken lightly and that we need to consider the implications of the cost, and so I would ask him what sort of implications they have determined could come as a result of this expansion of the PTSD-presumption clause to other occupations.

**Hon. Mr. Mostyn:** I will reiterate the question posed by the Leader of the Official Opposition and that was about the costs coming into this.

I will say that, in earlier remarks, I have spoken about costs and cautioned about making decisions on the fly — dare I say it: fast and loose — that may add to the cost without having the board go through what's involved with the decisions taken today.

In terms of PTSD, the consideration has been made. Society has acknowledged that dealing with mental health in the workplace is important, so the board staff have gone

through and actually examined this issue and have studied what the effect of the decisions that we took in 2017 were for psychological injuries and what would be the effects of expanding it to all industries. I will talk about that in a few minutes.

The PTSD presumption came into effect when amendments were made to the *Workers' Compensation Act* in November 2017. At the time, it applied to emergency response workers, including police, firefighters — the presumption applied to firefighters and paramedics. It eased the evidentiary burden and simplified the claims adjudication process for emergency response workers diagnosed with PTSD. A diagnosis of PTSD by a registered psychologist or psychiatrist was required and is still required today.

Emergency response workers are at least twice as likely as the general population to suffer from PTSD as their employment routinely exposes them to traumatic stressors. Claims for psychological injury may be denied because the worker does not have a diagnosed psychological injury as required by the act and policy or the injury was found to be caused by something other than work duties.

Introducing the PTSD presumption in 2017 increased awareness of psychological injuries in the workplace. The number of claims for PTSD and other psychological injuries levelled off in 2019. During that 2017 public engagement, the board heard that other occupations such as nurses, social workers, and corrections officers should also be included under the presumption.

Again, "presumption" doesn't mean that, if you have an incident at work or an injury at work and are outside the employees covered by a presumption, you won't be covered; you can still get presumption.

I saw the Leader of the Official Opposition nodding his head earlier, and I think he greatly understands that presumption eases the adjudication process, but it doesn't preclude others from getting coverage, if they are indeed suffering from a mental illness or a physical injury or a disease.

Introducing the PTSD presumption in 2017 helped to increase awareness of psychological injuries in the workplace. Expanding it to all workers will continue to aid in these awareness efforts. Any worker who has been exposed to a traumatic event at work has the potential to suffer from PTSD as a result of their employment. The presumption eases the evidentiary burden and simplifies the claims adjudication process for workers exposed to a traumatic event at work. A diagnosis of PTSD by a registered psychologist or psychiatrist is still required.

So, if something happens at work, you get a diagnosis from a psychiatrist or a psychologist who says that, yes, you're suffering from post-traumatic stress; then the presumption immediately kicks in. If the medical professional says that you are not suffering from PTSD, there is no coverage, of course.

Jurisdictions including Saskatchewan, Manitoba, PEI, and Newfoundland include a general PTSD presumption for all workers. So, we're not the first in the country to do this. The regulations for preventing workplace violence and harassment came into effect on September 4, 2021. Two areas of change

are a new regulation that addresses violence and harassment as workplace hazards and enhancements to existing regulations about hazard assessment. These regulations are one way to promote psychological health and safety in the workplace.

I did say that I would talk about some of the numbers, and I think that these are telling, actually. In 2017, we had 20 psychological injury claims accepted by the board. Of those, nine were for PTSD, and none were a presumption. In 2018, we had 15 psychological injury claims accepted; four of those were for PTSD and only one was a presumption. So, three were PTSD outside of the presumption. In 2019, we again had 20 psychological injuries. Ten were accepted for PTSD and only three were a presumption. In 2020, we had 24 psychological injury claims — so they are going up, as we have seen a 20-percent increase — and 14 were for PTSD and only one was where a presumption was applied, so 13 of them were outside the presumption. This year to August, we've had nine psychological injuries; five were accepted for PTSD and only one was a presumption.

So, you can see we're accepting an awful lot of claims for psychological injuries, and these claims are legitimate. They reflect our growing awareness of psychological injuries in the workplace, and they should be covered. The workers injured, as a result of some psychological injury in the workplace, should be compensated. It's good to see that they are being compensated. You can see that not all of them are PTSD — there are an awful lot that are not for PTSD — and they are a cost to the system, but they are a legitimate cost.

People are getting injured, and because of our growing awareness of these injuries, we are actually now putting a figure to the cost on society of these injuries. We were told by business groups five or six years ago that the cost of psychological injuries in the workplace in Canada could be costing, in lost time and lost productivity from the workplace — it could be in the billions of dollars. I think the number I heard at the time was \$20 billion. Now we are looking at helping these poor souls who have been injured on the job and are getting compensation and medical help for those injuries.

**Mr. Dixon:** I appreciate the minister's response and the numbers. I'll have to go through the Blues and extract the actual numbers. I wasn't able to write as quickly as I needed to, but one of the fundamental questions that I wanted to address was that, regardless of this change in the legislation, a worker who undergoes a psychological injury still needs a diagnosis in order to be eligible for damages under the fund. So, I would like to ask the minister about that. What is required in order for the board to consider a psychological injury as having occurred, and what is required for someone to be deemed to have suffered a stress injury like PTSD? If the minister could explain that — what sort of diagnosis is necessary or what sort of process does the worker need to go through in order to be eligible for support from the fund?

**Hon. Mr. Mostyn:** I thank the Leader of the Official Opposition for the question this afternoon. The more we talk about these things, the more understanding there is, and I think that is a good thing,

Basically, something happens to you at work — some psychological stressor — and you go to a doctor. The doctor confirms: "Yes, I think something may have happened to you." It comes down to filing a claim. Again, if you are injured at work, make sure that you file a claim and document what happened so that there is a record of what has happened. We cannot stress that enough.

You see a doctor, and the doctor says, "Yes, I think that something has happened." Doctors are not qualified, often, to assess a psychological injury. We then go to a psychologist or a psychiatrist, who then goes through the process of assessing a person's mental state, and at that point, if they deem that there is a psychological injury and that it did happen out of, or during the course of, work, then you will be covered. That is how it works, but it starts with a doctor and then goes to the professional who is qualified to assess a mental injury, and then, if that results unfortunately in a positive result, you will be covered.

**Mr. Dixon:** Just to confirm: A diagnosis from a psychiatrist or a psychologist is required? Is that correct?

**Hon. Mr. Mostyn:** That is correct.

**Mr. Dixon:** As the minister may be aware, with one of his other hats on, psychology is not something that is regulated in the territory, and so anybody can claim to be a psychologist, at this point, given that psychology is not a regulated profession in the territory. If I wanted to hang a shingle tomorrow — and call it Currie's Psychology Services — I would be permitted to do so.

I am wondering what kind of scrutiny the board provides for that, given that a diagnosis needs to come from a psychologist, which, as I have indicated, is an unregulated profession in the Yukon.

**Hon. Mr. Mostyn:** I appreciate the question from the Leader of the Official Opposition. It is a good question. He is absolutely right. There is a potential hole in the territory — under the professional regulations — and it is one that I am, with my other hat on, as he noted, seeking to plug. It is actually in part of my mandate letter, so it is something that I take as a serious issue. I have heard from my constituents about it. I am sure he has as well. It is something that we have to address, but that is for another time.

What we are talking about right now is WCB and what rigour is brought to the people treating psychological injuries within the workers' compensation system. The board has service agreements with all of the psychologists and psychiatrists used, and it vets those people themselves. If they can't get immediate assistance within the territory, they can actually send them to a professional out of the territory and perhaps to a multidisciplinary clinic or somewhere so that they can get the help that they need. It is a tremendous strength of WCB that the collective fund that the member and I were talking about earlier funds the services that injured workers need to get the services needed to get them back on their feet. That is employed, and we have a vetting process to make sure that we are dealing with qualified psychiatrists and psychologists in the territory and outside of the territory.

**Mr. Dixon:** Thanks to the minister for that answer and for the acknowledgement that there is a serious hole in our professional regulations with regard to psychology. I will leave it there and leave it as an informal, roundabout way for making the plug for, indeed, moving quickly to regulate psychology in the territory. I encourage the minister, with his other hat on, to advance that as soon as possible. This is just one example of an area where that lack of regulatory framework for psychology has an implication beyond just the regulation of the profession. It does affect, in this case, the ability for workers to access a proper diagnosis.

I would also make the point that the availability of psychiatrist services is something that the Legislature should be aware of, as it can be an inhibiting factor for individuals to seek a diagnosis. I'm glad to hear that the minister has acknowledged that individuals may need to go Outside or rely on capacity from outside the territory to seek that diagnosis.

I'll leave it there. That's just a point I wanted to make.

I will move on to the next issue that I wanted to address. I realize that our time is elapsing quickly, so I will be as brief as I can.

The next issue that I want to discuss is third-party actions, in particular, the issue of subrogation. I know that the minister is probably aware of this because at least one industry group has raised this with all of us — the minister included as well. As the minister is aware, the current legislation has an exemption that allows action against another employer or co-worker if a vehicle is involved and there is negligence.

As a general principle, the WCB system is set up to protect the legal liabilities of an employer so that a worker who, through the course of their work, is injured and is eligible for damages. So, the worker doesn't sue the employer or doesn't take legal action against the employer; they go to the fund and are paid for the damages through the fund. This is a unique complexity to the legislation and to that general principle that the employee doesn't take legal action against the employer.

One can conceive of a scenario where employees could face an injury in the course of their work and, under this exemption, take legal action against an employer — not their employer, but another employer. So, a scenario that one could conceive of would be if a transportation company was transporting employees from one place to another — perhaps from home to a job site, from Whitehorse to a mine, or from a community to an exploration site in a remote part of the territory. What that exposes those transportation companies to is an added level of liability that doesn't exist for other employers and other types of employers. The definition of "vehicle" is such that it includes pretty much any conveyance of people.

So, employers who operate vehicles — whether it's an aviation company, a transportation company, or a bus company — face a different level of liability when it comes to injuries.

What the subrogation section allows for is the board to step into the shoes of the injured employee and take legal action against the employer. So, what we have is a fairly — somewhat unique situation. I know that, in the "what we heard" document, the board, or the department, provides a bit of an overview of

what the different jurisdictions do. It's noted that the status quo for Yukon — the current situation that I'm talking about — is only in effect in Yukon, Newfoundland, and New Brunswick. It's a very different situation in Alberta, BC, Saskatchewan, Ontario, and Québec where no action against an employer or worker is permitted. It's a very different situation in the Northwest Territories and Nunavut where there is a limiting clause in their legislation that limits the amount of recovery to employers' insurance.

This is related to the question that I raised earlier about the directors' liability. What this means is that, if an owner of a company that conveys employees of another company to and from a workplace — or in the course of their work — those employers are subject to a different degree of legal liability.

I don't want to play out the various hypothetical situations, but it is conceivable that a situation could arise where the damages that are needed to pay out to the potential victims of an accident could supersede the amount of legal liability that a company has bought under their insurance requirements.

In that situation, given the ability of the board to pierce that corporate veil and go after the assets of the company's owner, that does create a lot of consternation for a lot of Yukon businesses. We have seen that expressed by the NATA organization, the Northern Air Transport Association. Obviously, the aviation industry, in particular, would be concerned about this, but I would expand that group to groups like any business that conveys workers to and from a project or a work site.

So, I wanted to raise that as a concern. I think that the model employed in the Northwest Territories and Nunavut is one that the minister should consider. I think that limiting the amount of liability to the level of the insurance liability that the business has is a reasonable compromise between what the industry is asking for — which is no liability — and what the government is currently proposing, which is that the board can go after the employer for the full amount of the damages.

I will leave it there and perhaps let the minister respond and correct me if I am wrong or provide his perspective on that. That is an issue where I do think that there is room for reconsidering the approach that the government is taking on this piece of legislation.

**Hon. Mr. Mostyn:** Once again, I want to thank the Leader of the Official Opposition for the question. So often this afternoon, we have been agreeing with each other. I know that I had conversations with Doug Graham many, many years ago when we started agreeing with each other, and it made both of us very uncomfortable, but I do appreciate the conversations that we are having this afternoon on these matters.

This government, the board, and I have met with representatives of the Northern Air Transport Association, and we have been in conversation for some time regarding the issue of third-party claims. By "some time", I think it goes back to 1998 — decades in fact. In 1998, they brought this concern forward to the then-New Democratic government, which decided not to make the changes that were being suggested. I believe that the issue came up again in 2007 or 2008 with the former government. Again, that government had every tool at

its disposal to make the change and again decided not to. Here we are again in 2021 with a new government and a new minister, and it's the same issue and same circumstances, I think.

I hear the concern from the community about this. We committed during the stakeholder review that we would listen to the stakeholders' concerns and recommendations. We took this issue to the stakeholders as part of the comprehensive public engagement under the act review. The stakeholders recognized the complexity of the issue — and it is complex, and I think the member opposite did a nice summary of the issues, and I commend him on his understanding. Although there were concerns that no third-party action should bankrupt an employer, ultimately, stakeholders agreed that the current provision should remain in place. What that status quo does is that it protects and makes sure that injured workers can get access to the most resources that they require in the event of an incident. It also protects employers, because, in this small territory roughly the size of Campbell River and operating in some of the most geographically harsh conditions — certainly in the country and arguably elsewhere — should an incident occur and negligence is involved — we are talking about negligence. There has to be negligent behaviour on behalf of the employer to be able to go after a third-party piece.

So, it is not just a typical incident. There has to be negligence involved in the whole incident. Provided that somebody was involved in an incident and horribly injured in a negligent incident, then we could go to bat for them through the insurance company and be able to have a pool of insurance money drawn from the entire country to support the people of this territory — that has roughly 40,000 people — a very, very small pool of people, and the reserve of that for a business community is onerous. So, by having this ability, we could, in a situation of negligence, actually pull on a much larger pool of insurance coverage for the entire country.

I want to say, as well, that we have had many, many cases of damages exceeding the insurance amount, but never have we had an award of more than the insurance payable, ever — never happened. I know that it is a “what if”, and we have heard the “what if” from some of the people who are concerned about this, but that “what if” has never materialized.

The question is that if you limit just the value of the insurance, what do you do in the case of a company that is negligent, who underinsured themselves? If they decided not to get the amount — maybe they are shortchanging a number of different things that led to something and then they are also shortchanging their insurance and didn't get the amount of insurance that they really should be having — they underinsured themselves. What do you do in that situation?

So, I mean, on balance, in looking at this in the act and going over the history and realizing that it is an exceedingly complicated issue, the bottom line is that we are a very small territory with a very small number of funders, and I want to make sure that our injured workers get the compensation that they deserve, and I want to make sure that the compensation fund is protected — that our employers are protected and don't

get subjected themselves to onerous, devastating cost and rate increases because of an accident by a negligent operator.

That is where I came down to. I am happy to continue the conversation, but I think, on balance, that the system has worked well for the territory. Nobody has been put out of business as a result of the current situation. It has been examined and sustained by governments of all stripes. Now it is our turn. We have looked at it. We agree with the decisions made by our forebearers in both the Yukon Party and the NDP. We think that it is a good way to go with the territory — that the status quo is acceptable, it provides the best compensation for our injured workers, and it also protects businesses from a potentially catastrophic rate increase. We are doing that by pulling on the insurance resources of the entire country.

**Mr. Dixon:** I appreciate the minister's response. In some instances, though, I would respectfully disagree. I think that it is important to note that the employer is protected here, regardless of which policy decision we make in this legislation, because even if we were to take a model from another jurisdiction — either way, if an injured worker is eligible for damages, they will receive it from the fund. What we are talking about is that, after that, when the board tries to recoup some of those costs from the employer — either from their insurance or from their personal assets as is possible with the directors' liability provision —

I appreciate that the minister said that this has never happened before in the Yukon. I agree. I hope that it never happens. It would be quite a terrible instance where the amount of damages would supersede the insurance, the liability, that a company would have. But if that were to be the case, that would result in the board going after the personal assets of the directors of a company. That is something that we discussed earlier when we talked about the piercing of the corporate veil.

I note that, in the “what we heard” document, in discussing this, the conclusion was that generally support was for pursuing third-party actions without bankrupting employers. There was a sense among those consulted that we should be protecting workers and that we should be ensuring that they have access to the funds, but we should be doing so while making policy decisions that allow for a system that doesn't bankrupt employers or create the perception that the possibility could exist and it hangs over the head of a particular industry.

I note that in other jurisdictions — like Alberta, BC, Ontario, Saskatchewan, and Québec — action is not allowed against an employer or co-worker if a vehicle is involved and there is negligence.

That unique feature — the addition of an exemption specifically to vehicles and to the degree that it is allowed right now — is relatively unique to the Yukon. It's only Yukon and two other jurisdictions that have this legislative structure.

My suggestion is that, pursuant to the “what we heard” document — what that document outlines is that a solution should provide for optimum flexibility to enable Yukon Workers' Compensation Health and Safety Board decision-making while balancing reasonable protection for employers — there should be the consideration to limit subrogation to the extent of an employer's insurance, the award to the

government-regulated standards for insurance, and the ability to subrogate to cases where negligence has been determined by other government bodies.

There is also the suggestion that the outcome of actions could cause financial hardship to employers, including bankruptcy, and that the workers' compensation system is supposed to be no fault, and this contravenes that founding principle.

I don't think we're going to resolve it here today, Deputy Chair, but suffice it to say that I believe that a different model would be better and that the model perhaps employed in the other territories would be a superior framework, given our circumstances.

While I don't suggest that we remove the vehicle exemption all together, although that is certainly being advocated by NATA and by others in the industry, perhaps a compromise could be the limiting of the amount to the employer's liability insurance amount. That's something that I think the minister should consider. I think that it would be a welcome change from the perspective of the employers of the territory, particularly those who operate "vehicles" and particularly those who convey, for a living, the employees of other businesses who are operating in the Yukon. That is the specific subsector that we're talking about when we're talking about this particular section.

Deputy Chair, like I said, I don't think that we're going to resolve it today, but I would note, just for the record, that I think that there is an alternative approach that should be considered and I hope that the minister would consider in the future to look at one of those other jurisdictions and consider whether a better approach might exist, perhaps in Northwest Territories and Nunavut.

But recognizing that we are probably not going to have too much time to go into this today, I will let the minister perhaps respond and offer any sort of thoughts in response to my comments.

**Hon. Mr. Mostyn:** For a second, I thought that we were going to agree on everything this afternoon, and then I would really be in a pickle, but we don't. On this one, we don't agree, but that's okay. I heard the member opposite make his case, and I am open. I have heard this. It is a complicated issue, but I will say that he didn't answer the question about: What if a negligent operator is uninsured? It is a difficult one.

I will also note that Nova Scotia, Prince Edward Island, and Manitoba don't have a limit on the insurance claims. They do restrict it to motor vehicles and exclude aviation, but they don't have a limit on third-party liabilities, and neither do Yukon, Newfoundland, and New Brunswick — smaller provinces. The bigger provinces, which have vastly more resources than most of these smaller provinces and certainly this tiny territory — they are right. They have restrictions in place, but some of those larger provinces allow workers to opt out entirely with no limit on damages — none. So, there is a different system. You are not dodging away from this. BC, I believe, is one that will allow a worker to opt out of the workers' compensation system and go whole hog after a negligent operator. It's nuanced.

I have heard the concerns that the member opposite has raised this afternoon. I have heard it from NATA specifically, in its own words. I appreciate the advocacy that is being brought to the Assembly this afternoon. I will also say that we have heard through years of consultation with employers and labour on this issue. I have gone back and confirmed — and the groups that we consulted stand behind the decision that we have taken to not limit third-party behaviour, and that was a consultation done with many Yukoners. After all that consultation was said and done, we came to a decision, made a decision, and took a decision. That was informed by, as everybody has noted this afternoon, a very robust and comprehensive system. At the end of it, they were happy with the decision that we took on this issue.

So, I understand that there are stakeholders out there who are concerned about this, but on balance, I think that the larger constituency of businesses and labour in the territory are comfortable and support the direction that we have taken, and I think that is something that we should consider — the wider constituency, the silent majority who are supportive of making sure that our injured workers are cared for in the most robust way possible after an incident and that our business community is protected from grievous and crippling rates in the future, from the behaviour of a negligent operator in the territory.

All right. Seeing the time, Deputy Chair, we should wrap this up. I move that you report progress.

**Deputy Chair:** It has been moved by Minister responsible for the Workers' Compensation Health and Safety Board that the Chair report progress.

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Acting Government House Leader 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

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 8, entitled *Workers' Safety and Compensation Act*, 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:** Hon. Speaker, I move that the House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:30 p.m.*

**The following sessional paper was tabled October 25, 2021:**

35-1-23

*Yukon Heritage Resources Board Annual Report April 1, 2020 — March 31, 2021 (Pillai)*

**Written notice was given of the following motion October 25, 2021:**

Motion No. 169

Re: Resignation of Deputy Premier from Cabinet (Cathers)





# Yukon Legislative Assembly

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Number 21

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, October 26, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Tuesday, October 26, 2021 — 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 changes that have been made to the Order Paper. The following motion has been removed from the Order Paper at the request of the member: Motion No. 153, standing in the name of the Member for Copperbelt South.

**DAILY ROUTINE**

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

Are there any introductions of visitors?

Are there any tributes?

**TRIBUTES**

**In recognition of Learning Disabilities Awareness Month**

**Hon. Ms. McLean:** Today, I rise on behalf of our Yukon Liberal government to pay tribute to Learning Disabilities Awareness Month.

Learning Disabilities Awareness Month is an opportunity to increase awareness and reduce stigma about the diverse learning needs or differing abilities of children and adults.

Some children and adults face challenges when it comes to lifelong learning. According to a survey by Statistics Canada, 3.2 percent of Canadian children have a learning disability, and more than half a million Canadian adults live with a learning disability, making it more challenging for them to learn in universities, colleges, and on the job.

The Learning Disabilities Association of Canada notes that learning diversity ranges in severity, but often interferes with organizational, oral language, reading, writing, and mathematical skills. Social perception and social interaction can also be difficult. Learning disabilities are lifelong. The challenges faced can be impacted by an individual's environment and the demands that they experience in their life, whether at school or in their personal life or in their career.

You might not be aware that a friend, family member, or colleague has learning challenges or the extra challenges that they are facing when it comes to keeping up at school or at work. It is all too common that for many — to view those with diverse learning needs — this is how they look at them: that they just aren't trying hard enough, that they aren't naturally intellectual, that they aren't supported in their learning by their parents or guardians, and that there are cultural and language barriers that are challenging their understanding. This is simply not true. Often, individuals with diverse learning needs have to work harder than most to interact in their everyday lives.

We all have a responsibility to recognize and acknowledge that valuing learning and providing specialized supports can be a lifelong challenge for some. In our education system, we have acknowledged that we can do better to support individuals with diverse learning needs and challenges. In the final report of the *Review of Inclusive and Special Education in the Yukon*, released this past June, we see that there are many stories from students, families, Yukon First Nations, and partners in our communities of challenges when it comes to accessing the proper supports. We hear their voices and acknowledge that there is more work to do to make sure that children in our society with diverse learning needs are supported.

We are fortunate in Yukon that we already have dedicated individuals and organizations that are committed to compassionately supporting children and adults facing learning challenges, including amazing teachers, learning assistant teachers, educational assistants, and other school support staff, health care workers, and early learning educators who support children from a young age: the Learning Disabilities Association of Yukon, Inclusion Yukon, Autism Yukon, the Child Development Centre, Fetal Alcohol Syndrome Society Yukon, and, of course, Yukon Learn.

Yukon First Nation governments and the Yukon First Nation Education Directorate are also doing excellent work to support First Nation citizen and youth. It takes family, friends, and community to support each other, to succeed, and to lift up those who are vulnerable in our society.

Today I ask that we all reflect on the challenges that those living with diverse learning needs face and acknowledge their strength and resiliency. Thank you to those who dedicate their lives to supporting children and adults with diverse learning needs. This month is about you and making sure that you feel a part of a community that values the diversity of all learners.

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition to recognize October as Learning Disabilities Awareness Month in Canada.

This month is raising the awareness but, all year, it is important to be mindful and understanding of the way that others learn. In Canada, a learning disability is the fastest growing type of disability that is not related to aging. To learn or understand reverts to an individual's ability to store, to process, or to produce information. So many learning disabilities relate to specific challenges in the school system — reading, writing, or math skills. Studies show that persons with learning disabilities have average or above average intelligence but have a disability that affects their way of thinking and/or reasoning.

Learning challenges usually present themselves in grade school, and if identified, the issues can be addressed. When the disability is missed, at times, one may be labeled as "lazy" or "incompetent". This, in turn, may cause the person to hide their disability and struggle in silence. This can lead to lifelong struggles, dropping out of school, unemployment, and poverty, to name a few. This is true in any setting and not just limited to school or work. From children to adults, if we are aware of a

learning difference, show compassion and don't be so quick to judge.

There are other types of learning disabilities, such as: visual perception deficits or trouble with hand-eye coordination; non-verbal learning disabilities, which refer to disabilities in understanding body language, tone of voice, or social cues; language or auditory processing disorder; or trouble processing spoken language or sounds.

The current pandemic has heightened and highlighted the challenge facing those with learning disabilities. Lack of support staff, missed school days, and remote learning all contribute to a more anxious and unsettling time for those struggling to cope.

We would like to give a special shout-out to the Learning Disabilities Association of Yukon, or LDAY, as they are dedicated to increasing the awareness of learning differences and support for all ages — children, youth, and adults. The work that they do within our territory is critical for all Yukoners. We would like to recognize LDAY's continued dedication to supportive learning opportunities.

I leave you with a quote from George Evans: "Every student can learn, just not on the same day or in the same way."

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to Learning Disabilities Awareness Month. There are many Yukoners with learning disabilities, working every day to advocate for change and to support their peers. They are supported by many more Yukoners who are working to make sure that children and adults with learning disabilities have the supports they need. They are working to make the Yukon more accessible for everyone. Thank you for doing this hard and important work.

I would like to highlight two initiatives taking place here in the Yukon. Yukon Learn has recognized that, as we moved to an online world during the pandemic, there are people being left behind. If reading is hard, something as important as ordering your medication refills online or booking your COVID vaccine becomes impossible. Through their workshops and one-on-one tutoring, they've stepped up to support Yukoners with navigating an online world.

I would also like to talk about the Learning Disabilities Association of Yukon's employer workshops. These workshops teach employers how they can adapt their workplaces to support all of their employees. I love this shift from putting the burden on individuals to adapt and instead thinking about how we can make our world more accessible.

Actually, I often think about this here in the Legislature, which is not a particularly accessible place. We talk in language that is dense and formal. We communicate entirely in speeches, which are often pretty long. What are we doing to make sure that all Yukoners can be part of our democracy? I would like to challenge all of us, as we advocate and make decisions, to consider how those decisions will affect Yukoners with learning disabilities. I hope that we can all work together to make the Yukon a more supportive and accessible place.

*Applause*

## In recognition of Canadian Patient Safety Week

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government to acknowledge this week as Canadian Patient Safety Week. Safe patient care is a priority for all Yukon health providers and all who help them to deliver safe and quality health services across the territory. Canadian Patient Safety Week is about acknowledging and thanking everyone involved in the delivery of all patient care. This includes: health care professionals, support staff, decision-makers, patients, clients, and friends and family.

The term "patient" includes anyone who receives care or services in a variety of settings. Every patient experience should be safe. Canadian Patient Safety Week encourages everyone to advocate for themselves by listening, asking questions, and talking with their health care providers and also to think about patient safety issues and solutions.

The Yukon is fortunate to have a strong network of compassionate health care providers dedicated to delivering a safe experience for everyone who needs care. From acute and emergency care to our community clinics, pharmacies, long-term care, home care, and community nursing teams, thousands of people work together every day to keep Yukoners safe and cared for.

This year's theme poses a question: "Who knows? Essential care partners do." It is designed to raise awareness of those individuals who may not be traditional health care providers but who play a critical role in patient recovery and experience. Equally important for safe patient care are essential care partners or support persons. Much more than a visitor, essential care partners play a critical role in patients' mental and physical health and well-being. They are vital team members, and they provide consistent support to a loved one throughout their experience.

As part of our response to COVID-19 over the last 20 months, our hospitals and all of Yukon's health facilities have had to restrict some visitors while making sure that essential care partners or support persons could safely remain physically present to support their loved ones as partners in care. The role taken on by these folks is extremely beneficial for all patients, clients, and care providers in sustaining a safe and excellent care experience. Essential care partners advocate for patients and work with providers to help navigate health care journeys, which can come with many challenges.

Today, we must all recognize and deeply appreciate the invaluable role that essential care partners and support persons play in helping family members and friends. Raising awareness and recognizing the importance of Canadian Patient Safety Week means that we must acknowledge the work that essential care partners do to ensure that we have the best and safest care possible. They are a critical element of our successful patient care.

Thank you for your dedication to supporting patients' health and well-being.

*Applause*

**Mr. Cathers:** Thank you, Mr. Speaker. I rise today on behalf of the Yukon Party Official Opposition to recognize Canadian Patient Safety Week. This important campaign began as an initiative by the Canadian Patient Safety Institute to focus attention on improving patient safety and quality of care. It is important not only for those involved in health care delivery to be aware of patient safety; people should also be aware and understand the importance of talking to their health care providers, asking questions, and ensuring that they have a full understanding of benefits, risks, and health care options. Patient safety has always been important, but it has come into the public spotlight even more during the pandemic.

While we were fortunate to avoid large outbreaks in long-term care facilities here in the Yukon, the tragic loss of life in long-term care homes in other parts of Canada during the COVID-19 pandemic was a very sobering reminder of the critical importance of ensuring patient safety in our health care facilities, especially in continuing care facilities and our hospitals. We recognize that additional measures have been necessary and will be necessary to ensure patient safety during the pandemic.

Throughout the pandemic, our health care professionals have been bearing a heavy load at times, and we appreciate the additional efforts that they are taking to keep people, especially patients, safe during the pandemic, including extra handwashing, use of personal protective equipment in more situations, operating vaccine clinics and COVID testing facilities, and getting vaccinated themselves.

Thank you to all those health care professionals who go above and beyond to ensure that patient safety is at the core of what they do each and every day.

*Applause*

**Ms. Blake:** I rise on behalf of the Yukon NDP to tribute Canadian Patient Safety Week.

As the momentum for promoting best practices in patient safety has grown, so has the participation in Canadian Patient Safety Week. Canadian Patient Safety Week is relevant to anyone who engages with our health care system — providers, patients, and citizens. I am reminded of when I worked in the hospital as a First Nation liaison and in my role as the non-insured health benefits navigator. In both of these positions, I saw how patients were protected by a community of people, from nurses to support workers, doctors, and social workers. It was truly a collaborative approach to care. This community of supports worked together to ensure that patients remain at the centre of all conversations and planning for their care — a community of people who know and understand the importance of asking, listening, and talking.

To say that, it sounds simple, but to put these values into practice is not that easy, especially in complicated or difficult situations. For us as legislators and the partners in the provision of health care, we too need to ask, listen, and talk when hearing from constituents about their health concerns and from health care professionals and providers when they come to us with their concerns.

Thank you to the Canadian Patient Safety Institute for their continued work of bringing patient safety to the forefront of best health practices. I hope this day reminds all of us that patients must be at the centre of our health care system and that their safety is paramount.

*Applause*

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

Are there any reports of committees?

Are there any petitions to be presented?

## PETITIONS

### Petition No. 4

**Ms. McLeod:** It is my honour to table the following petition today.

To the Yukon Legislative Assembly, this petition of the undersigned shows that the citizens of Watson Lake and the nearby area want a continuing care facility in Watson Lake so that citizens do not have to move away to Whitehorse when they require additional care. Therefore, the undersigned ask that the Yukon Legislative Assembly urge the Government of Yukon to commence planning for the construction of a continuing care facility in Watson Lake and to begin this process with the Minister of Health and Social Services, holding a public meeting in the fall of 2021 to discuss it with local residents.

This petition, Mr. Speaker, is signed by 527 residents.

**Speaker:** Are there any further petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT it is the opinion of this House that the Deputy Premier should resign from Cabinet due to the mishandling of sexual abuse at Hidden Valley Elementary School.

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

THAT this House urges the Government of Yukon to investigate and address the issues with the phone and e-mail communication system that the Old Crow Health Centre is experiencing.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Copper Ridge Place renovation

**Hon. Ms. McPhee:** As many Yukoners know, Copper Ridge Place is a long-term care facility in Whitehorse with 96 beds. It was opened back in 2002 by the then-Liberal government, so it was time for some upgrades to continue to ensure the comfort and safety of residents today.

Renovations were resident-focused. We made upgrades in the interior courtyards to ensure the safety of the surfaces. This will prevent serious injuries for residents who have balance

issues. A real-time location system was installed for those with way-finding difficulty. These Yukoners may benefit from an option to move more freely around the building without having to stay in a smaller secure area.

We also made upgrades to the infection prevention and control protocols. This is always important, but even more so with the COVID-19 in our territory. These updates included adding hand hygiene sinks and very specific cleaning of the HVAC system.

We also made improvements to the fire alarm system as well as the nurse call system. Additionally, we replaced the hot water tanks, which have a shelf life of eight to 10 years, and made repairs to the main kitchen. Unlike a home kitchen, this kitchen serves three meals a day to 96 residents, 365 days a year. There is no day off, no take-out Fridays. It has to be in pristine working order.

All of these renovations make the living experience safer and more enjoyable for those in our care. Seniors and elders are our most valuable community members, and we must support and protect them. The importance of caring for and protecting seniors has never been more clear than it has been over the last 19 months. We have watched other jurisdictions struggle to protect their seniors in long-term care. Hundreds of cases of COVID-19 invaded one care home after another, resulting in too many deaths. We were extremely fortunate that we have not been in a similar situation, having worked very hard to manage this pandemic. We take great pride in our long-term care homes. We work hard to ensure that they continuously meet the standards that we and the residents who live there can enjoy and find comfort in.

That is why the recent renovation work at Copper Ridge Place is something to be acknowledged. I have to thank the residents and their family members for being so accommodating while we made these upgrades and to thank staff who worked through the renovations. This building makeover means that the well-loved facility can remain in good shape to serve residents for many years to come.

**Mr. Cathers:** Mr. Speaker, this Liberal government has become infamous for using ministerial statements to reduce the amount of time available for debate on the budget and legislation, often making reannouncements of press releases. While we, of course, support investing in the Yukon's continuing care facilities, this is another ministerial statement that should have just been a press release. Using a ministerial statement to talk about cleaning and HVAC systems is a bit laughable, Mr. Speaker. Does talking about that kind of maintenance belong in either a ministerial statement or a press release?

There are a number of other important issues that the Deputy Premier could have been focusing on, such as the fact that over 2,000 Yukoners don't have a family doctor and she has done nothing to address it. She could reinstate the physician recruitment position in her department and work with the Yukon Medical Association on increasing recruitment and retention initiatives to convince more family doctors to move to the Yukon; she could be working on filling rural vacancies

for mental health, as we know that the mental wellness and substance use hubs in the communities are short-staffed; or she could follow through on the commitment to help develop a new secure medical unit at Whitehorse General Hospital. Psychiatrists, patients, and other health professionals would like to know what is going on and why the Liberal government has delayed work on that project for years. The former Liberal Health and Social Services minister said that the new secure medical unit will be completed next year, but we've heard nothing from the government since then.

In addition, parents who have kids attending Hidden Valley Elementary School would like to hear from the Deputy Premier about why she failed to notify parents of the sexual misconduct in late 2019 when she learned about it, what actions, if any, she took after learning of the situation, why she didn't inform her colleague, the new Minister of Education, about the serious situation, and why she continues to refuse to answer reasonable questions about it and her role in it. Yukoners are petitioning and pleading with this minister to address her involvement in it. The Deputy Premier publicly claims to be willing to meet with parents, but as she knows very well, parents who are trying to book a meeting with her are getting the runaround from her staff. One parent who e-mailed her didn't even get a reply from the minister's office until the Child and Youth Advocate got involved, requesting a reply to that parent's e-mail.

Parents tell me that they asked for a meeting in November with the Deputy Premier and the current Minister of Education. They were promised a reply. Has the Deputy Premier confirmed that meeting, or is this another broken promise of this government and this minister? Maybe she can finally address these important questions the next time she is on her feet.

While we acknowledge that renovations at Copper Ridge Place are a good thing, the minister should address some of these serious issues that I have outlined with respect to her department and her own actions.

**Ms. Tredger:** Thank you for the chance to respond to this statement. As my colleague has noted, it is surprising that we have a ministerial statement on renovations of one facility, but the statement does give us the chance to talk about long-term care in the Yukon.

I am very proud that, under an NDP government, Copper Ridge Place was built, despite the objections of the Liberals at the time, who then cut the ribbon to open the facility. We have heard today that the government is keeping it in usable condition. I should certainly hope that our long-term care facilities have up-to-date hot water tanks and fire alarms, but I guess that it is good to have it clarified.

When we talk about the bigger picture of long-term care facilities in the Yukon, though, Macaulay Lodge comes to mind. It has been sitting empty for years. In the Spring Sitting, we were told that it will be demolished so that the land can be put to good use, perhaps for housing, but that there is no timeline because of — and I quote: "... competing priorities". We suggest that making land available for housing should

always be a priority, especially land that is owned by Yukon government, with a building that continues to sit unoccupied.

But both of these examples only address facilities in Whitehorse. Long-term care is an issue outside of the capital. Folks across the territory want to age in place, in the communities they live in, and not need to relocate to Whitehorse as they get older. So, that brings us to Yukoners who are trying to age in place. The government's aging-in-place plan says that Yukoners will be supported, but despite the best efforts of the people who work in home care, seniors are still struggling to get the supports that they need to stay in their homes. This is a territory-wide struggle. Every community in the Yukon needs access to home care supports, so we remain optimistic that the Yukon government will partner with Yukon University to see programs developed that support rural Yukoners to build on their skills and continue to support their communities.

**Hon. Ms. McPhee:** Yukoners deserve to know about their long-term care facilities. Our seniors and elders are such an important part of our society. They are the ones who created the foundation of this community, and it is on their shoulders that we stand. We must ensure that they are comfortable and receive compassionate and modern care. That is why the renovations at Copper Ridge Place matter. It is not just about modernizing systems and appliances; it is about ensuring meaningful and safer ways of living for Yukoners in their golden years.

This government cares deeply about improvements to home care services for our seniors, and we have taken action to demonstrate this. We have introduced the home first program, which assists seniors to obtain enhanced home care that can support their return to home. We have opened the reablement unit at the Thomson Centre for the same purpose. This unit provides people-specific programming to increase and maintain Yukoners' independent ability to return home and is seeing great success.

Also, in recent years, we undertook a massive engagement with seniors throughout the Yukon. We heard about their needs, their hopes, and their concerns. This helped us to create an aging-in-place action plan, which complements *Putting People First — the final report of the comprehensive review of Yukon's health and social programs and services*. Hon. Speaker, we hope to be able to report soon on the results of the first year of that plan. We look forward to sharing how our government is supporting seniors and elders in living full, active, and meaningful lives.

The recent renovation work at the Copper Ridge Place is all part of the actions outlined in aging in place. These proactive upgrades will serve Yukoners long into the future and promote positive aging and the overall well-being of our seniors and elders.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Dixon:** Yesterday the Yukon Ombudsman became the latest office to launch an investigation into the conduct of the Department of Education under the leadership of the now-Deputy Premier. According to the release, this new investigation is looking at the failure to inform parents of children attending Hidden Valley about sexual abuse of a student that occurred in the school.

To quote from the release: "... this failure meant that other alleged child victims who have since been identified did not receive the necessary parental and professional supports in a timely manner."

Mr. Speaker, this is precisely the point that we have been making. The former Education minister was aware of this abuse; she did nothing. Children went without justice as a result, and then the Premier promoted her.

Does the Deputy Premier recognize that this failure happened under her watch and that ultimately she is accountable for it?

**Hon. Ms. McLean:** There is nothing more important than the well-being, safety, and protection of students when they are in our care. We are focused on moving forward in a way that supports the children and families of Hidden Valley school. We absolutely acknowledge — and have acknowledged along the way — that mistakes were made and we have apologized for those mistakes.

I want to also point out that the RCMP have also acknowledged that they failed to properly investigate this matter, and they have also apologized. There is an investigation going on around that — a comprehensive investigation.

I am aware that the Ombudsman has launched an investigation. We will be cooperating with the investigation.

We all have a shared interest in understanding what happened in 2019 and how we can improve going forward. The RCMP has acknowledged that they failed, as I have said, to properly investigate this matter and have apologized. This was a major error that occurred. We have acknowledged that the communications could have been handled differently in a way that supports students and parents. As I have said, we will be cooperating, of course, with this investigation

**Mr. Dixon:** I think that Yukoners are getting tired of hearing the current minister read the same prepared notes over and over again. What they want to hear are answers. There are now no less than four investigations into this scandal. The current minister, as before and as she just did today, has admitted that, under the former minister's leadership, a grave mistake was made — that was to not inform parents — but no one from the Liberals has accepted any responsibility or accountability for this. This is a failure of leadership. Under the principle of ministerial accountability, the former minister is ultimately accountable for what happened in her department. She is accountable for the decision not to share this information with parents and is therefore accountable for the 21-month delay in justice and support for victims. The Deputy Premier knew and she did nothing. She could have told parents, but she

chose not to. So, will the Deputy Premier accept that accountability and resign from Cabinet?

**Hon. Ms. McLean:** As I have stated many times in this House, I have launched an independent review of the Government of Yukon's response to the situation at Hidden Valley school. The member opposite has pointed out that there are a number of reviews underway: one with the Yukon Child and Youth Advocate, one with the RCMP, and now the Ombudsman has launched a review as well. I am satisfied, of course, that we will get the answers that Yukoners deserve, particularly the families and the children that are at the heart of this. I always go back to remind folks that at the heart of this are our children and the impacts on them and, of course, the school community that has had a very difficult time navigating the start of this year and continuing to provide good education for children at the Hidden Valley school. I acknowledge their dedication and hard work to ensure that proper supports are put in place and that children are moving forward in a positive way at the school to the best of their ability.

**Mr. Dixon:** The facts in this matter are stark. The Deputy Premier learned about the sexual abuse in 2019. A letter was drafted by school administration but then never sent. We know that the minister was aware of that letter because it was appended to briefing notes that were sent to her.

She has admitted openly to the media that she absolutely knew what happened, and a decision was still made to keep this from parents. When we asked questions on behalf of families, she even insulted the parents and put words in their mouths. The Liberals have admitted that this was a mistake, and they have broken trust with families. The former minister is accountable for that decision, that mistake, and that failure — not the current minister — the former minister. For that, she must resign.

So, will the Deputy Premier resign from Cabinet?

**Hon. Ms. McLean:** Again, there is nothing more important than the well-being, safety, and protection of students when they are in our care. As soon as Education officials learned of the allegations in 2019, the individual was removed from the school and has not worked with students since that time.

The Hidden Valley school administration changed their protocols to increase the safety of students and reinforce accountability. We informed the RCMP, Hon. Speaker, and we expected them to undertake a complete and thorough investigation. The Yukon RCMP have initiated a complete review of its investigation. There are also ongoing, as I have stated a couple of times already today, investigations into this matter.

I have to remind folks, as well, that there are active cases within the courts, as we speak, and it is incredibly sensitive at this time. I have launched an independent review. The government's response to this incident — I tabled those terms of reference. There will be a complete fact-finding, as pointed out in item 4 of the terms of reference, and complete recommendations that will be delivered by January 31, 2022.

### Question re: Sexual abuse within elementary school

**Mr. Cathers:** Mr. Speaker, the decision to not inform parents about sexual abuse at Hidden Valley Elementary School is a very serious matter. The only thing more concerning than the lack of answers from the Liberal government is their lack of accountability. As a direct result of this decision, other children who were victims of sexual abuse went without justice or proper supports for 21 months — 21 months without justice or support all because the Deputy Premier did not ensure that parents were informed. That was her responsibility as Minister of Education, and she failed to do her duty.

Then the Premier rewarded her by making her Deputy Premier. Well, a failure that serious and significant is not worthy of a promotion, and her repeated refusal to answer questions in the House has added to it. It requires a resignation from the minister who is in charge of the Department of Education and is responsible for this failure and the stonewalling in this Legislative Assembly.

Will the Deputy Premier now do the right thing and resign?

**Hon. Ms. McLean:** As I have stated many times, we are taking active steps to investigate the matter that happened in 2019. As we moved forward to today — I have stated today again that I tabled terms of reference for an independent review that is underway now. As I have stated as well, there will be a complete fact-finding related to the response of the departments of Health and Social Services, Education, and Justice to the incident in 2019 at the Hidden Valley Elementary School — and bringing forward to today.

The recommendations for improving government-wide policies and procedures to better support Yukon school communities are absolutely going to be part of this report that will be delivered to me by January 31, 2022. As I've stated, there are a number of other reviews that are underway. This is where our attention is right now — and also, of course, on providing the necessary supports to families and the children at Hidden Valley.

**Mr. Cathers:** The government's continued stonewalling is insulting to parents. We know that the Deputy Premier knew about the sexual abuse at Hidden Valley in 2019. She also was briefed in 2020 and failed to notify parents. As a direct result of her failure, children went without justice and supports for nearly two years. Then, when a new Minister of Education came into the portfolio, the Deputy Premier kept her in the dark and didn't notify her of the biggest scandal to happen under this Liberal government.

The rest of the Liberal caucus really needs to think about whether or not they are comfortable with the fact that the Deputy Premier failed to notify parents of the sexual abuse at Hidden Valley, that she failed to brief the new Minister of Education about the issue, leaving her in the dark, and that the Deputy Premier failed families. Is this the type of behaviour and actions that are acceptable in the Liberal Cabinet?

Will the Deputy Premier finally do the right thing and resign from Cabinet?

**Hon. Ms. McLean:** Again, there is nothing more important to us than the well-being, safety, and protection of

students when they are in our care. I think that, at this point, I would like to just point out some of the supports and work that is being done at the school level within their community.

I have talked about this a number of times, but I would like to talk about it again because I really want to thank the school administration and the staff for all of the hard work that they are doing under incredibly difficult circumstances. Work has been underway, of course, to improve safety and openness in the school setting, including access to school areas where doors can be removed and where one-way glass can be effectively used to create calming learning spaces where staff can also see into those rooms. These are safety things that were put in place.

The most effective way to ensure students' safety is to educate children about consent and right- and wrong-touch boundaries. These are all things that have been underway for a number of years. There are many, many supports that have been put in place, and I will be wanting to speak about those and hold up the school community.

**Mr. Cathers:** Again, the government continues to insult families with their non-answers. It is clear that the Deputy Premier failed in her duties and responsibilities and, as a result, children went without justice for almost two years. There are now no less than four investigations into what happened under the Deputy Premier's watch. Every single MLA in this House needs to ask themselves: whether or not they believe in ministerial accountability; whether they are comfortable with the Deputy Premier having both hidden information from parents and insulted parents and remaining in the second most powerful position in the Yukon government; whether they are comfortable with the fact that she has refused even the most basic questions; and whether parents and children deserve to have the Deputy Premier held accountable. We will be calling a motion tomorrow asking for the Deputy Premier to resign, and at that time, every MLA will vote to show whether or not they are comfortable with her actions.

Will the Premier allow Liberal MLAs to vote with their conscience on this motion?

**Hon. Mr. Silver:** Hon. Speaker, again, to address the questions on the Legislative Assembly floor — the members opposite don't like the answers, but we have been staying steadfast with the reasons why we are answering the way we are — the independent reviews and the nature of court cases that are currently in the courts. The member opposite knows this and, again, is still using that as an excuse to cast aspersions and to also turn highly politically motivated assumptions into fact over the course of the last few weeks.

I believe that both of my ministers have done an exceptional job of trying to get to the bottom of what has happened and to ensure that we move forward better for our community and for our students. Our government is extremely committed to exactly that and to rebuilding the strength and the trust in our education system.

We are very glad to see the independence of both the Ombudsman and the Child and Youth Advocate, the independent review, as well as the RCMP review as well.

The Minister of Education and the Minister of Justice are both extremely strong, dedicated leaders. They have dedicated

their lives to advancing justice in our territory and to promoting equity in our society. These are two of the strongest leaders I know in the territory, and I have absolute confidence in them.

#### **Question re: Physician recruitment and retention**

**Ms. Blake:** Last week my colleague stood in this House and shared the concerns of so many Yukoners who do not have a family doctor. This week, we heard from an aging Yukoner who told us that he is giving up on waiting for a doctor in this town and just accepted that he will probably die a few years younger and a nurse who told us that the number of people coming to the ER with non-emergencies is getting dangerous because they are mixing with very sick people during a pandemic.

Yukoners agree that something has to change. Knowing all of this, why won't the minister fix this crisis and open a public walk-in clinic?

**Hon. Ms. McPhee:** I'm happy to rise again to speak to this issue. Again, I'm happy to repeat the answer and to continue with our progress in helping the medical professionals come here to the territory and add to our growing list of very competent medical professionals who serve Yukoners.

Hon. Speaker, much of *Putting People First* and the implementation of polyclinics is all about making sure that every Yukoner has a medical team in place to provide primary health care services that they need. Admittedly, that is future-looking.

What we learned from *Putting People First* is that 21 percent of Yukoners do not, at this time, have a family doctor. This is a national and global shortage. To recruit medical professionals, we work through national and online forums and supplement support staff with agency nurses and out-of-territory resources when we can.

Hon. Speaker, the "find a family doctor" program began in 2019 and, since that time, has not resolved every issue, admittedly. However, we have connected 1,058 people to a physician — or more than 1,050 — expanded access to virtual care —

**Speaker:** Order.

**Ms. Blake:** Mr. Speaker, there are vacancies in nearly every Yukon community. There are vacancies for nurses in Mayo, Teslin, and Haines Junction. There are also vacancies for mental health workers in Dawson and vacancies for youth and family mental health workers in Haines Junction and Dawson City. It is fine to talk about all the great programming and supports in communities, but when there is a revolving door of workers and continuous vacancies, everyone is affected.

What is this government doing to recruit and actually retain health care workers?

**Hon. Ms. McPhee:** As I have said, this is a national and global problem. The Yukon is feeling the pinch of having issues around being able to recruit and retain nurses and doctors, as is every jurisdiction in the country.

As we implement the *Putting People First* report, we are working to hire additional nurse practitioners and we are

meeting with the Yukon Medical Association to address physician recruitment and retention.

Our government is also moving forward with the creation of a bilingual health centre, which will open in early 2022, and this primary health care setting in Whitehorse is expected to reduce some of the pressures of the current situation.

The department has been exploring options to work with a professional recruiter or recruitment firm to support physician recruitment, as well as exploring opportunities to contract nurse practitioners to service some existing clinics.

Additionally, work is underway to expand access to virtual physician services.

**Ms. Blake:** Mr. Speaker, it is not just doctors who keep our health care system afloat. Nurse practitioners can do a lot, and they can take on some of the workload that leaves the doctors feeling burned out. They could be an essential pillar to our health care system but are massively overlooked by the government. The *Putting People First* report even pointed it out. I quote: “We were disappointed to learn that nurse practitioners are not able to practise to full scope in Yukon...” So, people who are desperately looking for primary health care are left wondering: Why won’t the minister expand the scope of practice for Yukon nurse practitioners?

**Hon. Ms. McPhee:** I think I just said that. I am happy to say it again. I think that Yukoners deserve to know that the expansion of nurse practitioners to provide service throughout the territory is something that is absolutely priority for us. I think that nurse practitioners are an amazing resource. I can indicate that we recently hired a nurse practitioner to work in the communities of Carmacks and Old Crow. That is being very well-received and is providing service to those residents.

Nurse practitioners are the core part of health care professionals. The opportunities for them to provide Yukoners with service across the territory is truly an exciting one. We are working to increase our level of nurse practitioners who can serve communities in the existing clinics or in the mental wellness hubs as part of that service as well. It is incredibly opportune to thank the nurse practitioners that we do have. They work tirelessly to serve their patients and their clients. I know that there is much excitement in the nurse practitioner community about expanding those services.

#### **Question re: COVID-19 vaccination requirement rollout**

**Mr. Hassard:** When the Premier made the politically motivated announcement about a vaccine mandate for Yukon government staff on October 15, he told media that they had a breakdown of how many staff are unvaccinated. When the media followed up on this, the Premier’s office had to backtrack. They said that, despite what the Premier claimed, they only have a sense of vaccination levels and that the Yukon government had not undertaken any efforts to confirm the vaccination status of any public servants.

Can the Minister responsible for the Public Service Commission confirm that the Premier was incorrect when he told media that they know how many staff are unvaccinated?

**Hon. Mr. Streicker:** I can say that the Premier did announce two Fridays ago that — alongside the acting chief medical officer of health — the recommendation was that we introduce vaccine requirements for public service staff. We have announced that, and I think that this is about having strong leadership throughout the pandemic to make sure that we protect the health and safety of Yukoners, the public service, and the people they serve. This is all about the role to combat COVID-19, and we have seen in jurisdictions around us that there is an increase in COVID and the wave of the Delta variant. Our focus, as a government, remains on protecting the health and safety of Yukoners. We need to do everything that we can to stop the spread of COVID-19.

As the Yukon’s largest employer, Yukon government has a duty to lead by example and do our part to keep Yukoners safe.

I will be happy to get up and answer further questions about vaccination rates across the public service. I’m happy to talk about that and to share that information with Yukoners.

**Mr. Hassard:** Actually, the question was about the Premier providing accurate information, but again, we don’t get an answer.

In its e-mail to members, the Yukon Employees’ Union said — and I’ll quote: “Nothing has been decided — not how to protect workers with legitimate vaccine exemptions, not how the government will run the territory with up to 20 per cent of its workforce on leave without pay.”

Can the Minister responsible for the Public Service Commission tell us if this is true? Does the government not have any plans in place to address staff shortages as a result of this policy announcement?

**Hon. Mr. Silver:** I don’t necessarily agree with the way that the members opposite are phrasing the questions. Again, when we did speak in the press conference, we talked about anecdotal information about certain things, but that was about it. I will have to go back and take a look at the transcripts. If I did say something at that time that was off from the Public Service Commission, then I will definitely apologize for that. But again, I believe that we were talking about anecdotal information at that time.

It is interesting that we’re getting questions here about what needs to be cleared up. We know that the Leader of the Yukon Party came out against vaccine requirements for employees at first and then told the media that he’s not against those mandatory vaccinations. So, maybe we need to get the Yukon Party to clear up that — whether or not they’re in favour or not.

But again, as the question is being phrased, Hon. Speaker, we’ve made this point a few times now in the last two years. Recommendations come from the chief medical officer of health. They come out as soon as possible, and then we work on the logistical challenges from there on. So, the answers to the member opposite’s question, specific to Public Service Commission — I will get my minister responsible to his feet to answer any other specific questions.

But again, the Yukon Party needs to put things in the correct context. Recommendations come from the chief

medical officer of health. They come out immediately, and then we work on logistics.

**Mr. Hassard:** We certainly look forward to that apology from the Premier. We would certainly enjoy a few answers from them while he is at it.

In his interview with CHON-FM last week, the Premier was definitive that this was coming into force on November 30. Yesterday we heard the Minister responsible for the Public Service Commission start to waffle on this date and suggest that it may be delayed.

Can the government confirm that they are considering a delay to the implementation of this policy?

**Hon. Mr. Silver:** What Yukoners need to know is that the vaccine requirements are based on the recommendations of the chief medical officer of health to protect Yukoners. They also need to know that the Yukon Party, depending on who they are talking to, is either in favour or not in favour of these recommendations, and they pick and choose as they go along.

These measures align with the steps that are being taken in jurisdictions across the country to increase vaccination rates and combat the Delta variant. Again, these recommendations, as they stand — the chief medical officer of health comes out with those recommendations, and we work on that implementation.

We are in conversations with unions about how we can support our employees while ensuring that we maintain safe work places. We are following the recommendations, as I said, of the chief medical officer of health, and we have an obligation to provide a safe workplace to our dedicated employees and to the Yukoners who serve every single day. That's leadership, and that's how we are on the path to recovery.

#### **Question re: Rural solid-waste transfer stations**

**Mr. Istchenko:** Several weeks ago, the Minister of Community Services was invited to a meeting in Destruction Bay about the government's decision to close the Silver City solid-waste transfer station. At the meeting, the minister told residents that the government had no timeline for the closure of the site and had no clear sense of how much it would cost to both close the site and make improvements elsewhere to accommodate the change. Despite this, the minister made it clear to all who came out that his mind was made up and that he wasn't interested in hearing the views of those residents who were most affected. This has become a bit of a trend of this Liberal government; they make decisions first and ask for feedback afterwards.

Why did the Minister of Community Services make the decision to close the rural transfer station without first consulting the residents who are most affected?

**Hon. Mr. Mostyn:** Thank you very much, Hon. Speaker, and I appreciate the question from the member opposite this afternoon. I did indeed make a trip out to Destruction Bay, as part of my community tour, to speak and listen to residents. I have been doing that across the territory. I made the trip because I am interested in hearing what Yukoners have to say on matters of concern in their community. Of course, that day I did hear for a few hours about the closure of

the transfer station, which is part of a renovation of our transfer station and the way that we handle waste throughout the territory. We are modernizing and improving the territory's solid-waste management system to ensure that our practices follow sustainable and nationally recognized standards in solid-waste management. We are committed to raising the standards at transfer stations and landfills across the Yukon. This means that all sites must have gates, facility open hours, and attendants monitoring what comes in and directing customers to where things go and charging similar tipping fees across the entire waste-management spectrum.

Currently, managing garbage and recycling costs Yukoners more than \$12 million every year — \$12 million — and I will continue this answer in the subsequent questions.

**Mr. Istchenko:** I do want to thank the good residents of Kluane for organizing that meeting. I know that it took six months for the minister to finally accept to come, but in the case of the Silver City solid-waste transfer station, the government has indicated that they won't be able to close the site until they have a regional solid-waste agreement with the Village of Haines Junction, yet we know that the government is not even close to reaching such an agreement. So, why would the minister tell the residents in my riding that they were going to lose an important option for solid waste and that they need to look for alternatives when the government hasn't even reached an agreement with the Village of Haines Junction yet?

**Hon. Mr. Mostyn:** We are committed to raising standards at transfer stations in landfills across the Yukon. Currently, managing garbage and recycling costs Yukoners more than \$12 million a year. We are working to manage these escalating costs and reduce environmental risks. Every single one of us in this House and every single one of us across society, with very few exceptions, is creating more garbage, and we have to get on top of that. That is what this plan is all about.

I don't know — the member opposite — I disagree with his opening remarks. He says that we are nowhere near a negotiated settlement with municipalities, and I take issue with that. We are working very hard with municipalities. I have been in touch with municipal leaders across the territory. We are going to continue to work to make sure that all municipalities that actually asked for this plan are managing their waste transfer stations and their municipal landfills better. They asked us for that. They asked my colleague for that plan early on. We are following through with that request.

We will work with rural Yukoners to help them manage the transition to environmentally safe handling of waste in rural Yukon, and I look forward to opportunities to discuss how we can support them through this period of change.

**Mr. Istchenko:** We know that the minister is planning to close several rural solid-waste transfer stations around the territory, and it is clear that this decision was made without any consultation with the residents most affected by this change. It is also clear that the government doesn't seem to have a plan in place to support those residents once the sites are closed.

We know that there are better ways to address government's concerns and we know that the rural Yukoners

will be happy to do their part, but by ignoring residents and cutting their services, the government is signalling to those Yukoners that their views don't matter.

Will the minister agree to stop his plans to close rural transfer stations, stop cutting these important government services to rural Yukon, and agree to actually consult with the residents in all of those communities and find alternative ways to address the garbage?

**Hon. Mr. Mostyn:** Once again, Hon. Speaker, I am going to take issue with the preamble. We have consulted and we have spoken. As a matter of fact, at the meeting that we're talking about, I was actually there to hear from residents.

I will say that I recognize that this initiative will mean changes to how some rural Yukoners manage their garbage and recycling. The member opposite is correct; we are going to close four rural transfer stations. I understand how frustrating it must be for some people to have government make these changes, but we will work with rural Yukoners to help them manage the transition to environmentally safe handling of waste in rural Yukon. I do look forward to opportunities to discuss how we can support them through this transition.

Change is hard, but municipalities have reached out to this government and said that it is not sustainable — the way we handle our municipal waste is not sustainable. We are all producing more garbage every single day. This government was approached. We are making the changes that are necessary to make sure that our municipalities can continue to take the garbage and manage it in a responsible fashion.

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

### Notice of opposition private members' business

**Mr. Kent:** Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, October 27, 2021. It is Motion No. 169, standing in the name of the Member for Lake Laberge.

**Ms. Tredger:** Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, October 27, 2021. They are Motion No. 168, standing in the name of the Member for Whitehorse Centre, and Motion No. 165, standing in the name of the Member for Takhini-Kopper King.

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

### ORDERS OF THE DAY

**Hon. Ms. McPhee:** 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):** I will now call Committee of the Whole to order.

The matter before Committee is continuing general debate on Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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. 202: *Second Appropriation Act 2021-22*

**Chair:** The matter before the Committee is continuing general debate of Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

Mr. Premier, you have 12 minutes and 24 seconds remaining.

**Hon. Mr. Silver:** Thank you, Madam Chair. I would just like to welcome back to the Legislative Assembly Scott Thompson, my Deputy Minister of Finance, and I will cede the floor to the opposition.

**Mr. Istchenko:** First of all, while we were on break — I don't know how to say this right — but there has been an incident in Faro. Our thoughts and prayers are with the community of Faro right now.

We do have to continue in the Legislature. I do want to thank the staff who are here today, and I thank the Premier for the time, and I want to thank my constituents in Kluane for their renewed support in my third term. I am honoured to be the critic for Environment, and seeing as Environment does not have a line item, I will have a few questions for the Premier. Hopefully, he can answer me, or I will get his minister to provide an answer. I do believe they are important questions for Yukoners.

I want the Premier to explain a little more about the Yukon Climate Leadership Council. I want to know what the terms of reference are.

**Hon. Mr. Silver:** Again, we are in general debate for the supplementary budget. I will have some information for the members opposite, but maybe not the specifics that they're looking for. As committed by the leader of their party, if they could follow up with some specific questions to the ministers responsible, that would be great as well. But we could also, if there are questions on the floor here, endeavour to get those answers for him as well.

Speaking about the incident in Faro, we are aware that there is an active incident in Faro right now. The RCMP has requested that all persons in Faro shelter in place immediately until further notice. Our officials are working to support emergency responders and keep people safe. As we await additional information, we hope for the safety of all who are involved.

When it comes to the Yukon Climate Leadership Council, this was outlined in the 2021 confidence and supply agreement. The Government of Yukon is working with the NDP caucus to establish a Yukon Climate Leadership Council. The council will provide evidence-based recommendations to the government on plans to reach the 45-percent reduction in Yukon greenhouse gas emissions, including mining emissions, by 2030 compared to the 2010 levels.

The council will provide its advice through a written report to be released by the summer of 2022. The report will be available publicly online. We are very pleased to report that 12 people have been selected for the council through a mutual agreement between us and the NDP caucus. The Yukon Climate Leadership Council members were selected using a merit-based pre-screening process. The selected members represent a balance of experience and expertise and reflect the diversity of our territory.

The terms of reference for the Yukon Climate Leadership Council will be finalized by the members and will be released following that. Members have been selected, as I mentioned, and they'll be able to meet very shortly, from what I'm being told as well. The council will be announced very soon.

**Mr. Istchenko:** Does the Premier have a list of those members who were picked?

**Hon. Mr. Silver:** I do not.

**Mr. Istchenko:** Will the minister commit to getting a copy to me, please? And thank you.

**Hon. Mr. Silver:** I will talk to the secretariat about that. It is not public yet. It will be made public very, very soon and we will get the member opposite that information as soon as it is made public.

**Mr. Istchenko:** I was really impressed with "Our Recommendations, Our Future" from the Youth Panel on Climate Change. The Youth Panel on Climate Change prioritizes reconnection, sustainable relationships with the land, and people to ensure the social and economic systems are based on reciprocity and supported by ecological integrity. Overall, this resulted in a changed mindset and way of living to sustain a healthy planet. There were some great panelists on there; one of them was from my community. I'm good friends with her and her dad. It was really great to see.

I am just wondering for the future — they recommend quite a few things in here, and a lot of that stuff we have set out already in the Yukon with our many organizations — whether it be the local renewable resources council, the Fish and Wildlife Management Board, the Fish and Game Association, the Agricultural Association, the Outfitters Association, the Trappers Association — there are many organizations out there. My question for the Premier is — I think that when we have the youth engaged, it is great to work with these organizations — I am just wondering if, in future, this is something that the youth panel would do — sit down with them — because these people are keepers of the land too. Some of these organizations have been around and came into force because of how important it is or how important our land is.

**Hon. Mr. Silver:** Yes, when it comes to, in general, the Youth Panel on Climate Change, our premise has always been

that Yukon youth deserve to have their voices heard on climate change as well as with their government. It is important that they know that we are listening. This is why we created the Youth Panel on Climate Change as part of *Our Clean Future — A Yukon strategy for climate change, energy and a green economy*. Over the past year, the youth panelists have been exploring key themes related to climate change and engaging experts, elders, and other Yukon youth to develop recommendations on how the government can accelerate work on climate change.

They did present to us — the Minister of Energy, Mines and Resources, the Minister of Environment, and me — some of the recommendations. We will be focusing in on the recommendations that make the biggest impact to climate change, that's for sure.

As far as us prescribing to the panel as to who they should and shouldn't meet with, I am not going to be very prescriptive, but it is a great suggestion from the member opposite as far as NGOs and different organizations that have passion, knowledge, and expertise in the field of climate change. Again, it is a great suggestion. We are inspired by each of the panelists and the diversity of experiences that they represent and the fact that it is rural and urban — people representing different communities, different backgrounds, and different walks of life. We are looking forward to incorporating the insights and perspectives of that youth panel's work into the government decision-making moving forward.

We mentioned *Our Clean Future* — our strategic approach for climate change, energy, and a green economy. We had a great conversation with the youth on their recommendations and also on our review of that policy. For the members opposite, it was three years in the making, working with First Nation governments, municipal governments, and climate change experts to come to a comprehensive strategy for climate change, energy, and a green economy. I want to thank the Yukon Party for supporting that during the election, saying that they would continue to implement our plan on a clean future. We believe that it is good work. It is an interesting read, as well, as the targets change, recognizing that all of the technology and supply chain management — all of the incentives now — will not get us to where we need to be, but these things will change.

We are looking at an international gathering of COP. Hopefully, we will see some initiatives from international governments, as well, but the importance of having grassroots, youth-based, Yukon-led recommendations for the government are just as important as us paying attention to the national and international situations and recommendations.

**Mr. Istchenko:** I thank the Premier for that answer. I know that with the previous Minister of Environment — there were challenges with some of the renewable resources councils and some of the associations and also with the Premier, but there's a new government and a new minister.

I'm just wondering if the minister and/or Premier had met with — and I will just list some of these organizations: the Fish and Wildlife Management Board, the local renewable resources councils, the Yukon Fish and Game Association, the Yukon Agricultural Association, the Outfitters Association, the Wild

Sheep Foundation, the Yukon Trappers Association, and the Backcountry Hunters and Anglers association. The reason I am wondering if the minister or the Premier had met with them is because I want to know how much consultation was done with these organizations to determine the resources for the fly-in data capture. When it comes to that fly-in data capture — the budget for it — I was wondering what the total budget is for that.

The basic question would be: Did the minister meet with these organizations to discuss what the priority was for where to fly in this data capture, and how much is the data-capture budget this year?

**Hon. Mr. Silver:** I do know that the minister has been in meetings. I know that the department has been in meetings. I don't have a detailed list of what those meetings are, but I will endeavour to get that information back from the department for the member opposite.

**Mr. Istchenko:** I thank the Premier for that.

A few years ago, Pine Lake — and I'm not sure if the Premier knows where Pine Lake is. It's in my riding. It's very close to Haines Junction. It has a nice beach that we are hoping to get more sand on for next summer for the kids, but it wound up being closed for fishing. Residents at community meetings set up through the local renewable resources council had grave concerns with closing it, because they seemed to think — and no one could answer the question if they would ever open it again. It has been a few years now. I just want to know what work has been done, how much money is budgeted, and what the local employees are doing. It's a community issue, and they would like to see the lake opened back up for fishing. It's close to the community. It's great for seniors and families. It's a safe lake; it doesn't get too windy.

I am just wondering if the Premier has any information on that.

**Hon. Mr. Silver:** I don't have anything new to report to the member opposite as far as some of those conversations. This could be something that we can get back to him with from the Department of Environment. I know that they have some information on RRCs — some meetings there — but I don't have anything new to share with the member opposite, but I can talk to the department to see what they have.

**Mr. Istchenko:** I thank the Premier for that.

So, can the Premier provide a bit of an update around salmon numbers and what actions have been undertaken by the Yukon government in response to those numbers?

**Hon. Mr. Silver:** As the member opposite knows, DFO — the federal government — has the most responsibility for salmon. I do know that this is a conversation that is being brought up among First Nation governments and leadership, and it's something that we're considering speaking about at Yukon Days when it comes to our concerns with the federal direction — the new minister is in today — and serious concerns about our salmon populations.

They are extremely important conversations that we seem to have all the time with a lot of different First Nations. We could be going in and talking about anything from education to infrastructure, and salmon is always going to be a concern.

I know that there have been ongoing meetings with the Department of Environment and counterparts in British Columbia, as well, to coordinate and to see statistical analysis and to make sure that we can coordinate with jurisdictions that are around us. But, again, DFO being the federal department responsible — whether or not we have that conversation at Yukon Days, that would be a joint approach from both us and the First Nation governments.

**Mr. Istchenko:** I thank the Premier. Just to follow up a little bit more on that, a few years ago, I wrote a letter to the federal minister because they had cut the budget for Dalton Post. This year we had an almost record run of sockeye. They opened the fishery up at Dalton Post, which was a surprise. The First Nation supported that.

For the Premier at Yukon Days when he is down there — we have to stand up when budgets get cut for our fish, especially our salmon in the Yukon. I brought it to the minister's attention — and if the Premier could also bring it to the minister — because I know that, with the cuts to that budget, the staffing wasn't down there, and when we had record numbers, it was quite the challenge to get those numbers and keep track of them. That's just something for the Premier.

I want to switch gears a little bit here to what the previous Liberal government made — and some strong commitments around campgrounds during the election. I'm just wondering, in the budget, can the Premier confirm what work will be done to increase capacity at these existing campgrounds? They talked about a new campground; I'm wondering if they have picked a location for it yet.

I think that one of the hugest concerns we hear about — whether it's from the Member for Watson Lake, me, or rural members — is the roads. I'm just wondering if there is any increase to the budget to ensure that the roads to popular campgrounds across the Yukon can be better maintained.

**Hon. Mr. Silver:** I'm going to start my response with the parks strategy implementation, and we'll go from there into the specifics about new campground planning as well. I think that it is pertinent information at this point.

The strategy itself was released in the fall of 2020. The Department of Environment has been working to implement the many actions that are outlined in this 10-year strategy.

Short-term actions that have already been completed, or are currently underway, would be things like: engagement with First Nations on development of a new campground within two hours of Whitehorse, so I will talk more about that specifically; introduction of a longer serviced campground season, from May 1 to September 30; establishing regulations to update park fees; developing an online payment system to pay nightly camping fees at a discounted rate; providing opportunities for public input to modernize park regulations, including ensuring public safety and environmental and heritage protections as well; and also initiating the development of a system plan to guide the establishment of new parks.

Other initiatives that will be rolled out in the next five years would include: create more year-round recreational opportunities in territorial parks; provide more accessible wilderness experiences through enhanced frontcountry and also

backcountry trails, which is something that is near and dear to a lot of Yukoners, that is for sure; work closely with First Nations and Inuvialuit, as well, to co-develop a collaborative park management framework and develop partnerships with indigenous guardians therein; pilot a new campsite reservation system; and also add more campsites at some existing campgrounds.

The strategy itself sets a long-term direction for the Yukon government through the parks system that goes on through until 2030 — the vision of the park system incorporated with four building blocks: (1) protection of ecological and cultural values; (2) reconciliation through collaborative management; (3) public service that is sustainable, efficient, and also accountable; and (4) the public benefits, including healthy people, healthy land, and healthy economy.

Implementation of the strategy will continue to involve collaboration, as I said, with First Nations, with the Inuvialuit, and other partners to provide opportunities for public participation, which is extremely important. When it comes to the specific new campground planning, I am pleased that this work is underway, as I mentioned, to develop that new campground — so six Yukon First Nations whose traditional territories lie within two hours' drive of Whitehorse have been invited to discuss possible campground locations and partnership opportunities with the Yukon Parks branch. Pending these initial conversations, we will consult with First Nations to establish a new campground at a chosen location. Yukoners will have the opportunity to provide feedback on the new campground after a final location has been selected.

To get to the construction phase, we would also need to complete the necessary planning and design work, and that's where conversations about roads would be coming in. We are aiming to have a new campground ready for use by 2025. The new campground will provide economic opportunities for all — for First Nations, for the private sector. There will be opportunities to bid on tenders for the campground design, the construction, and the ongoing operation as well. The new First Nation procurement policy will be followed to enhance the economic outcomes to Yukon First Nation people and for businesses. Also, the outlined strategy has a number of desirable features for a new recreation park and campground. In addition to being located within a two-hour drive of Whitehorse, it will be a larger campground with up to 150 sites, it will have a rustic atmosphere with well-spaced campsites and quiet zones available as well, and it will also provide active recreation opportunities, hiking trails, and access to water bodies.

You mentioned the consultation with the First Nations specific to roads. We don't have a complete list, but \$80,000 is for Aishihik, Kusawa, and Ethel Lake roads. They are working with Highways and Public Works to have these conversations — and again maybe some more thorough updates from the ministers responsible, but in general that is kind of the plan right now for the parks strategy — but also specifically to new campground planning within that radius from the Whitehorse area.

**Mr. Istchenko:** When it does come to the road maintenance, that \$80,000 that the Premier spoke about are existing funds — leftover funds toward the end of the season. It is unfortunate that they are going to try to get out there and spend it now in the fall. It would be easier to spend it in the summer when it is easier to do the work.

When I was mentioning roads, we have other roads like Simpson Lake, Watson Lake, and Frances Lake. I am just wondering if the Premier — this is an ongoing issue that we've sent to the minister. I think that every year the Member from Watson Lake — this is a conversation — did you increase the funds so that the roads can be better maintained? The bigger vehicles, the larger motorhomes, the increase in usage, and, of course, the pandemic will probably wind down at some point in time and tourists will come back, so there will be a lot more traffic on there. I am just wondering if the Premier is looking at increasing that budget so there can be more dollars to do this more regularly through the summer.

**Hon. Mr. Silver:** I know for a fact that the Minister of Highways and Public Works has a great working relationship with the Minister of Environment. It should be easy to consult with each other, and that is where this information would be flowing as far as if there are new requests when it comes to specifics in the Department of Environment. I think that there is \$2.2 million set aside for campground planning, which is an important part of access to these campgrounds, making sure that we have the infrastructure there to get folks to where they need to be. I will do a shameless plug about the amazing work that the Department of Highways and Public Works has done to access close to half-a-billion dollars of extra money for the north Klondike Highway project, let alone some of the other work that they've been doing to secure very specific federal funding through applications.

Whether it is through our regular budgeting process or our regular five-year capital plan, but also our ability to apply for and get some of these augmented funding windows — Gateway, for example, or, in this case, more money for the north Klondike to upgrade the levels of those highways — it's great to see the department being so active and engaged with its federal counterparts.

We will make sure that, as we move forward on campgrounds, the accessibility is extremely important. I know that the conversations will be flowing from the Department of Environment into the Department of Highways and Public Works.

**Mr. Istchenko:** I want to talk a little bit about docks. The cottage lots at Kluane — there was a dock that was put in at Dutch Harbour. It was contracted, tendered, and to be put in, and then an employee from Environment was to learn how to do it and they were supposed to do it every year. Well, the contractor has been putting it in every year and taking it out every year, and it didn't go in until mid-summer this year. It is under the Department of Community Services for some reason, not Environment.

I understand that docks and marinas are under Community Services. That dock is large, and I think there have only ever been two boats at that dock. The conversation now is that

maybe that dock could be better used somewhere else. I am just wondering if the Premier has any information on budgets, proposed new docks, Kusawa — Laberge could really use a nice dock like was in Dutch Harbour, so I'm just wondering if he has any more information on that.

**Hon. Mr. Silver:** Respectfully to the member opposite, that would be under Energy, Mines and Resources, not necessarily Community Services right now. They are going to be available here past general debate, so they can answer the specific questions that the member has.

It is not only if there is money in this current budget, but also forecasts from where the department may see pressures moving forward when it comes to docks or, again, with recommendations from the member opposite about the nature and use of specific docks.

**Mr. Istchenko:** I thank the Premier for that. I know from talking to the contractor that it was Community Services that called them to go and put the dock in and out, so that is something that, I guess, when we get into Energy, Mines and Resources, we can get a little bit more information.

So, the next thing that I would like to talk about is firewood. We know, due to the inaction in addressing some of these permit issues, when it comes to getting firewood, there has been a serious increase in firewood costs, so how much more of the government's budget does the Premier think will have to go toward firewood for campgrounds?

**Hon. Mr. Silver:** I would just indulge the member opposite — if he could clarify. Was his question specific to campground firewood supply or firewood supply in general?

**Mr. Istchenko:** It's for campgrounds. The Government of Yukon purchases so many cords of wood a year for campgrounds. I guess the question would be: How much more is this going to cost them because there is a lack of firewood? Will there be enough firewood for our campgrounds next year?

**Hon. Mr. Silver:** We know that, currently budgeted this year, it would be over \$400,000 specifically to firewood in this budget. As the member opposite rightly points out, with an increase in campgrounds, there will be an increase in need, so those details would be worked out in future Management Board submissions from the department.

I did mention, as well, that short-term, medium-term, and long-term planning for campgrounds — \$2.2 million, I believe, was the number set aside for all of that planning. Again, how that manifests into specifics of when we do get to a point to discuss a brand new campsite — that would be a pending submission from the department.

We also, to answer the member opposite's question, don't think that there's going to be a problem securing firewood. There hasn't been to date. It is already contracted out to a number of suppliers.

**Mr. Istchenko:** I was interested to read — in the Order-in-Council 2021/141 — the regulations to amend the Yukon campground regulations. Section 5 is amended, and it says in the subsection that the expression “‘subject to subsections (4) to (8)’ is replaced with the expression ‘Unless otherwise authorized to use campground facilities by a park permit and subject to the subsections...’”

So, moving forward to 4, it says: “The following sections are added immediately after section 5.01:

“5.02(1) The minister may designate a camping site as a group camping site or a tenting-only campsite.”

It goes on to say: “5.03(1) Subject to the terms of a park permit and to subsections (2) and (3), the maximum number of occupants of a camping site is eight.”

Then (2) says: “Subject to the terms of a park permit, the maximum number of occupants of a group camping site is 12.” So, there are “8” and “12” in here. If my neighbour's daughter is having a birthday party and there are 13 people at that campsite in the afternoon, who will enforce this?

**Hon. Mr. Silver:** I guess my confusion would be — whether we are going to change the structure of the parks or not, there are park officers who are tasked with enforcement currently, and they would still have those enforcement capabilities and responsibilities if we are changing certain subsections of the plan. But, again, to answer the member opposite's question again, it would be those officers.

**Mr. Istchenko:** I can see that becoming quite the contentious issue.

Also, section 8 is amended and is replaced with the following: “Except as otherwise ordered by an officer, a person must not

“(a) stop or park a vehicle on the travelled portion of a road in a campground;

“(b) stop or park a vehicle in such a manner as to

“(i) impede the proper use of a road in a campground, or

“(ii) damage vegetation in a campground...”

So, the roads in the campground — I am sure that the Premier, along with everyone else, has travelled in many of our campgrounds. The sites in most of these campgrounds were built back in the day when we didn't have 30-foot motorhomes and large fifth wheels, so sometimes you are lucky to get a truck and trailer in there with one. I spoke earlier about the birthday party in the afternoon, and if someone parks on that road, the road is actually impeded. You can get around that vehicle, but it could be deemed to be impeding traffic. On my way driving to work early on Monday morning, there was a blue vehicle rolled over in the ditch — it has been there for a month and a half. There was a vehicle at Stony Creek on the shoulder of the road in the dark, with no markings on it, and there was another one just by where you used to turn into the bakery at the Takhini Crossing.

My point for the Premier is that there are regulations, and they seem to sit on the highway for a long period of time and they are a public nuisance to safety. But, with the neighbour's third birthday party for her daughter, when everybody pulls out there and pulls off to the shoulder of the road as best as they can to go to the birthday party, we are going to make sure that they don't park there — but we leave vehicles unsafe on the highway.

**Hon. Mr. Silver:** A lot of the concerns that the member opposite is putting on the floor today came from the parks consultation. All of this starts with education and making sure that we are aware of what the situations are and what the concerns are of people. Again, the pushing of groups to larger

group sites — I understand the member opposite's concerns. Guests being on the sides of the road — these are safety issues. As I said before, we have the officers who have the enforcement obligations there.

I think he went into something a little bit different when it comes to derelict vehicles and when it comes to travelling on our highways. I will agree with the member opposite. On the way to Dawson, there are a couple of vehicles that have been sitting on the side of the road for quite some time. I will endeavour to get back to the member opposite as far as if any policy has changed since he was previously Minister of Highways and Public Works as far as our duty to make sure that our highways are safe.

It is one thing to have a vehicle that has been pushed off onto the side of the road — we see those a lot — but to have a vehicle that is still on the road, in a derelict situation, is a huge safety concern. I completely agree with the member opposite.

**Mr. Istchenko:** I thank the Premier for that. I am just bringing concerns forward that the Premier will probably hear as they move forward with the new changes to campgrounds. I am not even going to talk about the fees. I will just leave it there. I made motions in the House and asked questions about this before.

I want to talk about gravel pits a little bit and the access by hunters. The hunters go in there for sighting rifles. Some gravel pits have homes within a kilometre. A lot of communities have very active gun clubs — which we do — with a range, and lots of people go there, but some of the communities don't have that and so they will go to a gravel pit. I am just wondering if, for public safety, the government has considered adding signage to those gravel pits that would say, "Residents are close by. Do not sight in your rifle in this gravel pit" — for lack of better words.

I have heard this complaint from quite a few constituents — First Nation and non-First Nation — who choose to live kind of off grid in there but every now and then get woken up with gunfire. It's not that the people sighting in rifles are purposely doing this; they just don't know. I am just wondering if there is any thought to putting some signs up.

**Hon. Mr. Silver:** We have definitely seen an increase in some activity in these pits, for sure, and one of the prime responsibilities of the department is to make sure that gravel pits are used safely. If that use has been augmented for rifles, maybe some target practice and some scoping, then we have an obligation for the health and safety of the public, and the associated liability is very significant. The concerns to date about some of that public use of those gravel pits — I don't necessarily have any more information for the member opposite as far as a new strategy or a new approach.

I will give him a little anecdotal information. I used to have a job at a range, and my job was to feed the clay pigeons on the arm as it went over the bank. It was quite a great job. For them to get me out of the hole, they would shoot the top of the tin roof. That was my bell to tell me that my shift was over. I had a lot of fun in that area, that's for sure. That is just a little anecdotal information for the member opposite.

I will see from the department if they have any other concerns or strategies when it comes to folks who are using the gravel pits for the sighting of rifles.

**Mr. Istchenko:** I thank the Premier for that. One of the last things that I want to talk about here is the elk — the elk and agriculture conflict basically in the Ibex Valley. There is supposed to be something coming out in March 2022. As the previous Minister of Environment myself — and it is an issue. It's an issue that is a tough one for both sides. You have the Yukon Fish and Game Association, which looked at a hunting opportunity and brought elk into the area. I heard many a story from Alex Van Bibber on the reasons that they pushed for that. It was an opportunity to hunt in a burn area that wasn't much area. Well, since then, we've seen farming and things like that. Every time I talk to the Fish and Game Association or I talk to the Agricultural Association, it seems like they are sort of pitted against each other. I am just wondering if the Premier or the minister is willing to sit down with both organizations in a room — and probably the MLA from that area as it is near and dear to his heart too — and have a discussion to see if we can't actually look at some — and they may be some drastic changes, but it would be for the benefit of both organizations, for public safety, and also for the destruction of property within those farms in the Ibex Valley.

**Hon. Mr. Silver:** I do know that there have been meetings already recently. Also, when it comes to the agriculture and elk conflict, this is a joint department approach between Environment and Energy, Mines and Resources. Energy, Mines and Resources will be here after general debate. As far as strategy for sit-downs, I would really want the minister responsible to answer that.

Suffice it to say, we absolutely recognize the concerns that have been raised by a segment of the agriculture community regarding specifically the Takhini valley elk population and its impacts on crops and infrastructure on farms. We continue to research fencing options and herd reduction to mitigate these concerns.

There is not going to be one approach. I think that we need to take a look at different approaches here. We are engaged in a two-year plan to manage elk conflict through increased funding for fencing, as I mentioned, but also the reduction of that herd size is an extremely important piece of this as well, through increased harvesting — and also the development of elk-specific mitigation for new agricultural land releases.

The agriculture-conflict elk hunt aims to reduce that elk population in the eastern Takhini area and condition elk to stay away from the conflict area. We need to continue down that path. We have also established an elk-agricultural working group, and we continue to have discussions with affected farmers and landowners. There are also interest groups that are extremely interested, and First Nations as well, in addressing the elk-agricultural conflicts.

The member opposite would be aware of the 2016 elk management plan prioritizing the conflicts in this area. The Department of Environment is currently reviewing that plan, and they are going to update with information from an

upcoming survey in addition to what has been gathered over the past five years.

**Mr. Istchenko:** I thank the Premier for that. I look forward to my fellow colleague from Copperbelt South asking a few more questions when the department is in.

I have one more before I finalize today. Earlier today, for the Premier, I asked the question in Question Period about the closing of landfills. There was a public meeting held in my riding, and a lot of work had been put into gathering data and information by the local residents. This is probably almost a two-year, ongoing issue. A friend of mine who works at the Arctic Institute, Harry Penn, wrote a letter to the previous minister quite a few years ago, and he actually highlighted climate change, GHG emissions, and really the science-based approach to this issue.

I read it earlier today, but I think it begs reading again — from the Yukon Youth Panel on Climate Change.

The recommendation that came for our future is the Youth Panel on Climate Change, which prioritizes reconnecting sustainable relationships with the land and the people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity. Overall, this results in a changed mindset and a way of living to sustain a healthy planet.

So, at the Silver City landfill site — once a week, when General Waste drives out from Whitehorse, they drive on the Alaska Highway to Destruction Bay. They go to the landfill just north of Destruction Bay, and they dump the bins. On their way back, on the Alaska Highway, they stop at the Silver City landfill. The Silver City landfill from the Alaska Highway is probably the distance from here to Main Street.

It is a big truck; it burns diesel. He pulls in there, and if the containers are full, he dumps. Then he goes back out that distance — I don't think he even puts a kilometre on — and then he continues on to Whitehorse, and maybe someday to Haines Junction, to go and dump this garbage. It is bear-proofed, so the bears aren't in there.

So, two things: If they close that site, human-wildlife conflict from household garbage from all the residents will become an issue. In the summertime, it's hot, and it's hard to deal with that.

The other issue is, and if you want to talk about changing the mindset of living to sustain a healthy planet, having 10 or 20 — there are more than 10 residents who use that landfill — having all those people drive three times a week to Haines Junction in their vehicles — this is what Harry put to me a year and a half ago, and it was brought to the previous minister, and this minister might have seen that letter too — really? Is that good for the planet? Or would it be better to leave that site there, managed the way it is?

At the meeting, there was a little bit of misinformation on the minister's part. He talked about the liabilities that this dump has. Well, there are environmental contaminant site liabilities in the Department of Environment. There are 23 Yukon government landfills on it, there are grader stations, and there are all kinds of liabilities. We are not running out there closing grader stations and closing a bunch of other places, because there is an environmental liability. The environmental liability

is there from previous generations of all political stripes — that's how they did it. We don't do it that way anymore, but we still have to monitor those sites, and that's something that we have to accept. There are schools that have this — we aren't closing the schools.

So, many letters have been written to the Premier and to the minister. The Kluane First Nation wrote a letter, and I want to quote from the letter: "Our government strongly objects to the lack of consultation and to the proposed implementation. Our citizens and local residents vehemently oppose these changes. We know this shortsighted action will lead to: illegal dumping..." — also not good for the environment — "... illegal burning of waste..." — toxins not good for the environment — "... illegal burial of waste..." — not good for the environment and, of course, the "... human-wildlife conflicts."

They go on to say that: "Further, the Implementation Working Group identified in the report has no Yukon First Nation representation. The decision to exclude the Yukon First Nations, despite them being listed as 'partners' throughout the Ministerial Committee on Solid Waste report, damages our trust in a shared path of reconciliation."

On this file, I would be remiss if I didn't bring up some of the hard work of the local residents — the residents in Keno. The residents in Keno wrote the Speaker, the MLA for Mayo-Tatchun, a letter with the same issues.

I'm just wondering, if the Premier gets on his feet, if he can explain to me how this is better for climate change and for the environment — closing these sites — by making more bears be destroyed, more garbage strung out all over the planet, people starting to burn their waste or bury it. I just kind of wonder if the Premier would comment on that.

**Hon. Mr. Silver:** Thank you to the member opposite for the question.

Let's go back to 2017. That's when the Ministerial Committee on Solid Waste was struck — in October of that year — with a mandate to provide recommendations for actions related to solid-waste management in the Yukon. The committee worked to produce a report. Their recommendations were then provided to the Minister of Community Services the following year.

We also know that we're in a situation now where, moving forward — we've been slowed down a bit by COVID, but bottom line — and I think the minister did a good job early this afternoon talking about modernizing and improving the territory's waste system, the solid-waste management system, to make sure that our practices follow sustainable and nationally recognized standards in solid-waste management. We're very, very committed to raising those standards at transfer stations and also at landfills right across the Yukon.

This means that all sites, as the minister spoke to today, must have gates, they must have facility open hours and attendants monitoring what's coming in and directing customers where to go with things — similarly, the tipping fees as well.

The minister spoke about the \$12 million — that currently managing garbage and recycling in Yukon costs more than

\$12 million a year. We are working to manage these escalating costs and to reduce the environmental risk. I do recognize that this initiative will mean changes to how some rural Yukoners manage their garbage and recycling, and I understand the frustrations that people have when government makes change. I recognize some of the comments and questions from the member opposite as far as, as we get through the hurdles and get to a new management system, there will be questions and concerns about the modus operandi, but again, we are making good on the solid-waste committee struck back in 2017.

The committee had very specific recommendations: developing a user-fee pilot at Yukon government and municipal waste management sites; exploring improved household hazardous waste and waste-oil collection programs and service levels; exploring organic diversion and compost programs in the communities; exploring waste transportation and collection efficiencies; and also advising the Minister of Community Services on solid waste, specifically focused on solid-waste governance models, stewardship, funding models, and service objectives.

When it comes to landfills and transfer stations, they require electrical power to improve the reliability of electric fences, to provide lighting and heat for attendant buildings, and to improve our ability to manage waste with the use of compactors. In using the compactors, we will reduce hauling costs by 30 percent to 50 percent. Facilities have been supplied with power recently. That includes Champagne and Deep Creek, so the costs there — Champagne is \$100,000, and Deep Creek is \$175,000. Grid power connections were also made in the Dawson and Mayo landfills.

I understand the concerns from folks. I know that the minister was out and had a consultation with the community on this. We have talked about phase 1 of the implementation in Whitehorse peripherals and those tipping fees. That was originally in place for April 2020, but of course, with COVID, it was delayed until August 1, 2020.

Again, implementing the recommendations of the committee is extremely important. There are going to be bumps along the way — absolutely — and we recognize that folks who are going to lose the way that they are normally used to getting rid of household items has changed, but we are moving forward on these recommendations. It is extremely important to municipalities, and it is something that the minister has taken on in earnest.

**Mr. Istchenko:** The Premier talks about the Solid Waste Advisory Committee and I know that the Solid Waste Advisory Committee — and the Premier campaigned his first time around to be Premier on “Be Heard”. That was a campaign commitment, but the residents of Keno and the residents of my riding in Silver City — they weren’t consulted when it came to these recommendations that the committee put forward. They weren’t part of that conversation. Maybe if they had been part of that conversation, things would be different.

I don’t believe that conservation officer services got a fair shake at commenting on human-bear conflicts, and the EMR people who manage gravel pits, and Community Services

people who manage other things — on where this waste is going to go.

The Premier speaks often about — when he is going to do something, he says that this government will put a climate lens on this and look at it. So, by implementing these recommendations, I have mentioned to the Premier that the GHG emissions are going to go up. It is going to be worse for the environment, so the Premier is basically — I guess my question for him is: Sometimes, I guess, it is okay for the Premier to implement the policy that is worse for the environment than better for the environment?

**Hon. Mr. Silver:** I think we are just going to have to agree to disagree that this new approach isn’t going to be helpful to the environment. Will there be challenges along the way? Yes, there will be. Are departments adamant that they will work through these and make sure that we continue to engage? Absolutely. We talked about the reduction of size and therefore more efficiencies in the plan, so the plan does identify the environment. I hope the member opposite is not necessarily mocking an environmental lens — I hope that he supports it — because it is extremely important.

Again, I think we will agree to disagree that this new approach, in the long run when it comes to how we pay for garbage, how we think about garbage, how we recycle — all of these things play into this bigger conversation. We have mentioned the money that the general taxpayers pay right now, and we have mentioned before the disparities between the Yukon Party and the Liberal approach with polluter-pay initiatives like carbon pricing, for example. The members opposite, in time, came on board with that. Hopefully, they will start to see the importance of modernizing the system and moving forward on the recommendations, not only just for the municipalities and for the territorial government, but also for the environment.

**Mr. Istchenko:** The Premier, obviously — agree to disagree. I guess I get that. I don’t understand the hesitation in listening to residents. Sometimes you just have to change things on the fly. Maybe you didn’t consult. Maybe admit that your information is wrong.

I think that probably one of the biggest things for my constituents is that when they take the time to address an issue and write to the Premier, the Minister of Environment, and the Community Services minister and don’t even get recognized — “Thank you for your correspondence, and we will get you an answer back” — that’s disappointing. I would hope that maybe some of the good people in Kluane and some of the people around the Yukon, up in Keno, would actually just maybe get a response back that says, “We agree to disagree and we’re closing your dump.” But not even getting a response back — that’s not cool. That’s all I have for today.

**Hon. Mr. Silver:** I am not really sure specifically what correspondence the member opposite is speaking about in terms of no response. I agree that if somebody asks a question of the government or the ministers, regardless of the topic, they need this to be worked on.

If the member opposite would like to let me know specifically who has not been answered — as far as my office

— I would be very interested in that. I know that we have come a long way since the Yukon Party supported the burning of garbage across the territory in rural Yukon. We are moving forward on a modernization plan. If the member opposite has specific communities or constituents who have not received a response from our casework system or from our departments, I would really like for him to share that information with me.

**Ms. Tredger:** I would like to go to the Yukon Youth Panel on Climate Change, which my colleague brought up. I'm hoping that the Premier can clarify some of his comments about that. I believe what I heard him say was that the government is going to prioritize the recommendations that have the biggest impact on climate change. Honestly, when I heard that, it felt a bit worrying because I have no doubt that every single recommendation in here was there for a reason. I'm sure they had many, many more that they could have thought of and have already prioritized as best that they could.

I'm wondering if the Premier can clarify: Do they intend to implement all the recommendations in this plan?

**Hon. Mr. Silver:** I'm not really sure why the member opposite is surprised that we would be focusing in on those recommendations that have the most adverse effects on climate change.

We heard the Leader of the Third Party talk about how we need action now, so that's what we're talking about. The prioritization will be based upon a climate lens. Again, we will have time to go through those recommendations and we will respond in kind.

I do want to thank the youth panel for their recommendations and their passion. Again, I think that it's important to focus in on climate change when it comes to the Youth Panel on Climate Change. Our priorities will be making sure that we make recommendations and policy, moving forward, that have the best effect on achieving our goals through our climate change plan.

**Ms. Tredger:** One of those recommendations, in particular, is to — this is number 4 of recommendation 4 — and I quote: “Respect and adhere to the inherent right of First Nations to determine when hunting and other subsistence activities may occur within their respective traditional territories.”

I wanted to ask about this government's approach to working with First Nations on hunting rights. In August 2021, Liard First Nation issued a hunting ban for parts of their traditional territory. In previous years, the Ross River Dena Council had done the same thing. I was very concerned to read the statement — the press release from the Yukon government — on this. It starts by saying that they are aware of these requests, and then the very next thing it says is that licensed hunters do not require permission to hunt on non-settlement lands in any traditional territory.

What that says to me is that they can ask, but you don't have to listen. That is not consistent with the spirit of reconciliation, and it is certainly not consistent with this recommendation that First Nations have the right to determine what hunting and other subsistence activities occur within their traditional territories.

My question is: Does the government intend to continue with their current approach of telling hunters to disregard what First Nations ask for, or are they planning to change that and follow the recommendation of the Yukon Youth Panel on Climate Change?

**Hon. Mr. Silver:** I will start by saying that our government and the Ross River Dena Council work together on identifying and advancing shared interests and priorities, including anything from mineral exploration and development to wildlife and fish, capacity development, and economic opportunities. We will continue to collaboratively work with the Ross River Dena Council to put forth positive outcomes for their members and benefits for all Yukoners as well.

We are aware that the Ross River Dena Council is concerned about hunting by individuals who do not reside in the Kaska traditional territory. Though the *Wildlife Act* applies throughout the Yukon and includes the right to access public lands, it is every hunter's responsibility to make sure that they know the rules about access and permissions that apply to hunting.

**Ms. Tredger:** I would like to ask about another one of the recommendations. This is under recommendation 1(5): “Make Yukon University tuition-free for all Northern youth, including Indigenous youth from transboundary northern nations and youth from northern British Columbia.”

Is this something that the Liberal government is considering doing?

**Hon. Mr. Silver:** Again, I don't have any update as far as the recommendations from the youth panel. I know that Education is up for debate as well, but I don't have anything new to share with the member opposite on that.

**Ms. Tredger:** I don't think that the NDP can let a budget cycle go by without asking about the protection of species at risk. It is the 25<sup>th</sup> anniversary of the Yukon government's commitment to develop species-at-risk legislation. That is a quarter of a century that we have been waiting for this legislation.

In 2019, the then-Minister of Environment said, “The Yukon Government is currently working to develop a Yukon Species at Risk Act.” I wonder if the Premier could give us an update on where that legislation is at.

**Hon. Mr. Silver:** As we know, most other jurisdictions have legislative tools to list and to conserve species at risk. Such legislative tools are also a priority for our government. With foresight and planning, the Yukon has an opportunity to benefit from hard lessons that have been learned in other jurisdictions — other parts of Canada and the world — to prevent the endangerment of species such as woodland caribou and grizzly bears as our territory further develops, whether that be through infrastructure or through the economy. A timeline to complete a new legislative framework for species at risk depends on several factors. These include determining how new legislation would interact with existing federal and territorial laws and requirements.

In the interim, we continue to actively manage and steward species at risk using various existing legislative tools. These include the boreal caribou section 11 conservation agreement

signed in 2019 with Canada, with the First Nation of Na-Cho Nyäk Dun, and the Gwich'in Tribal Council to protect species and their critical habitat.

We'll continue to work collaboratively with our partners in the territory, including First Nation governments, the Inuvialuit, wildlife management boards and councils, and also interested groups and other government orders on species-at-risk conservation. Our efforts to ensure that species, such as wood bison, woodland caribou, and grizzly bears, continue to have viable populations — it is extremely important, and it needs to be guided by the management plans of the Yukon government, developed with First Nations, the Inuvialuit and also the wildlife management advisory councils, the North Slope, and the Yukon Fish and Wildlife Management Board.

The Yukon Conservation Data Centre also continues to track the locations and status of lesser known and globally rare species that are maybe Beringian in origin — to identify those that are unique to northwestern North America. This information is used in global reports on biodiversity change as well as environmental assessments.

Work is continuing on. I don't have any specific updates for the member opposite with her specific question, but our platform identified to prioritize the development of legislation to protect species at risk, and we will continue on that path.

**Ms. Tredger:** Madam Chair, I would also like to ask about an item in the Environment budget, which I believe will not be called, because there is not a net appropriation. Under parks and boat launch dock replacement, just over \$1.1 million has been cut from that budget. Could the Premier tell us what that cut is and what projects have been cut?

**Hon. Mr. Silver:** Second round of specific dock questions — I will have to get back to the member opposite.

**Ms. Tredger:** Thank you. I would appreciate that information and perhaps with it there could be a list of the boat launch and dock replacements that are planned for this year and if that has changed.

With that, I will conclude my questions for today.

**Ms. White:** Madam Chair, just a quick question for the Premier: I am just trying to decipher an OIC from 2016 — the Order to Establish an Inquiry into Missing and Murdered Indigenous Women and Girls — just asking if this was part of the national inquiry because it is under the *Public Inquiries Act*.

**Hon. Mr. Silver:** Madam Chair, I hope that the member opposite would give me a little time to get back to her on a very specific question on an order-in-council from 2016 here in general debate on the supplementary budget. I do know that the advisory committee on murdered and missing indigenous women, girls, and two-spirit-plus works very closely with Yukon First Nations, with Yukon indigenous women's groups and families represented, as well, to finalize *Changing the Story to Upholding Dignity and Justice*. Again, our strategy — the Yukon — the first response to the national inquiry was released on December 10, 2020, in ceremony at the Kwanlin Dün Cultural Centre.

The advisory committee has created a technical working group to write the implementation plan for Yukon's strategy and also the technical working group, including representatives

from indigenous women's organizations, family members, and technical experts — all as required, obviously. All partners and signatories, including other levels of government, will have the opportunity to provide input to that implementation plan — lots of work that has already been underway and also what should be planned for the future.

I do know that, as far as finances go, the department has allocated \$200,000 in 2021-22 to support the accountability forum in early 2022 for partners, signatories, and family members. Preliminary discussions have been started with the Yukon advisory committee and that event is being planned. Regarding a specific order-in-council, I will have to get back to the member opposite.

**Chair:** Is there any further general debate on Bill No. 202, *Second Appropriation Act 2021-22*?

Seeing none, we will proceed to clause 1. Clause 1 includes the bill's schedules. Among the bill's schedules is Schedule A, containing the departmental votes.

The matter now before the Committee is Vote 53, Department of Energy, Mines and Resources. Vote 53 begins at page 3-1 of the estimates booklet.

Would members like 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.

The matter now before the Committee is general debate on Vote 53, Energy, Mines and Resources, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

### Department of Energy, Mines and Resources

**Hon. Mr. Streicker:** To begin with, I would like to welcome to the Legislature Deputy Minister John Bailey and Assistant Deputy Minister Shirley Abercrombie. Just for a moment, I would like to give a little bit of a shout-out to Ms. Abercrombie because she has just let us know that, later this year, she is retiring after several decades of service to Yukoners.

I first met Ms. Abercrombie back about 15 years ago, when she was part of the advisory board for the Northern Climate Exchange at Yukon University, then Yukon College. My experience with her has always been terrific. She has been such a great person to work with, and I just want to say thank you to her, as I first stand — and I'm sure colleagues will also send their thanks.

Madam Chair, I am rising to present the 2021-22 supplementary budget for the Department of Energy, Mines and Resources. I will give a few introductory remarks. I won't try to go for very long, but just enough to talk about those aspects of the budget.

The Department of Energy, Mines and Resources has a very important role in regulating the responsible development of our natural resources, and it's a diverse department covering the mining, agriculture, oil and gas, land, forestry, and energy

sectors. There is a lot there. Over the past year, I know that the department has been working very hard on several fronts with forestry, as we have had questions here in the Legislature about firewood and about supply, and a lot of work on biomass, as well, with agriculture on our new strategy “Cultivating Our Future”.

With energy, we have heard questions today about *Our Clean Future* and about how we’re shifting our energy economy. It’s incredibly important work for the Yukon and for Canada and the world. With our Land Management branch, and our Land Planning branch, they have had a lot of work — whether it’s on resource roads or whether it’s on the Dawson land use planning that’s underway right now — by the way, comments are due by November 1, and I encourage everyone to get their comments in — or our minerals branch. Whether it’s active mines or past mines, they’re doing work to make sure that all of that work is safe, secure, and remediated as necessary, and then we’re working on successor legislation. So, it’s a lot of work. I just want to begin by saying thank you so much to the department for all of the tremendous work that they have been doing over the past year.

The past year has been one like no other and not just because of COVID — but as well because of COVID — but many land and resource sectors were significantly affected by the pandemic. At the same time, most resource activities still continued to some degree, meaning that the hard-working staff at Energy, Mines and Resources had to be innovative and adaptable to continue to carry out their duties. There is quite a range of initiatives and services happening across all the branches, as I just delineated. I’m pleased today to speak to a few of those that are in the supplementary budget.

Let me just talk. Our total operation and maintenance appropriations are estimated at just under \$71.5 million, which is an \$8.1-million increase from last year. The net increase is primarily a result of increased funding for water treatment and to conduct care and maintenance at Wolverine mine and funding to implement *Our Clean Future*.

Under capital, the total capital appropriations are estimated at \$1 million, which represents \$537,000 — or a significant increase from last year’s capital budget. This increase is primarily due to increased funding to enable the purchase of new electric vehicle charging stations, which I’m sure we’re all very excited about.

When it comes to revenues, taxes and general revenues for the department are estimated to be \$2.8 million, the bulk of which — \$2 million — are revenues from fees collected related to: leases, permits and royalties; placer mining fees; quartz mining fees and leases; and maps and publications. This revenue amount is similar to past years and indicates overall stability in activity levels anticipated from the Land Management and Mineral Resources branches.

Third-party operation and maintenance recoveries are estimated at \$13,000. This is a small number — comparatively, of course — and this is a decrease mainly due to changes in the balance of securities used to address the Wolverine mine activities.

Recoveries from the Government of Canada this year are at \$16.6 million. The recoveries overall are up by nearly half-a-million dollars from last year. This increase is associated with minor work plan adjustments for type 2 mine sites, which have slightly altered the amount of the agreement, and \$200,000 in capital to help with the purchase of electric vehicle charging infrastructure.

Just to highlight that a net of a \$6.8-million increase in the other category, under the budget, is associated with new funding for *Our Clean Future* and for Wolverine work plans. Government transfers are budgeted at \$11.8 million, an increase of \$1.9 million from last year’s \$9.8 million. This increase in transfers is primarily due to an additional \$1.7 million in *Our Clean Future* funding for residential and commercial energy.

Madam Chair, let me just leave it there for right now. I am happy to get into debate with colleagues and answer their questions. I will highlight more around the details as their questions lead.

**Mr. Kent:** I thank the minister for his opening comments. I welcome Mr. Bailey and Ms. Abercrombie. I have had the opportunity to work with Shirley for a number of years as a former minister, and her public service has been exemplary. I thank you for all your years of service and wish you well in retirement. I wish whoever succeeds you well in packing around that great big binder that I know is over there by your desk and that you use to provide assistance to the minister here this afternoon.

Again, I thank the minister for his opening remarks and I thank officials for the briefing that they provided us on the supplementary estimates. Of course, members will know that the last time we had a full Spring Sitting was in 2019. I am sure it won’t surprise that I do have a number of policy questions and will be catching up with the new minister on a number of different aspects when it comes to the Department of Energy, Mines and Resources.

Actually, the first issue that I wanted to start with is the Yukon Minerals Advisory Board. Obviously, this was a board that was set up in 1999 as an advisory board to the minister on mining issues. It was set up pursuant to section 9 of the *Economic Development Act* and then a ministerial order put it into effect. In that ministerial order, it says: “The Board shall submit to the Minister by May 1 of each year a report on the activities of the Board during the preceding calendar year, including if requested by the Minister a report on the Board’s recommendations during the preceding year.” That is section 2(3) of that ministerial order from 1999.

When I went on yukon.ca, the most recent Minerals Advisory Board report that I can find is from 2018. When you go by this ministerial order, we should have 2019 and 2020 also provided to the minister. There used to be a practice of tabling these reports in the Legislative Assembly that the minister’s predecessor went away from during his time. I am curious if the minister can tell me if there is a 2019 and 2020 report, and if so, where can I find those reports?

**Hon. Mr. Streicker:** We just sat down with the Yukon Minerals Advisory Board quite recently. The deputy minister

and I had a great conversation with them. It was talking about the 2020 report. My recollection is that the 2019 report that they submitted was, I think, just referring to the PricewaterhouseCoopers report. I will have to check on that to be sure, but I will find where that is and make sure that I either point that to the member opposite or table it here in the Legislature so that everybody can have it.

The 2020 report is in development as we speak. The Minerals Advisory Board has been working with a draft and working with the department, so I think it will be out a little later this fall. I will advise as soon as I see that coming forward.

If there are further questions, I am happy to answer them.

**Mr. Kent:** Can the minister explain: Have there been any discussions with the Minerals Advisory Board about why that 2020 report didn't meet the May 1 deadline and if we are planning to go back to that May 1 deadline in 2022, which would be the tabling of the 2021 report?

**Hon. Mr. Streicker:** I think that it is predominantly one reason and a little bit of a second reason; the main reason is just COVID. Things stretched out and the Minerals Advisory Board talked to us about the challenges that the sector was facing and just trying to navigate. I think that was fair when I heard them talk about that explanation.

I think another smaller reason is that we have just transitioned chairs of the board, and I think there has been a little bit of change there. I want to say that, in sitting down with the board, I am very impressed with their perspectives, their interest, their focus, and their attention to providing advice as a board. I am pretty sure that things will be back on track shortly.

**Mr. Kent:** So, yes, we will hopefully look forward to getting that report prior to May 1 of next year — for this calendar year — and I will forward to the minister looking into where the 2019 report is. If that can be tabled or uploaded to the website, that would be very helpful.

I touched on this with the Premier during general debate, and I am curious if the minister is able to provide us with some information with respect to the issuance of the decision document for the Kudz Ze Kayah project. Obviously, the Premier mentioned that not much work had been done over the past number of months, as the federal government, which is one of the decision bodies, is in caretaker mode. But now that the Cabinet has been named, have there been additional meetings scheduled with respect to the issuance of that decision document, as far as the minister knows?

**Hon. Mr. Streicker:** Mining and mineral exploration remain of central importance to the Yukon's economy and contributing significantly to the territory's economic performance throughout the pandemic. I think that we were one of only two jurisdictions that saw GDP growth in 2020, and that was largely thanks to mining, and that was only because mining was done safely. If I can just give a shout-out to the mining sector — I know that they worked very hard to put in place safe plans around COVID, and I think that we are on a good footing because of that.

With respect to the specific question from the member opposite — have meetings been scheduled around Kudz Ze Kayah with the federal government? The answer is yes. We just

saw the announcement today of the new federal Cabinet, so I downloaded that information to see who had Fisheries and Oceans and who had Natural Resources, and I am looking forward to ongoing dialogue around Kudz Ze Kayah.

**Mr. Kent:** Sorry, perhaps the minister mentioned it, but he did mention there are meetings scheduled. When is the next meeting scheduled with respect to that specific decision document? One of the things that we would be hoping is that there could be some sort of signal given on when a decision document for this project will be issued.

As the minister no doubt knows, the draft screening report was put out by YESAB, and then it was consulted on again. I think it's coming up on two years ago this fall that this situation took place. There have been a number of other delays — obviously, the federal government referring the final screening report back to the executive committee. I know that the company has been very patient, but I'm curious if the minister has any indication on when a decision document will be issued for this project.

**Hon. Mr. Streicker:** I think we were also disappointed with the federal government's decision to refer the recommendations for the Kudz Ze Kayah project back to the Yukon Environmental and Socio-economic Assessment Board executive committee for reconsideration, so I share that concern.

I don't have the ability to stand today and say: "Here's the time when we can expect a decision." What I can say is that I ask for a briefing on this issue weekly from the department. I know that, as well, major projects within the Executive Council Office is also working on this. So, I think we are, at all times, trying to advance this and to work diligently.

We work, as well, to stay engaged and in dialogue with the Kaska — both the Liard First Nation and specifically the Ross River Dena Council. I'm not able, here during the budget debate, to give an expectation for the timeline, but I can say that I continue to request that the department work diligently with other governments.

**Mr. Kent:** I just quickly want to pivot to another decision document that is pending. Obviously, these are executive committee screenings, so I know that it is not the minister who has the lead on them, but this is the Quill Creek forestry decision document. I know that YESAB put out their recommendation. I have a couple of questions for the minister, because I didn't get a chance to look it up: Is the Yukon government the only decision body, or is there a federal decision body with respect to that particular project? Given the tenuous circumstances around firewood supply this winter and some of the costs that we're seeing — and some of the other things that we are hearing about — I know that individuals in the Member for Kluane's riding are quite anxious to see this decision document come forward, so can the minister give us any sort of an update on the decision document for Quill Creek?

**Hon. Mr. Streicker:** First of all, after we met with the wood producers' association — with the Official Opposition House Leader, the Leader of the Official Opposition, and the Third Party House Leader — and we heard their original concerns, we had a lot of conversation about Quill Creek at that

time. One of the things that the department and I did was to sit down with the Yukon Environmental and Socio-economic Assessment Board to try to make sure that these things were moving along. I thank the Yukon Environmental and Socio-economic Assessment Board for issuing their recommendation.

I can advise you, Madam Chair, and the House, that it is just the Yukon government that is the decision body, so, there's no one else. I can also advise that we are not going to be sending this back to the executive committee — that we are working through the recommendations as they have been given. We are working closely with the Champagne and Aishihik First Nations, of course, on this, and I think that our hope is that we get to a decision in the next month or months, but this calendar year is what I think that we are working toward.

I can also advise that, when we were told that there was a shortage in the supply for firewood suppliers — wood suppliers, the cutters — the forest resource branch worked to get access to other cut blocks right away. So, Quill Creek, as you may know, Madam Chair, is in the Haines Junction area. It is a very large project, and that is why it went to the executive committee — it was the size of the project that got it there — but we got two other harvest blocks in through YESAB, and they have now been approved. So, I think those two blocks together are 4,400 cords. It was to get at the immediate supply, and I am happy to answer further questions.

**Mr. Kent:** I think that the minister said, by the end of the calendar year, they are anticipating getting that decision document on Quill Creek. Can the minister explain how long after that before permits are issued? I know that there are some roads that will need to be upgraded in that area, in talking with the harvesters there. Obviously, this is a significant concern for many Yukoners, including seniors and elders who live in our community and rely on the commercial cutters to deliver wood to their homes.

I guess the other question that I would have for the minister is with respect to these other cut blocks — the 4,400 cords, I believe, was the number he used. Has there been uptake? I apologize if he already said it, but if he could tell us where those cut blocks are, that would be great.

**Hon. Mr. Streicker:** First of all, I don't have an exact location, but they are in the Haines Junction area. I know that they are now permitted — I am referring first here to the two cut blocks that we worked to get available for the harvester immediately in Haines Junction — I guess it is harvesters, but there is generally one who has this work and does the work — for the 4,400 cords. So, my understanding is that they are permitted, and the only thing that needed to happen was frozen ground, and the operator is able to go in. I will ask the resource branch to make sure that the ground is frozen and the operator is good to go, but that's my understanding, that they are good to go now.

Operators choose — sometimes on their own accord — when they want to go and cut, so, sometimes that is not all within our control. With respect to Quill Creek — and I think that the decision document — I said that we hoped that it would come out this calendar year, and my understanding is that the permit for harvesters to go in would be available this calendar

year so that they could get in as quickly as possible. Again, the direction that I gave to the department after we met with the wood producers' association was to please work to support the wood producers' association, and there are other areas where the branch has been working to support personal firewood-cutting areas and access, et cetera. So, they have been working diligently to address the short-term shortage and then to talk longer term about how we can get more productive around wood supply, because we think that this is an important piece, for example, of *Our Clean Future*.

**Mr. Kent:** I will return to some forestry questions a little bit later on — or if we get time to come back to EMR on another date — but I do have a number of other questions that I wanted to ask the minister. Those previous two were focused mostly on the decision documents. That's why they were grouped together.

I did want to ask a series of questions regarding a news release that came out on August 30 of this year, the title of which was — I'll just paraphrase — that the Vangorda Plateau portion of the Faro mine site was acquired by Ross River Dena Council's development corporation and Broden Mining partnership. I know that, talking to the Premier in general debate and then earlier today about the BMC Kudz Ze Kayah decision document, a lot of that work was paused during the federal election and the subsequent time since the election date as the Cabinet is being formed because the government is in caretaker mode, but I'm curious why this joint news release with Ross River Dena Council and Broden Mining was put out during the actual writ period. If the minister could explain why the government made this joint announcement that involved the Government of Canada during the writ period, I would appreciate hearing his thoughts on that.

**Hon. Mr. Streicker:** What I will say about this announcement is that it was really about working in support of the Ross River Dena Council and the Tse Zul Development Corporation as they moved to acquire and assess the development potential of the Vangorda lands, which is on their traditional territory — their asserted traditional territory.

Our involvement was at their request — and to announce — I don't wish to comment about the federal government. We were approached by the Ross River Dena Council and we supported them in their announcement.

**Mr. Kent:** The first paragraph of this joint news release, which was put out with the Yukon government letterhead and the letterhead of RRDC, says: "The Government of Yukon, Government of Canada, Ross River Dena Council and private entity Broden Mining have agreed on the basic terms and framework for the sale of mining claims and leases on the Vangorda plateau portion of the Faro mine site and neighbouring lands to the east of the plateau."

So, my question for the minister was — I mentioned the August 30 date that this was announced. That was right during the federal election, during the campaign period. We have heard from the minister and the Premier with respect to the other decision document — for instance, on Kudz Ze Kayah — that the meetings and work were paused around that during the

election and because of the caretaker mode, essentially, that the federal government was in.

I will just ask the minister again: Why did the Government of Yukon put this announcement out that involved the Government of Canada during the actual election period? It's very rare that anything like this would happen, and I am curious why this announcement was made during the election by the Yukon government in a joint release involving the Government of Canada.

**Hon. Mr. Streicker:** I will just provide a little bit of context. Vangorda is attached to the Faro mine site, so Faro is really a federal responsibility around remediation. I believe that this had been worked on for years. It is quite possible — I don't know the answer to this — that the work could have been supported by the federal government and that it was just waiting for Ross River Dena Council to arrive at an announcement.

Again, I will not speak here for the federal government. That is not my role, but I will say that this project is a good project. Just looking at the press release, it is about a brownfield site, the Vangorda Plateau, and it has two open pit mines that had already undergone significant environmental disturbance.

The announcement here is: "The Ross River Dena Council, through Dena Nezziddi LP and Broden Mining Ltd., have formed the Tse Zul Development Corporation to acquire and assess the development potential of the Vangorda Lands within the traditional Ross River Kaska Dena territory."

It's a brownfield project. I always am encouraged to see brownfield projects because it often means that we can turn an environmental challenge into an economic opportunity. It's great when we can get the environment and the economy working together. I think that this is one of those instances.

The member is concerned with the timing. I am expressing that, in terms of timing, all I looked at was the request from the Ross River Dena Council. From our perspective, supporting this process is an important step toward reconciliation with the Kaska Dena Council and it provided a significant opportunity for renewed socio-economic and cultural growth in the area. That was why we signed on to this press release. What I will say is that if the member is concerned and once a new minister in place, I will pose the question to ask what the federal government choices were around this. I will be happy if I get any sort of response to share back, but this is the federal government that I'm being asked about.

**Mr. Kent:** I will have to come back on this with the minister because I'm not getting a response to the questions that I am seeking answers to.

The minister mentioned that, of course, these claims are part of the Faro block of claims. It is a type 2 site. The Yukon government under the previous minister, I believe, turned over the management of that site. It has always been managed by the federal government, but they have primary responsibility rather than the Yukon Assessment and Abandoned Mines. This August 30 press release — again, I am sure we were about halfway through the federal election campaign when this news release came out — was a joint release from the Yukon government, Ross River Dena Council, and Broden Mining, but it involved the Government of Canada. I am curious why the

minister wouldn't have directed officials to check with the Government of Canada prior to putting out a release about something that is a federal responsibility halfway through a federal election campaign.

**Hon. Mr. Streicker:** First of all, I would just like to let everybody know that the PricewaterhouseCoopers report was tabled here in the Legislature as the Yukon Minerals Advisory Board's 2019 report and posted on the Yukon Assembly webpage. I will try to look back to find out when that happened, but it happened last year.

Again, the member is concerned with the federal government's choices. I thank him for expressing that concern. I have offered to share his concerns with the federal government. I am not sure what else he would like me to say. I am happy to see Ross River Dena Council moving forward on a brownfield project, and that is why I added my name to a press release — or it shouldn't be about me, but the Yukon government, including my role as Minister of Energy, Mines and Resources. I think that this is a good project. I am happy to answer questions about why I believe that to be a good project and why we signed on.

**Mr. Kent:** I agree that this project is a good project. The minister was correct in saying that discussions around this go back a number of years. It goes back to my time as Minister of Energy, Mines and Resources, and I am sure that we are going to talk a little bit, as the afternoon goes on, about the specific terms of this agreement and how it was reached.

But again, the point that I am trying to make is that this announcement, this press release, was put out halfway through the federal election campaign. It involved the Government of Canada — it specifically references the Government of Canada in the news release — and I am curious if the minister felt like this would be any sort of election interference. I guess that is exactly what I'm trying to get to the bottom of.

Again, we have heard from the minister and the Premier about other projects involving the federal government that have been delayed, like the Kudz Ze Kayah decision document, because of the caretaker mode. This was right during the middle of the election campaign that a press release was put out that referenced the Government of Canada, and I'm curious if the minister felt like there would be any sort of concerns around election interference with a press release that references Government of Canada — essentially — assets, as they are the owners of those claim blocks, and the Government of Canada itself agreeing on these basic terms and framework. Why couldn't this announcement have waited until after today, which is the day the federal Cabinet was sworn in?

**Hon. Mr. Streicker:** I'm happy to continue to stand and respond to our role in this press release. I will say to the member opposite that, when it was presented to me, I focused on our role. That's what I was focusing on.

The member is asking about the federal government. I would be happy to direct those questions to the federal government. I am saying that we put our name alongside a project that we knew had been worked on for years — and the member has just indicated that it had been worked on when he was in the role of Minister of Energy, Mines and Resources.

We were approached by the Ross River Dena Council to join them in a press release that they wanted to make. I think that we signed on to that press release to show our support for what we believe is a good project.

The member can continue to ask me about the federal government, and I will continue to say that I'm happy to direct those questions to the federal government.

**Mr. Kent:** Just to clarify for the minister, it wasn't this specific deal that has been worked on for years. This specific deal, involving Broden Mining as the private entity, is something that has emerged since our time in government. So, that's something that either emerged during the previous term of the Liberal government or this current one, since the spring election.

One of the things that concerns me about the perception of election interference here is that we have seen it before, with an announcement just days ahead of the Liard First Nation election, where the previous Liberal government made some announcements that caused quite a bit of concern in that community, and there were some concerns that the announcement at the time could have been perceived as election interference. That is why we asked this question. The minister says he was focused primarily on the Government of Yukon's role, but the Government of Canada is a major player in this, and this was halfway through a campaign, so, there could be the perception of election interference in issuing this press release involving the sale of mining claims.

Back to the Liard First Nation — it was the newly elected Liard First Nation chief who was accusing the Yukon government of interfering with the election at that time. Again, there is a pattern here, and that is why we are extremely concerned with this news release going out during the actual writ period, or during the election campaign. Again, I am curious why the minister didn't think that perhaps it was inappropriate to put this announcement out during an election campaign, referencing the Government of Canada.

**Hon. Mr. Streicker:** I have just been informed by officials that Canada did review this, so whoever would have been in the caretaker role did approve it. Again, the point of the press release was to talk about a good project that has been in development for years, where we were indicating our support for the Ross River Dena Council and for the project.

Again, I thank the member opposite for the opportunity to stand up and talk about this good project, and again, I do not speak for the federal government. I will continue to say that I think that this is a good project, and I think that, when we signed on to the press release, I was happy to be part of that announcement and to show our support. As I have already stated, we think that this is a good partnership opportunity, and it provides an opportunity for responsible mining in a brownfield area. This project has the potential to bring real benefits to Ross River and nearby communities. So, that is why I signed on to this press release, and I am happy to say that here during Committee of the Whole.

**Mr. Kent:** The minister, in his previous response, did say that this was reviewed by Canada, so I am assuming that it was signed off by Canada. I am interested in that, just because

this seems like something more than what would be involved with a caretaker government, but that said, that is not the responsibility of the minister — it is the responsibility of Canada, and perhaps my questions would be better directed to Elections Canada or the Government of Canada, so, I will do so to get a sense of what their feelings are with respect to this news release issued during the election period.

I do want to talk a little bit about the deal itself, where the private entity, Broden Mining, is in partnership with the Ross River Development Corporation, forming this new development corporation to acquire these assets of the Vangorda lands. Obviously, I agree with the minister that this is a good project, and we look forward to the economic opportunities and the benefits it creates, but when we look at similar projects in the past, whether it's Keno Hill or Alexco, at that time, there was a competitive process between Alexco and another group — I believe maybe groups — to acquire those assets from the federal government. The more recent example that we have seen is Mount Nansen, where, again, we saw a competitive process to acquire the assets.

So, some individuals I have been talking to who are involved in the mining industry up here are curious as to why there was no competitive process with respect to this particular project. Essentially, it looks to them — and it looks to us — that Broden Mining was given a sole-sourced opportunity to acquire these assets and develop these assets that have the potential to be worth millions, if not hundreds of millions, of dollars.

I am curious as to why, in those other two processes, it was competitive, but when it came to this one, there appears to have been a sole-sourcing to Broden Mining.

**Hon. Mr. Streicker:** I believe that I will have to pass this question on. My understanding is that the terms of the transfer of the property were developed through discussions between the Government of Canada and the Ross River Dena Council. I don't have an answer for the member opposite on how that worked, but I can say that, when Ross River reached out to us, they indicated that they were supportive of the project. I think that this is an important thing. I understand the member opposite's question, but I will have to redirect.

**Mr. Kent:** I will redirect the minister then back to the news release that he had said he was happy to add his quote to, and in the very first paragraph, it says, "The Government of Yukon, Government of Canada, Ross River Dena Council and private entity Broden Mining have agreed on the basic terms and framework for the sale of mining claims and leases on the Vangorda plateau ..." That portion of the press release would suggest that the Government of Yukon did have a role in these basic terms and framework for the sale, so, I am curious why the minister is not able to offer any comment on that and instead is referring to the Government of Canada. If, as the press release reads — again, it was a joint press release that the Yukon was a part of — it said that they did have a role in getting these assets — these claims and leases — with the basic terms and framework for the sale. Is the minister saying that the Yukon government doesn't have a role, as the press release suggests? Perhaps he could explain why the press release reads this way.

**Hon. Mr. Streicker:** I'll reach back to the department to ask about the terms and the framework and what aspects we're involved with, either in a direct role or supporting role.

What I understand is that Canada worked with the Ross River Dena Council and asked the Ross River Dena Council who they would like to partner with, and this was a focus on reconciliation and impacts of Faro over the years. What I'm being informed is that this is how Canada worked with the Ross River Dena Council. Ross River Dena Council, I think, identified where they wished to partner and that's how it came forward.

Again, I will ask the department to clarify for me about our involvement with terms, but broadly, the Faro site is the Government of Canada's responsibility to see remediation. Vangorda is part of that; it's a brownfield.

In the past, as we know, when Faro was first developed, there was really not much involvement with First Nations at all. Now, this is an opportunity, I think, for a new path, a new future, and I thank the member opposite for indicating that he, too, supports this project. I will seek to get further answers.

**Mr. Kent:** While we support the project itself, what we are having difficulty with is the process to arrive at the awarding of the project to Broden Mining. The minister said that it was part of reconciliation and the Ross River Dena Council brought Broden Mining to the table. I guess, then, my question for the minister is: Why was Little Salmon Carmacks First Nation or the Na-Cho Nyäk Dun First Nation not afforded the same opportunity to pick and choose the proponent for Mount Nansen — as in the case of Little Salmon Carmacks — and Keno Hill? Those both went through competitive processes. Then, of course, as part of those competitive processes, there would have been involvement of the First Nation. I am curious as to why there is such a departure in process here, with respect to Faro, as opposed to what we saw with Mount Nansen and Keno Hill.

**Hon. Mr. Streicker:** The member is asking about Mount Nansen and Keno. I would have to look back in time to understand when those agreements were reached, but I think that we are talking about an evolution of how this work proceeds. I think that it is good that we are talking about ways of looking at reconciliation. I think that is very important when we talk about these types of projects.

Yes, I think that it is different. I think that it is notably different, and I actually think that the way we are doing it now is an improvement over the ways in which it was done in the past. It doesn't mean that there aren't ways to improve it still, but I think that this does mark a difference in how this work evolves and that it is more focused on affected communities, including the First Nations on whose traditional territory this work is happening.

**Mr. Kent:** So, just for the minister, the Mount Nansen deal was in 2019. That would have been done by his predecessor in the role as Minister of Energy, Mines and Resources. Again, it was a competitive process. It wasn't that long ago.

Keno Hill dates back further obviously, but the Mount Nansen near Carmacks was within the last couple of years, I believe — that the deal has closed with respect to the award.

Again, what we're hearing from industry is that — and again, the people whom I've been talking to in industry, like us, are supportive of this project but very concerned about the process that picked the private sector partner — the Broden Mining. So, again, my question to the minister is perhaps: What would he recommend that I tell all of those industry players who would have welcomed an opportunity to submit a bid on the eastern portion of the Faro project — the Vangorda Plateau portion — and found out instead, in a news release, that Broden Mining was essentially sole-sourced the opportunity to be the private sector partner?

**Hon. Mr. Streicker:** Let me make a bit of a commitment here. The member has a lot of questions about the process around this. The process definitely involved the federal government. Let me reach out and get some sort of fuller response.

I will continue to answer questions, but I will just try to investigate it a bit further to not only answer his questions, but the questions from people within the industry who are posing the questions to him. That's great.

I will say a couple of things. First of all, I think that Mount Nansen was more of a focus on remediation. That was a different type of project. I understand that there were two phases within the Vangorda process. The first one was for the Ross River Dena Council to identify a partnership that they would like to work with. We were not involved with that. After that, once that had been identified, there was some work for us to work with Canada and the Ross River Dena Council on the terms of the transfer. This would include things within those terms that relate to mine leases, footprint, and ensuring that the Canadian commitment regarding liability was kept whole so that it wasn't going to end up being transferred — those sorts of things.

I am getting down into very technical pieces, and what I would just say is that I am happy to get a fuller response for the member opposite, including how processes were decided upon and what ways companies could be involved.

What I will say is that whenever I have met with mining companies to talk to them about their work, almost the first thing out of my mouth is to say, "Have you worked with the local community? Have you reached out to the First Nation? Are you engaging with them?" Because that is what I believe the right approach is. It doesn't have to be just mining when we talk about that. With any type of development project, our advice to all companies is to please work with the First Nation where that project is going to be. That's what we think is a critical first step. This is consistent with that.

It has been a consistent approach — not only in my term, but also in my predecessor's role — that this has been a significant focus.

**Mr. Kent:** I agree with the minister. Obviously, when you meet with companies to talk about — involving First Nations specifically in the area and that are the most affected, or communities in the area that are most affected, is an

important thing to communicate to those private sector companies, but again, in this situation, only one private sector company was given a chance. As I mentioned, some of the individuals whom I have spoken with in the industry found out about this opportunity with the release of this press release that, as I mentioned, was done halfway through an election campaign and was signed off by somebody in Canada who referenced that Yukon, Ross River Dena Council, and Broden Mining had agreed on the terms and framework for the sale of these claims.

I hope the minister understands the frustration that we're hearing from members of the mining community — that they weren't even presented with the opportunity to participate in this. As I mentioned, it is essentially a sole-sourcing to Broden Mining to be the mining partner on this. Obviously, we welcome the partnership with Ross River Dena Council.

When you look at Mount Nansen and Keno, the Na-Cho Nyäk Dun and Keno, and Little Salmon Carmacks — they have specific spelled-out roles, but neither of them, from my understanding, were offered the opportunity to bring their preferred partner to the table, as was the case here. I will look forward to the minister providing us with additional information when it comes to the terms and the framework for the sale of these claims on the Vangorda Plateau and why this specific process was used — where only one company was afforded the opportunity to be the private sector partner, which, as I mentioned, is a departure from past practice with respect to how these deals have been dealt with in the past.

I have just one quick question before we move on to a different topic. The minister mentioned, I think, that Broden Mining met with Ross River to discuss this. Were there any meetings prior to this announcement between Broden Mining and the Government of Yukon — either ministers or officials?

**Hon. Mr. Streicker:** Deputy Chair, the member opposite keeps referring — that this was a sole-source and only one company was offered this opportunity. I don't know that. There is an assumption in there, and I think that we should talk with the federal government or Ross River Dena Council, or both, to ascertain what the process involved. I just don't want to jump to that conclusion. As I have already stated, I am happy to reach out to get that information on behalf of members of the House and to share it.

The member asked whether or not I had sat down with Broden — sorry, I have to even check on the name of the company — anyway, the proponent. I did have one meeting with them, and I will also say that we had scheduled a meeting to happen with Ross River Dena Council, but it was postponed, so I haven't had that opportunity as of yet.

**Mr. Kent:** So, I thank the minister for that response.

The second part of that question was: Did Broden Mining, or any representatives of Broden Mining, have meetings with department officials?

**Hon. Mr. Streicker:** At the meeting that I had with Broden Mining, the deputy minister was with me. That's what I know of, and we're just reaching into the department to ask whether there had been other meetings and will happily share that information as well.

I don't know what the Official Opposition has had in terms of conversations with Ross River Dena Council. I would be interested to hear that. I hear the member opposite say that they support this project, but I also am hearing lots of concerns raised. I think it would be important for everyone to understand whether or not they are supportive.

I've just heard from the department. What the department is indicating to me, Deputy Chair, is that there have been many meetings over several years with Broden Mining, but none that talked about or worked directly on the potential of the partnership between them and the Ross River Dena Council.

**Mr. Kent:** Deputy Chair, I understand that the minister is perhaps not happy with the line of questioning. I said that we support this project. Where we have challenges is with the process at which these claims were disposed of by the federal government. We had challenges with the fact that there was this joint news release put out during an election period. We'll be quite interested to know who from the Government of Canada signed off on this during an election period. But, again, those aren't questions for the minister specifically on this.

We do have some concerns with the process that was undertaken, which was a departure from previous processes where companies were given the opportunity to bid on something like this. The minister is correct; Mount Nansen is more a remediation-type project, but Keno, as we see and as we've heard from the Premier, is an active mine site with remediation opportunities and work being conducted there as well.

In neither of those cases was the First Nation responsible for bringing the private sector company to the table, so again, this is a departure and we will look forward to hearing the Government of Canada's reason for doing that. It's a concern to us, and our job, as the Official Opposition, is to provide scrutiny over actions of the government, and this is one that jumped off the page at me the moment I saw this news release on August 30. This is the opportunity that I have to address this on the floor of the House with the Minister of Energy, Mines and Resources. We will welcome the information that comes back from the Government of Canada, as well as any information the minister can provide with respect to the basic terms and framework for the sale that the Government of Yukon has signed on to here, according to the news release from August 30.

Obviously, we have been asking questions on this for a little bit of time now, but there are still some outstanding answers that we'll be looking for so that we can pass it on to the individuals who have raised this with us and have set off the alarm bells as far as not having any idea that this opportunity was there for them to take a look at.

I do want to turn to the confidence and supply agreement that the Liberals signed with the New Democrats to maintain their place in government here in the territory. When all three party leaders met with the board of directors of the Yukon Chamber of Mines in April/May — shortly after the election — the confidence and supply agreement was something that was on the agenda for us and I'm assuming for others as well. I do want to catch up with the minister on some of the topics from

that CAS agreement. The first is the successor resource legislation. The timeline suggested would have been for the tabling of that legislation next fall.

Can the minister tell us if the government is on track to table the successor resource legislation — the rewrites, essentially, of the quartz and placer mining acts for next fall?

**Hon. Mr. Streicker:** First of all, is the work around successor legislation on track? The basic answer is yes. We formed a steering committee, and that steering committee met in mid-September. I was invited along with Chief Joseph to give some opening remarks. It was super well-attended, because this is not just the Yukon First Nations; it was also transboundary First Nations. There was a lot of interest and energy in the room. I think that they are meeting again this week, and I know we have the other tables up and running. I have been in conversations with folks about that work.

I think that it's important to note, as I rose to my feet and spoke about this in the spring, that the confidence and supply agreement did talk about there being meaningful consultations with Yukon First Nations, so that was anticipated as the agreement was created. From that first steering committee meeting — I just heard some concerns expressed about the need for time to do that work. That's fine. As of right now, we are on track.

I think that we are committed to developing new legislation for both the *Placer Mining Act* and the Yukon *Quartz Mining Act* but also for lands. We have been working in partnership with Yukon First Nation governments to modernize our mining regime and our land regime in a way that provides clarity and consistency to industry, business, governments, and the public. I think that the successor resource legislation process is a government-to-government process that includes meaningful engagement with industry stakeholders and the public.

My impression of the work by the department, and our relationship with other governments as this work evolves, is that it has been fruitful and important work. Everyone sees it as important work. It doesn't mean that we won't hit challenging discussions. I think that those are coming — important, hard discussions. We are looking forward to it. I will answer further questions as the member asks them.

**Mr. Kent:** I do have to take a step back to the Vangorda questions for a second. The minister mentioned in one of his responses that there have been a number of meetings over the past number of years with Broden Mining not specific to the Faro project — I believe that is what he told us. However, when you look at the Broden Mining website, it says that it was a purpose-created company for the commitment of working with Ross River Dena Council to acquire the Vangorda Plateau lands. Were they individuals from Broden Mining that the minister is referring to in all these years of meetings? It looks to me, according to Broden Mining's website, that it was purpose-created to deal with the acquisition of these Vangorda Plateau lands.

**Hon. Mr. Streicker:** I will take a step back further to the PricewaterhouseCoopers report that the Yukon Minerals Advisory Board gave us as their 2019 report. They asked that to be their report. It was tabled on December 17, 2020.

What I think I said — and I will check the Blues — but the note that was passed to me by department officials was that there have been many meetings with Broden Mining Ltd. over the past several years, but what the department is indicating to me is that none of those were meetings to discuss any potential partnership with Ross River Dena Council. That is not what it was focused on. Broden Mining, as a mining company, has had meetings with the Mineral Resources branch — yes.

**Mr. Kent:** I am just trying to understand this, then. So, Broden Mining Ltd., which, according to their website, was purpose-created for the commitment of working with Ross River Dena Council to acquire the Vangorda Plateau lands — the minister is saying that department officials met with Broden Mining a number of times over the past number of years but didn't talk about how they were — they met with Broden Mining, who was purposely put together to acquire the Vangorda Plateau lands with Ross River Dena Council, but through all of these meetings with Broden Mining, they didn't discuss why the company was created — is that correct, Deputy Chair?

**Hon. Mr. Streicker:** Some of this is going to get a little bit involved. I want to be careful that, again, I will make sure to, as I have already committed to, get the department to develop a full written response, and we will talk with Canada, et cetera. But, as I understand it, what the department is referring to is that they met with a company called Oxygen, which is a mining company.

Then that Oxygen formed Broden Mining Ltd., and that's where we get to the point where they are forming a partnership with Ross River Dena Council. The branch — just knowing the people involved. They were some of the same folks and, just wanting to be fully disclosing — that we've met with some of those folks. It was just indicated to me that they had met with them.

**Mr. Kent:** So, if I understand it correctly, it was, I guess, individuals, who are now Broden Mining — who officials and perhaps previous ministers, or others, had met with — the Oxygen — I'm not sure what the minister referred to it as. But there was a forerunning company to Broden Mining that the minister met with. So, I mean, obviously I recognize that many of these discussions are confidential in nature, but if it wasn't to talk about the Vangorda Plateau, what was the subject of those meetings with the forerunner to Broden Mining? — as much as the minister is able to let us know without breaking any confidentiality arrangements that the officials had with the company.

**Hon. Mr. Streicker:** I did not say whether the conversation was about Vangorda. What I said was that it was not about a partnership with Ross River Dena Council. I am now working on texts that are being sent to me by the department. I just want to be careful. I think that it would be better to give all of this in a fulsome response. I've already offered to do it. I think that's the best way. That way, we make sure that it's as clear as can be for everyone involved.

**Mr. Kent:** I appreciate that. I understand. Obviously, you're getting information on the fly in real time. We would be curious as to the subject of those meetings, as well as the other

things that the minister committed to with respect to Canada and how this arrangement was arrived at.

As I said, the project itself is something that we support going forward, but it's the process by which the proponents were chosen that has raised flags in the mining community with individuals whom we have talked to.

I know that the minister did respond to my questions about successor resource legislation, so when we sat for that brief amount of time in late May, prior to the summer break, we did talk a little bit about these timelines for developing new pieces of legislation that are foundational to an industry that the minister has certainly admitted is extremely important. That was shown during the pandemic, but also for years and years prior to the pandemic — how important this is. My concern is that we are going to rush the development of this successor resource legislation to meet these timelines that are put forward in the confidence and supply agreement that the Liberals and the NDP have and we are not going to get that legislation right. We are going to make mistakes or corners are going to be cut, and we will end up with legislation that doesn't work for anyone, whether it is industry or First Nations or other stakeholders involved in the mining industry here in the territory.

Again, we felt that it was aggressive. The 14- or 15-month period that we talked about in May was aggressive to get it done, and we still feel that perhaps these timelines are not realistic to get the successor resource legislation done.

I thank the minister and his officials for the time here this afternoon.

Deputy Chair, seeing the time, I move that you report progress.

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

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Acting Government House Leader 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

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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 House do now adjourn.

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

*Motion agreed to*

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

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



# Yukon Legislative Assembly

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Number 22

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Wednesday, October 27, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Wednesday, October 27, 2021 — 1:00 p.m.**

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

*Prayers*

**Speaker's statement — in recognition of shooting incident in Faro**

**Speaker:** Yesterday, the lives of the residents of the Town of Faro were forever changed because of a tragic shooting incident in that community. Our hearts go out to the community and to the victims and their families. It is always a shock when these things happen, and sadly, they happen with too much frequency.

We must all be vigilant in our calling out of the violence. We must always have a society that does not tolerate it.

I want the community of Faro to know that all of the members have you in their thoughts today and that all members will do what we can do to support your community as you go through the initial shock and into the grieving process.

I now call on all members to rise and we will have a moment of silence.

*Moment of silence observed*

**Speaker:** Thank you. Please be seated.

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes made to the Order Paper. Motion No. 170, standing in the name of the Leader of the Official Opposition, was not placed on the Notice Paper, as it is identical to Motion No. 169, standing in the name of the Member for Lake Laberge, and identified to be called for debate later today.

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

**Point of personal privilege**

**Ms. Tredger:** Mr. Speaker, I rise on a point of personal privilege to correct the record. Yesterday, under Notice of Opposition Private Members' Business, I misidentified the electoral district of the member in whose name Motion No. 168 stands. Motion No. 168 stands in the name of the Member for Vuntut Gwitchin.

**DAILY ROUTINE**

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

Introduction of visitors.  
 Tributes.

**TRIBUTES**

**In recognition of Media Literacy Week**

**Hon. Mr. Mostyn:** Mr. Speaker, I rise today to pay tribute to national Media Literacy Week, happening from

October 25 to 30. National Media Literacy Week is meant to educate people on how to navigate the flood of information online, help Canadians become better digital citizens, and ensure that they have the tools to identify and stop the spread of misinformation. This has never been more important, and I can report that Canada's Centre for Digital Literacy has a website with useful educational videos, seminars, and online activities to help fight and better inform Canadians.

There is a social media campaign and resources for children, teachers, and parents. There are five themes to this year's awareness week: use, understand, engage, access, and verify.

The Canadian Commission for UNESCO and the Canadian Teachers' Federation are involved with supporting this important initiative. The goal is to grow critical thinking skills and give children tools to defend themselves from cyber bullying, to create more awareness about diversity and gender in media, to understand consent and use of personal information, such as photographs, to reduce online harassment and hate, and to make decisions based on the most credible information. We can all learn to be more discerning and careful as we collectively shape the values and cultures of our online spaces. This is vital now, when we need our entire community to come together through this pandemic — especially when making decisions about vaccinations and other guidance from medical professionals.

Canada's Centre for Digital and Media Literacy has a useful website where Yukoners can learn more at [www.mediasmart.ca](http://www.mediasmart.ca). There is also the digital Yukon Literacy and the Yukon's Information and Privacy Commissioner. The commissioner's website offers helpful tips, useful information, educational games, and lesson plans. This week is also a reminder to all of us in government to be extra cautious that we are providing clear, accurate, and timely information.

We want to be a highly credible source of information for Yukoners that people can rely on to inform their choices. Once again, I encourage everyone to take the time to learn more about digital media literacy, get informed, and help reduce the influence of misinformation.

*Applause*

**Ms. Clarke:** I rise on behalf of the Yukon Party Official Opposition in recognition of national Media Literacy Week taking place from October 25 to 30.

This campaign promotes digital and media literacy across Canada and is filled with events and activities organized by media, schools, libraries, and more. Many of these events are organized with students and children in mind, but, of course, everyone can benefit greatly from increased media and digital awareness.

Hosted by MediaSmarts, Canada's Centre for Digital and Media Literacy, the campaign this year highlights a different media theme each day of the week: use, understand, engage, access, and verify. "Use" represents the skills needed to safely and effectively use media, computers, and Internet. "Understand" is a set of skills to critically analyze and evaluate media. "Engage" represents making and using media to express

ourselves and participate in our community. “Access” involves safely and ethically finding and navigating media. “Verify” and find out if online content is accurate and reliable. These themes can be discussed in a variety of ways with students of all ages to explain media literacy and how to determine the credibility of a source, article, video, and more.

In the ever-changing age of social media, it can be difficult to determine whether the information that you are reading, and in turn sharing, is relevant, up-to-date, researched, and verified. We have seen the power of the Internet in transforming minds and swaying public opinion. With social media platforms conveying messages often sprinkled with parity, deceit, and misinformation, people, young and old, are often faced with a credibility dilemma. Do I believe it? Is it funny or disrespectful? Should I share it?

As a parent, I preach and remind my children every day that the Internet is a powerful tool. Social media platforms, such as Facebook, Instagram, Twitter, and TikTok, are a part of everyday life. Used well, they can add to your learning experience at university and make you more employable when you graduate, but used poorly, they can cost lasting damage to you and others. Knowledge and information are at our fingertips. The first step to harnessing that knowledge is learning what to do with the information that we find.

Thank you to all those working to promote media, digital literacy, and awareness this week. Remember to enter the digital world not only with an inquisitive mind, but with a cautious one as well. I believe that education is key to developing engaged, informed, and active citizens.

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to national Media Literacy Week. As my colleagues have mentioned, there is a theme for each day of this week, and today’s theme is “engage”. MediaSmarts’ website says — and I quote: “The ability to engage using digital media ensures that Canadians are active contributors to digital society.”

As more and more of our society goes online, from schools to workplaces to art galleries and news media, the ability to engage with digital media becomes more and more important. These are not skills that we are born with; we have to learn them. So, I would like to thank the parents and educators who work to make sure that Yukoners can engage with competence and compassion.

As I continue to look through MediaSmarts’ resources, I particularly appreciated a tip sheet called “How to push back against hate online”. Because so much of our world is online, we are all responsible for making sure that it’s a safe place. Thank you to the many Yukoners who work to make their online world safe for everyone.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Ms. McPhee:** I have for tabling the Yukon Hospital Corporation year-end review, 2020-21, which is tabled pursuant to section 13(3) of the *Hospital Act*.

**Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 4 — received

**Clerk:** Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 4 of the First Session of the 35<sup>th</sup> Legislative Assembly, as presented by the Member for Watson Lake on October 26, 2021. The petition presented by the Member for Watson Lake meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Speaker:** Accordingly, I declare Petition No. 4 read and received. Pursuant to Standing Order 67, “The Executive Council shall provide a response to a petition which has been received within eight sitting days of its presentation.”

Therefore, the Executive Council response to Petition No. 4 shall be provided on or before Tuesday, November 9, 2021.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

**Ms. White:** I rise to give notice of the following motion: THAT this House urges the Government of Yukon to expedite the installation of a window in the sensory room at Hidden Valley Elementary School.

I also give notice of the following motion:

THAT the acting chief medical officer of health appear in Committee of the Whole prior to the end of the 2021 Fall Sitting, with advance notice of the date of the witness’ appearance provided to the Legislative Assembly by the Government of Yukon.

**Ms. Blake:** I rise to give notice of the following motion: THAT this House urges the Government of Yukon to grant the chief medical officer of health order-making powers under the *Public Health and Safety Act*.

**Speaker:** Is there a statement by a minister?

This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Kent:** We have consistently been raising questions and concerns about the supports available for staff, parents, and especially students at Hidden Valley Elementary School in response to the sexual abuse scandal at that school. The Minister of Education has consistently responded saying that

additional supports are in place and that the department is coordinating support.

Yesterday, the Yukon Child and Youth Advocate raised some significant concerns about that claim by the minister. The Yukon Child and Youth Advocate said — and I quote: “I think the school itself is working really hard to try to support families, but I wouldn’t say that the coordinated effort that I was looking for has happened yet.” So, does the minister stand by her claims that the department is adequately coordinating supports at the school?

**Hon. Ms. McLean:** Thank you for the opportunity to rise today to speak to our school system, really. I know that folks are well aware of the devastating incidents that happened at Hidden Valley school, and I recognize that children are at the heart of this and that many folks have been impacted, including the school community, the staff, the families, and the children. There is nothing more important, of course, than the well-being, safety, and protection of students. I have stood in the House and talked at great length about the extra supports that have been put in place. I have obtained from the department some very clear indications of what is different at Hidden Valley Elementary School this year in terms of supports. I actually had a really good conversation with the Leader of the Third Party today, raising a very specific concern about a family that is not receiving the supports that they need at this time. I am following up, I hope — if the information is provided directly to me, I will follow up directly on this situation.

**Mr. Kent:** The Child and Youth Advocate also said that she is worried that the systemic review that her office is conducting could be sidelined and that the so-called independent investigation that the Liberals have launched could overshadow it. Here is what she said to media — and I quote: “I don’t want to be sidelined. I really want the Child and Youth Advocate Office, which is the voice and rights of young people, to be more forefront, than pushed to the benches.”

Last week, the Premier told us that his government was working with the Child and Youth Advocate hand in glove. It seems like the Child and Youth Advocate has a different impression.

Can the minister clarify whether the government is fully supporting the Child and Youth Advocate’s review?

**Hon. Ms. McLean:** I have stated time and time again that we share the Child and Youth Advocate’s interest in ensuring the safety and protection of Yukon youth and ensuring policies and supports are in place to do what they are intended to do, which is to keep our children safe. The advocate’s review focuses, of course, on Education’s policies, protocols, and actions taken after allegations were brought forward.

I am in support of — and the department is working with — the Child and Youth Advocate. We have worked with her. I think that the part that the member opposite doesn’t include in that media report is that our discussions have been friendly, which means that we are working alongside the Child and Youth Advocate and in no way would ever sideline the Child and Youth Advocate’s work. This is an important review that is underway — one that we’ve highlighted over and over, along

with our independent review, which we launched and is a broader view of all the departments involved.

We also now have another review launched by the Ombudsman and, of course, the RCMP review into their investigation in 2019. All in, we have four reviews happening and we are cooperating with all of them.

**Mr. Kent:** Just to remind the minister that, in the media yesterday, it is the Child and Youth Advocate who is concerned with being sidelined, so that is something that the minister needs to address.

In the media a few weeks ago, the minister made a commitment to fully cooperate with the Child and Youth Advocate’s review and to provide all of the documents that the independent office is seeking.

Can the minister confirm that the government has waived Cabinet confidentiality and will provide to the Child and Youth Advocate all of the documentation that she has requested on the timeline that she has requested it? I would like the minister to be clear about this and to put that commitment clearly on the record here today.

**Hon. Ms. McLean:** As I’ve stated time and time again, we absolutely respect the work of the Child and Youth Advocate and share the same interests in ensuring that safety and protection of youth are — through policies and supports in place to do what they were intended to do, which is to keep our children safe. I have stated over and over again that our departments are working to support this review and will continue to do so.

I’m happy to continue working in a collaborative way with the Child and Youth Advocate, and I would be happy to also further reach out and have direct discussions with her around this review if there are concerns that arise.

### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Over the course of the past several weeks, Yukoners who have been seeking answers about what happened at Hidden Valley school have been left disappointed by the answers that the Liberal Cabinet ministers have provided. It has become the norm for the current Minister of Education to simply read her prepared script about all the things that government is doing. Unfortunately, that script has proven to often be wrong.

When the minister told us that there were additional supports going from the department to the school, the YTA had to weigh in and correct her. When the minister told us that they were coordinating support, the Child and Youth Advocate had to weigh in and say that wasn’t happening. When the minister told us that parents and students were getting additional resources, parents had to reach out to us and the NDP to point out that it wasn’t true.

Why do parents, teachers, and independent officers of the Legislature keep having to correct the Minister of Education?

**Hon. Ms. McLean:** I think that I’ve been clear all the way through in terms of our support to the school community and to those directly impacted by this. I work very closely and sincerely with all of the partners that we have. I will continue

to do so. I actually had a meeting yesterday with the president of the YTA and discussed the letter that was sent to his colleagues and also sent to me to clarify that there was some information taken out of context.

When discussing the no alone zones and other aspects, I was referring directly to the Hidden Valley Elementary School, and we had a really great discussion about communication going forward. We will be writing back to him with the answers to that letter, and we will also be writing to the education community and all the educators to ensure that they are aware that those changes were made to the Hidden Valley Elementary School. I will continue to elaborate on my answer in further questions.

**Mr. Dixon:** The simple fact is this: The Liberals have chosen to put all of this burden on the current Minister of Education. Even questions that we asked directly to the Premier or the former minister have been ignored and deflected to the current minister. The problem with this is that the minister hasn't been checking whether or not the script that she is reading is even accurate, and it seems that every week we have to ask why something she has told the Legislature either isn't true or hasn't happened.

If the minister is comfortable wearing this scandal on behalf of her colleague, then fine, but the least she can do is start providing accurate information to the Legislature.

Will the minister start doing her job and checking whether the script that she is provided to read is accurate?

**Hon. Ms. McLean:** Again, as I started this session, I will continue to be respectful — respectful to the families, to the school community, and to Yukoners — and to take my job very seriously. I am working closely with the school community. I know that I have been forthcoming when there are issues with supports that are to be obtained by families, and if there are issues, I am following up with those directly. I am working hard to ensure that the right leadership is in place with the department to ensure that the supports are in place for all — including the whole school community. That includes the teachers and the educators within Hidden Valley school and all schools.

I do not accept the preamble of the Leader of the Official Opposition. I take my job very seriously, and I am very committed and dedicated to the well-being of our children in this territory.

**Mr. Dixon:** I do know that the minister does take her job seriously. That's why I am sure that it must get embarrassing for the current minister to constantly have the words that she says in this Legislature either refuted or rebuked by those on the ground who actually know what is happening. We have seen it from the Yukon Teachers' Association, which called her out. We have seen it from the Child and Youth Advocate, who felt compelled to speak to the media about it this week. We have seen it from staff and teachers at the school who feel that the minister has tried to take credit for the work that they have done, and we have heard from parents who still don't feel that the department has done enough to support their children. The problem is that the current minister is too busy trying to shield the former minister from accountability to actually focus on

what matters: that is getting the supports in place for the parents, teachers, and students.

Will the minister stop trying to shield the former minister from accountability and start doing her job to ensure that what she commits to in the Legislature is actually true and actually happens?

**Hon. Ms. McLean:** Again, I will state that I will continue to be respectful. I will continue to do my work with integrity, to build relationships, and that is exactly how I have approached my job as Minister of Education — to build relationships. I have been working to meet with all the school councils. I have made myself very available to folks to talk about the concerns that they may have. I sincerely am working to get the right supports in place and to create system change.

I really want to remind Yukoners that the Yukon Party was in power for 14 years, and it is good to see that they are finally interested, really, in education, but I did not see that as a Yukoner during their mandate. I am happy to continue to do the work on behalf of Yukoners. That's what I put my name on that ballot for, and I am so honoured to be in this position. Yes, this is a difficult time, and it took decades to get us to where we are today. I am committed to working hard to change the education system, to fix what's wrong with it, and to move forward.

#### **Question re: Chief medical officer of health authority**

**Ms. White:** It seems everyday that case counts of COVID-19 continue to rise in the Yukon. Outbreaks in schools, communities, and long-term care — all spaces occupied by vulnerable Yukoners.

Before the lifting of most safety measures back in August, we were able to curb the spread of COVID-19 in our territory, but since these measures have been lifted, we have been seeing an ever-increasing rise of cases in the Yukon. Mr. Speaker, we now have more cases per capita than Ontario and Québec combined. Can the minister explain why Yukon is the only jurisdiction in Canada without a mask mandate?

**Hon. Ms. McPhee:** I appreciate the opportunity to stand and speak about the Yukon's response to COVID-19. We have always — as has been stated on many occasions — followed the science, the recommendations of the chief medical officer of health, the acting chief medical officer of health, and proceeded along the lines of those recommendations for the purposes of implementing them to protect Yukoners' health and safety.

In order to do that, we have received recommendations over the last 20 months and worked hard to implement them at every turn, so that Yukoners will be safe. The acting chief medical officer of health has made a recommendation. She classifies it as a strong recommendation for the purposes of mask use, and we encourage all Yukoners to use masks in public places where they cannot be distanced from other people and to abide by that recommendation from the chief medical officer of health.

**Ms. White:** So, the government has been saying, over and over, that they are following science and the advice of the chief medical officer of health and the acting chief medical

officer of health, but people are still unclear on what these recommendations are exactly.

In most jurisdictions in Canada, chief medical officers have the power to mandate compulsory masking; however, the Yukon's chief medical officer does not have the power under the *Public Health and Safety Act* or its regulations. It was troubling to hear the Premier suggest that the chief medical officer has the power to mandate masks on her own.

Is the minister opposed to empowering the chief medical officer of health to mandate public health orders?

**Hon. Ms. McPhee:** It's incredibly important for these issues to be brought to the floor of the Legislative Assembly, but some of the preamble in that question is not exactly accurate. The chief medical officer of health, under the *Public Health and Safety Act*, does, in some instances, have the authority to provide orders for certain parts of the Yukon Territory, whether they be geographic or specific instances of outbreaks, and that authority does exist in the current legislation. An authority for a wide order, Yukon-wide, does not currently exist in that *Public Health and Safety Act*. We are working with the chief medical officer of health on her recommendations, once we receive them, for the opportunity to determine how they should be implemented.

**Ms. White:** I think that the minister highlighted the problem. It is that communication from government has been muddy at best. She just said that she does, in some instances, have the ability.

So, Yukon's case count is rising daily. As of today, we are at 72 active cases. We are the last and the only jurisdiction in Canada without a mask mandate. We have one of the few chief medical officers of health who is powerless to introduce such a mandate. The government could grant the chief medical officer of health the power to make orders under the *Public Health and Safety Act*.

My question today is: Will the minister commit to granting the chief medical officer of health the power to make orders under the *Public Health and Safety Act*?

**Hon. Ms. McPhee:** All members of this House need to act responsibly to inform Yukoners of accurate information. Our strong leadership has guided us through the pandemic and kept our economy going strong. We are leading the country in the fight against COVID-19 and we need to keep going.

Our focus as a government remains protecting the health and safety of Yukoners. We are committed to working with our partners and to implementing these new requirements. The mandatory vaccine and the proof of vaccination requirements are based on the recommendations of the acting chief medical officer of health to limit the spread of COVID-19. These measures do align with steps being taken in other jurisdictions across the country to increase vaccination rates and combat the Delta variant.

Our government has been consistent in our response to the pandemic. We always follow the science. We get recommendations from the acting chief medical officer of health, and we work to implement those. We hope that a mask mandate will not necessarily be required when the vaccine rates continue to rise here in the territory. Individuals can — and we

urge them to — consider mask use, as recommended by the chief medical officer of health.

### **Question re: Sexual abuse within elementary school**

**Mr. Cathers:** This week, the Yukon Ombudsman launched an investigation into the conduct of the Department of Education under the leadership of the now-Deputy Premier. The Deputy Premier mishandled the Hidden Valley school issue so seriously that there are now at least four investigations into what happened under her watch. The Deputy Premier admitted that she was aware of the sexual abuse that took place at Hidden Valley Elementary School. Despite this, she failed to ensure that parents were informed. She even hid this information from her colleague, the new Education minister. As a result of her mismanagement, victims of sexual abuse went without justice for 21 months. They went without supports and suffered in silence.

Will the Deputy Premier now do the right thing, accept responsibility, and resign?

**Hon. Mr. Silver:** Mr. Speaker, the only factual information from that whole spiel was the fact that the Ombudsperson is launching an independent review. The minister has been answering questions on behalf of the government in the Legislative Assembly on all issues and talking about the independence of these reviews and how important they are and how we will be absolutely working with all of them and providing all the information that they need.

We've answered this question a lot. The member opposite is taking a lot of liberties as far as what's factual and what's not in their narrative. We, on this side of the House, find it offensive — the way that they are already judge and jurors and have already decided before these independent reviews even start to really get to the issues that are most important to the families, to the children, and to the school system.

**Mr. Cathers:** Once again, we either see stonewalling or gaslighting from this Liberal government. No one from the Liberals has accepted any responsibility or accountability for this. This is a failure of leadership. Mr. Speaker, as you know, we are asking questions on behalf of parents.

Under the principle of ministerial accountability —

### **Speaker's statement**

**Speaker:** Order. "Gaslighting" is out of order.

**Mr. Cathers:** Under the principle of ministerial accountability, the former minister is accountable for what happened in her department, and especially her own actions, as well as the decision not to share information with parents. She is accountable for the 21-month delay in justice and support for victims. The Deputy Premier knew what happened, but she didn't inform parents. As a result, children who were victims of sexual abuse went without justice.

Will the Deputy Premier finally accept that accountability, do the right thing, and resign from Cabinet?

**Hon. Mr. Silver:** Mr. Speaker, we've heard the exact same question from the member opposite countless times now.

It's the exact same question each time. We've answered the question. We've talked about the independent review. We've talked about current court cases that are going and the obligations as a department, as a government, to understand. I'm sure the member opposite, with his old roles in ministerial situations, understands that as well, but we see this narrative continuing every day, eking a little bit further about a narrative that the Yukon Party has invented. Every day, as they say it over and over again, they much more firmly believe it.

Mr. Speaker, again, I will answer the question. We have launched an independent review. The Ombudsperson has launched an independent review, the Child and Youth Advocate has launched an independent review, and the RCMP are also reviewing their processes. We will support and give any information necessary to all of these four, and we actively are looking forward to the results of all of those independent reviews so that we can make sure that the system is better for our children and for the school and for the community at large.

**Mr. Cathers:** Mr. Speaker, ministerial accountability includes answering questions about your own actions. The fact that the Deputy Premier still does not have the decency to stop hiding behind her colleagues and get up in the House to defend her failures speaks volumes.

We know that she learned of the sexual abuse in 2019. A letter was drafted to notify parents, but the Deputy Premier never ensured that it was sent. We know that the minister was aware of the letter. She has openly admitted to media that she knew about the sexual abuse, yet a decision was made to hide this from parents.

This decision meant that victims went without justice for 21 months and suffered in silence. The former minister is accountable for that decision, that mistake, and that failure, and for that, she must resign.

Will the Deputy Premier finally do the right thing and resign from Cabinet?

**Hon. Mr. Silver:** Mr. Speaker, I will reiterate our message on this issue again to the members opposite. There is nothing more important to us, in the Yukon Liberal government, than the well-being, the safety, and the protection of students who are in our care — extremely important. This situation is absolutely devastating; it absolutely is. My ministers have acknowledged that mistakes have been made — absolutely. They have both apologized to parents and to the school community. They have taken steps to get to the bottom of what has happened, to make sure that we can move forward together.

Our government is absolutely committed to rebuilding that trust and strengthening our education system. We are absolutely committed to providing whatever information is necessary to the independent reviews. We are absolutely committed to the school community, to the parents, and to the children. That, on this side of the House, is what is extremely important. That is what the duty of accountability looks like, and these two individuals, who the members opposite continue to berate on a daily basis, are two of the strongest leaders I have ever witnessed in the community, in the Yukon, and I have absolute confidence in both of them.

### **Question re: Sexual abuse within elementary school**

**Mr. Dixon:** Later today, the Legislature will vote on a motion about whether or not the Deputy Premier should be held accountable for the mishandling of the sexual abuse scandal at the Hidden Valley school that occurred under her watch. We know that this is not a confidence motion — so the NDP has no obligation to the Liberals to support it, as a result of their confidence and supply agreement.

However, I would like to ask the Premier: Has he, or anyone from his office or the Cabinet Office, reached out to the NDP to try to influence their vote on the motion that we will debate later today, calling on the Deputy Premier to resign?

**Hon. Mr. Silver:** Mr. Speaker, the Leader of the Third Party is a very confident leader, and, again, we have had conversations about a whole bunch of things in the Legislative Assembly.

To say that I would ever try to influence her — well, I guess, a question to both of us, but I would say no. My conversations with the Leader of the Third Party are not to influence. But I like to make sure that I'm open and transparent and make sure that I have conversations with the members opposite. It would be great to do that with the Yukon Party, but, since the election forward, it has been radio silence.

**Mr. Dixon:** So, the Premier said a few things there. He said that he hasn't tried to influence the Leader of the NDP, but he has said that there were conversations about the motion. Can the Premier tell us what those conversations were with the NDP and whether or not any offer was made to the NDP to try to influence their vote on this motion?

**Hon. Mr. Silver:** Mr. Speaker, we have many conversations with the Leader of the Third Party. We have a CASA commitments secretariat that we have ongoing conversations with all the time. We have individual conversations, as well, as leaders, as the secretariat has questions for us to solve.

I'm not going to speak on behalf of the member opposite, and I'm not going to talk to the Yukon Party about the conversations that I have with the NDP, just as the Yukon Party is probably not going to talk to me about the conversations that they also have with their colleagues in different parties.

I'm looking forward to the conversation today; I'm looking forward to what the members opposite have to say, and we, on our side, will say what we have to say, and that will be the conversation. I'm not going to speak on behalf of the NDP. I think that is pretty insulting to presume that I could right now, or should.

**Mr. Dixon:** I think that it's incumbent upon legislators to let Yukoners know what it is that is influencing their votes on these matters. I think that it's becoming increasingly clear to those who have been following this issue that, throughout the Fall Sitting, some MLAs are more interested in prolonging the life of this government than they are about seeking justice and accountability for the grave mistakes that were made under the watch of the Deputy Premier.

Despite the Deputy Premier admitting that a serious mistake had been made, resulting in the trust being broken

between the school community and the department, and the fact that the mistake caused multiple students to not get justice or the support that they deserved for an additional 21 months, the Premier still said clearly that he has confidence in his minister.

So, my question was simple — whether or not the Premier discussed that matter with the NDP beforehand. He has indicated that he has not, and we look forward to the debate this afternoon as well.

Before I finish, I would like to ask the Premier to confirm that one more time — that no discussion occurred with the NDP.

**Hon. Mr. Silver:** What we have is the Yukon Party grasping at straws again. Interestingly enough, my phone never rings off the hook with the Yukon Party. Even from the election forward, I had a call from the Leader of the Third Party but no call from the member opposite.

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

**Hon. Mr. Silver:** As a leader, that is usually a protocol. That is usually the protocol — that the people not in office make that call.

Again, Mr. Speaker —

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

**Speaker:** Order, please.

**Hon. Mr. Silver:** Thank you very much, Mr. Speaker. Again — grasping at straws. Not once have we heard a conversation yet from the Yukon Party on vaccines, other than to say they do not agree with the chief medical officer of health. Not once have we had a debate about the actual budget. What we are having here from the members opposite is a clear indication of what they have been doing the whole session, which is grasping at straws.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

### MOTIONS OTHER THAN GOVERNMENT MOTIONS

#### Motion No. 169

**Clerk:** Motion No. 169, standing in the name of Mr. Cathers.

**Speaker:** It has been moved by the Member for Lake Laberge:

THAT it is the opinion of this House that the Deputy Premier should resign from Cabinet due to her mishandling of sexual abuse at Hidden Valley Elementary School.

**Mr. Cathers:** Mr. Speaker, at the heart of our democracy is the principle of ministerial accountability. Ministers are expected to take responsibility for the actions of their department, but most importantly, they are expected to take responsibility for their own actions. They are expected to stand in the Legislative Assembly and answer questions about their portfolios and especially to answer questions about their own actions as a minister.

Ministers are expected to be accountable to this Legislative Assembly and ultimately to be accountable to the people of the

Yukon. Refusing to be accountable is not acceptable. Refusing to answer reasonable questions about your actions as minister is not acceptable.

The Hidden Valley school scandal is unprecedented. Never before in the Yukon has a minister been responsible for parents not being informed of child abuse. Never before has a minister repeatedly refused to answer questions about her role in government decisions that resulted in parents not being informed of child abuse.

Never before has a minister been either complicit in, or possibly directly responsible for, government covering up child abuse and not informing parents of other children whom a convicted offender worked with. This is unprecedented in Yukon history.

From the perspective of the public, this story began on July 16, 2021 when, to the great shock of many parents in the Hidden Valley school community, CBC reported that a lawsuit had been filed. That lawsuit named the educational assistant who had previously pleaded guilty to sexually abusing a student and had been convicted, as well as the Yukon government for their handling of the matter. Shortly thereafter, parents in the school community began to communicate with each other about the issue and share their shock and disgust. Parents of other children at the school only learned of the sexual abuse as a result of the work of CBC reporter Jackie Hong.

I want to take a moment to thank Jackie Hong because, without her, we would not have learned about this very serious matter.

A group of parents got together to write a letter to the Minister of Education on July 29, which outlined — quote: "... serious concerns about the lack of action from the Department of Education to protect our children..."

The letter reads, in part: "We are extremely disappointed that the Department of Education did not inform parents of this incident 18 months ago, when it was first reported, so that we could have started the difficult discussions with our children then to see if any of them had been victimized.

"This is unacceptable behaviour from a group of individuals who are supposed to be protecting our children and have their best interests at heart."

Unfortunately, the comments in the July 29 letter from parents proved to be accurate, and it came to light later that there had been additional victims. In the first part of September, the RCMP announced that a total of seven new charges had been added, with two additional victims having been identified. These new charges, and newly identified victims, were all a direct result of the reporting that CBC did in July. The complete failure of the government to communicate with parents resulted in more than a year-and-a-half delay between the initial guilty plea and the new charges involving other victims. These children went without justice and without support because the former Minister of Education, the current Deputy Premier, failed them and failed to do her duty. I should step back in time slightly and note that, following the July 29 letter from parents, I wrote to the Minister of Education seeking answers on behalf of parents and the Yukon Child and Youth Advocate launched a review. Shockingly, the Minister of Education originally

challenged the authority of the Yukon Child and Youth Advocate to do a review before finally relenting and agreeing to cooperate.

Access-to-information requests by media resulted in important documents being made public, which provided some insight into who knew what and when. One of the first important discoveries was the draft letter from the school administration, which would have been sent by the school's principal, dated December 18, 2019. The letter reads in part: "This is to inform you that today the RCMP brought forward charges against a Hidden Valley Elementary School staff member." We know that this letter was sent up through the department to the minister, but it was never sent. Who gave the direction not to send that letter to parents?

The next important document that was discovered was a briefing note prepared for the former Minister of Education — the Deputy Premier — dated March 3, 2020. It was a speaking note for the minister to use in case the issue came up in the Spring Sitting of the Legislative Assembly.

Mr. Speaker, in the immediate leadup to the Fall Sitting of the Legislature, the government made three announcements: One was a commitment to cooperate with the Child and Youth Advocate in her review; one was an announcement that the government had hired an Outside lawyer to do a review that they call "independent", although that has been cast in serious doubt now; and the third was a statement by the Minister of Education and the Deputy Premier, the former Minister of Education.

I won't spend much time today talking about the government's dramatic change of position with regard to the review launched by the Child and Youth Advocate, Annette King, and their original choice to dispute whether she had the authority to do that review. It is worth noting that the Child and Youth Advocate's comments to the media yesterday hardly paint the picture of a government cooperating with the review and instead make it seem that the Child and Youth Advocate review is being sidelined. Quoting from the CBC article about it: "I don't want to be sidelined. I really want the Child and Youth Advocate Office, which is the voice and rights of young people, to be more forefront, than pushed to the benches," King said." Again, these are the Child and Youth Advocate's words as quoted by CBC. I also won't spend a lot of time here today discussing concerns that we have with the so-called independent review.

That review seems to us to be nothing more than a smokescreen intended to give the current minister something to say to get through this legislative Sitting. It lacks the scope to look at the right aspects of the matter and explicitly excludes some of the most important — most glaringly, the actions and involvement of ministers. As we have learned, the contract for the investigation is with the Department of Justice — the minister of which is the Deputy Premier. That's not independent at all, Mr. Speaker.

It's worth paying close attention to the statement made by the two ministers — the current and former Ministers of Education.

In that October 6 statement, they acknowledge that they did not notify parents. I quote: "... the Department of Education did not take steps to inform other parents of the situation at that time. We were respecting the RCMP process and confident that a comprehensive investigation would involve contacting additional students and parents. We now recognize that it was a mistake that other affected parents were not made aware of the situation and that steps could have been taken at that time to better inform and support families. We apologize for this and acknowledge the stress being experienced by the Hidden Valley school community. We can and will do better as we move forward."

Further, they state: "We acknowledge there has been a breakdown in trust between families, Hidden Valley Elementary School and the Department of Education."

That is notable because they admit that, first of all, a mistake was made, and second, that the result of that mistake was a breach of trust between the school community and the Department of Education.

Mr. Speaker, as you know, since the first day of this Fall Sitting of the Legislative Assembly, this issue has dominated Question Period. Yukoners are looking for answers, and they have been looking to the Legislative Assembly to get those answers. Unfortunately, they have been treated to the Deputy Premier's continuous refusal to answer simple questions about her role in this and the insistence of the now-Minister of Education to get up and read the same talking points over and over again, even when parents and the Yukon Teachers' Association have pointed out that the supports and changes that she says are in place haven't actually been delivered and that the minister's talking points are factually wrong. Now, of course, we've seen the Child and Youth Advocate dispute the minister's statements as well.

So, Mr. Speaker, despite our efforts in the Legislative Assembly, and the government's refusal to answer, there are some important pieces of information that we have learned as a result. First of all, when we asked the current Minister of Education when she learned of the sexual abuse at the school, she made the astounding revelation that she learned about the matter from July 16 media reports. That means that, from early May when she was sworn in as Minister of Education until a media story broke on the issue, no one told her. That means that her DM didn't brief her and, most incredibly and glaringly, the former Minister of Education never let her colleague know about this massive scandal involving her department.

Mr. Speaker, the Deputy Premier is also the Attorney General, and in that role, she has an additional duty to inform her colleagues of any legal matters of significance involving their departments that she knows about. She failed in her duty again. According to the current Minister of Education, she learned about this serious matter from the CBC.

Next we were able to confirm that the former Minister of Education knew fully about what happened. While she refused to answer questions in the Legislature, she did talk to media about it. When asked if she knew about the abuse in 2019, she said absolutely — she absolutely knew. So, Mr. Speaker, that brings us to today.

There are now no less than four investigations looking into this scandal. Later today, there could be a fifth — a public inquiry at the behest of the NDP. There are two lawsuits levelled against the government by parents of children who were abused. There are multiple criminal charges and, of course, this motion for the former minister, the Deputy Premier, to resign.

Two independent officers of the Legislative Assembly have launched investigations related to the Hidden Valley school scandal. Until now, Mr. Speaker, no minister in Yukon history has achieved that dubious distinction as a result of their actions and what a department did under their watch.

The Child and Youth Advocate launched an investigation related to the Hidden Valley school scandal in the summer and, of course, the Ombudsman is investigating now. This is quite simply unprecedented. The Deputy Premier has admitted that she knew about sexual abuse at Hidden Valley school in 2019. Parents were never informed. We know that the minister saw a draft letter to parents that the principal of Hidden Valley Elementary School wanted to send them in late 2019. We know that someone gave the direction not to send that letter.

As a direct result, parents of other children at the school only learned of the sexual abuse after CBC reporter Jackie Hong reported on a lawsuit involving the first known victim in July 2021. Following that, it was discovered that there were other children who had been victimized by the offender when he worked at Hidden Valley school. Those children went without justice or support for 21 months. Since then, we have repeatedly asked questions about when the Deputy Premier knew about the sexual abuse and what she did when she found out. What actions, if any, did she take when she learned about it?

Based on her own statements to the media about her previous experience as a prosecutor, the Deputy Premier is familiar with sexual abuse cases, and so, she has to be well aware of the fact that offenders of this type often have a pattern of behaviour and that, when one victim is found, sadly there are often other children who have been victimized by the offender.

Once she was informed of the sexual abuse case in 2019, the then-Minister of Education, the Deputy Premier, should have been one of the first to realize that parents of other children who were in close contact with the convicted offender absolutely needed to be informed. She failed them.

Let's focus on the draft letter for a moment. We know that the Deputy Premier saw that draft letter in 2019, and she admitted to media that she was informed about the abuse then. Someone gave the order not to send that letter to parents. Based on the Deputy Premier's repeated refusal to answer questions about who gave the order not to send the letter, it appears that it was her who did it. If someone else gave that order, why not stand up and say it?

What we know for certain is that, at the very least, the former Minister of Education knew that the principal of Hidden Valley school had a letter to inform parents written, and she failed to ensure that it was sent. That, in itself, is a serious failure in her duty — doubly so since, at the time, she was the

Minister of Education and the Minister of Justice and had a duty to parents in both roles.

If, through your actions or inactions, sexual abuse of a child is hidden from parents of other children by the government for over a year and a half under your watch, you have failed as a minister. If you think that a failure to inform parents that a department employee who worked with their child has been convicted of a serious crime involving another child is not serious enough to warrant a minister resigning over it, what is serious enough? Every MLA in this House should ask themselves that question.

Parents have asked both opposition parties to ask questions, talked to the media repeatedly, and have written letters and e-mails. They want answers from the former Minister of Education that only she can answer. What did she know and when did she know it? When she learned about it, what did she do? Instead of hearing the real answers that they deserve from the Deputy Premier, parents have been disrespectfully treated by this Liberal government.

Day after day in this Sitting, we have asked questions of the Deputy Premier about her role in this scandal. Instead of answering, parents are insulted by the constant stonewalling of this government and the farce of the current Minister of Education reading talking points ad nauseum while the Deputy Premier refuses to answer reasonable questions. That is not ministerial accountability.

Last week, I tabled a petition in the Legislative Assembly signed by nearly 350 Yukoners demanding answers from the Yukon Liberal government and the Deputy Premier herself. In response to questions from parents, the Deputy Premier criticized the opposition and parents for questioning her conduct and claimed that parents did not want answers to these questions.

After her comments, several parents went to the media to indicate that they found this insulting and that they in fact do want answers to the questions being directed to the Deputy Premier.

Mr. Speaker, MLAs have a choice. The actions of MLAs today in this Assembly will indicate to parents and the public which MLAs are comfortable with the mishandling of this situation and the decision not to inform parents.

It will also show which MLAs are willing to support the Deputy Premier's refusal to be open and transparent with parents and her disrespect for her duty to the public and to this Legislative Assembly. All MLAs in this House need to look in the mirror and search their hearts. If your child was a victim, how would you feel? How would you vote on this motion?

You choose to either condemn this failure to inform parents and the refusal to answer questions or condone it today. Yukoners will remember whether you chose to condemn or support the Deputy Premier's conduct, including her failure to do her duty and her refusal to answer questions.

Yukoners can be forgiving, but they will not forgive or forget who was complicit in this scandal related to sexual abuse of children. They will not forget who chose not to hold the Deputy Premier accountable for her failure to inform parents of other children who were victims. They will not forget who

chose to support the Deputy Premier's continued refusal to answer basic questions about her own role in this scandal involving sexual abuse at one of our elementary schools.

**Ms. Tredger:** I don't intend to speak for long, because I think this issue is actually very simple. The former Minister of Education made the decision not to tell families about the risk to their children. This was an appallingly bad decision, and it shows that she can't be trusted to make decisions that centre on the needs of vulnerable Yukoners.

As a result of her decision, children were left to deal with trauma on their own. As a result of her poor judgment, children went without support in the worst of times. She cannot be allowed to stay in Cabinet where she will make more judgment calls that will affect people's safety. This is an issue of safety. It is not safe for her to be in the Cabinet. It is not safe for her to be a minister. It is especially not safe for her to be the Minister of Health and Social Services and of Justice where her decisions are going to affect some of the most vulnerable Yukoners.

For this reason, I will be supporting this motion and joining my colleagues in calling for the resignation of the Deputy Premier from Cabinet.

**Ms. Blake:** When children are in the care of the government, whether it is in our education system, foster care, or a group home, it is the duty of the government to report when there is harm to a child. No matter who you are or what position you hold, we all carry the duty to report when we are aware that a child is experiencing harm. Especially as leaders in our community, we are responsible for the protection of our children. We represent everyone in the Yukon, including our children.

The Yukon holds us to this standard when they elected each and every one of us in this House. This obligation that we have to report harm of children ensures that our children are kept safe and protected while supports can be formed to deal with the impacts of harm that the child has experienced. Every child has the right to be protected from harm. This is clearly identified in the United Nations *Convention on the Rights of the Child*, a convention that I was able to get immersed in when I worked for the Yukon Child and Youth Advocate office.

Article 3 of the United Nations *Convention on the Rights of the Child* indicates that all adults who make decisions for children need to think about how these decisions affect children, as the best interest of the child is paramount. Article 4 indicates that the government has the responsibility to protect the rights of all children while helping families to protect the special rights of our children.

Article 34 of the United Nations *Convention on the Rights of the Child* also indicates that children have the right to be free from sexual abuse, and Article 30 of this convention states that appropriate measures need to be taken to support the recovery that fosters health, self-respect, and dignity of the child. It is the duty of this government to uphold these obligations.

We have been pushing for more support for our children, parents, and educators who have been impacted at Hidden Valley Elementary School. This remains our priority.

The minister, who is now Deputy Premier, is responsible. She is responsible for not acting and for not reporting the moment when she knew a child was harmed. It is for this reason that I will be voting in favour of this motion.

**Hon. Ms. McLean:** I can't say I'm happy that this motion is on the floor today. Normally, I would be thanking the member opposite for bringing forward a motion, but I think that it's premature, in terms of where we're at.

There's nothing more important, Mr. Speaker — and I've said this time and time again — than the well-being, the safety, and, of course, the protection of students when they're in our care. This issue of sexualized abuse at Hidden Valley Elementary School is one of the hardest topics. I know just how sensitive it is.

I've said this as well: I'm a mother, first and foremost. Anything and everything I've ever done has been about my children. I know that this is every parent's worst nightmare. You turn your children over to caregivers each day with the hopes that they will be safe. In this circumstance, someone chose to hurt them in our system.

Now, I want nothing more than to get to the answers — get the answers to the questions that we've all been asking, and I'm confident in the approach that we are taking.

There are four different reviews that are either underway now or they're commencing soon. The evidence will come with the completion of all of these four reviews.

Now, I've heard some of my colleagues across the way willing to cast that decision about our colleague in this House without all of the evidence. We do not have all of the evidence yet. More importantly, and I know this to be true, the opposing party — the Yukon Party — knows what the responsibilities are for ministers, especially in adhering to crisis and emergency situations.

We had an emergency situation unfold just yesterday in our territory, and Mr. Speaker, you gave some words earlier today about that. Those are dynamic situations and require comprehensive responses. Without all of the evidence, the motion that has been brought forward today is, to characterize it, a cruel example of using trauma of others for political gain here. I do not say that lightly. I have always said that I stand in truth and in kindness, first and foremost. I do not ever seek out opportunity to hurt someone else.

I have had people ask me many times, "Why do you bring this eagle feather to the Legislative Assembly every day?" I have been asked, "Is this for protection?" I said, no, it can't be for protection. An eagle feather can't protect you. What it is, is a reminder of my responsibility and my truth and why I'm here. There can't be anything more important than the safety and well-being of our children.

I am not going to provide a rebuttal to every single thing that the Member for Lake Laberge has brought forward here, but I do want to go through and just summarize the history of this issue. On November 17, 2019, school administration

became aware of a concern about the potential criminal actions of a school employee. The principal immediately investigated this. The situation was referred to the RCMP, and an arrest was made of the staff member in question. The employee was removed from the school immediately upon the allegation being disclosed to the school principal.

The former school employee has not been in the school, or in any school system, since November 15, 2019, and is no longer employed by the Government of Yukon. Additional charges have been brought forward, as of September 2021, for incidents occurring between January 1, 2014, and December 31, 2018.

Subsequent to the news of the lawsuit being published, other potential victims have contacted the RCMP. They disclosed information that led to continued investigations against the former employee.

We are working to actively address the issues. We are focused on taking the needed steps to rebuild trust and provide the best targeted supports to the school community.

I want to hold my hands up and commend the dedicated and sincere work of the Hidden Valley Elementary School administration — the staff who are going above and beyond to ensure that children feel well-supported and safe. This includes monitoring the emotional well-being and psychological safety of the Hidden Valley school community and reaching out for additional supports, as needed; maintaining open and honest lines of communication and collaborating with the school council — that is really vital; and coordinating curriculum resources on health and well-being.

I have lists, as I stated earlier, of different supports that have been put in place at Hidden Valley. I recognize, and I talked about this earlier today, that there may be some family members who haven't been given all of the supports that they need, and I will ensure that I follow up on that directly.

Mr. Speaker, I stand by my words, always, and I know that a lot of additional supports have been put in place at Hidden Valley, and I do want to make note of some of them. Some of them did include some of the immediate protocols that were put in place and changes that were made by the principal at Hidden Valley Elementary School; they immediately implemented a practice where staff texted or notified others when they needed to be alone with a student. This is specific, again, to Hidden Valley.

The principal also implemented no alone zones, where staff may not be alone with students. If someone suspects or sees an adult with a child alone in one of these areas, there is a duty to inquire further.

I have talked a lot about the report on inclusive and special education. I think that the experience that we're having here with this situation is going to further inform that review and that report and the implementation of those recommendations. I think that it gives us more insight, and that's what I see with the reviews that are underway. I will again go through each one of them quickly. I don't intend to speak long today, but I do want to again point out that the supports that have been put in place — and I think that if anyone has not received these supports, I need to know and we need to know that there is

something missing. Supports have been available to families and staff, including on-demand support coordinated by the school community consultant, who is a trained social worker. Referrals to other supports and services are being facilitated, as needed, such as through Family and Children's Services, Mental Wellness and Substance Use Services, and Victim Services.

Some examples include child and family rapid-access counselling, as well as long-term individual and group counselling supports for children and their families, and assistance with how to talk to a child about abuse and how to support children's personal safety, which is why it is so vital that, if folks are not getting these services or they have some reluctance to receive these services, we need to try to find a way to get that to happen, because it's absolutely critical that we are helping parents to help them with their family needs and obtain referrals for appropriate supports and services. Other direct supports are from Victim Services, Mental Wellness and Substance Use Services, and, of course, the Department of Education services.

I want to point out that supports have also been provided to staff, including presentations of services and supports available to them, crisis counselling services through LifeWorks, and information on the broader employee and family assistance program.

I want to just talk a moment about a closed meeting that was held with families and Hidden Valley Elementary School on September 22, which was, as Minister of Education, one of the most emotional days that I have had, for sure. I sat and listened, reflected, and acknowledged the pain of those parents and all the emotions that go with that.

We know that ongoing restorative work will need to happen to continue to rebuild the trust and relationship at the school.

The former Minister of Education and I will also be meeting with families in early November out of deep, deep respect for the trauma that families have been dealing with. We haven't been very vocal about the planning of this event, but I think it is relevant here today that folks know that these steps are being taken, and we are coordinating that with the families.

Again, it's a difficult situation involving our children, and I am committed to ensuring that all Yukoners get the answers that they are looking for through the ongoing reviews. The Government of Yukon is honouring our commitment to parents of Hidden Valley Elementary School and has launched an independent third-party review by a very credible lawyer to look into the Government of Yukon's internal and interdepartmental processes, as well as its policies and protocols to respond to incidents of this kind.

I tabled the terms of reference in the Legislative Assembly earlier in this Sitting, and we are very committed to seeing this investigation through and allowing the reviewer to go where she needs to go to look at all of the evidence that she needs to look at to determine fact-finding and to make good, solid recommendations to us as a government — where things went wrong and the changes that need to happen as a result of that.

The Department of Education is participating with the Child and Youth Advocate's public review of policies, protocols, and actions to ensure that safety and supports at Hidden Valley school are in place for the interest and well-being of students. I, too, heard the interview of the Child and Youth Advocate yesterday on CBC, which is much of what the member opposite has focused his attention on today. What I know is that the Child and Youth Advocate determined her own terms of reference for the review. We are cooperating with that, and we will continue to support that review to happen.

As folks know, on October 25, the Ombudsman announced a review as well, which will examine the decisions, actions, or inactions around communication to families of Hidden Valley school in 2019 and more recently, in August. We will absolutely support that review to happen. I'm looking forward to the findings there.

Finally, the RCMP also launched a complete review of their 2019 investigation by E Division, a major crimes unit from BC, after acknowledging that mistakes were made in their investigation in 2019. I think that this is a very important aspect of all of the reviews. It will bring to light a lot of information that we just do not have right now at our fingertips; we do not have that, Mr. Speaker. The evidence and the answers are coming from all four of these credible reviews and investigations. It will have the facts, and I'm confident in this.

I know the Yukon Party has certainly been working their narrative to cast a shadow over the independent review that Government of Yukon has launched. This is an important process for families. It's an important process for Yukoners. I think that it is unacceptable — again, going back to the politicization of trauma, especially of children and families.

I always think that — things surprise me. These are the things that surprise me. We are all elected members of this Legislative Assembly. We have a responsibility to Yukoners. I hold my responsibility very seriously, but the opposition has a responsibility too. They have a responsibility to not be careless around the trauma of children and the politicization of that.

I, again, always try very hard to operate from a place of kindness and to be clear about what my intentions are. Well, my intentions are very clear, Mr. Speaker, that we will get the answers that Yukoners expect and then we will follow up on what the findings are.

My hope is that the reviews will be done quickly and efficiently. Our review is scheduled to be done by January 31, 2022. If it can be done sooner than that, I will bring that to the public's view.

I want to turn to my colleague. I have had the sincere pleasure of working with the now-Minister of Health and Social Services, Minister of Justice, and the Attorney General for many years and even prior to my work here in the Legislative Assembly. I worked with her as a Crown attorney, in that public prosecutor role. I worked with her in her position as Ombudsman, and I want to say that she brings so much experience, knowledge, and integrity to the positions she has held.

Again, as I have stated, she has served as Yukon's Ombudsman and as the Information and Privacy Commissioner

for the Yukon Territory. She has been a strong Minister of Justice and now, in her second term — and as I have stated — as the Minister of Health and Social Services and the Attorney General.

These are really difficult positions to hold, especially through a global pandemic. On any day, these are really difficult positions to hold, with incredible responsibility. We have been navigating for almost two years a global pandemic, along with all of the other responsibilities that we have.

She has a steadfast dedication to improving the lives of Yukoners. Making decisions based on no evidence is not a precedent that I want to, or that we want to, start. Above all, we need to be focused on the children who are at the centre of these decisions. I have confidence in the integrity and commitment of the minister —

**Speaker:** Order. The member's 20 minutes has ended.

**Ms. White:** I feel compelled to speak today, especially in response to saying that it is the children at the centre of this. I acknowledge that there are parents and people who care — and especially people listening, right? There are people listening; there are parents who have appeared here, daily, since it happened, and there are parents I spoke to today, and I said, "Do not come if it will harm you. Do not come here, because this will not be easy."

So, we talk about the children being the centre of this decision. The government uses the line that the former employee has not been in school since — like that is the answer, like that is acceptable, like that is the be-all and end-all. We are talking about changes that are being directed to happen in the school now, but they weren't directed in 2019, because people didn't know what had happened in 2019, and that is the crux of the problem — it is the crux of the problem.

I am going to take people back a little bit, quite a long bit, and this is something I have not spoken about in a public fashion, but I will today, because it is important. I have warned my parents, because it could be quite triggering for them. When I was in grade 2 or 3, I went to Whitehorse Elementary School, and there is a bathroom in the basement of that school. Back when I was in grade 2 or 3, every door to a school was open. People could walk in from any direction. I was a tomboy; I was independent; and I didn't think anything about the hiking boots that were underneath the stall door. I walked past the door, and someone grabbed me from behind, and I fought — I bit, I punched, I screamed, and I ran. There was a man in the bathroom who tried to take me out of that bathroom.

I went to the principal, and the principal called my parents. My dad came in, and the principal said: "What should we do?" My dad was like: "Obviously, we should go to the RCMP." So, as a small child, I looked through books of photos to see if I could recognize that man. I didn't recognize him then, for sure. I have since recognized him — absolutely — but big changes happened. There was a "good touch, bad touch" program that was released in my school. Every single kid was getting this at the same time. I had access to a child psychologist — or I don't

know what they were. There was this nice lady who came and would take me out of class and we would talk about it.

I had nightmares as a child for ages, because I had this weird feeling that was like: “At least it was me, because I was strong enough to fight, but what about my little sister?” Years — I had nightmares for years — but I had access to the help that I needed, because there was a direction that the child psychologist, or that person, would come to my school.

The reason why this is such a big deal is because, in 2019, there was the acknowledgement that there was a problem, that trust had been broken, and at least one child had been harmed, and this is where the issue is. This is not personal. Had it been any other minister, had it been any other person who made the decision or didn’t make the decision or was at the top of the pyramid of that decision, I would feel the same way. I would feel the same way, because the parents should have been informed, and kids should have had access to the support that they needed.

I couldn’t go into a public bathroom by myself until I was in my late teens — until I was almost an adult — because of an incident when I was a child. And I had the interventions; I had people come in; I had that. I was in a French immersion class. I was in the same class from when I was in kindergarten until I graduated from high school, so I was protected by my classmates. I never had to ask for someone to come to the bathroom with me — they would just come, because they knew. Teachers knew that this had happened, because the entire community understood that this had gone on.

We were lucky. It was a stranger; it wasn’t someone from the school community, but systemic changes happened after that. Doors in schools weren’t open unless it was recess. You couldn’t walk in from any door. We all know now, when you go to a school, you have to go through the front door and you walk past the office. There were changes that happened.

The biggest thing right now is talking to parents. Talking to parents is hearing the guilt they feel, because they did not hear, because they didn’t understand that they should have been listening in a different way. That is the crux of the problem: Parents weren’t informed. They weren’t informed. Parents are dealing with guilt, and they are dealing with anger, and they are dealing with sadness, and they listen, day after day, as we are told that things are changing, but the problem is, they are not changing in the way that they are being told. That is problematic.

I appreciate the request to reach out, to let us know — I don’t think it’s that easy, Mr. Speaker. We know that educators are hurting — not just in this one school, but in all schools. Teachers make a decision to teach because they love education, they love children, and they want to be a part of that. This hurts everybody.

So, when we get told things like we are personalizing or that we are judge and jury — a mistake was made, absolutely. We are all told that we need to live up to the expectations that are set on us. We all here know that we try to mirror certain behavior — which is that we make mistakes, we own those mistakes, and we all move on — but you have to acknowledge them; you absolutely have to acknowledge them.

Knowing that community members felt compelled to sign a petition asking for answers — that’s hard, especially because it wasn’t just the Hidden Valley community that signed that petition. The e-mails coming in right now are not only from Hidden Valley parents; they are from parents because they want to know that this will never happen again.

I appreciate that we have an independent review. We have the Child and Youth Advocate review, the Ombudsman’s review, and the RCMP review. Those will all come up with answers, but ultimately, the Department of Education and therefore the Minister of Education failed the school community in 2019.

I can hear my colleagues from the Yukon Party talk about misjustice, but for me, it has never been about justice. For me, it has been about supports, knowing that kids should have had access to those supports then, having conversations with parents who say now that they understand that when their kids were telling them things, that they were saying very specific things, but they just didn’t know to listen for it, because they didn’t know that there was a problem — that’s awful.

To know that there are people in the community right now who are questioning, if they had known, what they would have done differently or what should have been done differently — that was an action that was taken, not letting people know what they should have known, and that is a problem.

We can hear the government saying things like “When the answers come out...” — great; there will be answers — absolutely, and this should never be repeated, but the problem is that this has hurt people now. The only reason this is even being talked about in the Legislative Assembly right now is because an action was not taken.

I had a conversation with a parent today, and we talked about how you would hope — you want to wrap your kids up in cotton wool, so that they can never be hurt. The truth of the matter is you want to teach them all the skills that they need to know so that they aren’t hurt, but you don’t expect that to be in a school situation. You want to know that the school would communicate with you, that the Department of Education would communicate with you to let you know that something had happened.

Had it been addressed in a different way in 2019, I wouldn’t be standing here having feelings on the floor of the Legislative Assembly. I try not to make eye contact with anyone but the Speaker, because this isn’t comfortable. I don’t want to talk about Hidden Valley Elementary School anymore. I didn’t want to talk about it weeks ago, because the trauma exists, but parents are telling us that they want us to keep asking about it. They want the government to know that the things that are being promised aren’t happening. They want us to know that they have been told that they have access to counselling. I can say, well, they’re on wait-lists.

This is not a spot where we should have to have these conversations, because one would hope that the decision would have been different at the beginning. That is why we are having this conversation right now — because that action did not happen in 2019. Parents deserve to know. To me, that is the crux of the issue.

When we talk about keeping kids at the focus and the centre of our decisions, it's those kids — it's all kids — who make us say these words. Every kid deserves to have that protection. Every kid deserves to have that support. Every kid who needs it right now should be pulled out of class so that they can talk to someone and work through it, so that they don't have to deal with these weird combinations of issues of guilt and relief.

Thank goodness I had a professional person to talk to about that, because, let me tell you, as a grade 2 or 3 kid, that is kind of a messed-up thing to think about. There are kids in Hidden Valley right now who desperately need that support. They should have had that support two years ago, because for that entire time, they could have thought that it was their fault, and it was never their fault. They were never responsible.

The adults who had the opportunity to reach out and start this process chose not to, so when all those four reports and investigations come back, let us never repeat those mistakes again. A mistake was made, and that is why we are debating this and having this conversation. To the school community in Hidden Valley, to parents across the territory, I am sorry. I am deeply sorry that the actions that were taken or not taken have affected you so deeply.

I never thought that we would have a chance where we would be talking about whether or not someone should step down from Cabinet, but we are here. Actions were taken or not taken, and that is why we are here.

So, at this point, I would expect that people know where I am voting. I'm voting because of the children. I'm voting because of their parents, because of the supports that they deserved in 2019 that they didn't have access to. So, it's not personal. If it were any other person in this room, I would be saying the same thing, because as humans, we can make mistakes, but as humans, we also have to own up to those mistakes.

So, those reports will come back and they will highlight where mistakes were made, and they will tell us where we should never make them again, but that doesn't change the fact that decisions were made in 2019 that have affected children, and they have affected families, and it's still affecting families, and it's still affecting children.

**Hon. Mr. Mostyn:** I'm going to be relatively brief this afternoon in addressing this motion. To be clear, I'm voting against this motion this afternoon. Mr. Speaker, I support my colleague. I have known her for decades. She is a resolute public servant, and she is of unimpeachable character.

We have experienced a terrible crime in one of our schools. As the Minister of Education has explained, the individual was removed from the school immediately. It has now come to light that the criminal investigation was not as broad or robust as it should have been. The RCMP have admitted as much and have launched an investigation into their practices.

The Yukon Education department has admitted a failure in communication. They should have contacted the school's parents once the court process concluded. Both my colleagues have publicly apologized and pledged to investigate how this

happened and to put measures in place to ensure it does not happen again.

We currently have three enquiries underway to probe this matter and to objectively determine and report what happened, when, by whom, why, and how it can be fixed to prevent such things in the future.

As I have mentioned, the RCMP have launched a fourth probe to examine the failings in its organization and the investigative process. Two of those inquiries are scheduled to wrap up within three months. The others have not, to date, established timelines, but they are expected to come relatively soon. At that point, the public will have the facts: who knew what, where, when, and what failings there were.

In the midst of all of this, there are criminal investigations ongoing and civil court proceedings underway. These court proceedings prevent public comments by government ministers, and the Official Opposition knows that. They are protected by this Chamber. The opposition leader has made all sorts of definitive statements, as has the Member for Lake Laberge. Many of these statements are not repeated outside this Chamber before a media mic. In public, they are careful. The language is couched, blurred —

#### **Deputy Speaker's statement**

**Deputy Speaker (Ms. Blake):** I would ask that you speak up.

**Hon. Mr. Mostyn:** In public, they are careful. They couch their language, blur it, use terms like "alleged" — "alleged victims". Why? Because they know language matters. They know there are things that a Justice minister, the Solicitor General, cannot say in the face of court proceedings, which is why my colleague remains silent in the face of the opposition's public campaign of innuendo and supposition. This is an important matter, critical to families and children. We cannot state that strongly enough. That's why I find the Official Opposition's tactics so shameful.

Mr. Speaker, the facts are being gathered. The facts will come out. We have pledged transparency and public reporting of the affair once the details are known. We have admitted a mistake, apologized, and pledged to do better. I await the facts around how that mistake happened and how best it can be fixed.

I support my colleague, whom I know to be a resolute public servant with an unimpeachable character.

I am voting against this motion.

Hon. Deputy Speaker, I will vote against this motion.

**Hon. Mr. Clarke:** I also rise to respond to Motion No. 169, moved by the Member for Lake Laberge. At the outset, I certainly wish to acknowledge the seriousness of the underlying allegations. My comments will be more in the nature of process, and I certainly echo the comments made by the Minister of Community Services.

The Legislature does not involve a truth-seeking exercise. There is no evidence that is proffered here for any sort of scrutiny, in contrast to a court proceeding. As we have heard on a number of occasions, we have four inquiries that are

scheduled: one by the RCMP, one by the Yukon government, one by the Ombudsman, and one by the Child and Youth Advocate.

What I would say is that we anticipate that this will be a non-politicized environment, where the fact-gatherers will get to the bottom of what has occurred in this matter, provide comprehensive and helpful reports, and provide guidance going forward so that, as the Member for Takhini-Kopper King ably pointed out, this should not happen again in Yukon public schools.

On the topic of our Legislative Assembly, the Official Opposition has a narrative, and in fairness, we have a narrative as well, but there is no process here for any sort of tryer of fact or adjudicator or administrative body to make any sort of findings of facts with respect to the matter at Hidden Valley school, which has been the focus of much debate and questions since the beginning of the fall 2021 session. It is, really, in the interest of the protection of the process — the protection, most importantly, of the best interests of the children now and going forward — and also to allow for the most positive and impactful findings that can be acted upon so that incidents such as this do not occur in Yukon public schools.

There is no particular delay that will occur. I understand that some of the first findings will return in December of this year, with other findings coming back in January of 2022. If the findings ultimately determine, or provide, some sort of guidance that there was conduct that ought to be censured or where there ought to be consequences — I am not saying that there ought not to be a consequence of this investigation — it is important, in my view, that we don't proceed with a fairly significant punishment, or suggested punishment, of a Cabinet minister, based on the narratives provided by MLAs in a non-evidence gathering environment.

In my experience, from having been called to the bar for 30 years now, and having been defence counsel for almost 25 years in the territory, I have had the honour of representing thousands of Yukoners. I certainly appreciate the grey that exists, or just the importance of fact-finding, as well as the importance of there being an independent tryer of fact with respect to matters for the fairness of outcomes. At its worst, in a criminal matter, there is the potential for wrongful convictions. We are not talking about wrongful convictions here, but we might be talking about inaccurate findings that we could arrive at with a more thorough approach that is not done by MLAs who are not well-positioned, by virtue of the necessary politicization of this process, to render judgment.

At its worst, in Canadian criminal justice matters, you've had terrible wrongful convictions with persons like David Milgaard, Guy Paul Morin, Donald Marshall Jr., and Thomas Sophonow in addition, of course, to defendants or persons convicted of serious offences in the United States, who ultimately were exonerated through, usually, DNA evidence, but unfortunately, they had been executed. That's extreme — I grant you that, Madam Deputy Speaker — but it's only to highlight that there should be a thorough, thoughtful, professional, and unbiased process that occurs outside of the Legislature.

Every beginning of a Sitting, we receive an exhortation, or prayer, from the Speaker, one that I think applies to the circumstances today: "God give to each member of this Yukon Legislative Assembly a strong and abiding sense of the significant responsibilities laid upon us. Guide us here in our deliberations. Give us a deep and thorough understanding of the needs of the people we serve. Help us to use power wisely and well. Inspire us to make decisions that establish and maintain a land of prosperity, fairness, and tolerance where freedom prevails and where justice rules."

So, with respect to those words that many of us have heard probably a few hundred times now, an exhortation to use power wisely and well is asking us to have wisdom. Wisdom involves not necessarily acting precipitously, when not apprised of all the facts. Fairness — I've talked about procedural fairness and findings of fact which, I would say again, this Legislative Assembly is not well-suited to engage in that process, and that there is justice.

Justice also involves sober, thoughtful, and professional findings of fact with respect to matters before the courts. This case is before the RCMP. I understand that there are civil lawsuits, there are criminal lawsuits, the Ombudsperson has expressed an interest, and there is a report that has been ordered by the Yukon government as well.

There are a number of processes in place. As I said, this is an Assembly of narratives. It is not an Assembly of final findings, so I certainly support the Deputy Premier and the current Minister of Education in their approach to this matter. I certainly am listening closely and acknowledge that there are concerns. I have heard from the members opposite, but in my view, this is premature and I will be voting against this motion.

**Hon. Mr. Pillai:** Mr. Speaker, I rise today to speak against the motion on the floor tabled by the Member for Lake Laberge.

I want to start by thanking the Member for Takhini-Kopper King for providing a personal story to the Assembly today and giving us such a real example of what probably many people in the Assembly have experienced in different ways. As I sit and listen to different members stand up — you think back to your own life, growing up as a child, and the different things that we all have experienced. I don't speak for any other member of the Assembly, but when I reflect on all of the different interactions that we have had as we grow up, probably many of us here can reflect on different situations that have occurred in our lives and, as we reflect back on them, we think about how they maybe were not appropriate or things could have been handled in a different way. That, I know, was not an easy thing for our colleague here in the Legislative Assembly to share.

As I sit here and think about the fact that this motion was tabled by the Member for Lake Laberge, I also understand, in many ways, why, as an MLA, he brought this forward. I understand that, in that role as an MLA, you want to represent the people in your constituency as absolutely fiercely as you possibly can. I think that goes for all members in the Legislative Assembly, whether you are in government or you are in opposition. Individuals bring their real-life situations to you,

and they look to you to be a champion for them, to represent their interests, and — in many cases, if there is a particular situation that you stand up to for them — to right a wrong.

The Member for Lake Laberge — there is a reason why he has spent more time in this Legislative Assembly than anybody else. That is because the people whom he represents, every time there is an election, send him back here to represent them. That only happens if you work tirelessly on behalf of those individuals.

Although I always love the opportunity to debate — and I would say that, on many, many, many topics, we would maybe have a different perspective — I do respect any member of this House who consistently represents their constituency that fiercely.

Today, although I don't agree, it does make sense to me that this motion has been brought forward. We are talking about an elementary school that happens to be in the riding of Lake Laberge. Many of the children who attend that school live in the riding of Lake Laberge and, therefore, the Member for Lake Laberge is here today ensuring that those individuals know that he has listened and that he is going to take every action that is in his control to make sure that they feel they are represented appropriately, and I respect that.

We all have people who are close to us who have children who attend Hidden Valley school. Some of my closest, closest friends — their children, whom I consider to be like nieces and nephews, attend that school. That is why today is one of those particular days in the Legislative Assembly that is extremely, extremely difficult. When you come in and you have to share your perspective, you know that, because it is in a political forum, things you will share — although you never want those words to be insensitive or to make a situation for families any more difficult than they absolutely are. Because it is in a political forum, after the words of today are shared, sometimes they are then used for political reasons. I'm not going to say that this is going to happen, and it may not. I am saying that my experience in the House has been that. It is so difficult, when you stand up, because you want to be respectful to the families and the folks who are affected by this, and every day has been like that.

I also know that people want, right now, to be able to go back to the families that have been reaching out to them with some level of solution now — “This has happened to you, I have gone out and fought for you, and this is the consequence: I brought a motion forward, this minister has now resigned, and here is a consequence to something that has happened” — because it is much more difficult for us to wait for 30 or 60 days because of what has already transpired and at that time to be able to have a set of answers.

We know that the RCMP is going to go through a process, and I think that everyone in the Assembly believes that an independent process, a very strong process, will be taken into consideration. I apologize because, even on that particular topic, I don't know the time that they have said that they will take, but I know it will be a thorough process with integrity.

It's the same thing — I applaud the child advocate, and the comments that were talked about today ensure that the Yukon

Child and Youth Advocate is making sure that, throughout this process, the work that is being undertaken by her office is done in a way so that it will have the absolute most appropriate scope and integrity. As we talked about, the Ombudsman is going through a process to do the same thing.

I also know, before I speak about the previous Minister of Education, that the current Minister of Education is completely committed to ensuring that her life's work of representing people is going to continue to be done with integrity like it always has been. The difficulty that I have with the motion is that we have multiple processes underway, and we know that there have been comments made, but I also believe that the appropriate thing — and, as reflected upon by my colleague who just shared words and who I consider to be an expert in this conversation because of the many years spent doing this work and representing individuals — I concur with those comments. There are going to be a set of facts that come out, and that should lead us to a number of decisions and hopefully appropriate changes within the system.

We continue to talk every day about the Deputy Premier. I think that we have to reflect on that individual's body of work, too — an individual who has worked with complete integrity throughout a complete career, doing things such as working within law. She had been in the role of Yukon's Ombudsman, where the role was to promote and protect the fairness and delivery of the services of the government. This individual knows as well as anyone — better than most of us in the Assembly — the experience in this role as a minister. This is my neighbour in our offices, and I've watched her every single day since we have started working together, walking into the main government building, always focusing on ensuring that the right thing was done, even if it was going to be extremely difficult politically. It was always making sure that the point of view was to do the right thing. That is what I have experienced working with that individual.

The Minister of Education, as we talked about, launched an independent review into the matter at Hidden Valley Elementary School and made the commitment to the parents of Hidden Valley Elementary School. This work, along with the other reviews that we talked about, we have spoken about at length in this Sitting. Again, for all the members of the opposition who spoke today, I understand where those comments come from, and I understand the vigor with which those comments were shared, but, again, we all know that we are in a position where there is a process in place and that, at the end of that, we will have multiple fact-finding scenarios that will lead to a multitude, I am sure, of direction and directives from different organizations, some of which will take different lenses to look at this.

We have said from the start that, as a team, it is to make sure that we have all the information and facts to make our decisions. I know that the former minister and the current minister who are working on this are both looking forward to making sure that all of the information that is being reviewed comes to light. I've heard my colleagues say that.

There are members of the opposition who know what a day like this is. They know how difficult it is; the Member for Lake

Laberge knows that. Over the years, where somebody calls for — a decision has been made. I'm sure, in all of those cases, all the information wasn't provided to the public, and people were calling for his resignation, and then the decisions were made to not do that. And you know why? Probably because the colleagues, or the Premier of the day, knew there was more information that others who were calling for that didn't have.

That's why today, I think that the experience I've had with my colleague leads me to vote against this. While I fully respect the scenario and the impact that has been made on many, many Yukoners, I also believe, although it's a difficult path, that the right path is to ensure that we have all of the information so that the decisions that get made are done with the fullness of all the facts.

**Hon. Mr. Streicker:** I want to begin by just talking about where I think all of this has to focus. I think the most important thing here is to emphasize how to protect and support children, families, and the school community for Hidden Valley and probably for all of our schools. As the Member for Takhini-Kopper King talked about, it's about making sure that there are supports. She reflected that the Member for Lake Laberge was looking to bring people to justice. I think both those things are needed and also accountability.

Like the Member for Vuntut Gwitchin, I began by looking at the United Nations *Convention on the Rights of the Child*. I read through it. I have a — it's actually a kid's book, which is for helping kids to know the rights of the child, and Article 34 talks about protecting kids against sexual abuse. It is just really tough stuff, given that we have this reality in front of us with Hidden Valley Elementary School. I will also start off by saying that my heart goes out to families and to the school community.

Article 19 of the United Nations *Convention on the Rights of the Child* talks about protecting children against violence by people who look after them, like teachers, educational assistants, and the government. It also says within it — under Article 16 — that children have a right to privacy. You know, we shouldn't stand up and say, "This child was a victim of sexual abuse" because we should protect them.

I think the one that the Member for Vuntut Gwitchin noted, the one that I think is overarching over all of this, is Article 3, which is that we should always, always work to put the best interests of children forward. Okay, how do we do that here, now, with what happened in 2019, what didn't happen in between, what happened over this past summer, what is happening here today since this Legislature came back, and today with this motion?

The Member for Lake Laberge, when he spoke about bringing the motion today — when he spoke about it yesterday, he talked about how he really hopes that everybody votes — that they express their opinion, that it not be a party vote. Although, when I listen to each of us talk today, it looks like the votes will follow along party lines, but what I want to say is that I am standing here to express my opinion, to share with everybody in this Legislature, and all those who listen, my

thoughts around what is important here, because we are being asked — the motion says that we share our opinion.

In 2019, the Department of Education, the school, learned about this — at that time — potential sexual victimization, and they did what I think was the right thing in that they reported it right away to the department, and the department reported it to the RCMP. That happened, and I think that, when the Member for Vuntut Gwitchin stood up, she said that it was the duty of government to report the harm, which I think is exactly what happened. It didn't happen to go back to parents; although, of course, it did go to the parents of the child who had come forward. The RCMP — what I believe is normal protocol in this — are supposed to carry out a broader investigation, and that didn't happen.

I want to thank Superintendent Sheppard for acknowledging that. I want to say that, in that interim — in the time between 2019 and when we got to this summer, as we were all looking at this in the summer — there was this realization by the RCMP that they had not. I am sure someone within the RCMP realized it at that time, but I don't think it was realized all the way up the chain, but that is what we would need to find out. I think that is what the RCMP's approach right now will be to look at.

Belatedly, but thankfully, it has come now. The RCMP are currently investigating other possible cases. As I said, that should have happened. It didn't. It is happening. Imagine today, if there were some other new case to come forward where there is a potential victimization of children and it were being investigated — man, we would never be talking about it here — not like this. Why not? Because we want desperately to protect those children, that investigation, those families, the school community — we want that to happen in a way that is free from us getting involved in a way that would compromise that need for justice.

One of the things that the Member for Lake Laberge said was, "Why not stand up and talk about it?" Well, there is a reason right there. The ways in which we talk about this have to be extremely sensitive so as not to compromise the work that is ongoing right now. How do you do that? As the Minister of Education has done for almost every day of this legislative sitting, it is to stand and very carefully talk about these things in a way to not interfere with it. That is also true about the past minister. She has, at all times, sought to protect the integrity of that type of investigation. We should all want to do that. I am not saying that we don't, but if this were not a case that had gone uninvestigated for a year and a half or more, we wouldn't be having this conversation this way.

Everyone has talked about it — four reviews. The RCMP are doing a review. I think it's important that they're doing a review. The Child and Youth Advocate is undergoing a review and that is important. Although the Child and Youth Advocate — and I heard her interview on CBC as well — talked about not wanting to be sidelined, but when she talked about her review, it was talking about the Department of Education. What I appreciated about the review that the Minister of Education has initiated is that it is to get at the relationship between the Department of Education, the Department of Justice, the

RCMP, and how all of that communication went on from the time when it was first discovered and reported to today.

The members opposite have used some pretty harsh language about how they don't trust that, although it does sound to me like they trust the other reviews that are underway — the Child and Youth Advocate review and the RCMP review — they have not talked against that, anyway — and now the new review that we have just learned about from the Ombudsman. It appears to me that they believe that these are good things. When I listened to the Leader of the Official Opposition talk on the radio this morning, he said that it's good to have those reviews. I think that they will try to understand where we can and should communicate with families while protecting those investigations. If there were some missteps on our side, where they were and what they should have been or how they should be — and I'm now referring to the Member for Takhini-Kopper King — let us never repeat these types of mistakes again. I agree completely, wholeheartedly.

I want to go back for a moment to something else that the Member for Lake Laberge said in his opening remarks when he stood. He said, "It appears...". Several times he said, "It appears...". When we started here in the Legislature this session, I heard the Leader of the Official Opposition stand up to the media and he said the current Minister of Education is lying. Then, a little after that, after questions came in the Legislature and it started to become apparent that she was not lying, the media asked him: "Are you going to take that back?" And he said at that point, "Well, she's either lying or there were mistakes made", and he started to shift his focus toward the previous Minister of Education — I haven't heard him say sorry, by the way, for saying that the current Minister of Education was lying and that he had made a mistake. But he did make a mistake. He made an assumption. He made an assumption based on the information that he has. That's the same type of thing that we're doing here today: We're making assumptions that the Minister of Education at the time did not do what she should have done around protecting the well-being of children in schools and the families and the school community, including trying to protect their privacy.

I know that everybody here aches for the families of Hidden Valley and the kids. I know that all of us — all of us in this Legislature want to protect those kids and those families and support them.

It is the member opposite's role to criticize. I think that is an honourable role, but I also feel that, until we go through these reviews, we are jumping to conclusions and we are transferring our hurt and frustration for the families onto the minister who was in the role. I think that there are things that we are going to have to figure out. For example, if you are counting on the RCMP to carry out a full investigation and that doesn't happen, what processes do we have in place to make sure that families are contacted to help support them? How would we figure that out? I think that is why we need this review.

Like other colleagues here, I know that, from having worked with the past Minister of Education, the current Minister of Justice — I have seen her fiercely protect people's

rights when there are investigations underway and court cases underway; she is incredibly careful about that. She has two decades practising law. I went on Wikipedia and there are some things I didn't know until I looked. She was the first female president of the Yukon Law Society — she held that for four terms — and she became the president of the Canadian Federation of Law Societies. I think this is the kind of person that is going to care about those legal processes and trying to protect rights. She has fought in her role as a lawyer on child protection cases. That is part of her background, so I think she is someone who knows about this and does care.

All of us have a responsibility to protect the best interests of children — especially those children who are in our care — and I think that, in my experience, the Minister of Justice, the past Minister of Education, has exemplified that.

I look forward to these reviews so that we can share with the public in a way that protects the investigations that are ongoing right now, which I feel like we are not protecting here today. I think that, when those reviews come forward, they will put a shining light on where the challenges were and where the mistakes were and where we need to improve. I'm sure that, if it shows that any of us, as ministers or as MLAs, failed to do our roles with complete integrity, it will be incredibly apparent. It is not apparent to me today, and I think this motion is here because —

I will just say that, while the motion, in its intent, seeks to protect our kids and our families, I don't believe that it is achieving it in the way that was — if I treat it in its most respectful fashion, I don't think that is what it is doing.

Like my colleague, the Member for Porter Creek South, I respect why the Official Opposition brings this forward. I will point out that, since I have been elected in this Legislature, I have heard, on several occasions, members of the opposition call for the resignation of a minister. I am happy to point those out, but what is different today is that we are in a minority government, so we end up with a motion and that is what is different.

I think it's pretty typical for opposition members to say in the public that a minister should resign and that they are not doing their job appropriately. We have launched one and are supporting three other independent investigations into this situation to get to the bottom of it.

**Hon. Mr. Silver:** Mr. Speaker, I want to thank all of my colleagues for their words here today. As a teacher in my former occupation, I didn't do a lot of teaching outside of the Yukon — a practicum away, but 15 years of teaching, with two years in Whitehorse and the majority of the years teaching in Dawson City — the opportunity to see the students who were in kindergarten, my first year of teaching, in my last graduating class. What an amazing opportunity that is — to see a whole generation of kids. As I say, as a former teacher, I learned here how seriously those who run the schools, the ones who administer the schools, the ones who teach, the parents — how seriously everybody takes their responsibilities.

Since getting into public office, I then had the ability, as well, to expand even further. I now have the opportunity — am

blessed to have this opportunity — to see first-hand how important the work is by the department and the rest of the government — Health and Social Services — you name it, as far as departments — to ensure that what we do on a daily basis is their responsibility for making sure that we ensure the very, very best for our children.

This is why I, and every other member on this side of the Legislative Assembly, have continued to emphasize that there absolutely is nothing more important than the well-being, the safety, and the protection of students when they are in our care. This is also why my ministers have acknowledged, long ago, that mistakes were absolutely made and that there was a breakdown — a breakdown in trust, communication between the families, the Hidden Valley Elementary School, and the Department of Education. That is why they both apologized to the parents and the school community. I have also been so grateful to see them further showcase their leadership as they took steps to get to the bottom of what happened and to ensure that we do move forward better.

Our government is absolutely committed to rebuilding the trust and to strengthening our education system, something that I took a lot of pride in when I was a teacher in rural communities and in Whitehorse here. That continues on with my leadership with this team. This is absolutely fundamental. This is important work, Mr. Speaker. These are exactly the strong leaders required to undertake it.

We have heard from members on this side of the House speaking about the history and background of both of these dedicated Yukoners — these ministers. A government and a Cabinet should be a reflection of the strength, talent, and leadership of the territory that they represent. I am consistently impressed by the leadership and professionalism of all of my ministers.

Today, I am very proud to stand here and share with all MLAs and all Yukoners that the Member for Riverdale South — who is a remarkable Minister of Justice, Minister of Health and Social Services, and Deputy Premier — has my complete support. She is one of the strongest leaders in the territory. She has dedicated her life to advancing justice in the Yukon and promoting equity throughout our society — decades of work. She has embraced her strengths, she has used them for the benefit of the Yukon, and she has acknowledged when mistakes were made. She has taken actions to make sure that we do better going forward. She has, in the face of political pressure and in the face of opposition members who have abdicated their responsibility to make sound, careful, just, and evidence-based decisions, continued to measure her words to ensure that not just an RCMP investigation, not just a review by the Child and Youth Advocate, not just an independent review by Vancouver-based Amanda Rogers, and not just an investigation by the Ombudsman — she has been measured in her words to ensure that none of these processes could be compromised by the words of the sitting Attorney General. That is what a responsible lawyer, a responsible minister, and a responsible leader looks like.

We heard from Chief Superintendent Sheppard today fielding questions about a tragic situation in Faro. We saw the

absolute desire and need for people to get answers to questions. The response from the RCMP is exactly the same: We do not want to jeopardize this ongoing investigation. That is so extremely important. If we truly do want to get to the bottom of things, we can't jeopardize the legal system. I talked about the responsibility of a lawyer, responsibility of a Minister of Justice, and what a responsible leader looks like. That is what someone who knows the responsibility of being in government looks like.

Now, it's sad to say that, in contrast to this, the opposition is making their own determinations without even waiting for the evidence to become available. They are compromising the work of the investigation as well as threatening any further investigations and reviews that may take place in the territory in the years and decades ahead. These actions, and how the government of the day responds to it, set a precedent. They set a precedent that will govern the actions of everyone and every investigation moving forward. What we say matters, Mr. Speaker.

In fact, I would note that, outside of this Chamber, we've actually seen a very subtle acknowledgement of the need for restraint by others who have experienced the reality of being a minister in government and the needs for measuring one's words. Words do matter, because what you say can have ramifications on legal matters.

The Leader of the Official Opposition, who has previously served as a minister, has, at least in public interviews, measured his language by speaking of "alleged" assaults, crimes, and actions, and rightly so — absolutely rightly so. The Leader of the Yukon Party knows that he must use his words carefully. It is even more important for the Minister of Justice, the Attorney General of Yukon, to speak carefully in order to not compromise ongoing investigations.

Mr. Speaker, when Yukoners watch the work of the Member for Riverdale South, her commitment to the territory, the calibre of her professionalism, and her dedication to advancing justice, it's all palpable. That is what leadership looks like.

Instead of disrespecting the review process, which is designed to provide families and Yukoners with answers, instead of playing politics by jumping to a conclusion and condemning actions — condemning before actually embracing their roles and duties as MLAs to wait for, and carefully study, the facts in evidence — instead of placing political opportunism at the centre of their questions rather than the well-being of victims, I think that the opposition should, in fact, take a leaf from the Minister of Justice's book and embrace the professionalism and leadership that sends us here to the Chamber and embrace that.

This Chamber has already heard this afternoon resounding words of support for the minister, and I am glad to have an opportunity to add my words and support on the record, as well. Thank you for that, Mr. Speaker.

In closing, I am so grateful — so grateful — to be able to work with the Member for Riverdale South, and I will continue to work alongside her with pride. She will remain the Minister of Justice, the Minister of Health and Social Services, and the

Deputy Premier, and she will remain a full and contributing member of Cabinet.

**Speaker:** If the member now speaks, he will close debate.

Does any other member wish to be heard?

**Mr. Cathers:** I will be brief in my closing remarks. I would like to begin by thanking all of my colleagues who have indicated support for this motion and thank all of the MLAs who have asked questions on behalf of families. It is clear here today that, on one side of this Assembly, members are concerned with protecting families and children and seeking accountability from the Deputy Premier; the other side is concerned with protecting the Deputy Premier.

Mr. Speaker, only the Deputy Premier can provide answers about her roles and her actions, and nothing about answering those questions that we have asked frankly would compromise court cases or investigations on the actions of children. Refusing to answer, contrary to what government members, including the Premier, have asserted is not about protecting court processes — it is about protecting the Deputy Premier from accountability.

Contrary to what one minister noted, this is actually the first time that the Yukon Party Official Opposition has called for a minister to resign. Even during the group home scandal, the most we called for was the minister's load to be lightened. This is the first time we have called for a minister to resign, and we did not come to this place lightly.

It was after weeks of asking questions on behalf of parents that the Deputy Premier refused to answer — reasonable questions about her role, what she knew, when she knew it, and what she did about it.

Again, I thank all my colleagues who have indicated support for this motion. At the heart of our democracy is the principle of ministerial accountability. Ministers are expected to take responsibility for the actions of their department, but most importantly, they are expected to take responsibility for their own actions. They are expected to stand in the Legislative Assembly and answer questions about their portfolios and especially answer questions about their own actions as a minister.

Ministers are expected to be accountable to this Legislative Assembly and ultimately accountable to the people of the Yukon. Refusing to be accountable is not acceptable. Refusing to answer reasonable questions about your actions as a minister is not acceptable.

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

**Some Hon. Members:** Division.

## Division

**Speaker:** Division has been called.

## Bells

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

**Hon. Mr. Silver:** Disagree.

**Hon. Ms. McPhee:** Disagree.

**Hon. Mr. Streicker:** Disagree.

**Hon. Mr. Pillai:** Disagree.

**Hon. Mr. Clarke:** Disagree.

**Hon. Ms. McLean:** Disagree.

**Hon. Mr. Mostyn:** Disagree.

**Mr. Dixon:** Agree.

**Mr. Kent:** Agree.

**Ms. Clarke:** Agree.

**Mr. Cathers:** Agree.

**Ms. McLeod:** Agree.

**Ms. Van Bibber:** Agree.

**Mr. Hassard:** Agree.

**Mr. Istchenko:** Agree.

**Ms. White:** Agree.

**Ms. Blake:** Agree.

**Ms. Tredger:** Agree.

**Clerk:** Mr. Speaker, the results are 11 yea, seven nay.

**Speaker:** The yeas have it. I declare the motion carried.

*Motion No. 169 agreed to*

## Motion No. 168

**Clerk:** Motion No. 168, standing in the name of Ms. Blake.

**Speaker:** It has been moved by the Member for Vuntut Gwitchin:

THAT this House urges the Government of Yukon to review social assistance rates.

**Ms. Blake:** I am happy to stand up to talk about the motion I brought forward, that this House urges the Government of Yukon to review social assistance rates. As the report, *Putting People First*, stated in 2020 — and I quote: “Taken as a whole, income is one of the most important, if not the most important, determinant of our health ... This is partly because income heavily influences other determinants. Our income affects our access to housing, extended health benefits, and even food.”

2007 was the last time that the social assistance rates were reviewed and raised in the Yukon. I realize that there are increases every April based on the consumer price index, but that has not kept up with the ongoing increases in the cost of living in the Yukon. The consumer price index doesn't capture the reality of living in the Yukon. The current rent comparison between 2011 and 2021 in Whitehorse — the average rent from March 2011 for a one-bedroom was \$746. The average rent from April 2021 for a one-bedroom is now \$1,055. That is an increase of over \$300.

Many renters would tell you that you would be lucky to find something that inexpensive today. The base rate for rent regulations published in 2012 was \$514 for one person. I realize that this amount has gone up thanks to the consumer price index, but I'm guessing that it is nothing close to the current average rent of over \$1,000. Even room and board is up to a maximum of \$460 a month. Individuals would be hard-pressed to find a private room in a dwelling for less than \$600 a month.

For utilities, this is another area where social assistance rates have not kept up. We are being told to expect large increases for heating costs this winter. We have watched as electrical rates have continued to go up while more homes and apartments are heating with electricity, and costs do exceed the maximum allowable amount. Strangely, if an individual is paying combined rent and utilities, come spring, the amount that they receive from the government goes down. Why? Because the maximum rate in the summer and shoulder seasons is less than the winter rates. So, even if you pay the same amount to a landlord year-round, social assistance insists on lowering the amount paid, leaving people to make up the difference from other budgeted items, such as food and incidentals.

Food costs — if we think that social assistance rates have kept up with the cost of food, think again. In the 2012 regulations, a single person could receive \$242 a month for food. If that individual is living in a long-stay hotel with just a microwave or a hotplate, their choices are limited. A family of four could receive \$838 a month, plus whatever increases there have been with the consumer price index. The Whitehorse Food Bank has watched the number of individuals and families utilizing their services skyrocket. Their website states that they are providing food hampers to over 1,900 individuals a month, not just in Whitehorse but in the communities as well. Many individuals and families accessing the food bank are on social assistance.

Let's be clear: Individuals receive a basic food hamper that is only good for three days once a month. Those needing a special diet, perhaps due to diabetes, food allergies, or pregnancy, may receive up to \$30 a month extra if recommended by a physician and if they are lucky enough to have a physician.

Another good reason to review the rates: Under the regulations, if a person obtains food by gardening, hunting, or fishing, the individual is deemed to have received as income the value of the food — certainly a disincentive to anyone trying to be resourceful.

Moreover, for some reason, the system insists that individuals receiving social assistance wait six months before we provide the following: a winter clothing allowance, transportation expenses like a bus pass, a telephone allowance, and laundry services. I could go on. While not assisting individuals with those items, we expect them to apply for work, attend appointments, present themselves for job interviews, but without a phone, access to clean clothes, or a way to get around.

Instead of offering job training and support, or programs that would assist individuals to not remain on social assistance, we make them wait — not one or two months, but half a year. To me, this is backwards. It traps people in a cycle of poverty. We should be helping individuals and families, from the time they first present themselves in an office, to get back on their feet.

In this day and age, many employed individuals are just one paycheque away from needing assistance. During COVID, many more individuals are seeking support. We are facing massive increases in cost, and wages aren't reflecting it. As

more Yukoners turn to social assistance for support, we need to make sure that the system is one that works.

Let's also talk about the Yukon supplementary allowance. It is offered to individuals who are excluded from the workforce. They receive \$250 a month — an amount that has not changed since it was first introduced. Anyone accessing this supplementary allowance must have a form completed by a physician — again, not easy if a person doesn't have a family doctor.

So, the individual, perhaps with a permanent disability or impairment, is left with an extra \$250 a month and the same social assistance rates, possibly for their lifetime. If they must follow the regulations that address the social assistance rates, they are not able to receive gifts over \$125; they are not allowed to have savings of over \$500 in the bank; and they are only allowed to possess up to \$1,500, if it is placed in a trust for burial or funeral expenses.

Now, let's talk about *Putting People First*. The *Putting People First* report goes in-depth on the issue of social assistance. As I am sure the minister understands, health has social determinants. That means that things like income, profession, groceries, housing, and so much more have a direct impact on the health and mental well-being of a person. The report recommends creating a framework and providing support for data management and analysis for social support programs. This work should be completed with associated reporting timelines attached to ensure relevant data is reviewed and reported upon regularly.

And, as I quote from the report: "Conduct a program evaluation of social supports, to determine if current practices and policies are achieving program objectives and are cost-effective, and what the most influential factors in entering, staying on, and leaving social assistance are in Yukon."

By now I hope that the minister understands all the hurdles that come with being on social assistance. So, in response to these problems, I hope that this House votes in favour of our motion to review social assistance rates. I also hope that we begin to move away from the trap of this poverty model entirely. On top of reviewing social assistance, the *Putting People First* report gave this government a direct and immediate solution: that this government must collaborate with the Yukon Anti-Poverty Coalition and others to implement a guaranteed basic income pilot.

Guaranteed basic income is our path out of poverty. It doesn't discriminate, it doesn't require a person in need to wait months in poverty before they get support, and it doesn't trap people in limbo. Guaranteed basic income means that everyone deserves an income, so that anyone who needs it, including anyone on social assistance, will get access to real income — an income that reflects the true cost of living in the Yukon.

In conclusion, it seems to me that, instead of being the hand up, the regulations and rates are designed to keep people poor. Instead of providing training and supports, the regulations and rates discourage that.

I would ask all the members here to support this motion that will hopefully lead to positive changes for Yukoners who find themselves needing some help. It's time for a review of

both the regulations and rates, but even more importantly, it is time to put the *Putting People First* recommendations into action and make real changes for Yukoners.

Will this be easy and straightforward? No, but I encourage this House to work together with self-governing First Nations and Indigenous Services Canada to review these rates and regulations.

**Hon. Mr. Pillai:** I would like to thank the Member for Vuntut Gwitchin for the motion that has been tabled today. I truly appreciate the scope that was provided to us during the opening statement and the subsequent information that was provided within that scope concerning the review.

I think there were a couple of key items that I really appreciated hearing about that I think are very pertinent to ensuring that this important work is done in an efficient but appropriate manner. The points that really stood out for me were: first, just talking essentially about what is playing out within our total economy around inflation — not that it was used, but as we see rising costs in a number of different household budget items. The other item that was touched on was the fact that we should work with self-governing First Nations, as well as ensuring that we work here with the Yukon government and with other providers. As the member opposite would know, I believe from previous work, there are — not just one — different government entities that provide assistance of this type.

I think that one of the things that we have to take into consideration — I would think that the member opposite, in her research on this topic and the review of *Putting People First*, would have seen that this work talks about the different service deliverers. One thing we have heard, over and over again, is that there are differences sometimes in the services that people in Yukon are provided, depending on who is providing it. There is a baseline of social assistance, but some of the discretionary benefits that can be provided to individuals — there seems to be sometimes a lack of equity there. I think that is really important.

The motion, as it is stated, talks about a review of the Yukon government social assistance, I believe — maybe it is more broadly about social assistance, but at that point, as a government, we have the ability to review the programs that we provide. To be fair, I think that this was the conclusion that opening statements talked about, where it talked about the fact that we do have an obligation to work with other levels of government. We don't want individuals, neighbours, and folks who are in the same communities, who are in a difficult position and need those supports, to not have an equitable experience, just based on whose perspective it is in the delivery and how they look at some of these benefits.

I know individuals who are close and have gone through things, especially when we think about individuals with disabilities and the fact that sometimes there is some real discretion afforded the folks who are delivering those programs. Individuals have to really fight, I know. In the case of at least one family member, it was very difficult. They were in a position to still be working throughout a very difficult time

dealing with a terminal sickness and, at the same time, fighting to ensure those programs.

When you think about *Putting People First*, it does touch on that. It touches on the fact that it is not just about our social assistance programs, but also within our disability services. The other thing that was touched on was that, within this conversation, there are a number of areas that were brought up. There was housing and the cost of housing, which we discuss quite a bit in the Assembly.

We know that there is a true challenge — not just here in the Yukon, but across the country right now — for a multitude of reasons.

As it was touched upon, we are also seeing an escalation in food prices. That is going to put more pressure on individuals — being able to build their own personal budget just based on social assistance.

Then we talked about opportunities moving forward. How can you give people the best foundation? There could be different perspectives within the Assembly around whether that is a program or a pilot program to provide individuals with a guaranteed income — or something that I always think about is providing folks with the right supports as well — in some cases, to create a path that they want to see and that they define. Hopefully, within the Yukon, in a very significant and robust economy, partnered with the fact that we have so many openings for employment right now across multiple sectors — that has become extremely difficult for so many business people to try to provide services to Yukoners and at the same time be able to staff their operations.

A number of things were talked about within the review. The motion itself is quite short but clear, but I think it is a bigger conversation. It's important to understand what the scope of that review could be.

I have to say that I think it is timely and I think it's important, and I appreciate it coming from the member opposite.

With that, I think we will have an opportunity to touch on all those aspects — and how key it is to be reviewing.

To sort of scope out my conversation today, it is also important that we think about *Putting People First*, because I believe that chapter 5 really just focuses on this. There are a lot of recommendations there which have to be taken into consideration.

The other point that I would like to reflect on from the opening comments is that people sometimes are penalized for trying to better their situation. I think that it is something that absolutely must be reviewed.

When the Member for Copperbelt South was the Education minister, I had the opportunity to deliver a program for folks who were maybe looking to recreate their professional career. Some of those folks were on social assistance, and it was at a time when there was federal funding that was available to give folks the right new set of skills, if they didn't have them, and then they would take that set of skills and be able to hopefully find a new type of employment. It was called the "targeted initiative for older workers".

During the delivery of that program, one of the things that was so frustrating was that I would work with clients, and we together would set a plan in place for them to maybe even seek a job or an opportunity that they had always wanted to do, but earlier in their life when they were bringing up their families or were locked into a particular type of occupation, they didn't get to try that out. What we wanted to do was to really dig deep and see what opportunities were out there and then match them with people's interests. What was really difficult was that, in that program, it provided a stipend. The stipend was offered to offset some costs and take into consideration that those individuals were not able to go out and seek employment at the time and, during that program, it was something to help them along with their expenses. The difficulty was that there was an inequity in that classroom, because, in some classes, individuals were coming in who would receive that stipend. They always had to be ready, if I remember correctly, to take on an employment situation or opportunity if it arose, but at the same time, there were individuals in that class who were on social assistance and were trying to better their situation. But once they started to receive a stipend, that stipend was accounted for on a monthly basis with the case manager who was overseeing their social assistance delivery. So, you would have people being penalized. They would be attending the program every day, they would be learning new skills, and they would be extremely excited about the opportunity to change the trajectory of how things were for them at the time, but it was really defeating to then, on a monthly basis, have that money clawed back from social assistance.

As the member opposite eloquently put it, it is difficult in the current situation, not only in the Yukon but in this country, to be able to receive that level of money and still be in a position to cover your basic bills — your housing, food, utilities — and to make it to the next month.

I appreciate those comments and certainly have watched that in practice, and I think that those are the things that have to be reviewed. It just doesn't meet the goals, I believe, of this government or the programs themselves.

To start off, I think it's important to touch on some of what was heard through the comprehensive review of Health and Social Services in Yukon and subsequently recommended in the *Putting People First* report. The report found that most Yukon social assistance cases, with job loss or unemployment — and the result is people remaining on social assistance for years. The report also notes that, over the past five years, the social assistance caseload has grown at approximately the same pace as Yukon's population.

Social assistance payments in Yukon are among the highest in the country, providing an equivalent of 80 percent of the gross minimum-wage income. This rate is indexed each year to increases in the cost of living.

Social assistance also provides for other discretionary benefits in support — for things like transportation, childcare, laundry, and telephone expenses. Further support is available beyond that through discretionary and emergency aid. I think that this is what we touched on earlier. That's what the report *Putting People First* really focused on — the discretionary side.

In the Yukon, there are three different providers of social assistance: the Government of Yukon, self-governing First Nations, and the Government of Canada. All three are guided by the Yukon *Social Assistance Act* with each provider offering the same basic rates. There are significant differences, however, in how each delivers discretionary aid. As a result, clients can have very different experiences and receive different levels of support.

The cost of living in the territory and the lack of affordable housing leaves many social assistance clients, especially single people living on their own, unable to make ends meet and struggling to make it through each month.

The report goes on to note that Yukon has one of the most supportive systems for moving people off social assistance into employment. Yukoners moving off social assistance can keep 50 percent of their employment income before deductions and still receive benefits such as pharmaceutical coverage and ongoing access to extended health benefits for up to three years after transitioning off social assistance. But, despite this, clients tend to stay on social assistance for a long time and struggle to find ways to improve their well-being and independence. So, while the benefits may be in place to support transitioning people from social assistance back into the workforce, the findings of the report note that many people highlight the need to find employment opportunities and activities that foster a sense of purpose and dignity — moreover, that the health and social system should provide more comprehensive and proactive assistance in helping people to find employment.

I have to say that those comments from the professionals and the subject-matter experts who undertook that work — certainly, it is so timely. We are in a position right now where, in the Yukon on a monthly basis, we continue to see a bit of a fluctuation in our unemployment rates. A couple of months ago, we were in the number two and number three position, essentially — in the lowest unemployment rate in the country. We have moved up a bit. Of course, based on our population, that can fluctuate pretty quickly, but what we are seeing is that probably over a thousand folks are looking for opportunities. But at the same time, we have even more opportunities available. So, part of our challenge is ensuring that we can mobilize as many Yukoners as possible into these new opportunities. It affects everything, and that is why I am stating it today.

It affects the cost of housing. It affects the — sort of — inflationary effects within Yukon's economy. Why? Well, we have Yukoners who, in many cases, do have homes here. They have appropriate places to live but, at the same time, they are in a situation where, if they are not part of our current labour force and they are not finding the right opportunity, we are then in a position where employers — whether Yukon government, First Nation governments, municipal governments, the private sector, or NGOs and non-profits — are in a position where they have to seek out individuals who are from outside of the Yukon. When that happens, it exacerbates our issues around housing. It continues to put on more pressure.

The key is, as we have said, to find individuals who are residing within the Yukon and understand — in many cases, for

those folks who are on social assistance — what we can do better to ensure that they link into those jobs. For many individuals, at least from my experience, it is not a simple conversation at all. I can remember running part of that program in Ross River. The entire class was members of the Ross River Dena Council. They were all women who had grown up in Ross River. They were between the ages of 53 and 64. At that time, if you went into the Ross River Dena Council First Nation administration building, what you would see is a list of a number of jobs. There were many opportunities, whether it was mining companies or exploration. At the time — and I had a lot to learn — I thought it was a simple match. There were all these opportunities, they seemed like they were paying well, and they were all within that community. The individuals whom I was working with, in some cases, were receiving a stipend or some sort of assistance, and I thought that it would be a simple match, but it wasn't. It was stated to me by that group of individuals that they didn't have an interest at that point to work in that sector. They had strong feelings about it. They were looking for other opportunities.

That led to a process of trying to figure out, in a small community where there weren't a lot of different opportunities, how we could match those individuals with things that were going to enhance the quality of their lives.

In that case, we quickly found that we had a group of extremely talented individuals who had been doing traditional artistic work and were being poorly compensated for the things they were producing. That is what led to working with the instructor who was there in order to build a platform where those folks could continue to do the things they did so well, which they loved to do, and for them to be compensated appropriately for that. That is what they believed in, and that is what got them up in the morning, so they could go do those things.

It's not as easy to just match an open job with an individual who is receiving assistance. It has to take another approach. It is something that, at the Department of Economic Development, we are extremely interested in — taking a look at how, in a modern society, understanding that the philosophies and the methodology around a modern workforce have changed and what it means to ensure that skills programs are available — like using new technology, like artificial intelligence to scan appropriate sets of data — and then to understand how we can have the right fits. Again, it is foundational in how we deal with a number of things, like our housing challenges.

I think it is also important for many to touch on, when they are building out challenges with the many expenses that all folks have, like the move that was made here in the Yukon around our early learning and childcare program — it is one of the most exciting undertakings that I have seen, maybe ever, when it comes to the economy. It is the opportunity for a very significant cost for Yukoners to be now managed in an appropriate way.

I know from going door to door and talking to folks in Porter Creek South in 2016 that one of the things that consistently was touched upon was parents coming to the door

talking about the challenges of running a household, making sure that they had appropriate housing, the right supports, food, opportunities for their children, and through that, talking about the exorbitant cost of childcare.

I commend ministers of the day who took that work on — our previous Minister of Health and Social Services, and also Education, taking that work on. Before the federal government had made their commitment to it — I mean, it was just last year that the federal minister was going from province to province and territory and having discussions around having provinces signed on to these programs.

I think that the most courageous thing was to go down that path, knowing that the service was not just about offsetting the costs for folks around childcare, but now giving one of those parents, hopefully, an opportunity, if they so chose, to get out there and to chart their path in their professional life.

When you look at it again from a standpoint of a macro view of the economy, you're in a position where you need more people in the workforce. Again, you hope that those folks already live here. You want to see that happen. That's just going to make things so much easier when it comes to the housing situation. Then again, you're also — in some cases, for folks who are out working, you're now putting more funds in their pocket.

I just think that program was so important to the lives of many who have children. When you're talking about reviewing an assistance program so that it comes in line with the costs every day, I think it's important to understand or to reflect on the fact that there are programs such as that. In that case, it was — for the record, the program was reducing parents' fees by up to \$700 per child a month in full-time participation in licensed childcare and a very good wage increase for the qualified individuals who are delivering that program. When we talk about the entire ecosystem that we have to look at when we're reviewing social assistance, that is also one.

Despite some of these program changes that we have seen, clients tend to stay on social assistance for a long time. They struggle to find ways to improve their well-being and independence. While those benefits may be in place to support the transition of people from social assistance back into the workforce, the findings of the *Putting People First* report note that many people highlight the need to find employment again for a sense of purpose and dignity.

It highlights in the report that the timely referrals to supportive services are important for all Yukoners receiving social assistance. My thoughts are that those supportive services understand the interest of the individuals and are taking a very holistic approach to supporting those individuals to transition.

Referrals can engage people with their communities and help them achieve their goals. Again, part of that work might be doing some deeper work on understanding what their goals are. Many folks have maybe not taken that opportunity to sit down and think about what their long-term goals are. Especially if you are in that situation where you are going from day to day or month to month to try to sustain yourself and your

family, having time to sit back and reflect on what their long-term goals are may not be top of mind.

Then, what are the metrics you use to work through that and figure out your goals? Are you going to go through a period where you are comfortable going through a Myers-Briggs test? Are you going to go through something else that is standardized, such as a college program? You are going to take that and then you're going to be able to understand what really makes you tick as an individual and then putting that together for a long-term plan and finally making sure that the provider understands how to use that information to get you to where you need to go to transition from social assistance.

Again, we want to decrease the time spent on social assistance. We want to increase our workforce attachment and our earned incomes for individuals. We want to reduce the impacts of poverty and empower and enhance individual resiliency.

The report also notes that some of the Yukon's existing policies appear to deter people from moving from social assistance. For example, we have clients with children under six years of age who are not required to look for work, something known to decrease workforce attachment.

I would also be remiss if I did not highlight some of the findings on the housing front. Of course, all of us here in the Legislative Assembly are cognizant of our housing situation. We all know that safe housing plays a huge role, as the Member for Vuntut Gwitchin touched on, in our health and our well-being. *Putting People First* outlines that the proportion of Yukoners in subsidized housing is almost twice the national average — 13 percent across Canada versus 25 percent in the Yukon. This translates to over 700 housing units that are targeted at low-income Yukoners.

What this suggests is that the cost of housing is simply too high for too many low-income Yukoners. I know that the members who have the critic roles for housing — we will continue to talk about our current situation. All one has to do is look around and take into consideration not only those 714 units that we have — just over 714 housing units that are in place — but now the Yukon Housing Corporation is undertaking to build a number of new units to try to make up for the demand through partnerships — which we have touched on — with Da Daghay Development or Boreal Commons. We have a number of other units coming on. Again, we are going to be far above the Canadian average, but we have to look at all of the pieces in this conversation.

We have a very significant demand for new people into the economy. We know that folks who are part of the workforce are being paid very well. The Member for Mount Lorne-Southern Lakes and I discuss the data that we see coming out of Statistics Canada and the Yukon Bureau of Statistics a lot, and what we have seen is this increase in compensation — a very significant increase, and he may touch on that, if he gets up to comment. When you look across the country, we are seeing that — very significant.

We know that there are good-paying opportunities. We know that there are significant opportunities. We know that many sectors in our economy are in a critical need for

individuals to become part of their workforce, and we know that there are individuals who have been connected to social assistance for a very, very, very long time, and so, how do we change the trajectory for many of those individuals?

I think that's an important piece. It's not going to be just about reviewing the social assistance program so that we increase how much we provide. I'm not saying that's not a really important part of the conversation, but I think we have to look at all the other pieces, because it's so important for our private sector — which contributes so much — and all of our other opportunities within the labour force.

So, in 2016, approximately 29 percent of Yukoners were spending 30 percent or more of their income on shelter costs, ranging from rent to mortgage payments. The cost of housing in the territory has a large impact on the amount the government spends on social assistance payments, with housing-related expenses dominating payments made to social assistance clients in all areas — as core payments, emergency payments, and transitional payments.

Shelter-related social assistance payments are increasing faster than the caseload and overall expenditures. In addition, hotels are used in Whitehorse to offset housing needs for low-income Yukoners. The member, on speaking to this motion, talked about the report and our need to work with the Anti-Poverty Coalition. That is a major concern of the Anti-Poverty Coalition: the fact that hotels, especially over the last 24 months when we were going through a challenging time in the tourism sector — we had the opportunity to use some of those units that have always been used in some hotels, but there were more openings, because we didn't see our tourism sector moving the same that it normally does. I mean, our tourism sector, moving into pre-COVID, was contributing more per capita than any other part of the country. It used to be we were number two, and that changed in 2017.

So, we know that we have this really significant tourism sector, and at the same time, we've had this massive constriction and pressure on housing. We did have opportunities for those folks to come in, but as the Anti-Poverty Coalition team has appropriately flagged, what happens as tourism bounces back? That's one of the things we're trying to grapple with, to come up with other sets of options for those individuals. These are all things that we talk about every day at the Yukon Housing Corporation — or Yukon Housing Corporation does, and I get to be part of that conversation.

In addition, as I said, again, it is not cost-effective and does not lead to healthier outcomes over the long term to see individuals in hotels. It doesn't make financial sense. I have looked at those numbers, and we have to have individuals building affordable housing, and we need to make sure that the right business case is made with them. I think that is where the opportunity is.

Usually when you are having conversations like this about social assistance and housing, the difficult part of it is that it is a really challenging conversation, and mostly, the word "opportunity" doesn't come up. In the case of the Yukon, there are many individuals, many development corporations, and there are many NGOs, and they all have the capacity, in the

right climate, to build their assets. Their assets, in many cases, will be part of the housing solution. That is what we have been seeing over the last number of years.

I think the first work with Da Daghay Development happened prior to our government being elected. There was some great work done by the previous government to get some things moving in Whistle Bend, and now we just want to continue to do some of that good work. It was a great trajectory that was set, and I think we also have to take into consideration that model across the Yukon.

That is key to this conversation, as well. We are looking at the largest investment in affordable housing in Yukon history that is underway. It is the work that was done by my predecessor at Yukon Housing Corporation. There was a commitment then made to ensure that there was equity in our communities, because there seemed to have been maybe not the same level of investment across all Yukon communities, and rural communities needed to see that investment — so, that has been committed to.

I know the Member for Vuntut Gwitchin can speak to that. Right now, when you look at what is being developed in Old Crow, you are talking extremely significant. Hopefully, that infrastructure can make for better health outcomes and better life outcomes for individuals. We do have to take into consideration, as we do a review of social assistance, that important work that is underway, that is all being developed. We are looking at probably, from quarter to quarter, as we go into our fiscal year, new spots and opportunities opening for people to be able to find better housing. Again, hopefully that leads to healthier outcomes.

Our government knows that the housing continuum needs to provide options and support for people with a range of incomes, health, social, and housing needs. This all provides a high-level summary of what was heard on the social assistance side of the review of health and social services in the Yukon in the development of *Putting People First*.

I would now like to take a few minutes to paint a picture of what the current economic state of affairs is here. We touched on a few things around the labour force and some of the demand, but I think it's important that it has to be a fulsome conversation versus just looking at one tool that's available — some of the issues, some of the opportunities, and some of the work that the government is doing. It's important to do this, as this is part of the whole picture of where we are and how the recommendations for *Putting People First* fit into all of this.

Yukon employment during COVID-19 — the impacts of COVID-19 have been far-reaching. We all know that it has created a period of highly uneven economic activity and employment across Canada and throughout the territory. It was touched on yesterday during debate that one thing that the Yukon private sector should be very proud of is the fact that their work led to an increase in our gross domestic product. I know that sometimes that measure, certainly by the Third Party, gets pushed on as not being the be-all and end-all. I can see that, but when you think about Nunavut and the Yukon, the fact that we saw growth in the middle of a pandemic is significant.

This has mostly to do with the mining sector. We have talked about this publicly. We were at the Klondike Placer Miners' Association AGM a couple of years ago. The Leader of the Official Opposition was there, and we both had a chance to speak and highlight the fact that we were in a situation where, because of global instability, we saw growth in the commodity price. Of course, that increased investment led to more jobs. We had that happening, and at the same time, Victoria Gold was underway. Again, they were starting to extract and produce, and Minto, as well — it was known as a copper mine — still has gold that's being recovered as well.

So, all of those things in place make Yukon a very special spot, because we've continued to see, over a number of years and decades, that when things get shaky, people move, in many cases, to gold. But there were many areas of our economy that didn't have that same experience, like tourism.

So, StatsCan's labour force survey data shows that, for September 2021, the Yukon had the second highest labour force participation rate at 70 percent. I think that this is something that we should be proud of. We have the second highest employment rate at 65.5 percent among provinces and territories and an unemployment rate of 6.1 percent, so well below the national average. We will see what happens in the next couple of months on the unemployment rate, but right now, there was a bit of a bump, but really, it's in sort of the number one and two spot.

So, that data really tells an interesting story. We know that we have a big participation of folks, but then we have some individuals who continue to be on social assistance and they are in there for a long period of time.

Recent data does point to one area of concern. The recovery of the size of the labour force post-pandemic appears to now have stalled. Our labour force has dropped from 23,800 in April 2021 to 23,100 in September 2021. We know that we saw a significant amount of construction — and some projects being in a situation where they are coming to finale and other projects starting up — but we have to really be in a scenario to really dig into labour force and understand elements of it.

I've worked on the edges of that conversation previously, and I think what we're seeing is that every province and territory is now starting to look at this in a different way. We saw Ontario last week, I believe — announcements by their minister that focus on labour — Monte McNaughton — and that was really focused on respecting foreign credentials and having individuals come in.

That doesn't have so much to do with the conversation on social assistance, but there seems to be movement in Alberta as well around really recognizing the domestic labour force, making sure that people have that opportunity to go out and work, looking at their domestic credentials, and understanding that we have to reduce these barriers. We don't want people on social assistance; we want people to have opportunities and jobs. Because of regulatory impacts based on how we look at their credentials — we are not meeting the goals, I believe, of that regulation and program.

The Yukon labour market again appears to be in a state of flux. There is a significantly higher job vacancy rate than

normal, signs of upward pressures on wages, and an unexpected significant decline in the number of those eligible for employment insurance and related additional COVID-19 support for workers over the next several months.

Over the two years prior to the pandemic, the labour force survey has generally found the Yukon to have the highest labour force participation rate. When we look at that, it is those aged 15 years and over either working or actively seeking work in Canada. We have the highest labour force participation and the highest employment rate — again, the highest in the country — the percentage of population of those aged 15 and over who are employed in Canada. We had the lowest unemployment rate in the country. If you look at the average for the last half of the decade, we have. We hit the lowest in the country in December 2016. I commend my colleagues, certainly — the government. There was a lot of work done, I think, to put us in that trajectory, and the important thing is to keep that going.

At this point, I am going to go back to sort of what we heard in *Putting People First* that was touched on in the opening statement. The report notes that there is a lack of data around social assistance programs. The collection, management, quality, analysis, and reporting are weak. I appreciate the comments from the member opposite on that. I think that it is important to figure out, within that review, not just these items with the *Putting People First* report, but we have to think about how we have been doing a lot of this work and what the available tools are. We have countries globally that are tackling this problem, whether it is big companies like Boeing that are bringing in the best expertise that there is in the world — we have universities like Ryerson, which is building these hubs that are talking about this, and then you can look at really strong economies like the UAE in the Middle East, and they are trying to get the best possible expertise in programming.

Like I mentioned earlier, you now have artificial intelligence being used to try to figure this out. That's not how people worked with the labour force previously.

Adding to this issue is that, across the different social assistance providers, there is no common agreement about what social assistance support should be, what it is intended to achieve, the number of cases we have, or why people need assistance.

That goes back to that conversation that I touched on earlier. You have to have a holistic approach. Why are people on assistance? I think that any Member of the Legislative Assembly could write down three things that they believe — you would probably think about this generally, and we hopefully wouldn't stereotype when we do that, but we would think about what has caused that. There could be other things that people have experienced that have led to that particular base, but we need to know that. If we don't understand that, we are not going to be able to transition those folks.

This results in difficulties in supporting decision-making around service provision if you don't know what problem you are trying to solve, or how you are trying to support, in determining whether outcomes are improving.

Recommendation 5.4 in *Putting People First* states that the Yukon government should: "Create a framework and provide support for data management and analysis for social supports programs. This work should be completed with associated reporting timelines attached, to ensure relevant data is reviewed and reported upon regularly."

I wanted to state that on behalf of our government. I know that it was reflected upon by the opposition, but we clearly understand that this is the work that needs to be done.

Further to that, it notes: "In 2018-19, the Yukon government spent almost \$20 million on social assistance. Spending on social services more broadly is also increasing. To address this, Yukon needs a framework that identifies and tracks critical performance measures for quality improvement." This would include the development of indicators to assist with more thorough evaluation.

It recommends improvements to data quality through consistent data entry, improved structures of data outputs, and regular reporting that contextualizes program-level data within the larger system, including population level employment, income, and housing data. The most progressive or future proofing that is happening is that we are seeing organizations looking at all of their sectors. They are then looking at the projected need of the labour force. In turn, they are going back and getting all of that data — not just individuals who are within the social assistance programs but the entire workforce.

I think that First Nation governments do this extremely well. They tend to have a really good sense within their citizenry of what individuals' skills are, what the opportunities are, and what the needs are. I think that it is key, as the member opposite touched on, not only on the social assistance piece, but learning from them on how they go out and gather that data. Most First Nations are always looking at having that data at the ready so that when there is a significant industrial investment in their traditional territory — during the negotiation around the impacts and potential benefits agreements — just understanding where they can help their own citizens.

We can learn something there — having all that data at the ready, not just from the 11 self-governing First Nations, not just from our other three First Nations in the southeast and northwest, but also how we do it as Yukon government for the rest of our individuals — because having all of that information is absolutely going to be key in understanding this. Maybe this is not part of the social services review under *Putting People First*, but this really does feed into the conversation because, when you are thinking about transition, we are going to need that. This will provide, again, a more complete picture of what our social service system is addressing and where we can improve.

I highlight this recommendation at this time because it is critical to evidence-based decision-making. If we know that there is a gap in the labour market and we know that there are individuals who are seeking employment due to their situation, we can focus on efforts appropriately to ensure that individuals are supported in skilling up and gaining employment.

Again, the other key partner on this is going to be Yukon University. When you talk about the review, you need to meet

people, but you also have to understand that, to my recollection, there are 13 remote campuses that exist. Your best reach into more rural communities that have a platform and have the capacity to deliver — over the last couple of years, we have come to this position where we have all spent a significant amount of time on Zoom. The precursor to Yukon University — Yukon College — has been doing their version of Zoom for a long, long time. Zoom has been into Carcross, Pelly, and you name it. That's how people were learning. That is another key partner — those academic institutions. Certainly, we have one that is going to be key to this. How do they play a role in this review?

We know that there is a gap in our labour market, and we know that there are individuals seeking employment due to the situation. Again, the population level employment is such an important piece of data.

The recommendations from *Putting People First* — and I want to touch on that. It was a very — watching somebody go through this, at the personal level, battling to get fair disability services — I think that the Leader of the NDP touches on this and has been an advocate. I can't specifically touch on when she has spoken, but my recollection is that it has always been key — just for those folks who are underserved. That is touched on within that same chapter, and it has to be, I think, part of that discussion. I think that it's important that it's part of the discussion. It's not just a review of social assistance, but it's our disability services for adults. Resources, again, for families supporting Yukoners with disabilities at home — that's part of it. That can be a significant expenditure. We want to improve the health outcomes for individuals, housing, and food security. I have to say that it was such a profound example by the member opposite — that somebody goes out and undertakes their traditional way of life and then there is an impact to that. I missed that, and I think that it is something that just should not be happening to individuals who are already in a difficult situation.

At a high level, that report talks about the current policies that are not guided by high-quality evidence, which we touched on, but we need to be person-centred. We need to have integrated services. I think that we're going to have to figure out, in that analysis, if there are gaps in those services so that we make sure that, if we're integrating them, we have all of them to integrate. We have to pay attention to the impacts on the population as a whole and, as well, on vulnerable communities and set out clear deliverables and objectives, which I think are going to be extremely important. I think this is extremely important.

I also think that it's a fascinating conversation because the labour market and housing are the things that are on my mind all the time — and it's any policy conversation around it.

As mentioned earlier, we have our three types of social assistance and we talked about that. We talked about the Government of Yukon, First Nation governments, and the Government of Canada. They all operate with a bit of a different approach. The Yukon government, as touched on by the member opposite, should develop a framework with the other providers and key stakeholders. It's not just about how —

we're not going to get this right unless everybody is at the table in order to make sure that we have that equity.

Yukoners should receive appropriate supports and services regardless of who provides the service. It's important to repeat that Yukon is uniquely poised to be a leader in Canada in delivery of social assistance. Yukon is a small jurisdiction with comparatively low caseload numbers.

Reactivating the income support reciprocal agreement working group is probably an appropriate forum for that work. If you go back and you take a look at — and that really speaks to 5.1 of *Putting People First*.

If you go back and look at the next part of it — which is the development of a referral process and procedure to employment and training services for all individuals on social assistance to determine their work readiness and/or their vocational planning — it also talks about how you need to ensure that the current employment and training services are meeting the needs of clients. Retooling these services should also lead to improved outcomes in social assistance duration, workforce attachment, and reducing the overall impacts of poverty.

Being financially disadvantaged for a long time makes it difficult, of course, to stabilize your life and return to work. People may need the support to improve their situation. The department's employment and training services unit provides employment and training supports to people with persistent barriers to employment. It appears that the referral rates to employment and training services are low for non-disability social assistance clients. Yukon government will need to determine if this is a result of poor policies and procedures for referring clients, current services not meeting the needs of income support clients, or both. That's going to be part of what we have to figure out.

When you think about 5.3 in that report, it's to develop a referral policy and procedure for community health services for individuals with medical barriers to work if they are not currently receiving medical treatment.

It is not clear, again, how service providers are working together to help social assistance clients with their medical needs. So, lots of things take people out of the workforce, including medical, personal reasons, or maternity or paternity leave. Again, reintegrating into the workforce after time away can be challenging. Setting goals and developing a supportive case plan and providing supports early are critical to a successful return to work.

I think that we all learned, when people have these challenges — the Yukon — when we say that we can be a leader, we have done that in other policy development. The sick leave program that was rolled out during the first COVID response — policy analysts and advisors worked extremely quickly. For anybody who is in the Assembly, I know that the Leader of the Official Opposition, in his technical work, would commend his former colleagues for putting programs together in two weeks.

There is a risk when you are working at that level of speed and you are looking at that type of innovation, but as the Leader of the Third Party said before, when you have that political will

and you can move those things, you can really do something that is pretty special. They did that, and there is no better validation than when a big western province in Canada calls the Department of Economic Development in the Yukon, where there are 53 or 54 people working, and says, “Hey, can we see the template, or can you help us out in getting our new program launched?” — or understanding what the policies are around that a year later — a year after it was already launched in the Yukon. We know how important it was to make sure that we had that in place, and of course, now the conversation that has continued on about having sick leave has really been very live in the country and here in the territory.

The other piece of this, when you are thinking about not having more individuals move toward social assistance, was supporting our essential workers. The Leader of the Third Party did a very great job of being an advocate for individuals who were working in that field when we were doing the top-up program. Some employers were not embracing it. We just did not want to see people lose their employment and move toward social assistance. Again, we don’t want folks to get into that scenario. It seems for many that there is a bit of rut. We wanted to make sure that individuals were in a position where they could continue to do their work.

Again, it was a lesson learned for us about how to provide the right supports. Of course, that was funded through the federal government, but even those actions are pertinent to this conversation, because we would be in a much more difficult position when it comes to social assistance if we didn’t look at that.

In 2018-19, the Yukon government spent almost \$20 million. For all of us, how do we reallocate those funds if we’re not putting them into social assistance to properly reallocate them into maybe skilling up or retooling for folks? That can be part of the key scope of the review.

While preliminary data and policy analysis has begun to provide a clearer picture of cost-drivers, processes, and outcomes to social services, much more information is needed. During our public engagement, some organizations expressed concern about the creation of a welfare culture. This is when there are few incentives to leave social assistance due to the extensive discretionary aid provided. We also know that rapid or significant clawbacks, which were touched on, act as a deterrent to re-entering the workforce. Due to challenges with data collection at different program levels, little is known about the drivers of social assistance uptake in the Yukon, why people leave social assistance, what services or supports best help people leave social assistance in the Yukon, and how different programs are working together.

Yukon’s social assistance legislation is very broad. This leaves implementation decisions at the discretion of staff. These decisions can vary over time as staff change — and we’ve seen where clients have very similar situations, but for some particular reason, have different treatment. Of course, we don’t want to see that lack of equity.

It is common for health and social systems to have a culture that prioritizes front-line interaction with clients. The problem with this is data collection that can then be seen as secondary,

or not so important, or even as getting in the way. I’m just going to pull a note up here as we talk about those services.

We did talk about the fact that the majority of the funding through the social services program is going toward housing. I want to just share with the Assembly that it has been talked about a bit before, and that is the Canada housing benefit. I think it’s important to add this to this discussion, because it has been a very important tool for us.

We are in a position where we allocate, through the Yukon Housing Corporation, either \$200, \$400, \$600, or \$800 to individuals. It has been a very important program.

So, the Yukon Housing Corporation launched it in November 2020. The Canada housing benefit was a rental subsidy program in partnership with the Canada Mortgage and Housing Corporation — with CMHC. Since the launch, we’ve helped over 200 households. As of August 2021, we have approved direct housing rental subsidy support to over 140 Yukoners in market rental housing — just in standard rentals. It gives them that little extra support to ensure that they can have that suitable housing. This is an important piece.

We know that we have funding in place. The initiative was \$9.1 million over eight years, but it is probably prudent to look out to understand what potentially happens after that program comes to a conclusion, because again, does that factor into this work? This is something very, very key — a bilateral agreement that a previous Minister of Yukon Housing Corporation helped put together.

The rental subsidy program is helping Yukoners recover from the economic effects of COVID-19 and moving a significant number of Yukoners out of housing need. This program is supported with Canada Mortgage and Housing Corporation funding of \$865,000 this fiscal year. This amount, again, is cost-matched by the Yukon.

We are pleased that additional funding for this program was announced in the 2021 budget. Currently, under this program, pad rent — something I know is very important to the Leader of the Third Party — is not covered, but pad rental represents a combination of costs, including land rental and services, as well as things such as garbage and snow removal; at least that was my experience when I had to pay pad rent. Mobile homes that are rented out as private market rentals are eligible for that.

Again, this fall, after the first year, we are completing a review just to make sure that this works. I am hoping that the results from that review can feed into the work of *Putting People First*.

Mr. Speaker, like I said, I find this a fascinating topic. I could probably keep going here, but I think my colleagues in the Assembly are looking for me to conclude. I do have what I consider a friendly amendment. I think this is in line with the Member for Vuntut Gwitchin. I think that the focus of this motion is just a bit too narrow. We went through all this: housing, employment supports, labour market — all these things. They are part of it, so I have the following amendment that I will present for the House’s consideration.

*Amendment proposed*

**Hon. Mr. Pillai:** I move:

THAT Motion No. 168 be amended by adding the following after the word rates “as part of implementing Chapter 5 of the Putting People First report.”

**Speaker:** The amendment is in order, with slight changes by the Clerks.

It has been moved by the Minister responsible for the Yukon Housing Corporation:

THAT Motion No. 168 be amended by inserting after the word “rates” the phrase “as part of implementing Chapter 5 of *Putting People First — the final report of the comprehensive review of Yukon’s health and social programs and services.*”

**Hon. Mr. Pillai:** I will be brief. I just wanted to thank the Member for Vuntut Gwitchin.

We think that the motion as tabled, although we have looked to increase the scope, is a very important conversation, and it is not — as I hope I have had an opportunity to illustrate — it is not just about the importance around ensuring that we have an equitable social assistance program and system within the Yukon that is being delivered by multiple agencies, but also, it is a very important part of ensuring that we have opportunities in our labour force that can support our businesses. We see businesses right now that are not being able to provide their full course of services because they do not have enough individuals to be there.

I hope that we have had an opportunity as well to illustrate that this should be deeply tied into chapter 5 of *Putting People First*, understanding that a holistic approach to this conversation is very key — not to take away from the fact that it was just a review, but it is a broader conversation than just that. Again, I am sort of hoping that the member opposite sees the commitment and the work — at least for the Department of Economic Development, which I have responsibility for — and that we continue to figure out how to support Health and Social Services and other departments as they look to implement this.

I want to thank the Clerks for helping out with getting the proper language on this motion. Thank you very much.

I want to thank Hansard — or to apologize to Hansard — for the to and fro this afternoon on some of my comments, Mr. Speaker.

**Hon. Mr. Mostyn:** I would like to thank the Member for Vuntut Gwitchin for the motion today. I am prepared to speak for a little while on the amendment, as presented by my colleague. I don’t think that there would be any argument to the sentiment that any society is only as strong as its most vulnerable people. We have heard that many, many times. It is a way of signalling that we have to do better — providing for those in our society who are struggling. There is not a single person in this Chamber — I know that there is nobody on our side who would object to that statement. I would argue that this is why we are all here. I can guarantee that there is not a single person in our government who has not been working toward that goal every day.

In fact, most of us have dedicated our lives to that cause — to improving the lot of those least fortunate in our society and making our communities healthier and more vibrant. This is why the former Minister of Health and Social Services championed *Putting People First*, a review of health and social programs and services in the Yukon.

Mr. Speaker, the independent committee was appointed in November 2018 by the Premier and then-Minister of Health and Social Services, Pauline Frost. Like most of her work, it was comprehensive and groundbreaking. The final report was delivered on April 20, 2020, and we are committed to implementing this report in full.

It is perhaps important to reference the document’s preface as it succinctly lays out the approach and goals: “Throughout this report, we have tried to provide recommendations that will improve patient-client responsiveness, experience, and outcomes, as well as health provider experiences and ensure fiscal sustainability for future generations of Yukoners.”

This was said by Bruce McLennan, George Green, Greg Marchildon, Diane Strand, and Jennifer Zelmer in their 206-page report.

As I said, Mr. Speaker, there is a lot to this report and we are committed to making it happen.

“As we explain in our report, this Quadruple Aim assumes that providing higher quality care and managing costs go together...” — said the committee. “Poor quality care will actually cost us more over the long term.” This is absolutely true.

In society, too often, we pinch pennies up front to make something seem affordable and wind up wasting thousands once the news cycle passes by. We have to end that process, which is why the committee “... decided that it was far better to get to the root of what is causing gaps in care and provide recommendations that would fix these problems.” Many of the committee recommendations “...require some front-end investment. In the long run, we believe these changes will improve care and reduce the growth curve of system costs.”

Let’s talk specifics. Let’s talk about universal childcare and early childhood learning. This is our initiative. It cost us a lot of money, but the benefits to families and to society are enormous. As a young family 25 years ago, we struggled. In fact, with two sons, it was more economical for my wife to stay home with the kids than to work.

It improved our bottom line. This has been a typical story in the territory. When speaking to constituents, I’ve heard it time and again. Today, because of this program, families have a choice. Parents can work if they choose to. They have more disposable income. For society and our record-breaking economy, as my colleague was talking about earlier, there is slightly less pressure on our housing market.

The winds are great. The *Putting People First* committee wrote that report, but it was Yukoners who provided the ideas. Improving social assistance was part of that report. The committee spoke with Yukoners to understand the challenges people face when interacting with various —

**Speaker:** Order, please.

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

*Debate on Motion No. 168, and the amendment, accordingly adjourned*

*The House adjourned at 5:30 p.m.*

**The following sessional paper was tabled October 27, 2021:**

35-1-24

*Yukon Hospitals Year in Review 2020-21 (McPhee)*





# Yukon Legislative Assembly

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Number 23

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Thursday, October 28, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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** — Emily Tredger, MLA, Whitehorse Centre

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Thursday, October 28, 2021 — 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. Motion No. 174, standing in the name of the Member for Vuntut Gwitchin, was not placed on the Notice Paper as it was not in order.

**DAILY ROUTINE**

**Speaker:** We will proceed with the Order Paper.  
 Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Mr. Istchenko:** I would like to introduce the former Speaker of the Legislative Assembly, Dave Laxton — and also, everyone knows Red Grossinger. He has been with the legion for many, many years. I would be remiss if, for today's first poppy, I didn't also — doing double duty today — recognize the Sergeant-at-Arms, the president of the Royal Canadian Legion, Joe Mewett.

*Applause*

**Hon. Mr. Mostyn:** This afternoon for the podcast tribute, we have Jessica Eden, Richard Eden, Reed Vanier, and Brenda Pilatzk-Vanier here to hear the tribute. Please give them a rousing welcome.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In recognition of Royal Canadian Legion's annual poppy campaign**

**Hon. Mr. Silver:** I rise today to pay tribute to the Royal Canadian Legion's annual national poppy campaign. This year marks the 100-year anniversary since the poppy became a symbol for remembrance. The Great War Veterans' Association of Canada began making the poppies in 1921 based on John McCrae's poem *In Flanders Fields*.

The remembrance period starts on the last Friday of October and goes until November 11. I hope that all Yukoners will join me in wearing a poppy during this period, as we look back at the last century of conflict and of sacrifice. I also hope that Yukoners will once again donate to the Royal Canadian Legion and help support important local programs and services for veterans. Your contributions directly help veterans and recognize their sacrifices, their courage, and their dedication.

The Yukon is home to approximately 300 veterans, including many still serving as active RCMP members, Canadian Rangers, and in other public safety roles. We deeply

appreciate their prior and ongoing service to our communities and to our country.

One of those veterans, Hon. Speaker, is Mr. Joseph Novak. Last week, Joe was awarded a Chevalier medal from the National Order of the Legion of Honor. This is France's highest order of merit. The grand chancellor of the National Order of the Legion of Honor flew from France to present this special medal to him at the Whitehorse legion. Joe was 20 years old when he went to war. He arrived just after D-Day and made his way across France, Belgium, and the Netherlands.

Today, Joe is 98 years old, and Canadians are still welcomed as liberators in Europe and around the world. Joe, and those he served with, are the reasons why we all get to enjoy all of the freedoms and the safety that define the Canadian way of life that we enjoy. Joe has continued contributing, following his time in uniform. The past year, for example, he gave a major historic financial gift to the Yukon Hospital Foundation and to the Yukon University. His generosity and commitment to giving back to our community — well, that is truly inspiring. Joe is only one of two remaining World War II veterans still living in the Yukon.

Ms. Louise Miller is our other World War II veteran. She served as Corporal Miller with the Royal Canadian Air Force in Canada during the war years. She turns 100 years old this Christmas, and we wish her and her family all the best and thank her for her service.

This remembrance period, I will wear my poppy in honour of Louise and Joe and in honour of everyone who has answered the call to serve.

Sadly, Hon. Speaker, we have witnessed the passing away of several of our veterans in the last two years. I want to express my deep condolences to their loved ones, to their family members. We appreciate everything that they have done on our behalf, and we mourn their passing.

Thank you to Joe and Louise and everyone who stepped forward when called upon. I hope that all Yukoners will join me in wearing a poppy this remembrance period and take time to reflect on everything that our amazing veterans have done for us over the past 100 years and more.

*Applause*

**Mr. Istchenko:** Thank you, Mr. Speaker, and I thank the Premier for his tribute.

Mr. Speaker, this past Monday, Governor General Mary May Simon received the symbolic first poppy as the Royal Canadian Legion launched this year's annual national fundraising campaign for veterans ahead of Remembrance Day.

Anna Guérin of France first proposed the poppy as a symbol of sacrifices of war following the First World War. Her inspiration came from *In Flanders Fields*, the moving poem written during the war by Lieutenant Colonel John McCrae, which continues to be read at Remembrance Day ceremonies across our country and in other parts of the world.

Officially adopted in Canada in 1920 by the Great War Veterans' Association, which is the predecessor to today's Royal Canadian Legion, poppies are recognized as the national

symbol of remembrance for the Canadian men and women who gave their lives during military service around the world.

Of course, this year marks the 100<sup>th</sup> anniversary of the poppy symbol. Poppies will be available to the general public beginning tomorrow, October 29. Last year, I had the opportunity to sit down with some wonderful ladies from our business community. They wanted to help promote Remembrance Day and the wearing of the poppy. With the guidance from the Royal Canadian Legion Branch 254, they recreated the Yukon Remembers campaign. Yukon Remembers shares a common pledge: “Lest we forget”.

The pledge signifies the commitment to remember the service and sacrifices of veterans, those who serve on behalf of our country in war conflicts, peacekeeping operations, as well as first responders who serve their community as police officers, firefighters, emergency medical services, bylaw and corrections officers.

The Yukon Remembers project allows Yukoners the opportunity to connect themselves and their families to the history, the memories, and the people who have served and continue to serve today. The organizers of this campaign have been engaging with the community with things like “Did You Know?” and poppy pointers to help the public learn more about Remembrance Day. Lawn signs will be available free of charge to decorate residential front lawns and other key public spaces in the lead-up to Remembrance Day. The artwork and banners will be showcased in the windows of businesses across the Yukon.

If you would like to help — help Yukon remember — the free signs are printed and they are ready for pick up. They will be ready on Saturday, October 30 from 1:00 p.m. to 3:00 p.m. on the corner of Ogilvie and Fourth Avenue. That’s in NVD’s parking lot. You don’t even have to get out of your vehicle. Donations will be accepted and will go directly to the Whitehorse branch of the Royal Canadian Legion.

Yukon Remembers will also support businesses to participate in the 100<sup>th</sup> anniversary of the poppy and for the community to join in a moment of silence wherever they are.

So, in closing, Mr. Speaker, millions of Canadians will pin the poppy to their lapels or their hats each and every year on November 11. It’s a way of expressing their remembrance of the servicemen and servicewomen who gave their lives in two world wars and in Korea, and others remember the sacrifices in the world’s trouble spots such as Cyprus, Bosnia, and most recently in Afghanistan.

So, whatever the reason in Canada, the poppy has come to be known as the one universal symbol of remembrance, so please wear a poppy — lest we forget.

*Applause*

**Ms. White:** It’s a great honour to rise on behalf of the Yukon NDP to acknowledge tomorrow as the first day of the legion’s annual poppy campaign. We are privileged to live in such a breathtaking place, a place with security and stability, but it’s easy for us to forget to look beyond our own borders to see what others are living through. When we look outside, it is

with realization that not everyone has the same privileges as we do. For many in the world, armed conflict is a daily occurrence.

In Canada, it isn’t only the armed conflicts of the past that affect us, but also the conflicts of today. Families are affected as Canadians are sent to distant places to uphold the dignity and human rights of others. Families from war-torn countries are affected as they are separated when fleeing from these same conflicts, trying to find a better life for their families and seeking refuge in countries like ours.

It’s important that we don’t forget our collective memory and that we remember the actions of the past and the ongoing efforts that got us, as a country, to this place of stability, safety, and security.

The risk of forgetting the sacrifices made on our collective behalf only separates us further from our veterans and our active military personnel — people who, every day, carry with them the realities of war.

The Royal Canadian Legion works on bridging that separation in the two weeks leading up to Remembrance Day. It is important to remember that the poppy isn’t a symbol that supports war or the politicians who make the decision to engage in conflict. The poppy is a reminder to acknowledge the sacrifice of those who have borne the cost of those decisions — those who have lost their lives as well as those who walk among us today.

The poppy lets the families of soldiers know that we care about the sacrifices that they made and continue to make. It is with these people and their families that we pledge never to forget. It is in honour of them that we will remember the cost of the freedoms and the peace that we enjoy today. It is in remembrance of them that we wear the poppy — lest we forget.

*Applause*

### In recognition of Canadian Podcast Award winners

**Hon. Mr. Mostyn:** This tribute has me conflicted. I am in an awkward place this afternoon, Mr. Speaker. You see, Barry Allen, Ray Palmer, Carter Hall, and a host of others I could name who are — and I mean no disrespect — far better known have secrets. Big secrets — or rather, they did. Allen, of course, is now widely known as “The Flash”; Ray Palmer, “Atom”, and Carter Hall, “Hawkman”. Their secret identities held to protect their friends and family are now well known — a terrible breach of personal privacy. It is a terrible breach.

So, I am conflicted this afternoon because today we are celebrating Reid Vanier and Richard Eden, and I know who they are. “Who?”, you ask. Well, in a moment, you will know and then their secret will be revealed.

Today’s tribute is important. It marks a triumph — their triumph and, by association, our triumph. Discussing this and celebrating it outs them as the principals of — heck. Here we are, and there’s no delaying it now — the dynamic duo are the principals behind *Doctor DC*. That’s right — Reid Vanier is Doctor DC, and Richard is the producer.

*Doctor DC* is a podcast focused on the DC universe or multiverse. Gentlemen, which term do you prefer? Please discuss. This year, *Doctor DC* was named the very best in the

national 4<sup>th</sup> annual Canadian Podcast Awards in the arts category — the very best in the country.

Taking a national award in any field is hard; leading the nation in the dynamic and the fast-evolving field of podcasting is truly an accomplishment. To win that honour from the Yukon, a community of 40,000 people, is remarkable. They were competing against the very best in the country, and that is decidedly not easy.

I know how much time and effort goes into producing content, writing, researching, and then actually recording the episodes. These two gentlemen have more than 264 — as a matter of fact, they told me this afternoon — 270 podcasts under their utility belts, Mr. Speaker, which is incredibly prolific.

Every week, they see thousands of downloads. Listen to it and you'll hear a firm friendship that shares a passion for a specific comic imprint, and they love talking about it. They dive deep into the DC universe, a place where godlike heroes explore their humanity in modern society with that casual, often breezy approach that close friends share. That they make the show so inviting and that they carry the on-mic conversations so easily is a measure of their mastery of the craft of broadcasting.

Mr. Speaker, nothing rocks a media more than folks enjoying what they are doing. It's great to see Yukoners making the territory a leader in the evolving knowledge economy.

So, congratulations to Reid Vanier and Richard Eden. Yes, they really are Doctor DC and the producer. Sorry, gentlemen, but your secret is now out of the bag.

*Applause*

**Ms. Tredger:** Today I rise on behalf of the Yukon NDP and the Yukon Party to pay tribute to Richard Eden and Reid Vanier and their podcast *Doctor DC*. I don't know that I can follow that tribute, but we do want to give you our genuine congratulations.

In 2017, these two friends decided to share their love of DC comics with the world, and *Doctor DC* was born. As mentioned, they have more than 270 episodes, and it continues to inform and entertain Yukoners and listeners around the world.

I also wanted to mention their creation of the Brain Freeze Podcast Network. Through this, Richard and Reid have been supporting comedians from across North America to hone their podcasting skills. This network is home to nine podcasts. One that I'm particularly excited about is *The 'Horse*, a comedic take on life with a northern perspective, hosted by Yukoners Jenny Hamilton and Dan Bushnell. Podcasting has been growing in popularity over the years, and Richard and Reid have been helping to make sure that this is true for Yukon creators as well.

Congratulations to Richard and Reid on their outstanding achievements over the last four years. Their work has been a great benefit to the Yukon arts scene and an absolute pleasure to witness. I can't wait for what these unique creators will bring to the Yukon next.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Silver:** Pursuant to section 8(2) of the *Financial Administration Act*, I have for tabling the Public Accounts for the 2020-21 fiscal year.

**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

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

THAT this House urges the Government of Yukon to:

(1) expand the obstetrics and gynecology program in the Yukon to reduce wait times for gynecology exams in Yukon; and

(2) increase access to obstetrics and gynecology in rural Yukon.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### COVID-19 vaccine booster shots

**Hon. Ms. McPhee:** Thank you, Mr. Speaker.

It is important that our government take the steps needed to stop the spread of COVID-19 and to protect Yukoners across the territory. We know that vaccination remains our best protection against all forms of COVID-19. Although the Yukon's vaccination rates are some of the highest in the country, our territory is not immune to outbreaks. We continue to see schools, gyms, and flights being impacted by cases here in the Yukon and across the country.

We know that the most effective way to reduce the spread and harms of COVID-19 is to have the best vaccine protection possible. The acting chief medical officer of health has provided new recommendations that will better protect the safety of Yukoners and those at higher risk of having severe illness due to the virus.

COVID-19 booster shots will be available to Yukoners aged 50 and older starting on November 1. A booster dose strengthens the immune system response when protection from a primary vaccine series shows signs of waning over time. Booster shots help those who may have a dip in their immune response to once again reach the highest protection from COVID-19. Yukoners aged 50 and older will be eligible for a booster if it has been at least six months since they completed their primary COVID-19 vaccine series, which is two doses.

While priority is being made to Yukoners aged 50 and older, booster clinics may be expanded at a further date to include younger ages once recommended by the National Advisory Committee on Immunization. Clinics will begin in Carcross, Watson Lake, and Whitehorse starting the week of

November 1. Within the next six weeks, all other Yukon communities will have booster shot clinics.

Yukoners can also receive their first or second dose at these clinics. If someone is unsure of the date when they received their last COVID-19 vaccine, the information is available on the COVID-19 wallet-sized vaccination card, but Yukoners can also download their proof-of-vaccination certificate at [www.yukon.ca](http://www.yukon.ca) where they can also find the date of their last received dose.

Mr. Speaker, I would like to mention that we are currently holding flu vaccine clinics across the territory. Yukoners do not need to wait a specific period of time between their seasonal flu vaccine and the COVID-19 vaccine. These vaccines can be provided at the same time. I encourage all Yukoners to get a seasonal flu vaccine and all eligible Yukoners, aged 50 and over, to get a booster shot as well.

Visit [www.yukon.ca](http://www.yukon.ca) or call the COVID info line at 1-877-374-0425 for information on the clinic dates and times. We need to do everything we can to stop the spread of COVID-19, and every Yukoner has a role to play.

**Mr. Cathers:** I am pleased to rise to speak to this, as the Official Opposition critic for Health and Social Services. We support making booster shots available to Yukoners aged 50 and up.

As members will recall, I wrote a letter to the government urging them to make booster shots available for senior citizens, and I have urged them to do that through motions in this Assembly. A few provinces began making COVID-19 booster shots available to seniors earlier this fall, and the NWT is offering boosters to anyone 75 and over.

When we raised this issue again earlier this week, the Province of Saskatchewan had made booster shots available to everyone 65-plus and Alberta was offering those third doses to everyone 75-plus. Members will recall that we urged the government to immediately make third doses available to everyone 65-plus through a motion. We picked 65 and up since, at the time, it was the lowest age at which any province or territory was making third shots of COVID-19 vaccines available to everyone.

However, we are pleased that Yukon health officials have decided to make it available to everyone aged 50 and over, starting November 1, and we support that.

Notably, in Saskatchewan, third shots are also available to individuals living in the far north and those living in First Nation communities, aged 50 and older, so the Yukon is moving to what is in place in northern Saskatchewan for third shot eligibility. In Alberta, third shots are also being offered to First Nations, Métis, and Inuit people aged 65 and older and to all seniors in supportive living.

British Columbia is now making third shots available for seniors 70 and up and to indigenous people 12 and up, from November to the end of December. All of these jurisdictions, as well as other provinces and Nunavut, are also making shots available for other people with specific conditions, such as immunocompromised people and health care providers.

BC yesterday announced that everyone 12 and up will be able to receive a booster shot as of January 1. We urge the Yukon government to follow BC's lead in this area. We would also urge government to make shots available to children five to 11 as soon as that is approved for use in Canada.

When does government anticipate doing this? When will parents who choose to have their children aged five to 11 years old vaccinated have the opportunity to do that? What will be the process for informing parents of this opportunity to have their kids vaccinated, if they so choose, and what steps will be involved? Will parents have to sign a consent letter, and where will those shots be made available?

My colleague, our Education critic, wrote to the minister about eligibility criteria for children, and I would remind her that this letter and mine to her about third doses are both awaiting a reply. I also wrote to her asking that Pfizer be made available on request to adults, and I have not received a reply to that letter either. I encourage her to not only reply to that letter, but to make those shots available on request immediately.

In closing, I want to thank all health care professionals who are making vaccinations available, as well as those doing testing and other parts of the Yukon's pandemic response. We encourage everyone to be vaccinated and to make the personal choice to get a third shot when you are eligible.

**Ms. Blake:** It is good to hear that COVID booster shots will now be made available to those 50 and over, starting next week. We seem to be well ahead of the curve, since only BC has announced making available boosters to the public starting in 2022.

Yukon seniors in the extended care facilities have received their boosters, and we are thankful for that. We know that individuals who are more vulnerable, due to illness or organ transplants, have received their third vaccine.

Despite this good news, I do have some questions and concerns that I am hoping the minister can address in her reply. Yukoners 50 and over will be grateful for the opportunity to begin to get their boosters. Do we know when the younger Yukoners will be able to get theirs too?

Canada is still waiting to approve and start vaccinating children from five to 11. Some parents of children in this age group are more hesitant about vaccinating children this young. We would like to know if this government is considering different ways to share information with parents who might have questions or are more hesitant. What public awareness steps can be taken?

Yukoners and all Canadians are very fortunate to have millions and millions of doses of vaccine available in the country. At the same time, we know that there are countries in this world where they do not have the financial resources or manpower to carry out a vaccination program like we have experienced. In some places, the percentage of vaccination rates are in the single digits. Until more people around the world are vaccinated — especially in those countries without resources — COVID will not disappear.

Canada has been a partner in donating excess vaccines to COVAX. Through the World Health Organization, countries contribute vaccines and money to COVAX to ensure that countries without those resources are able to start vaccine programs for their citizens. It is our hope that Canada continues to support and donate to this program and that this government reaches out to encourage the federal government to continue to do so.

**Hon. Ms. McPhee:** By making COVID-19 boosters available to Yukoners who are 50 and older, we are continuing to follow the advice of the acting chief medical officer of health — something we have always done.

We know that trusting the science is what makes a difference in the fight to slow the spread of this deadly virus and its variants. We have said it so many times, I know, but it bears repeating: Vaccination is our best protection. Vaccines save lives. Vaccines keep us out of hospital. Vaccines safeguard us against serious illness. I should note, in response to some of the comments made, that boosters have been available to immunocompromised Yukoners for some months now, and boosters have been provided to all long-term care residents here in the territory — previous to today.

However, like many vaccines, they do not last forever. There is a growing body of international evidence that shows the waning of the immune response and the COVID-19 vaccine effectiveness over time. This evidence comes from countries that followed the manufacturer-recommended intervals for mRNA vaccines like Moderna and Pfizer. With this in mind, it is crucial that the government make booster shots available, take the steps necessary, and start with those individuals who are more at risk of severe illness from COVID-19. The booster announcement is another protective step and proactive step that we can take to further protect Yukoners.

Mr. Speaker, similar actions are happening in jurisdictions across the country. Earlier this week, the Government of British Columbia announced that it would be inviting priority groups to book a COVID-19 booster shot as it continues its COVID-19 immunization plan. We cannot forget that this is the largest and most complex immunization program that the Yukon Territory has ever delivered. We are living in unprecedented times. We have worked hard to get to where we are today in our response. Our early actions were praised by the chief public health officer of Canada, Dr. Theresa Tam, who said that the Yukon is leading the way. We will continue to protect and respond to the needs of Yukoners. That remains paramount as we forge ahead and adapt to living with COVID-19.

I sincerely thank the first responders, public health nurses, health care and community workers, and the Yukon Communicable Disease Control staff for everything that they have done to help keep Yukoners safe. Thank you to everyone who has stepped up and received their two shots to date. You are protecting not only yourselves, but also your loved ones and the communities at large. I urge everyone who is eligible to get a booster to please do so and to take their flu shot at the same time. It's quite convenient.

Lastly, those who have not yet found their way to being immunized against COVID-19, I urge them to make those considerations and speak to their health care providers if they have questions.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Watson Lake continuing care

**Ms. McLeod:** Mr. Speaker, 527 residents of Watson Lake have signed a petition asking the government to begin planning a continuing care facility for the community. This would ensure that loved ones would not have to move away to Whitehorse when they require care.

Will the Deputy Premier commit to begin planning for this facility immediately?

**Hon. Ms. McPhee:** Long-term care facilities and the ability for Yukoners to age in place and to spend time in their own homes, if possible, or their home communities is, of course, a priority for this government. There are opportunities to do so in some communities, primarily through the concepts of aging in place. We know that seniors who are able to remain in their homes as long as possible thrive, continue to thrive, and enjoy their lives. Having to move into a facility is always a last — or a second — resort for elders and seniors who have told us so in our aging-in-place conversations with them and in our research and consultation with them.

We will continue to implement the recommendations that came forward with respect to that, and we will, as always, take into account every community.

**Ms. McLeod:** This September, a constituent told me that he reached out to the Deputy Premier's office asking her to come to the community to discuss a continuing care facility for Watson Lake, and her office said that she was too busy.

On September 15, I wrote to the Deputy Premier asking to her to go to Watson Lake to hold a public meeting to discuss this issue with the community this fall. That was 43 days ago, Mr. Speaker, and the deputy minister still has not responded to that letter.

Will the Deputy Premier stop ignoring the residents of Watson Lake and visit the community so that discussion and consultation can begin for a continuing care facility in that community?

**Hon. Ms. McPhee:** It won't surprise anyone that I don't agree with the preamble to that question, but what I can say, and what Yukoners deserve to know, is that aging in place is a priority for this government. We have worked on that through our engagement with elders and seniors, and that's what they have explained to us — and the research shows that it is, of course, better for individuals — in addition to the comments and recommendations in *Putting People First*, which also supports that concept.

We have met with many communities. I am puzzled by some of the preamble. I was in Watson Lake during the late summer of this year, and I met a number of individuals on a number of different topics. Nobody is ignoring Watson Lake,

and I would be pleased to discuss this issue with that community.

**Ms. McLeod:** I am not sure if the minister thinks that my constituent was mistaken or that I didn't send a letter that has not been answered. However, it seems obvious that the community of Watson Lake is not a priority for the Deputy Premier or for this Liberal government. The Deputy Premier has ignored the letters and requests to go to the community to discuss a continuing care facility for our community. The 527 residents have signed a petition asking the Deputy Premier to come to our community, meet with us, and begin planning. The signatories to this petition represent 35 percent of the entire community and over 50 percent of voters.

So, will the Deputy Premier commit to travelling to Watson Lake before the end of this Fall Sitting and hold a public meeting with the community to discuss the planning for a continuing care facility in Watson Lake?

**Hon. Ms. McPhee:** Mr. Speaker, I don't hesitate to remind the members opposite that when they were sitting on this side of the House and making decisions, they planned and began building a 300-bed facility in Whitehorse. That is clearly not focusing on aging in place or communities and individuals being permitted and encouraged to have service in their communities.

Back in September 2020, the aging-in-place action plan, which was based on extensive public engagement with more than 1,200 people from across the territory, was released. Its vision is to ensure that all Yukoners, regardless of age, income, and ability, have access to supports that they need to live safe, independent, and comfortable lives in their own home or community for as long as possible. Our government is working collaboratively with our partners, including First Nation governments, municipal and federal governments, the private sector, NGOs, and community groups to implement the recommended actions and achieve our common goals.

#### **Question re: Physician recruitment and retention**

**Mr. Cathers:** There is growing pressure on family medicine in the Yukon, as we have seen clinics close and the walk-in clinic shut down. Family doctors don't yet feel supported by this Liberal government, and there is growing uncertainty about what family medicine in the Yukon will look like, going forward. The government has given up on recruitment of new doctors for several years. They cancelled the physician recruitment officer position within government that was tasked to work with the Yukon Medical Association.

They cancelled the stand-alone Yukon MD website, which used to promote the Yukon as a great place to practise, and thousands of Yukoners now are without a family doctor.

Why isn't the government taking the challenges that face family medicine in the Yukon seriously? Will the Minister of Health and Social Services finally start taking this issue seriously and start working with the YMA to actively recruit family doctors to come to the Yukon?

**Hon. Ms. McPhee:** Again, unfortunately, I think that Yukoners are receiving inaccurate information with respect to the ways in which these questions are formulated; however,

what they do deserve to know is that we are, in fact, working with the Yukon Medical Association and that we do recognize that the recruitment and retention of nurses and physicians is critical to providing the proper patient-centred health care services that are required here in the territory.

Our government is aware of one local clinic that has closed its doors and the effect that this has had on the City of Whitehorse or individuals who live nearby who might have come to that clinic. The pandemic has significantly impacted our ability to recruit nurses, physicians, and other health care providers. This is the case nationally and globally. That is not an excuse; that is a fact. Individuals have made personal choices and we, as always, support the Yukon as a fantastic place to live and work, where individuals can move and support our health care system.

**Mr. Cathers:** Thousands of Yukoners are without a family doctor and the minister dismisses the question.

The minister told us that she is working with the YMA on doctor recruitment, but we haven't seen much evidence of that. Last week, when I asked about this, the minister said — and I quote: "This is not a problem that will be solved." Well, of course it won't be solved if the minister continues to ignore it.

Government used to have a position in her department devoted to physician recruitment and retention, but the Liberals got rid of that position. There used to be a website specifically focused on encouraging doctors to come to the Yukon to practise. The Liberals deleted that site and it redirects to a general department page now. Government used to actively recruit doctors at health symposiums, medical conferences, and medical school graduations, but they stopped doing that. The result has been that there are thousands of Yukoners without a family doctor.

Will the minister reverse the decision of the previous Minister of Health and Social Services and reinstate the physician recruitment officer position and start working closely with the YMA to attract new doctors to the Yukon?

**Hon. Ms. McPhee:** The answer to that question is yes, because that's what we are already doing. We continue to explore options to connect Yukoners to primary health care services. Previously, we initiated in 2019 a "find a doctor" program and we have helped 1,048 Yukoners be matched with a physician here in the territory. Of course, there are still folks on that waiting list, which is why our work continues, expanding access to virtual care alternatives and increasing the number of resident pediatricians, psychiatrists, and surgeons. As we implement *Putting People First*, we will work to hire additional nurse practitioners and we are meeting with the Yukon Medical Association to address the physician recruitment and retention issues. As the members opposite might have heard on the radio this morning, our own Dr. Smart, who is the president of the Canadian Medical Association, is speaking about this issue being a national and international one.

Our government is also moving forward with the creation of a bilingual health centre that will open in early 2022. This primary health care setting in Whitehorse is expected to reduce some pressures. I will continue with the work of the department when I get a chance.

**Mr. Cathers:** Again, there are thousands of Yukoners without a family doctor, and we know the record of the Liberal government on this area. We need more than lip service. We have seen family doctors closing their practices, doctors who are seeking parental leave have been unable to find locums, and there are little to no recruitment efforts by government. So, it was no surprise when the minister said last week — and I quote: “This is not a problem that will be solved.”

We have heard from family doctors that morale is low and it’s very difficult to convince doctors to come here either as locums or permanently. The result of this is that the list of Yukoners without a family doctor is growing by the day. Meanwhile, the minister has given up and said that this is not something that can be solved. When will the minister and this Liberal government start taking the issue seriously, reverse the decision to abandon recruitment efforts, and start working sincerely with the YMA to encourage more family doctors to move here to the Yukon?

**Hon. Ms. McPhee:** I am pleased that the member opposite is bringing up these thoughtful questions that are important to Yukoners, but I do wish he would listen to my answers, because I am agreeing with him. The work is being done. “Little to no recruitment” is a statement that is inaccurate, and I should clarify that the quote that the member opposite is using from me from last week is out of context, because what I was talking about —

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

**Speaker:** Order, please. The member has the floor.

**Hon. Ms. McPhee:** Thank you, Mr. Speaker. What I was talking about was that recruitment and retention of physicians and nurses will be an ongoing activity of the department and an ongoing challenge for Yukoners well into the future. It is not something that will end any time soon.

The department has been exploring options to work with a professional recruiter or a recruiting firm to support physician recruitment as well as exploring opportunities to contact nurse practitioners to serve some existing clinics. Additionally, work is underway to expand access to virtual services and we are working with the YMA, including opportunities for clinics to have extended hours or opportunities for individuals to receive medical care at those clinics, mostly here in Whitehorse.

### Question re: Affordable housing

**Ms. Tredger:** Yesterday in debate, the Minister responsible for the Yukon Housing Corporation said — quote: “... the high cost of living in the territory and the lack of affordable housing leaves many social assistance clients, especially single people living on their own, unable to make ends meet and struggling to make it through each month.” This government’s solution has been to put people in hotels.

Can the Minister of Health and Social Services tell this House how many Yukoners are currently being housed in hotels and at what cost to the government?

**Hon. Mr. Pillai:** I think that, first, I would like to start off by sharing a little bit with the House around what our government is doing to deal with affordability when it comes to housing and then I will leave it to the Minister of Health and

Social Services to talk specifically about the work of Health and Social Services and some of the programs that they are doing to house vulnerable folks.

First of all, looking at it, we know that Yukoners are facing increasing housing prices and this has been discussed at length in the House. Affordable housing, whether renting or owned, costs no more than 30 percent of gross household income. This means that affordable housing looks different for each individual depending on personal circumstances, income levels, and type of housing needs. I think some of the key pieces that Yukoners need to know is, one, that the Yukon Housing Corporation, under the previous minister, negotiated the northern carve-out. The northern carve-out with Canada Mortgage and Housing Corporation puts \$40 million in place. What we are seeing right now is the largest investment in affordable housing in Yukon history. All one has to do is travel to our communities or look at what is happening in Whitehorse. Again, I look forward to sharing more about the many initiatives on affordable housing here with the House today.

**Ms. Tredger:** It’s all very well to hear about projects, but what I asked was about Yukoners living long term in hotels. Because the minister didn’t reply — I’m not actually surprised because we know that this government doesn’t like to share bad news.

As the minister for Yukon Housing Corporation said yesterday — and I quote: “... it is not cost-effective and does not lead to healthier outcomes over the long term to see individuals in hotels. It doesn’t make financial sense.”

Living full time in hotels is not a dignified way to live. What’s more, someone living in a hotel for less than six months has no protections as a tenant, and if they move rooms at six months, it resets the clock. That means that they can be evicted at any time with no notice.

Will the minister commit to closing the loophole that leaves Yukoners living in hotels unprotected from evictions?

**Hon. Ms. McPhee:** I should note that the Department of Health and Social Services works tirelessly to assist individuals either on an emergency basis with support services or as they are looking for housing. The Department of Health and Social Services, along with the Housing Corporation, supports individuals to find and retain housing. Hotels are intended to be short-term assistance with a plan to transition individuals back into market housing — for example, if there is an eviction, as noted in the preamble.

In rare instances, someone who experiences significant or multiple barriers to obtaining and maintaining housing may stay longer in a hotel. We are always working to make this not be the case. Some individuals have become accustomed to residing in certain locations and this is an option that they prefer. We work with individuals to determine how to best serve them.

**Ms. Tredger:** Although we appreciate that the Minister of Health and Social Services told us about housing plans, this was a question for the Minister of Community Services, because there is a very specific loophole. The reason for this loophole is that the *Residential Landlord and Tenant Act* is not being applied to provide to Yukoners who have no choice but

to live in hotels. It states in the act that — quote: “This act does not apply to ... living accommodation occupied as vacation or travel accommodation...”

So, here’s my question for the minister: Does the minister think that Yukoners living full time in hotels are on vacation? If not, why won’t he close the loophole and give these people basic tenant rights?

**Hon. Ms. McPhee:** I know that my colleague will look into the question that has been asked with respect to the particular wording, but I wanted to clarify that, when a client resides in a hotel for six months or longer, they do have rights under the *Residential Landlord and Tenant Act* in such a situation. The notice period for eviction would depend on the tenancy agreement, and it is typically two to three months. The most important information that I can give Yukoners today about this is that social workers offer support to any such individuals or families — in accessing residential tenancies process, if necessary — but more importantly, to find them alternatives to housing that suit their individual circumstances.

#### **Question re: Obstetric and gynecological care**

**Ms. Clarke:** Access to obstetrics and gynecology care is an important component of women’s health. We have heard from both patients and doctors that the OB/GYN program is under a lot of pressure. Patients needing a consult are facing wait times of over a year. The services that are available to women living in rural Yukon are limited.

What is the minister doing to reduce wait times for women needing to access OB/GYN care?

**Hon. Ms. McPhee:** I appreciate the question. I think along the lines of the individual questions that I have had earlier about physician recruitment and retention. It is important to provide services here in the territory to Yukoners so they do not have to travel for such things as well.

OB/GYN and obstetrics services in the communities have always been a challenge, because it is a highly specialized area of medical practice. I can indicate that we have expanded the services that are available here in Whitehorse by retaining new physicians, psychiatrists — as I have noted earlier — surgeons and pediatric medical professionals.

I intend that we will continue to expand the services that are available here in the Yukon. I should also note that, for those individuals who do have to travel outside the territory, we have increased the amounts available for medical travel. We actually doubled it from \$75 a day to \$150 a day.

**Ms. Clarke:** We are concerned about the long wait times for women needing to access the OB/GYN program. OB/GYN care is an important aspect of women’s health. We have also heard that the current program has limited reach to rural Yukon.

What is the minister doing to increase access to this important aspect of women’s health in rural Yukon?

**Hon. Ms. McPhee:** Not to be critical, but I think that is exactly the question I just answered, but I am happy to do so again and provide more information for Yukoners with respect to the services that this government has expanded and continues to expand in order to serve Yukoners better.

One of our services and commitments has been to have a reproductive care plan for Yukoners, primarily women, of course. Our government has committed to supporting Yukoners and creating reproductive care plans. As part of this process, we will be looking to subsidize the cost of fertility treatments and any related medical travel. That is a really significant change, Mr. Speaker. None of these types of services or the covering of medical travel has ever even been considered by Yukon government before.

We are also looking at supporting Yukoners in need to purchase birth control and period products. We recognize that nearly one-quarter of women in the territory struggle to afford menstrual products in Canada, and that is a problem that must be solved.

**Ms. Clarke:** The current OB/GYN program in Yukon is located in the Whitehorse General Hospital and is serviced by two doctors. Relying on only two doctors to run a program like this means that one of them has to be available at all times. This puts incredible pressure on these doctors. We are worried about burnout and the possibility that this structure will drive them away.

Will the minister consider expanding the OB/GYN program to increase services and to ensure the longer term sustainability of the program?

**Hon. Ms. McPhee:** I’m pleased to have the opportunity to rise today to speak about a number of services that are being provided by this government in this area. I can indicate that Yukoners presently have opportunities to attend the Yukon Women’s MidLife Health Clinic, which also supports Yukoners. The Yukon Sexual Health Clinic offers sexual and reproductive health services to all Yukoners, genders, and sexual orientations.

I can also speak at length about the midwifery program that is being introduced and supported by this government. We look forward to the postings being completed to hire new midwives and to working with the Hospital Corporation and the Yukon Medical Association to provide midwifery services for Yukoners, which will address, or possibly address, some of the issues depending on the community need for such services.

That goes along with what I said probably in almost every answer here today, which is that we are dedicated to expanding the specialist services that are here in the territory. We have done so; there is evidence that we have done so. We’ll continue to do so.

#### **Question re: Secure medical unit**

**Mr. Hassard:** So, staff at the Whitehorse General Hospital have been raising red flags about safety to this Liberal government for over two years. This is one of the reasons we need a secure medical unit at the hospital. On March 7, 2019, the Premier stated in his budget speech — and I quote: “This ... Budget also provides \$1 million for a larger secure medical unit at the Whitehorse General Hospital...” The 2019-20 budget document goes on to state that this is for planning. However, on November 3, just about a year ago, the former Minister of Health and Social Services told media that the Liberals had actually delayed that \$1 million in planning to the following

year. So, can the Deputy Premier tell us how much has been spent on planning for the secure medical unit so far, and is this planning complete?

**Hon. Ms. McPhee:** The secure medical unit at the Whitehorse General Hospital is something that, of course, spans not only the health portfolio that I have the privilege of being in charge of, but also touches on the justice elements of that particular portfolio as well. We have been working closely with the Yukon Hospital Corporation. I know that they are expanding some of their engagement to determine what that unit should look like and how it should be operated, who it can serve, and how it can best serve Yukoners.

I also am aware that they are looking at secured-type medical units and psychiatric-type units in other places in Canada. Their research continues and our work with them continues. There is money in this year's budget for that work to continue. I look forward to the opportunity to provide this kind of service for Yukoners who deserve it.

**Mr. Hassard:** It is really unfortunate that the minister can stand here and tell us that it actually falls under two of her portfolios, yet she still doesn't know the answer to the question.

On April 11 of last year, the former Health and Social Services minister said that the current secure medical unit — quote — "... does not meet current client and patient safety standards." The Liberals are aware that the secure medical unit does not meet safety standards and is in dire need of upgrades. However, planning was supposed to be completed on this in 2019. As I stated, the Premier's Budget Address in 2019 claimed that \$1 million would be spent on this project. He was later contradicted by his former minister. In this year's Budget Address, he claimed that \$5.7 million would be spent on the secure medical unit this year.

Can the Deputy Premier confirm if this is for construction, and when will this construction begin?

**Hon. Ms. McPhee:** The secure medical unit at Whitehorse General Hospital is an incredibly important facility. It is an incredibly important evolution of the services that are being offered by Whitehorse General Hospital and — more importantly, in my submission to you — being offered for the services to help Yukoners. The individual budget items are, as noted by the Premier in Committee of the Whole, what are being dedicated this year to that project. As I have said earlier in my answer, research continues, work continues, and construction will begin as soon as possible.

**Mr. Hassard:** This was announced back in 2019. Now, we can listen to the minister tell us how important a project it is, but we still have no answers on where we are in the progress of this particular upgrade.

Can the Deputy Premier confirm the total estimated cost for the planning and construction of the new secure medical unit — what that number is?

**Hon. Ms. McPhee:** The Department of Health and Social Services, community partners, and the Yukon Hospital Corporation continue to work toward a new secure psychiatric unit at the Whitehorse General Hospital. For the past number of years, we have worked with the Yukon Hospital Corporation to plan for a new secure psychiatric unit and further define the

funding requirements. We have also worked closely with the Hospital Corporation and other partners, including psychiatrists, to ensure current psychiatric services at Whitehorse General Hospital are safe and effective. From 2021-22 and 2023-24, funding has been put into the capital budget to build a new unit, with pre-construction tenders to be released in the fall this year and construction anticipated to start in the winter of 2022.

In the 2021-22 main estimates, there is \$5.7 million for this initiative. In addition, the federal government is investing \$10 million in the project through the COVID-19 resilience infrastructure stream of the Investing in Canada infrastructure program. They announced that in August 2021.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** 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*

**Chair (Ms. Blake):** I will now call Committee of the Whole to order.

The matter before Committee is general debate on Vote 51, Community Services, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair:** I will now call Committee of the Whole to order.

### **Bill No. 202: *Second Appropriation Act 2021-22***

**Chair:** The matter before the Committee is general debate on Vote 51, Community Services, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

#### **Department of Community Services**

**Chair:** Is there any general debate?

**Hon. Mr. Mostyn:** This afternoon, I am going to introduce my deputy, Matt. He and Phil are here to help us out this afternoon with questions.

I am sure we will have a vigorous discussion this afternoon. I am happy to add some context and some ideas and some clarity to what the Department of Community Services has been doing over the last year.

We have supplementary estimates this year totalling about \$12,089,000 in the operation and maintenance expenditures. Most of this has to do with flood response and recovery. We have all spoken about this, and I alluded to it in my introductory speech introducing this piece of legislation.

I know that there will be a lot of other issues to discuss this afternoon, and I know that my colleagues here are more than prepared to help me muddle through this afternoon, so I will open up debate with my colleagues from the opposition. I look forward to your questions.

**Ms. McLeod:** I thank the minister for being willing to get right into debate here, and I want to thank the officials from Community Services for joining us here and giving us all a hand.

I want to start this afternoon to have a bit of a discussion about land development. Obviously, that is an item that is very important to a lot of Yukoners, as we have all been hearing about from all of our constituents.

There are obviously new mayors and councils in many communities, and those municipal governments are important partners when it comes to land development. I would like to ask a range of questions about this issue in various communities, but we'll start with Whitehorse.

What is the status of the development at Whistle Bend? Which phases are currently underway? How many lots are currently available? How many are planned over what time period?

**Hon. Mr. Mostyn:** Lot development is absolutely critical to Whitehorse and to the territory as a whole. I have been on a community tour and I have heard this from municipal leaders across the territory. There will be a lot of new faces this fall, but I doubt this issue is going to change.

The territory needs more residential lots and more commercial lots, and it needs more land developed to keep up with our robust economy and to keep up with the demand for labour which is feeding that economic growth that we're seeing because of all the work that is going on in the territory.

I can say that, in 2020-21, 262 Whistle Bend lots and five country residential lots were released and sold in one lottery. There were 779 applications received for 147 single family lots. There were 91 townhouse lots, 11 multi-family lots, and eight commercial lots released. Construction is wrapping up for this building season and the lots have been completed. This will allow for the preparation for release by lottery later this year of 97 Whistle Bend lots, 70 phase 6A lots consisting of 38 single-family and 32 townhouse lots, and 27 commercial lots on Keno Way.

We will also be releasing four single-family lots in the Logan subdivision, right down the street from me, three lots in Mayo, and three in downtown Dawson City.

Whistle Bend phases 7 and 8 and lift station tenders are targeted for release in the fall/winter of 2021-22 — so that's this winter — and phase 9 in early summer 2022. Phase 6B — that's 101 lots — 7A and 8 — 80 to 100 lots are targeted for release in 2022, followed by phase 9 in 2023. When complete, Whistle Bend will include a town square, retail shops, schools, plentiful greenspace, and many kilometres of paved and

unpaved trails. The goal remains, as we pitched it in our platform this last election — we plan to build 1,000 lots in the territory over the next five years; 800 of those will be in the City of Whitehorse and 200 in rural Yukon. That is our goal and we are going to do everything we can to stick to it.

**Ms. McLeod:** Madam Chair, I found that response a little bit confusing in that the minister referenced 262 lots being released in Whistle Bend. I would like some clarification on the breakdown of that. Was that 262 residential lots — and I know that there were some townhouses in there — and eight commercial lots? Then the minister went on to say that there were 97 residential lots and 27 commercial lots — so, if he could just clarify those numbers for me.

**Hon. Mr. Mostyn:** I am happy to clarify for my colleague across the way. In 2020-21 — so that would be last year — 262 Whistle Bend lots and five country residential lots were released and sold in one lottery. We received 779 applications during that lottery. Released in that lottery were 147 single-family lots, 91 townhouse lots, 11 multi-family lots, and eight commercial lots. I hope that helps.

**Ms. McLeod:** Thank you for that. I understand, then, that this was in 2020-21. Was anything released this summer? Is that where the 97 lots come into play? Was that 2021-22?

**Hon. Mr. Mostyn:** As I said earlier, construction is wrapping up for this building season, and the lots have been completed. This will allow for the preparation for release by lottery later this year — so in the next month or two or three — in the next few months. We are going to release 97 Whistle Bend lots this season, 70 phase 6A lots — so phase 6A was the one that we were working on all this summer. It consists of 38 single-family lots, 32 townhouse lots, and 27 commercial lots on Keno Way. That is where the 97 lots come in.

We will also be releasing four single-family lots in Logan, which is also in Whitehorse, three lots in Mayo, and three in downtown Dawson City.

Next year, we are going to continue with the next phases. Phase 6B is another 101 lots. Then we also have 7A and 8, which are 80 and 100 lots, for a grand total of 281 lots targeted for release in 2022.

Then phase 9 is going to be planned and put out to tender in 2023.

**Ms. McLeod:** I thank the minister for his information. I just want to confirm that phase 9 is 2023 and not 2022.

Aside from the lots that are currently under development for Whistle Bend, are there any lots for sale currently in Whitehorse?

**Hon. Mr. Mostyn:** As the member opposite knows, we are in a time of high demand for housing. Currently, all of the over-the-counter lots in Whitehorse are sold. Demand for housing is such that all of the lots have been snapped up, but we will be releasing later this winter the lots that we have developed this year. There are 97, so 97 new lots will be released through lottery in a few months, putting more housing stock into the market for development next year.

We also do have some properties available over the counter in rural Yukon. We have a commercial property available in

Haines Junction. We have seven country residential lots in Mayo.

We currently have two multi-family lots — so to correct myself, two multi-family lots are available in Whistle Bend currently. So, we do have a couple of lots available in Whitehorse.

But that is not a lot. As we know, the economy is drawing a lot of people to the territory. They have discovered us. We have an awful lot of activity here. We are drawing a lot of people to the territory. Currently, there is a shortage, which is why we are producing as many lots as we possibly can to meet demand.

I know that my colleague, my predecessor in this role, set records for the number of lots that he was developing in the territory. He did a masterful job getting a lot of lots out to the public, and we would certainly be in a lot worse shape if he and the department hadn't done that work.

**Ms. McLeod:** Outside of Whistle Bend, are there any areas within the city that have been identified by the department or the City of Whitehorse for development, and is there any plan for a new residential neighbourhood in Whitehorse?

**Hon. Mr. Mostyn:** I can report that I have met with City of Whitehorse officials for a couple months now to discuss the progress on the official community plan and their plans for a new residential development site in the City of Whitehorse. That is a city responsibility. They have been working on a new official community plan. They have a draft plan that has to be considered by the incoming council, which is great news because we really do need to get on with it and find more residential development sites in the City of Whitehorse so we can begin that planning process to make sure there —

We have to try to work very, very closely together to avoid a gap between the completion of Whistle Bend and the actual launch of the next residential development in Whitehorse. That is going to be my goal — working with the new council to make sure that we work very closely, once the official community plan is done, to start planning and working toward that next development in the City of Whitehorse.

**Ms. McLeod:** I am glad that the minister raised the issue of OCPs, and I will get to that in just a minute.

Is the minister aware of any further plans to develop infill lots in Whitehorse on lands that are held by YG?

**Hon. Mr. Mostyn:** I do. As a matter of fact, they have created four — my predecessor did most of the work — infill lots right at the end of my street. That development has been mapped out, and they have done all of the underground work because there was a detour around my subdivision all summer. Those lots are now prepped and will be part of the land lottery coming forward. The infill process is happening on YG lots, and I will consult with my officials to see if there are any more to add to that answer.

**Ms. McLeod:** Now, the minister mentioned that some of these lots were in his neighbourhood. I wonder if he could be a little more specific on that one.

**Hon. Mr. Mostyn:** Thank you very much, Madam Chair, and I appreciate you helping to answer the question.

The four lots will be developed in Whitehorse West, which is a very small neighbourhood just surrounding, really, the French language elementary school — École Émilie Tremblay — bordered by Falcon and Finch. The actual lots are being developed in the Logan subdivision, which is just off of Falcon about 150 yards from the French school — maybe 200 yards. There are four lots being developed on Finch Crescent right down the street from Magpie. So, that's where those four lots are being developed.

Community Services works with the City of Whitehorse on infill lots inside the City of Whitehorse border boundaries. The actual infill is directed by the city's official community plan and by the city council.

Community Services will often serve as the land developer in conjunction with the City of Whitehorse. In this case, the City of Whitehorse identified these four lots and Community Services acted as the developer of the land inside the infill and will continue to do that. The city will identify lots for infill within their official community plan, and the council itself will direct which lots should be developed in the City of Whitehorse and when. They are the ones who hold that, as they should; they are the responsible government and they act on behalf of their citizens. As I have said here, I am here to support the government working on behalf of its citizenry.

**Ms. McLeod:** Of course, one of the big issues facing the business community in Whitehorse is the lack of commercial land. Can the minister tell us what is being done to make more commercial land available within the City of Whitehorse? I recognize that the minister mentioned that there were a number being developed in Whistle Bend, but I guess my question is about what is being developed outside of Whistle Bend.

**Hon. Mr. Mostyn:** Once again, we are developing Whistle Bend. We are leading that charge and that is where we have control over the commercial developments which were laid out by the City of Whitehorse. In other areas of the city, the City of Whitehorse has to lead that commercial development and dictate directly which lands are deemed commercial. Any other commercial development outside of this new development in Whistle Bend has got to be led by the City of Whitehorse. I will listen to their direction and then we will work to deliver on the commercial lots that they identify in new sites around the City of Whitehorse if we can play a role.

**Ms. McLeod:** I want to thank the minister for that clarification. If he can just move on now to have a short discussion about OCPs. The City of Whitehorse is preparing their OCP. What is the normal turnaround time for an OCP to be approved by the minister's office?

**Hon. Mr. Mostyn:** I have been Minister of the Department of Community Services since May — five months. I work very, very hard to get documents that arrive on my desk turned around very, very quickly. I think I have seen one OCP that came through, that landed on my desk, and I passed it off to the department for review. When it comes back from my department, I sign off as soon as possible. I am not an expert in this regard because I am relatively new to the role. I can consult with my colleague to see what an adequate time period is, but from my point, I can say that I will do it as quickly as possible

and I will learn as I go through this role how long it actually takes. Oh, there it is there: 45 days is the turnaround time. Thank you very much to my officials for helping with that answer. We have 45 days to respond to the OCP request once it's submitted.

**Ms. McLeod:** That is good news, of course. As you know, Watson Lake's OCP is in for review right now and so I know that we will all be happy to have that turned around in 45 days.

Since I have mentioned Watson Lake, I have a question regarding the supplementary budget, where rural residential land development is \$8.35 million. In previous discussion this Sitting, various ministers have referenced that some of this money is being spent on lot development in Watson Lake. My understanding is that work has not been tendered and is not likely to be undertaken before the end of this fiscal year, given that we are quickly moving into winter, so could the minister break down that \$8.35 million for me, please?

**Hon. Mr. Mostyn:** Just to follow up on the previous question about 45 days — the city or the municipality submits their plan to Community Services. It usually comes to me and I pass it off to Community Services. Community Services officials will do a compliance check, and if the plan is good and meets the *Municipal Act*, then I sign off on it. That process is set at 45 days. That is just a little bit more clarity on that answer.

Residential and rural land development — the member opposite referenced the mains — \$8.35 million for land development in rural Yukon.

I can report that, at the time when the mains came out, it was slated to have \$4.1 million spent in Haines Junction, \$750,000 in Dawson, \$500,000 in Carmacks, \$750,000 in Watson Lake, \$750,000 in Mayo and Keno, \$1 million in Teslin, and \$500,000 in Faro.

In our supplementary budget, we now have indicated that we are going to spend \$12 million and change on lot development, land development in residential and rural communities. So, the updated list now says that the Alaska Highway north is going to see \$450,000 in land development. Haines Junction is actually going to see \$5.75 million in land development. Dawson is actually going from \$750,000 to \$2.267 million in land development.

In Carmacks, it's going to stay stable at \$500,000. Watson Lake is actually going to see an increase in lot development to \$1.5 million. Mayo and Keno will see a decrease to \$300,000 in lot development. Teslin is actually going up by \$200,000 to \$1.2 million, and Faro and Ross River are actually going to see a decrease in land development to \$100,000.

That is a total change of \$3.7 million, with the largest increases being in Dawson, Watson Lake, Haines Junction, and on the Alaska Highway north.

**Ms. McLeod:** I thank the minister for those numbers. What is behind the increases in those numbers?

**Hon. Mr. Mostyn:** I believe we had a little bit of a gap there. I believe the question was: What's leading to the increased spending? It's more lot development, I guess, is what's happening. We have new projects coming forward. We know how important land development is, and we have actually

managed to advance some projects, so we will see an extra \$450,000 on Alaska Highway north.

**Chair:** Order. Can I please ask that when members are speaking, they speak into the microphone so members can hear?

**Hon. Mr. Mostyn:** Can you hear me? Is that good? I will raise my voice. I am very soft spoken. I am a soft-spoken individual, Madam Chair.

We are going to see an extra \$1.6 million in Haines Junction; another \$1.5 million spent in Dawson City; and in Watson Lake, \$750,000. I know that the member opposite has an interest in Watson Lake and I will get to that in a second. The north end development project is near tender-ready. We have some discussions. North end is one development in Dawson City. We have the Dome Road service residential development. We have industrial mixed-use infill projects in Dawson. Some vacant lots — we have completed assessments of multiple vacant city lots, and we are advancing three for release in this upcoming lottery. Dredge Pond No. 2 country residential — feasibility work has been completed as of September. With a new council in Dawson City, we will be working with it to get some of these projects going.

In Carmacks — Carmacks is staying stable. Those are the residential industrial development projects. We have a five-lot country residential lot for release in the fall of 2021 or the spring of 2022, so that's coming.

In some of the other places — what was the other big one?

Let's get back to Watson Lake, because I know that is an area of interest for the Member for Watson Lake. I had a great tour this spring as part of my community tour. Cam Lockwood took me around and actually showed me the Frances Lake properties in the community. They are apparently tender ready now and will be issued this year. That is the next project happening in Watson Lake. Because of the work that has been done and because they look like they are ready to go, we will be able to increase the development of lots in Watson Lake by doubling it to \$1.5 million from \$750,000. We are working with the Town of Watson Lake on several land development projects, including residential, commercial, and industrial areas. A community development work plan was established with the Town of Watson Lake to identify short-, medium-, and long-term development projects.

Projects include both serviced and unserviced residential development, commercial development, and industrial development. These projects are in various stages of the planning and development process, but, as I said, it is the Frances Avenue project that will be advanced this winter.

**Ms. McLeod:** I thank the minister for that, and I perhaps didn't hear what the minister said before we turned the volume up. One of my questions was: What is the reason for the increase in the budget amounts from the spring to today?

**Hon. Mr. Mostyn:** I guess the short answer is that we have identified and actually advanced a number of land development projects within rural Yukon that have actually come onstream faster than we expected. I know that it has been a priority for our government. We have been pushing pretty hard. Municipalities are responding. We actually have managed

to find another \$3.7 million of land development that could be advanced more quickly than we expected.

Land development is managed as an envelope. This is because land development projects can move more slowly or more quickly, based on a number of factors. The budget increases if more gets done in the season, and it is reduced if delays are experienced. The private sector does 95 percent of all the work under contracts.

We have an envelope. We recover the money that we invest in land development. It is recovered when we sell the lots through lottery. So, if we can get the work done and we have the ability to get it done, we will. In some cases, the contractor — or there will be development issues that will slow a project for whatever reason. We had rain last year. All these things can actually interfere with some of the development we have, perhaps. So, that may slow development and will reduce the budget, but this year, we have had a good year. We have actually managed to increase land development in the territory and that is good news for the people of the territory.

**Ms. McLeod:** Of course, I understand and appreciate the process, and I am happy to hear that some projects moved ahead faster than others. That may be a reason for the increase in that cost, but if we just take a look at Watson Lake, for instance, where no lots hit the market this year and the cost went from \$750,000 this spring to \$1.5 million in the supplementary budget, I am curious why that is.

**Hon. Mr. Mostyn:** I want to be clear that the project costs have not increased. What has increased is the number of lots that we are developing this year. We're actually advancing more lots this year. It's the actual development of the lots that is increasing the budget.

We had planned to spend \$750,000 on land development. That would have produced X number of lots. But, since then, we've actually advanced Frances Avenue. We're actually going to bring — 43 lots are tender ready and will be issued this year. That tender is going to go out. That's going to increase the budget by \$750,000, or a portion of that. That's what is driving the cost — actually getting more lots on to the market, which is important to the community. I heard that when I was down there. They showed me the Frances Avenue development. We drove through there. I got briefed on their water system and saw the lots.

As it turns out, we're actually able to advance that project quicker than we expected, so we're spending an extra \$750,000 to bring those lots to market much faster than we would have. That's what's driving the cost.

**Ms. McLeod:** I want to thank you for those answers on land development. So now, I'm going to want to move to solid waste for a bit.

Now, I have a few general questions that I would like to ask. My first one is about the current status of the Watson Lake regional agreement. How much money is provided to Watson Lake under that agreement? What physical upgrades were paid for by YG to allow for that agreement? Were the same metrics applied to Dawson City?

**Hon. Mr. Mostyn:** I am really glad to have a question on solid waste this afternoon. I didn't know if I would get one,

and I have. I'm very glad to have that this afternoon, so I am going to actually start talking about solid waste while my officials prepare the specific information for Watson Lake.

I think it's important that everybody understand a little bit more of the context around solid-waste management in the Yukon, where it has been and where it is going. I will take this opportunity while we prepare a much more specific answer for my colleague across the aisle to give a little bit of context about solid waste in the territory.

Community Operations manages 16 solid-waste facilities and supports 13 recycling depots and two recycling processors across the Yukon. We are actively implementing the recommendations of the Ministerial Committee on Solid Waste that my good colleague in front of me here helped shepherd in the early days. This committee consists of knowledgeable waste-management practitioners from municipalities and the Government of Yukon.

Sites in the Whitehorse periphery started charging tipping fees on August 1, 2020. This was phase 1 of the recommendations of the solid-waste plan developed by the ministerial committee. The goal is to move toward regional landfills with consistency between operations. That is, everybody pays a portion — a small portion, as a matter of fact — of the waste that they generate in the territory. The goal is to have a fee for service. There will be no more free rides in the territory. People will pay for the waste that they produce — not all of it, of course. It is actually heavily subsidized by the Yukon government and municipalities, but they will pay a small fee for the waste that they produce. That tension of actually having to pay something for the waste you produce will help people think a little bit more about it and reduce the waste that we produce in the territory, because we produce a lot of it. We are closing the loop on free waste disposal in the territory. That is an essential tenet of this, and this is what municipalities asked us to do.

Tipping fees help to ensure that everyone is equally responsible for paying to dispose of waste, encourage waste reduction, and make our facilities more financially and environmentally sustainable. Community Operations is currently in the process of negotiating landfill leases, liability agreements, and regional agreements with municipalities, which will allow us to turn municipal waste facilities into facilities that serve their whole region. I will say here that I have heard nothing but good things about the regional landfill in Watson Lake.

The Government of Yukon is working on banning single-use bags in order to reduce the number of single-use items disposed of in the territory. We are working with the ministerial committee and industry on exploring solutions for recycling in the territory, including extended producer responsibility.

Let me give a little bit more information on the Ministerial Committee on Solid Waste. We are working on improving solid-waste management within the Yukon with our municipal partners and the Association of Yukon Communities through the Ministerial Committee on Solid Waste. The Ministerial Committee on Solid Waste is composed of four representatives

from the communities, four Yukon government officials from the departments of Community Services and Environment, and one from the City of Whitehorse. The group is co-chaired by the Association of Yukon Communities and the Department of Community Services. Committee recommendations to improve the territory's solid-waste management system were fully endorsed by the Government of Yukon.

We are now working on implementing the priorities of the committee. This includes implementing a regionalization strategy to more efficiently concentrate landfill and transfer sites and adopting best practices for our solid-waste facilities. This is important too, Madam Chair: We are adopting best practices that are cutting edge for the territory, but what we are doing is actually implementing a program that is consistent across the country. This is not something that we're inventing on the fly; this is following best practices that the majority, if not all, municipalities across the country are already doing.

We are shifting the cost of waste management from taxpayers to waste generators in exploring how extended producer responsibility could work in the Yukon. Action items will take place in the short, medium, and long term, with the ultimate goal of making Yukon's solid-waste management system more efficient, cost-effective, and sustainable.

To answer some of the questions that I am sure are coming, Community Operations is also committing to supporting waste diversion programs that minimize environmental impacts and the burden on taxpayers while ensuring economic benefits are maximized wherever possible. I saw this recently in Mount Lorne where I toured the Mount Lorne waste management facility. The recycling operation is controlled. The gates are locked when it's closed; when it's open, they have people supervising the site. They have a really good compost system that they are just testing that may be applicable to other communities across the territory, which will again take and produce really good soil that can be used in a host of areas once it's done. I believe that the soil there actually hit 75 degrees, which is more than 25 degrees higher than the point at which pathogens and everything are killed. What they're doing down there is producing some very pure, very good soil for use by residents and other people who may need it.

Stewardship programs like the beverage container regulation and designated materials regulation, where the point-of-sale surcharges pay for a product's eventual disposal, are an effective and sustainable method of waste management, though less efficient than extended producer responsibility.

The branch has turned its efforts toward exploring the viability of implementing extended producer responsibility in Yukon. I'm not going to use the acronym — I hate acronyms — so I will say that extended producer responsibility is a model that gives industry control and management over end-of-life products. The model has been implemented across all provinces as a result of the 2009 extended producer responsibility action plan approved by the Canadian Council of Ministers of the Environment. BC and Ontario currently lead the country in the number of product categories managed under this system. Extended producer responsibility places the onus on industry to manage their products at the end of life. This leads to more

thoughtful manufacturing because it considers the production costs as well as the packaging materials and recycling costs at the end of life. Distance to market has a significant impact on the economics of recycling, so the branch is exercising due diligence in exploring the feasibility of implementing an extended producer responsibility model here in the Yukon.

I have more to say, but I believe that I have some answers here from my officials, so I will endeavour to get those to the member opposite right now. I can go on about garbage all afternoon and I look forward to doing so. There's an awful lot to discuss here, but in the main estimates, Community Services transfers \$273,000 to municipalities, including Watson Lake's and Dawson's regional agreements.

The new agreements will include post-closure liability, peripheral users, and capital upgrades. The dollars there are to be determined. We don't have a lot of detail here on the Watson Lake and Dawson transfer agreements. These are not in the supplementaries, but I can provide that information as a return. I do know that this branch has an awful lot of information at its fingertips, so I will endeavour to produce a much more detailed answer for the member opposite and bring it to the House.

**Ms. McLeod:** Thank you, Madam Chair. So, the minister tells us that there is \$273,000 to assist municipal dumps. Since the government manages 16 waste facilities, is that \$273,000 split over those 16 in some fashion?

**Hon. Mr. Mostyn:** I know that my officials are now looking into this a little bit further to get that information. While they do so, I will continue on this and talk. Actually, it's apropos that we ended there, because I do have some information here on regional planning and user fees which I will bring to the record and for the edification of the House and anybody listening this afternoon.

We are working with municipalities to implement regional solutions to waste management. Regional agreements provide for financial support to municipalities for providing waste management disposal services to unincorporated residents within a regional boundary around the municipality. The amount of support is based on groundwater monitoring costs and the unincorporated population within each region. Regional agreements require best practices to be implemented at each regional facility, including controlled access, attendants who monitor the site activity, and fees implemented for waste disposal. Again, control is everything, Madam Chair. We have seen in the Whitehorse periphery that if we have uncontrolled sites within quite a distance — 50 to 60 kilometres of Whitehorse — residents will drive that distance to dispose of nasty substances to avoid paying a tipping fee or get a restriction based on the ability to get rid of that substance.

Since putting those tipping fees in place and getting phase 1 done, we have not seen a lot of illegal dumping in the surrounding areas of Whitehorse. We have seen a dramatic decrease in the amount of uncontrolled waste going to — well, we haven't got any uncontrolled landfills, so it has been a boom. That requires, though, controlled access, attendants monitoring site activities, and fees implemented for waste disposal.

As we are seeing around Whitehorse, we now have a consistent application. You can't just go and dump stuff for free. You have controlled sites where you have to go through a gate that's monitored. They have regular hours. People are supervised and they pay tipping fees.

The challenges through COVID have slowed engagement in negotiations with municipalities. That has been unfortunate, but progress continues to be made with the Association of Yukon Communities as we work toward this regional model.

I have spoken with every single newly elected or re-elected mayor in the territory. I congratulated them, but we haven't begun deep discussions with them about this solid-waste planning, but I intend to do so as soon as they get their feet underneath them.

I am going to go into landfill closures for a minute. Landfill closures and environmental monitoring work are important components of responsible waste management. For example, groundwater monitoring continues for a minimum of 25 years after a landfill is closed and the final cover is in place. That means that monitoring of these sites has to continue, once they are mothballed, for 25 years minimum.

Community Services has closure plans in place for all sites that have outstanding closure requirements. A risk-based approach to prioritizing potential landfill closures has been developed and will be put in place over the coming years.

A big part of this, as well, is public education. Canadians and Yukoners generate nearly one metric tonne of waste per person per year. Let me say that again, Madam Chair: Canadians and Yukoners generate nearly a metric tonne of waste per person a year. This is among the highest waste produced in the world. We will continue to support Raven Recycling's zero waste campaign. We launched Yukon government's social marketing campaign, "Let's do the heavy lifting", in the fall of 2019. My predecessor did, and he is actually a wealth of knowledge in getting your garbage production down. There are no two ways about it: The guy is a master.

To encourage waste reduction among individuals, phase 2 of the heavy-lifting campaign was released in the fall of 2020. Community Services will continue to inform Yukoners of waste management issues using a variety of tactics, including signage at facilities, targeting messaging for communities, public outreach activities, and online campaigns. When we can, we partner with Zero Waste Yukon, Raven Recycling, and the City of Whitehorse to share waste information with residents.

All Yukoners, both private residents and businesses, share responsibility in waste management and waste diversion. I want to repeat that because that's very, very important to recognize: All Yukoners, both private residents and businesses — yes, including tourism businesses — share responsibility in waste management and waste diversion. We are pleased to be working with businesses and households on our shared responsibility in adopting best practices for solid-waste management. These are practices that we see across the country, and we are now getting on board to do that. We were asked to do that by municipalities, and we are going to follow through on that now.

With that, I can sit down and maybe ask the member opposite to see if I've answered a lot of her questions. I'll do that now and see if she has something that she would like to follow up on.

**Ms. McLeod:** The minister has said — told us in the House that he is close to reaching an agreement with Haines Junction — if the minister could update us on the status of that.

While I appreciate that, yes, we have all gone through elections and there are some new faces around municipal tables, I believe the work is ongoing, regardless of the elected people. If he can just give me an update of what is going on in Haines Junction in that regard.

I'm also interested in regional agreements with Mayo and Carmacks and any other community that is currently under negotiation.

**Hon. Mr. Mostyn:** My colleague on the opposite side of the House is going to get a twofer. I believe that the earlier part of the question — and I did a lot of speaking about solid waste in the territory, recycling, and the whole bit. I really appreciate the House's willingness to hear what I had to say there.

The question was posed, though, about the \$273,000 that was going to Watson Lake and Dawson City. The estimates for the municipalities — \$50,000 of that \$273,000 is going to Watson Lake, and \$75,000 is going to Dawson City, for a total of \$125,000 of the \$273,000. These are the only two regional agreements in place to date. The rest of the money, I believe, will be distributed among the other regional landfills to compensate for waste that may be coming from the surrounding areas. Am I correct in that assertion? Yes, I am. So, that makes up the other \$150,000 that we are talking about.

The Government of Yukon spends, on average, approximately \$3.5 million per year on the Yukon solid-waste facilities and approximately \$4.5 million per year on recycling. Municipalities spend approximately \$4.5 million per year on waste management, including recycling. When we came into office, they approached my colleague and said, "We're spending a lot of money on garbage. We have to do better. Can you please do something?" We struck the committee, and that is the plan that we are now following.

As for the question that the member opposite just posed, we are working with the Association of Yukon Communities. We have a consultant, Dennis Shewfelt, who is fairly highly regarded among municipalities in the territory. Mr. Shewfelt is working with the Association of Yukon Communities to work through various issues, including shared liability, land tenure, and other issues. Right now, we have just gone through municipal elections, as the members opposite know. I have reached out to all elected mayors and municipalities and had opening conversations — really, congratulatory conversations. I will have an introductory session with AYC in early November.

I will be attending that, where I will have probably a little bit more to say and will get better acquainted with our new mayors and councils, and then we will continue to work with them to see what their priorities are. We will continue to work away on municipal waste management because it has always been a priority for municipalities. They are seeing an enormous

increase in the amount that they are processing and they have signalled to us — certainly the last council signalled to us — that it was a priority, and I hope that it continues to be because it is important to this territory that we get this done. So, I will work with them. Once I have a relationship with them, we will start to tackle some of these pressing issues.

**Ms. McLeod:** I thank the minister for that and, of course, inquiring minds want to know: How come there is a difference between the financial arrangement of Dawson City and Watson Lake? Dawson getting \$75,000 and Watson getting \$50,000 — is there a reason for that better negotiation?

**Hon. Mr. Mostyn:** Again, I have heard compliments on Watson Lake's regional landfill and how it is managed, so kudos to the community for that, and Dawson as well.

Again, these communities are ahead of the bell curve when it comes to management of their waste, and I think that they should be lauded for that. These are historic agreements. That is, they reached these agreements with the Yukon government ahead of other municipalities. So, they are, as I said, ahead of the bell curve. They realized earlier that this was important and they did this. These payments that they are receiving currently were agreements to deal with the peripheries of their communities. It is based on population and real-world costs, so Dawson is getting more money because they have more pressure from outside of their municipal boundaries on their regional landfill — they get more money. I have eminent confidence in the people of Watson Lake to strike a hard bargain, so I have no doubt that they are hard negotiators — as hard as Watson Lake. I think that these are real costs — meant to compensate these two municipalities for the amount of garbage that they are collecting — waste that they are receiving from the periphery of their communities. That is not to say that we are not willing to negotiate. As we do these new regional agreements with other municipalities, I am sure that we will take a good hard look and deal with the bare-knuckle negotiating skills of the people in Watson Lake and Dawson City to strike a fair deal for all. So, that is where we are at right now.

**Ms. McLeod:** I thank the minister for that, Madam Chair.

I have a couple of questions about recycling. What is the current status of diversion credits, and how much is provided?

**Hon. Mr. Mostyn:** On this answer, I am going to be uncharacteristically brief. The City of Whitehorse maintains a diversion credit cap of \$150,000 per year, and most municipalities contribute to local recycling through staff, time, or direct contributions — or both. Government of Yukon provides \$750,000 to \$850,000 for diversion credits to recycling processors. The figure that I believe the member opposite is looking for is — between \$750,000 and \$850,000 is spent by the Yukon government for diversion credits to recycling processors.

**Ms. McLeod:** Are we still paying to have all of our recyclables transported to Whitehorse from rural Yukon?

**Hon. Mr. Mostyn:** My deputy, Mr. King, has just added to my previous answer. I will say that, under the beverage container regulations that set out the amount of money that goes

to communities or to Whitehorse based on the volume of beverage recycling that they produce — we're talking about the \$850,000 number that I gave in the last answer — it will be bolstered by the beverage container regulation. They will send those recyclable bottles into Whitehorse to be compensated based on the volume that they submit.

Recycling in communities is brought into Whitehorse to be processed by the major processors here in this city. That is how it works. The recycling comes from rural municipalities into Whitehorse, and that prevents municipalities, which have a much lower volume of recyclables, having to handle their own. It really is an efficiency to have all of that material coming into Whitehorse for bulk management here in Whitehorse.

**Ms. McLeod:** If I could just flip back to diversion credits, because I am looking at my notes and I wrote \$150,000 per year. I might have got that wrong, though. Is that \$150,000 per tonne that is the cost for this diversion credit? Then, if the government has budgeted \$750,000 to \$850,000 per year for the processors, is that the budgeted amount or is that what was paid out? How is that calculated this year?

**Hon. Mr. Mostyn:** In an attempt to provide some context and a little bit more information for the member opposite, let me go through a little bit more information about extended producer responsibility and the *Designated Materials Regulation*.

The beverage container regulation sets the surcharges that are collected on ready-to-drink beverages at the time of purchase. The amount that is returned is refunded when an item is taken to a licensed recycling depot in the Yukon. So, when I go and buy a can of Coke, I am charged a surcharge, and when that empty can is brought into a recycling centre, you get the refund, and then the difference between the surcharge and the refund is deposited into the recycling fund.

The *Designated Materials Regulation* sets the amount of surcharge that is collected on tires and electronic waste at the time of purchase, where the full amount is deposited into the recycling fund to pay for the item to be sent for recycling. When you buy a tire, the entire *Designated Materials Regulation* surcharge is put into the recycling fund and that helps to pay for the recycling at the tail end.

The recycling fund is administered by Community Services and is used for recycling and waste-diversion activities. Extended producer responsibility is a waste management policy that shifts the responsibility for end-of-life management of product and packaging waste from municipalities, government, and taxpayers to the producers and the consumers.

Extended producer responsibility has been in place for many consumer items in all provinces since 2015. Amendments to the *Designated Materials Regulation* were implemented on October 1, 2018. The amendments set up new surcharges on an expanded product list, including tires sold in the Yukon up to 39 inches, as well as a number of electronics such as computers, TVs, cellphones, microwaves, vacuums, hair appliances, et cetera. The charges mean that tipping fees for designated materials are not charged at any solid-waste facility or

recycling depot. So, when you take your hair dryer to the dump, you don't get charged a tipping fee.

The Association of Yukon Communities and municipalities are looking to the Yukon government to continue to fund recycling of non-refundables, to explore extended producer responsibility, and/or to expand the list of products on the *Designated Materials Regulation* — a recommendation that stemmed from the Ministerial Committee on Solid Waste report that was tabled in April 2018.

The Yukon government is committed to diversion credit payments to local recycling processors — Raven Recycling and P&M Recycling — in the short term. The Yukon government also makes full diversion credit payments to processors for the recyclable materials coming from communities and shares costs with the City of Whitehorse for materials originating in the city. The City of Whitehorse maintains a diversion credit cap of \$150,000 per year, and most municipalities contribute to local recycling through staff time or direct contributions and sometimes both. The Government of Yukon provides \$750,000 to \$850,000 for diversion credits to recycling processors, so that actually goes to the two recycling processors in the City of Whitehorse.

**Ms. McLeod:** So, staying on recycling then, does Yukon process any of the recycling materials itself, or does everything get shipped out? Is there ever a question on whether or not the environmental footprint of transporting recycling around the territory and then shipping it outside of the territory — does it ever outweigh the environmental argument for recycling them?

**Hon. Mr. Mostyn:** We rely on local processors to develop and maintain relationships with southern processing facilities where they ship their recycling goods to be dealt with.

The member opposite was quite succinct. Is it better to funnel the recycling from rural Yukon into central processing units in the City of Whitehorse, compile all that recycling, and then ship it down to southern destinations? Is that more environmentally beneficial than the alternative — whatever that might be — dumping it in a pit in somebody's backyard or just burying it in the Klondike or in Watson Lake? We did a study on that issue within Community Services, and the results of that study say that the environmental benefits outweigh the liabilities in the way that we are processing waste. So, it is actually better for the environment to funnel all the waste into Whitehorse, process it, and then ship it south than the alternatives. That study was done by Morrison Hershfield. We can actually share that report if members opposite are interested. I think that it would probably be of educational value to the House.

**Ms. McLeod:** I thank the minister for that. It is actually a question that I get several times a week — about the way that recycling is done in the Yukon.

I am going to move on now to transfer stations. Of course, we know that the closing of transfer stations is a very painful process for the citizens. The minister has talked about meeting with the communities around the Yukon, so has the minister met with the citizens of Braeburn, Keno City, or Johnsons Crossing, and if not, is he planning to do so?

**Hon. Mr. Mostyn:** I can answer the question right off the bat. So, there are three communities — I have met with Keno, as has my predecessor. I have not yet met with Johnsons Crossing. I am in almost weekly contact with the mayor of Teslin. I have not yet done my community tour to Teslin. I am trying to set that up and we will, at a mutually agreeable time, have my community tour in Teslin, at which time, I will meet with the people of Johnsons Crossing.

I met with Keno. I met with Destruction Bay, as we all know. I have not yet met with Braeburn and I have not yet met with Johnsons Crossing, but I will meet with Johnsons Crossing residents on my tour of Teslin.

When it comes to the issue of transfer stations — and I've read into the record and answered some of the background, but I will continue on this. My colleague has met twice with Johnsons Crossing on this issue. I have not yet, but my colleague has.

We are modernizing and improving the territory's solid-waste management system to ensure our practices follow sustainable and nationally recognized standards in solid-waste management. We are committed to raising the standards at transfer stations and landfills across the Yukon. This means that all sites must have gates and facility open hours, attendance monitoring of what comes in and directing customers where things go, and charging similar tipping fees.

Currently, managing garbage and recycling costs Yukoners more than \$12 million every year. I've said this before on this floor. We are working to manage these escalating costs and reduce environmental risks. A metric tonne per individual in the territory is far too much, Madam Chair. We're working to reduce the amount of garbage that each individual in this territory creates.

I have recognized in public meetings and elsewhere and before councils in other municipalities that this initiative will mean changes to how some rural Yukoners manage their garbage and recycling. I understand how frustrating it must be for some people to have government make these changes. I have also pledged here on the floor of the House, and will do so again, to work with rural Yukoners to help them manage the transition to environmentally safe handling of waste in rural Yukon. I look forward to opportunities to discuss how we can support them through this period of change.

While every community will have different needs and realities, the transition could include things like provision of bear-proof garbage bins for cabins and residents, electric fencing, perhaps a trailer gifted to the community association where they exist to make it easier to organize the haul of waste from their community to a local regional landfill where tipping fees will be paid and the garbage monitored and compost bins to reduce waste. This is what many Yukoners have to do now already, whether they live at remote wilderness lodge areas, like Wolf Creek or Mary Lake, or other rural areas.

Residents need to safely store their garbage until they can arrange to take it to the nearest landfill. We cannot have a transfer facility in every neighbourhood. We all need to manage our waste as we best we can and make plans to haul it to the nearest waste-management site when convenient. The territory

has more waste-management facilities per capita than anywhere else in the country. We are working very hard to close four very, very small regional transfer stations to make sure that there are no openings where people can try to dodge tipping fees or dump noxious substances like waste oil or chemicals without any supervision.

That's the plan. In all these locations, there are regional landfills within a reasonable distance of those communities. We are asking all Yukoners to do their part to start managing and pay for some of the cost of the waste they are producing. We are going to continue to work with municipalities and with rural Yukoners to make that transition as easy as possible.

**Chair:** It being 3:45 p.m., 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 (Ms. Tredger):** I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Vote 51, Community Services, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any further general debate?

**Ms. McLeod:** I am going to move on from waste issues for the moment. I have some questions for the minister about the regulations regarding physiotherapists in the territory.

Pre-COVID, physiotherapists were licensed by the department after completing two parts of an evaluation under the Canadian Alliance of Physiotherapy Regulators. Those two parts were a written component and a practical component which came in the form of a clinical exam. That clinical exam is a hands-on, in-person examination. For interim physiotherapists in Yukon, it meant travelling outside of the Yukon to complete the clinical exam in another jurisdiction. Unfortunately, since COVID, those in-person, practical components have all been cancelled by the national body, the CAPR.

The CAPR has been urging jurisdictions to complete their own province- or territory-specific exam. For instance, BC is looking at developing their own, in conjunction with the physiotherapy program at UBC. Other smaller jurisdictions like PEI and Manitoba have adopted assessments of clinical performance that can be done under a licensed physiotherapist in the workplace.

What this means here in Yukon is that physiotherapists aren't currently able to complete their licensing. We are aware of at least one person employed here — and I believe that person is at the hospital — who is caught in this limbo.

Will the minister ask his department to look at adopting a licensing model similar to PEI or Manitoba that allows for a clinical performance assessment at the workplace under supervision of a licensed physiotherapist? Furthermore, will the minister do this in consultation with the physiotherapists association here in Yukon?

**Hon. Mr. Mostyn:** I am going to begin this afternoon — as I did with recycling and solid waste. I am going to provide a little bit of background context for the Professional Licensing and Regulatory Affairs branch within Community Services. The Professional Licensing and Regulatory Affairs branch protects the public by regulating professions through licensing professionals and professional corporations, providing standards and reviewing competencies where allowed, and managing complaints and discipline related to professional conduct. The branch works on development and amendments of legislation, regulations, and standards of practice by profession. The director acts as the registrar or superintendent for the professions it regulates.

The branch regulates and licenses 12 health professions in Yukon: licensed practical nurses, registered psychiatric nurses, midwives, pharmacists, rural permit holders, physiotherapists — as mentioned by the member opposite — optometrists, chiropractors, dental therapists, dental hygienists, dentists, and denturists. In conjunction with the Yukon Medical Council, the branch also licenses physicians. The branch regulates 11 other professions: insurance agents, salespeople, adjusters, brokers, collection agency employees, real estate salespeople, private investigators, security guards, funeral directors, pawnbrokers, and second-hand dealers. The branch regulates eight types of corporations, insurance companies, and exchanges, medical practice corporations, pharmacist corporations, dental corporations, physiotherapist corporations, collection agencies, real estate agencies, and security agencies. The branch is responsible for licensing charitable gaming, issuing licences to eligible charitable organizations seeking to hold raffles, bingos, and progressive lotteries, such as Chase the Ace and casino-type events. It also licenses Diamond Tooth Gertie's in Dawson City. I'm going to ask my officials to let me know how many staff we have in that branch, so if I can just get that information, please.

The Professional Licensing and Regulatory Affairs branch expects to license more than 5,700 professionals and 275 professional corporations in 2021-22. Let me say that again: The Professional Licensing and Regulatory Affairs branch expects to license more than 5,700 professionals and 275 professional corporations in this fiscal year.

The branch also expects to issue 50 charitable gaming licences this year. With the start of the COVID-19 pandemic, the branch responded with temporary regulatory changes for pharmacists and physicians to ensure that Yukoners could continue to receive health services safely and so that professionals could continue to be eligible for licensure.

The changes were put in place to support effective and efficient health care during the civil emergency. However, with the repeal of CEMA, these temporary regulation changes are no longer in place effective September 25 of this year.

The branch has begun work to revise the *Health Professions Act* to improve how we regulate health care service professionals. This important work will support professional regulation overall and, in turn, Yukon's overall health care system.

The branch has standardized and updated more than 110 forms and webpages. The branch is now working to establish an online registration and licensing system. This is a two-and-a-half-year project that is expected to reduce red tape and introduce many efficiencies for the branch.

I can start there. There is much more to say about Professional Licensing and Regulatory Affairs. I'm sure I will have an opportunity to go into this in more detail.

The member opposite has asked about physiotherapists. I too have been in touch with physiotherapists, especially the individual who has fallen through the cracks because of the COVID-19 pandemic. I will say that it is unfortunate that the Canadian Alliance of Physiotherapy Regulators has not delivered the exam through the pandemic and our staff will continue to emphasize to them the importance of finding ways to deliver this in smaller jurisdictions like the Yukon.

Unlike larger jurisdictions, the Professional Licensing and Regulatory Affairs branch has limited capacity to develop alternative competency exams for the range of health professionals, as you have just heard, and for the most part does rely on national bodies and other provincial regulators to ensure licensing and entry to practice. To enable a Yukon-based exam would also require legislative changes. This is a lengthy process and the timelines would not address or resolve the situation the individual finds themselves in today.

In the short term, we are looking for solutions, including whether to possibly arrange for the Canadian Alliance of Physiotherapy Regulators competency exam to be administered in the Yukon or to allow someone local to administer it on their behalf. We are looking at all options to address this in the short term, if the exam continues to be unavailable.

I guess, to finalize this, in the long term, our intention is to make legislative changes needed to improve the regulation of health professions and to address issues. As I said, we are working on that. It's a year-long process to do it properly, to do all the consultations and actually draft that type of legislation. It's particularly difficult, because we are a small jurisdiction with very limited staff. We are registering and monitoring thousands of professionals and hundreds of organizations. The territory is really at an awkward stage. We're too big to be little and too little to be big. We are sort of in that between stage.

We are currently working with that individual and we will continue to do that. We are looking at how to better look after physiotherapists in the territory. I am very grateful that this individual came forward with her concern. It is certainly a problem and one we are working to fix.

**Ms. McLeod:** While the minister is having his colleagues look up how many employees there are within the department, I am particularly interested to know how many new employees were taken on in 2020-21.

The second issue I would like to raise on this topic is that of the Physiotherapists Advisory Committee. Can the minister confirm that this committee is not currently populated with members, and will the minister commit to moving quickly to appoint this committee so that this committee can provide advice on these types of regulatory issues here in the Yukon?

**Hon. Mr. Mostyn:** In Professional Licensing and Regulatory Affairs, we have 10 FTEs — one admin person, three licensing and intake officers, one policy program manager, three regulatory affairs officers, one director, and one board and committee coordinator. The size of the staff has not increased. As a matter of fact, because we are doing the *Health Professions Act* review, that has actually removed a resource out of this office who is currently working on the policy and legislative work to make sure that we update the act, which is part of the mandate letter that I received from the Premier. So, those 10 FTEs, including the one who is currently doing the act review, are handling the licensing of more than 5,700 professionals and 275 professional corporations.

They are doing an amazing job with the workload that the branch has. I really have to take a second to commend them for everything that they are doing under extraordinary pressure, which is only greater during COVID.

That, I think, answers the question. The other question that the member opposite had — I am going to come back to the FTE issue. We are constantly talking about FTEs and how many more we are going to get. We see the demand for services in this territory increasing exponentially throughout the territory and the community. The work doesn't get done through osmosis. It needs real folks to put their minds to it. I really have to say that the civil service works so very efficiently with the resources that they have. I really have to commend the folks working for government who have been doing extraordinary work on behalf of the citizens of the territory through extraordinary times.

I finally want to say, as far as the committee goes — physiotherapists. We already have made one appointment to that board. The second one is in process. I realize how important it is to have these committees working and advising my office and, of course, the government, so we are working to fill all vacancies in the committees that we have. We have taken active strides, and that work has already started. I believe that we have a chair for the committee now, and there are other people coming through the pike to be appointed. We are just doing the processing of the applications right now.

**Ms. McLeod:** I thank the minister for that. I am going to turn now to other professional licensing.

Of course, the minister outlined the number of very important professions that are covered by this department, but I want to have a bit of a discussion about pharmacies and pharmacists.

Can the minister provide us with an update of the development of pharmacy regulations? During the pandemic, the pharmacist regulation under the *Medical Profession Act* was somewhat changed through an emergency order, and pharmacists saw their scope of practice change. They were allowed to extend prescriptions, prescribe narcotics, and prescribe for minor ailments, as well as a few other changes. Now that the emergency order has been rescinded, pharmacists have lost some of that scope.

Is the minister willing to consider permanent changes to allow that broadened scope of practice for pharmacists?

**Hon. Mr. Mostyn:** I thank the member opposite for the question; it is a good one. We really do have to look at all of our medical professionals and how they are operating. In many cases, they are operating under regulations and rules that are antiquated and woefully out of date.

We are working to regulate pharmacies in the Yukon. So far, we have completed changes to the *Health Professions Act*, revisions to the *Pharmacy and Drug Act* and the *Pharmacists Regulation*, which was adopted in May 2019. The branch has since worked with the Pharmacy Advisory Committee to implement the new requirements, including finalizing standards and educating professions on the changes in establishing a jurisprudence exam. The team is now working to develop and implement a new set of pharmacy regulations guided by feedback already received from the sector. The policy work is well underway, and the department is working closely with an expert in the pharmacy field to advance this project to completion. Regulations will introduce clear standards for pharmacies and rural dispensaries that will support them in providing safe and quality services.

I want to add that we are grateful for the input of all health professionals who contributed to this project over the years, but I want to particularly thank the Yukon Pharmacists Association and the Pharmacy Advisory Committee for their invaluable contributions to this project, as well as rural permit holders in Watson Lake and Dawson City for their input.

We appreciate the efforts of our staff and pharmacists who advanced this project. Revisions to the *Health Professions Act* and the *Pharmacy and Drug Act* are complete, as is the *Pharmacists Regulation*.

The department has worked with the Pharmacy Advisory Committee to implement the new requirements, including finalizing standards, educating professionals on the new requirements, and establishing a jurisprudence exam, as I said earlier. The final phase of this long-term project is underway, and we look forward to concluding the standards of operation and regulation for pharmacies in the year ahead.

I will also say, though, that the scope-of-practice changes that some professions are asking for — we want to improve these things, but often they are not particularly easy to implement. They require regulatory or legislative changes. As we work through fixing the *Health Professions Act*, we would prefer to sort of funnel them into that process, which is underway and we hope that it will be concluded in a few years.

On a case-by-case basis, things pop up and maybe we can't wait. We are certainly willing to entertain and work toward some imaginative solutions to try to solve the problem, as we are doing, as I said earlier, with the physiotherapist issue that we recently received.

That's what I will say here this afternoon, and I look forward to the next question from my colleague opposite.

**Ms. McLeod:** If I understand the minister correctly, he is in favour of continuing the extended scope for pharmacists. I require nothing else if I am correct on that.

Just a question — my time is running short, and I am looking forward to Community Services being recalled to the Legislature for further debate.

I have a question about midwives. I know that this probably straddles two departments, being Community Services and Health and Social Services, but can the Minister of Community Services give us an update on midwifery from his department's point of view? I am looking for what the status of the regulatory development is. How have those consultations been going, and who is the lead on this file? Is it Health and Social Services or is it Community Services?

Thank you, and I want to thank the officials for being here today.

**Hon. Mr. Mostyn:** I thank the member opposite for the question this morning — afternoon. It feels like morning, but it is actually afternoon.

The branch has been working with the Department of Health and Social Services on regulating funding and integrating midwifery services into Yukon's health care system. On April 15, 2021, the midwifery regulation was brought into force, which was a key milestone in this initiative and the culmination of several years of collaborative work with the Department of Health and Social Services and external partners.

I will say — the good folks in the department have prepared some notes for me — that it is a culmination of several years of collaborative work, but I have to note that this has been an issue in the territory for darn near 30 years at least.

I was working in the media, and the midwifery issue was a hot topic in 1991. So, to have it actually come to fruition to be in the regulations stage and actually being implemented is really gratifying for me to be a part of, because it has been a long time coming.

Licensed midwives will be able to practise as they do elsewhere in Canada, supporting clients through pregnancy, birth, and the postpartum period. The branch developed licensing materials and processes and is prepared for licensing the first midwifery applicant. Our government, of course — which is to say that we remain committed to moving forward with the integration of funded and regulated midwifery services into Yukon's health care system. We continue to work toward launching the midwifery program this fall.

Successful implementation of midwifery takes the support of all our health care partners, First Nations, and individuals with lived experience, and we are pleased to be working with them to support this work. Our implementation plan for regulated and funded midwifery services is based on the recommendations of local and national experts, significant research, and feedback from the engagement processes that have been completed over the last few years.

So, we expect to be hiring the first registered midwives this fall to support a late fall launch of services. We are working closely with the Yukon Hospital Corporation to ensure that, whether registered midwives are providing services in a home or in the hospital, they are able work to their full scope of practice. Right now, Yukoners can get a referral to a midwife in another province or territory. The service is insured by our health care plan but not currently provided in the territory. Yukoners can access midwifery services for up to 28 days before the birth and for seven days after.

I have one little piece of information. Just to be clear, as I alluded to in my earlier remarks, as far as this is concerned, the branch has been working with the Department of Health and Social Services, which is to say that Health and Social Services is the lead on the implementation of the regulations. The regulations are complete. The regulations took force on April 15, 2021. I hope that answers my colleague's question.

**Ms. White:** I thank my colleague for Watson Lake. There are so many things to follow up on after those questions.

The first thing that I want to do, though, is go back to waste, specifically around the Destruction Bay area. In those meetings — when we talk about closing down those transfer facilities — so we are talking Silver City, Keno, Johnsons Crossing, and Destruction Bay — have any residents in those areas made suggestions about workarounds as far as closing down the transfer facilities?

**Hon. Mr. Mostyn:** I don't know if my colleague was in the House when I gave my earlier remarks, but we are not talking about Destruction Bay closing. There is actually a regional transfer station in very close proximity to Destruction Bay. It is in Burwash, but it's very close. I drove by it and had a look at it when I was up that way.

The transfer station being closed is at Silver City. I did the math — I don't have it before me now, but in round numbers, it is 50 to 60 kilometres from the regional transfer station, which is in line with the controlling of the dumpsite within the vicinity of Whitehorse.

The reason that we are doing this is to close a hole. The regional land use plan, phase 1, that was implemented within Whitehorse was to make sure that we had security, supervision, and a standardized tipping fee within all of the regional landfills, so we began to collect a little bit of money from local garbage producers. The same applies in rural Yukon.

As I said, we have more landfills, more waste facilities, in the territory per capita than anywhere else in the country, and we have four in particular — and they are Braeburn, Keno, Silver City, and Johnsons Crossing. Those four sites are slated for closure because we just cannot supervise the sites properly.

I have heard suggestions. I have heard suggestions from residents: "Well, just give us the keys and we'll manage it ourselves." I hear that. I mean, on some surface, I understand what they are saying, but that doesn't address the situation of a tipping fee. If you have an uncontrolled dump, or waste management facility, that you can then drive to with your key and open up and then chuck whatever it is in there without any supervision, it really undermines the whole purpose of the plan, which is to have a consistent approach to waste management throughout the territory where you actually go to a controlled facility, pay a tipping fee — the same sort of tipping fee that you would pay in Haines Junction, in Dawson City, in Watson Lake, and in Whitehorse. I think that this is something that has to be addressed.

The other issue is that, when you have an uncontrolled site and somebody has gone and changed the oil in their car, and they know that they can't go to the controlled site because the tipping supervisor, the dump supervisor, is going to say, "You are going to be charged" or "You can't bring this in this week"

— they are going to go to the uncontrolled site, and they will just throw it in the bins that are there and make use of it.

I did hear that suggestion, and I heard other suggestions from people up in that vicinity — I had phone calls with individuals who were running operations. They were concerned about bears. As I said in my earlier answer, we are prepared to bring in bear-proof containers for them to contain their garbage. We can work with Environment to get electric fencing erected in these places. In some areas where they have a community association, we can work with them perhaps. These are ideas that the department has formulated — to perhaps donate a trailer so that, as a community, they can actually bring garbage in communally. I just heard from Alexco in Keno, and they are anxious to sit down with me in the coming days to actually talk about local solutions to the Keno transfer station and fire delivery systems. That is the type of synergy that we are looking for as we try to solve the problems in these remote Yukon communities.

I am open and my officials are open to hearing these concerns and working with the communities as they transition to a new system that is in place across the country that actually puts a price on the garbage we are producing. As I said, we are producing an awful lot of garbage as a society — more than ever before. The municipalities have come to us and said, "We really need you to address this problem." We have been in negotiations with the municipalities to solve these problems. We have Dennis Shewfelt as an advisor to help shepherd us through the remaining issues with municipalities.

As the new city councils and municipal councils across the territory are sworn in and start to get their legs underneath them, we are going to resume these conversations so that we can actually finalize phase 2 of this plan and get a controlled system that is fair to all Yukon citizens and puts a price on the garbage that we produce so that we start to reduce the production of garbage. That is really the goal.

**Ms. White:** It's a relief to hear the minister talk about Keno and Alexco because, in the multiple times that I have been to Keno in the last 18 months, it has always been brought up. They were always wondering why the conversation hadn't happened there, so it's good to know that it is on its way.

There have been concerns raised in Destruction Bay, understanding that there is a gas station there and that it is one of the spots where people on the highway drop their garbage. The owner of the Talbot Arm Motel says, "When this traffic travels the Alaska Highway via Whitehorse the impact of the garbage is spread over the whole town. By the time they get here the traffic gets funneled down and all their garbage is dumped here at my place, the Talbot Arm Motel. I collect up to eight giant bags of garbage per day in the summertime at my pumps. I pay for the bags and I pay for the staff to maintain these bins daily." What is she expected to do with it?

The point that is being raised is: Has government thought about those unintended consequences? If a business like the Talbot Arm Motel is collecting that waste right now because they have the bins out, what is the Yukon government going to do to make sure that bins are available?

When those bins are available — making sure that there is a plan for the summer — has the minister thought about unintended consequences of closing some of these stations?

**Hon. Mr. Mostyn:** I appreciate the question from my colleague across the aisle. I'm very glad that we're discussing it this afternoon in a casual sort of conversational way. It's important that we do so.

In my last answer, perhaps it was not clear. So, let me continue.

The regional facility at Destruction Bay is not closing. There is no change. If the Talbot Arm has garbage containers, they can continue to take it to the regional facility that exists there; it exists. It's like, I don't know — the Member for Kluane may know the distance. It didn't seem like any more than 10 minutes away from the Talbot Arm when I drove it, but time may have warped. It's like right there in Burwash — it's right there. It's not closing. As a matter of fact, it is being improved through this regionalization plan.

We're going to have recycling capabilities at this site. We're going to have potential stuff for organic waste. The only difference is going to be that the dump, within very close proximity to the Talbot Arm Motel, is now going to be controlled. It will have a gate and it will have a supervisor. It will have tipping fees. When you bring your garbage to the site, you will have to pay tipping fees just like tourism operators here in Whitehorse have to pay tipping fees. It's fair. It will be a controlled site that tourism operators can use to bring their garbage, just like they do today. They will just have to pay a small fee. It's certainly not the full cost of garbage that is being produced by the tourists or by the business itself. It's somewhere between 10 and 20 percent of the cost of the production of garbage. This is the whole point.

The transfer station at Silver City is being closed, but the regional facility in Burwash is going to remain open. As a matter of fact, it is going to be improved and better managed for the benefit of all. I had conversations with people in the community of Destruction Bay when I was up there. I have had subsequent conversations with people who have reached out to me following that. In a respectful manner, I am following that and I really appreciate the input that they have given about how to control bears and those types of things. We are working within the department on how to ease the transition in this realm.

The thought of having an uncontrolled site where anybody can dump whatever they want in those bins is just not the approach that we are taking in the territory anymore. That, I hope, answers my colleague's questions this afternoon.

**Ms. White:** I appreciate the correction, but I still don't think that it actually addresses the issue. The example of a highway business that is doing what they suggest is the work of government — they go on to say that, in the springtime, they pay children to collect the garbage out of the ditches. I guess my point is that I hope that other things are being looked at. When we look toward Johnsons Crossing and Teslin — I was told that Teslin hasn't signed any kind of agreement at this point. Johnsons Crossing is being told that it is being shut down. Teslin is telling me that they haven't signed an

agreement at this point. Based on the minister himself saying that he hasn't met with residents out that way, I would urge that.

I think that it is an interesting point. This is the second Community Services minister in my time in this House who has had people ask for their resignation. The first was the Member for Lake Laberge by, I believe, the Mayor of Whitehorse at the time. A petition was brought forward from residents out on that part of the highway with concerns that they weren't being heard. There are lots of questions still there, and I hope that the minister and his department will continue to answer them. I do definitely urge a meeting sooner than later with Alexco to deal with the issues in Keno. It could go a long way in that community because that community feels like it has been forgotten,

I am going to switch courses a little bit. We are going to move to rural librarian rates. As we know, there is a wage disparity between rural library employees and those based in Whitehorse. We also know that libraries are an integral part of any community infrastructure. They are vital hubs for education and communication.

I want to know: What is the minister's plan to address these disparities between librarians in Whitehorse and rural librarians?

**Hon. Mr. Mostyn:** Yes, you are absolutely correct. I have heard of the petition. As a matter of fact, I have seen copies of the petition that my colleague was referring to, from my meeting up in Destruction Bay. I was up in Destruction Bay to hear from residents; that is why I went up there. I will be going up there again because, at the end of that meeting, other residents wanted to bring issues before me. It was suggested that they shouldn't do that, and they had things that they wanted to do. So, I will endeavour to get up there and discuss the issues that matter to Destruction Bay residents at some future time, beyond the shutting down of the Silver City transfer station.

As well, I will note for the record that I have a copy of the early part of that petition that my colleague, the Leader of the Third Party, referenced. I do note that there were two signatures on that calling for my resignation, including the Leader of the Official Opposition and the Member for Kluane as well. I know where they stand and I know what they were trying to do, so they have indeed added me to their list of heads that they want on a pole.

I will say, as far as the question for Yukon Public Libraries, as I have done with other questions earlier in the day — I have some background for libraries that may help provide some context and answer some questions. There are 15 public libraries located throughout the Yukon, and the pandemic has shown the necessity of libraries in communities. They provide critical public space to access technology, resources, and social interaction. I know that it is a passion of my good colleague in the Third Party. I share that, and I encourage her to look up the book that I have suggested to library goers for Canadian Library Month.

The Yukon public libraries offer Yukoners access to more resources than modernized library services and respond to the needs of the community. Library services are currently available in 14 communities and in Whitehorse — that is the

15. The Yukon libraries are fundamental contributors to the health and vibrancy of Yukon communities, serving all Yukoners, regardless of socio-economic status. I know that during the recent tribute to libraries, the Third Party certainly brought forward how socially important libraries are.

Libraries provide an important space for collaboration, for learning, and for leisure. They are safe and welcoming environments where people meet, read, learn, study, and play. The Yukon Public Libraries' social media presence is an active and direct link to patrons and provides current information about our resources and services. Wi-Fi access is available in all Yukon public libraries, as is access to computers. This continues to be one of the most common requests for library services. It transitions to this new age.

Whitehorse Public Library is once again open seven days a week, including evenings. I had an opportunity to tour it the other day. To see behind into the back rooms of the library, it was a delight to actually talk to the staff and to see all the work that they are doing on behalf of the territory's citizens. The interlibrary loan program is just marvellous. There is just so much going on there. Community libraries have returned to standard hours as well.

The 14 community libraries located throughout the territory are managed by the staff, as I have just mentioned, who are hired by volunteer boards. These libraries are mainly co-located with other groups, like schools, community centres, and municipal offices.

A formal assessment of the library facilities was done during the summer of 2019, and the resulting report is helping with long-term planning to ensure that community libraries keep pace with evolving library trends related to collection, development, technology, and programming.

Our response to COVID-19 was compatible with the assessment — for example, installing Plexiglass where requested. We are committed to ensuring that library facilities meet the needs of their communities. The in-depth work and analysis being done now will provide a solid foundation for decisions on library facilities into the future.

I hope that helps to address some of the questions from my colleague.

**Ms. White:** Not at all. I was asking about the disparities in the pay between librarians in Whitehorse and librarians in the 14 other libraries. Is there a plan to address those disparities?

**Hon. Mr. Mostyn:** I can report that, having learned about — I was waiting to get results, but we are currently looking at compensation, wages, functions, duties, education, training, et cetera in rural libraries. There is not much more to report. I actually asked for this to be done when I heard that there was a disparity in wages between rural libraries and the city library.

It comes down to how library boards are not unionized in rural Yukon and how they are here, so we are looking to reconcile the disparity in wages between those two areas. The department is working on a solution. That's all I can report at this time.

**Ms. White:** I appreciate that answer from the minister, and I am relieved to know that we are looking into those disparities. I am sure that rural librarians, who make sure their communities are connected, also appreciate that.

Last week in Question Period, we had a conversation about the residential tenancies office and about making decisions public.

There are many reasons why that is important. The example that I used last week was about a decision made in one of the mobile home parks. We've had three parks change the leases since the rent cap was put in place — unilaterally changed the leases, which is what was found to not be in order by the hearing that happened at the residential tenancies office. Interestingly enough, Yukon landlords are also interested in having those decisions made public.

Last week, the minister said that he would look into it. Here I am, following up. Is there any move for the residential landlord tenant office to make their decisions public?

**Hon. Mr. Mostyn:** Yes, indeed — and I wish I had the answer last week when the question first came up — the residential tenancies office is meeting an earlier commitment made to the landlord association by publishing a selection of its decisions online. Decisions are published on CanLII — a free searchable and legal database. Yukoners are able to access CanLII via a link on the residential tenancies office website. Since mid 2019, the residential tenancies office has published 51 decisions.

So, there's a huge array of decisions on the CanLII site, and they have been posted for a while. The reason that not every decision is done — I'll get into it in a minute here.

Well, let me just go into the background. Following its commitment under the 2021 confidence and supply agreement that we have with the New Democratic Party, the Yukon government implemented a rent index that caps rent increases to one percent between May 15, 2021 and May 14, 2022 at the rate of inflation. To date, in this year, the residential tenancies office has resolved 75 landlord and tenant matters through the formal resolution process. It resolved more than 130 in 2019-20. So, we're down to not quite half.

The office also worked with many landlords and tenants to reach early settlement of disputes so that formal hearings were not required. Since its opening in 2016, the office has formally adjudicated more than 600 disputes. The residential tenancies office provides information about the *Residential Landlord and Tenant Act* and regulations, as well as legally binding dispute resolution. When issues arise that cannot be resolved by landlords and tenants, decisions are issued by the office in a timely manner and orders are enforceable in the Yukon Supreme Court.

Minimum rental standards came into effect on January 1, 2017. The residential tenancies office enforces these important health and safety standards for Yukoners living in rental housing. Educating the public is a key function of the office as it helps to prevent disputes. In 2020-21, the residential tenancies office responded to hundreds of inquiries that were fairly evenly split between both landlords and tenants.

Common questions relate to issues such as security deposits, tenancy agreements, repairs, and rules on rent payment.

With more than 600 disputes resolved since 2016, there is a lot of repetition in the decisions that are coming down, so we post the relevant decisions that set precedents. The decisions that are posted are precedent-setting and answer questions that would be relevant to a number of different people in similar circumstances. That is what the residential tenancies office has been doing. Those decisions are public and are available on the CanLII site. I have that answer now. I'm sorry that I didn't have it for the member opposite last week.

**Ms. White:** I do appreciate that answer from the minister.

Just a quick question: Has the minister tried to navigate the residential tenancies website? The only reason I ask is that I like to think that I'm not the worst at computers. I am not great with them, but I'm certainly not the worst, and I spent a fair amount of time on this website. I do appreciate the direction because I did just find that, but at times — I don't know if it's necessarily as user-friendly as we would like it to be.

The next question around the tenancies office is understanding that, in some cases — and I appreciate the example of 75 that were about the rent increase. For example, he has talked about the importance of putting precedent-setting ones online, so I do appreciate that. But, knowing that the same argument is being brought forward by other tenants, is the office able to look at precedents? So, they have made a decision. Are they able to supersede those on other disputes?

**Hon. Mr. Mostyn:** I can report that yes, that is it exactly. The CANLII site is a place where you can find precedent-setting cases. It is referred to by the staff when they are in dispute-resolution mode. The office is guided by the precedent but not bound by it. That is, they can look at the specific incidents, the specific merits of the case, and rule based on the merits of that case. So, they are not bound by the precedent, but they are certainly guided by that and will rule on individual cases according to the merits of the case and the conditions under which the tenant, in most cases, is being treated.

**Ms. White:** I thank the minister for that answer.

Also, in recent time, I have asked questions about what happens after an incident. I talked about the Southern Lakes flood in 2007 and what we learned from that flood — like the recommendations that were made. I was lucky enough to track down the *Report to Yukon Protective Services Southern Lakes Flood 2007* document that does make recommendations. One of those recommendations relates to government communication with the public. The report states — and I quote: "... communications about the process: what decisions have been made; what is to be decided; what is known; who is likely to be affected and who will be making decisions would all have further enhanced public confidence that the situation is being handled."

My question is: So, when the flooding began this year, in 2021, did the government have a communications strategy in place that reflected this advice?

**Hon. Mr. Mostyn:** I see the member opposite has the report on her desk. I certainly read it and referred to it during the unprecedented flooding we saw in the southeast, Southern Lakes and the Laberge area, Carmacks, and in Teslin. The incident began, actually, just down south of us in the Carcross area. They were the first flood reports I got with tenants just on the south Klondike Highway. It then spread to Teslin and to Carmacks, where we nearly lost the sewage treatment plant, which would have been really difficult to handle. Then we got into the Southern Lakes and we saw water levels rise there. We saw it in Laberge as well.

The 2007 flood was unprecedented. At the time, it was called a 200-year flood. Of course, as we all know today, the 2021 flood was far worse. The department did bring that report to my attention; they did refer to it. Out of that report, the department created a dedicated roster of people who were trained to deal with emergencies such as this.

I would argue that the public information officers on the flood and the incident command teams on the flood did an absolutely remarkable job in saving residential homes throughout the Southern Lakes, Laberge, Teslin, and Carmacks regions this year. It was, in fact, the largest flood relief effort in the territory's history, as I said many times, and we didn't lose — to date, I don't think we've lost a single residence. That wasn't the case before. So, the success speaks for itself. Every incident is different. You can't really come up with some sort of generic template for an emergency. Every one takes place in different geographic situations, at different times, involves different people, and you have to integrate that into the whole through an incident command team using the public information officers. They were deployed through our incident command team. They set up at Elijah Smith school. They immediately set up radio communications in a central hub where they had Internet access. They set up mobile trailers. They had those communications going.

Now, we know that the member opposite has brought some questions about how the communication was rolled out during this thing and how it could have been improved. I have heard those concerns. We are having a debriefing on the whole incident on ways to improve, but on the whole, I think — and we will always do a post-incident assessment and try to figure out lessons learned. I think that's a process that I have engaged in with Highways and Public Works, working with highways crews last year during the floods and how we could have improved things in the construction zones. I am fully in favour of doing post-action incident analysis to figure out how we can improve.

That said, I will absolutely stand by and defend and laud the efforts of the incident command teams and the public information officers for all the incredible work they did informing Yukoners through e-mail, online, and in the open houses. It was just incredible, and the results speak for themselves. It was an extraordinary effort. Of course, we can always improve. We will look over those things and see how we can improve things, but nothing speaks louder than the success that we saw. I have to say that the efforts we saw from the Government of Yukon, Community Services, Highways

and Public Works, the teams from outside of Yukon — from Alberta, Manitoba, Saskatchewan, the Canadian military, the volunteer groups who stepped up and protected homes throughout the territory, deploying more than 600,000 sandbags — it was just an incredible amount of effort put into defending people's homes at a time when housing is so critical to the territory. I can't thank them all enough.

**Ms. White:** I appreciate that. I think the minister misunderstood. It wasn't a criticism; it was asking about the debrief from 2007 and whether we went into this flooding season with a communications plan as was suggested in 2007.

Section 3.6 of the 2007 flood report talks about the role of volunteers in the flood response. During the relief efforts this past summer, there was confusion as to where volunteers could best be utilized. This saw large groups of volunteers arriving in one area, and it's important to know that this is after calls for help on Facebook — Facebook turned out to be one of the phenomenal tools to get help to individual properties — and leaving other areas to fend for themselves until the next Facebook post came out asking for help. People who weren't connected to social media and didn't have those capacities, in some cases, were only running into volunteers when they themselves were going to the sandbagging stations.

The report states a need to — and I'm quoting again: "Develop a policy to address the management issues for various types of volunteers." The reason why I am asking this is that I had sent an e-mail to the minister at one point asking for there to be signage at volunteer stations so that homeowners could sign up. They could say where they were at and what they needed and so that there would be information signs saying that a sandbag doesn't need to be filled to 95-percent capacity — because then it is very solid and doesn't fit with the other ones — and asking for a phone number to be posted for sand delivery and bag delivery. The reason why I am asking is: Was that 2007 recommendation followed? If we go through the debrief in 2021, and it says again that we need to have a volunteer plan, I am just hopeful that the next time around, we will have a volunteer plan.

Was a policy developed to have a volunteer strategy when the flooding happened this year?

**Hon. Mr. Mostyn:** I will say that things were moving incredibly fast. One has only to look at the video created and posted by my colleague, the Member for Mount Lorne-Southern Lakes, to see how much the water — he did an absolutely brilliant representation of where the water was in 2007 and where it was in 2021.

I will say that the initial focus of the incident management team — as I said, we all reviewed the earlier study — was getting the incident management teams up and running.

The Yukon is not that experienced in flooding, as it turns out. We had the big flood in 2007. After that, nothing much. That's a long time; that's 14 years and not an awful lot of flood experience. Places like Manitoba, Alberta, and Saskatchewan have fairly good experience in flooding, which is why we brought the experts up from those jurisdictions to help us out.

The document that the member opposite is referencing for communication plans — and if we had a communication plan

— is laid out by the document in 2007. Well, as I said, the take-away from 2007 was to have public information officers assigned to incident command teams that could assess the variable conditions that would happen with any emergency in the territory, be it fire, flood, or whatever — mostly it is fire — and they have a very good and robust system.

When it comes to flooding in such a situation like this, we were working to develop and recruit the expertise we needed to actually get the job done, and then we did it. It was incredible how fast we mobilized to get those half-million sandbags deployed in the territory, and it took everybody working together to do it and we did that.

The member keeps referring to the 2007 after-action report. We're doing an after-action report for this flood as well where we will learn lessons and put them down. We did take advice from MLAs and from volunteers in real time to try to improve the information flow to people reacting to the flood. Again, the public information officers were excellent in doing so.

Getting back to the old report of 2007, the world of 2007 is vastly different from the world of 2021. In 2007, Facebook was a year old and had about 100,000 businesses on it. It was like a shadow of its influence today. We didn't have cellphones — not like we do today. We didn't have an Internet like we do today. All of those things — the Internet in the territory was just about 12 years old or something. We had an Internet, but it wasn't the same as the Internet we have today. We didn't have the cellphone connectivity. I would have to go back in my notes, but we may have still been using mobile radios.

That is an old report. It is not reflective of the day today. Did we make improvements? Did we listen to people during this flood? Absolutely. It was an incredible summer. On top of everything else that we have been dealing with — with COVID and everything else — it was a very exciting and, I daresay, taxing time for the community, for the business community, for the community as a whole, for the volunteers, and for the civil service that has been so active.

They did an extraordinary job under the most trying of circumstances. We had fires, we had floods, and we had plague and pestilence. I commend the work that was done. We will do an after-action report to see how things could be improved. On the fly, as I noted, we certainly did take the advice and suggestions from the community and adapted on the fly as we provided the largest flood relief in Yukon history and saved, I daresay, every single house that was in threat of destruction.

**Ms. White:** I appreciate that from the minister. Again, looking back is the most recent debrief that we have. When the new one comes out and we have a next incident, I will be asking similar questions, which are: What did we learn from the previous one, how did we adapt it, and what have we changed?

The minister went on to point out that social media and Internet was way different in 2007. I absolutely agree, which is why so many sandbags were filled. Hundreds if not thousands of Yukoners came out to help. It's just about how we make sure that, next time, people are feeling more confident about what they're doing.

As we improve and learn and move on, we know that the next flood probably won't be 14 years away, so it will be in recent memory.

I am wanting to move on to psychologists in the territory. It's a really interesting thing that the profession of psychologists isn't regulated in the territory. It is regulated in every other province and territory in Canada — in both Nunavut and NWT. To be a psychologist in the Yukon, you just have to call yourself a psychologist. We are not tied onto Alberta or British Columbia. I am not suggesting that we start our own school of psychology, but I am wondering where the department is on the regulation of psychologists in the territory.

**Hon. Mr. Mostyn:** I will say this afternoon to the House that this is an issue of great importance to me. It's in my mandate letter, but beyond that, I have met with the psychologists in the territory. I have heard their concerns. I share the concerns raised by my good colleague on the other side of the House. I have initiated efforts to work with, or partner with, BC and Alberta schools in terms of psychology so that we can actually have some oversight over the profession here in the territory for the benefit of the profession and for Yukoners. It is not acceptable that we have no standards in the territory. It's a hole where people can just hang a shingle on their door and call themselves a psychologist, and there is very little we can do to regulate that. That's not acceptable to me. I know that it is not acceptable to my colleague across the aisle. I am working, and I have the department actively seeking a solution to this. The solutions that we are looking at are currently before the Yukon Justice department for review, and I hope to have an answer for Yukoners very soon on this issue.

**Ms. White:** I do appreciate that answer from the minister. In my time in this House — I was also here when oil-fired mechanics weren't a regulated trade in the territory, and we know that it was only addressed after a tragic death — well, five tragic deaths, honestly. So, knowing that psychology is intense and people can be hurt — so making sure that we put all of those protections in place. I'm relieved to hear that.

Two weeks ago, the minister tabled Bill No. 3, entitled *Act to Amend the Assessment and Taxation Act and the Municipal Act (2021)*. While the stated goals in the amendments are important, at this point in time, we have heard from the Association of Yukon Communities and the City of Whitehorse that they are not onside. Has the minister been able to provide any clarity to municipalities about what these changes will mean to their governments, and has he been able to get more onside since two weeks ago?

**Hon. Mr. Mostyn:** I appreciate the question from the Leader of the Third Party, and it is an important one. So, as everybody is well aware, and I have spoken about it this afternoon, we have just completed a municipal election, and we have a whole bunch of new city councils, mayors, and some existing ones, across the territory. I have reached out to every single mayor in the territory and started to familiarize, to create a relationship, to say hello, and to congratulate them on their post and their win.

Now, once they get their feet under them, we are going to have conversations about what is essentially the better

buildings program. As the member opposite knows, we are currently in a climate emergency. The City of Whitehorse has declared a climate emergency. I heard from constituents during the territorial election and the federal election — we had citizens, young people, in front of the City of Whitehorse demanding action. It is absolutely great to see that happening.

Just this week, there was a news story about how the retrofits to buildings are absolutely critical to start building more energy-efficient buildings in Canada to make sure that we get our greenhouse gas emissions down. We have heard that this is the last decade. We don't have any time to do it. We hear again and again and again that we have to take action or there will be no more time left. In spite of this, we keep dragging our heels — "It's too hard; we can't do it; we have got to put up — we have to study it a little bit more." Well, the time for studying is done.

We have an *Assessment and Taxation Act* before the House. We don't have a better building loan program; we have enabling legislation that allows the Yukon government to start designing a program that will enable Yukoners to get the cheapest money in the country to renovate their properties, to make sure that they can start those retrofits next spring.

There's no onus on municipalities. If they want to come aboard, they can. If they want to choose not to, they don't have to do anything. This isn't a program. This is enabling legislation that, at the very basic level, allows the territorial government to start to deliver this program in rural Yukon outside of municipalities.

Now, you can hear the passion in my voice because I am tired of dithering. I am tired of waiting. We have been trying to get this program off the ground for two years — that's two years wasted. This will, if fully implemented, save 12 kilotonnes of greenhouse gases in the territory. It is part of our green future. It is part of the future of the territory, and all I hear from municipal leaders is, "Well, it's an off-loading." Municipalities deliver this program across the country. We here in the Yukon government are offering to take on 90 percent of the work for municipalities and make sure this program goes.

It is a passion of mine. The legislation is before the House. We are going to push on with it. I'm working with municipalities. If they don't want to come on board, they can talk with me over the winter and design a program. We're willing to negotiate with them to make sure that the terms and this program are acceptable to them. But the enabling legislation will allow the Yukon government to proceed with this program and start the retrofits that are so critical to the Yukon government and the environment next spring.

We can't waste any more time. We hear this again and again. I think that, as legislators, it is incumbent upon us to do the right thing and start this program.

Deputy Chair, with that, seeing the time, I move that you please report progress.

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

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Acting Government House Leader 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**

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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 House do now adjourn.

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

*Motion agreed to*

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

*The House adjourned at 5:28 p.m.*

**The following sessional paper was tabled October 28, 2021:**

35-1-25

*Yukon Public Accounts 2020-21 (Silver)*





# Yukon Legislative Assembly

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Number 24

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Monday, November 1, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Monday, November 1, 2021 — 1:00 p.m.**

**Speaker absent**

**Clerk:** It is my duty, pursuant to the provisions of section 24 of the *Legislative Assembly Act*, to inform the Legislative Assembly of the absence of the Speaker.

*Deputy Speaker takes the Chair*

**Deputy Speaker (Ms. Blake):** I will now call the House to order.

We will proceed at this time with prayers.

*Prayers*

**Deputy Speaker's statement**

**Deputy Speaker:** I will ask that any visitors in the gallery to please wear masks, and if you are not going to wear masks, I will have to ask that you leave the gallery, please.

*Interruption*

**Deputy Speaker's statement**

**Deputy Speaker:** Order, please. Order, please.

Visitors in the gallery are here to watch, but they may not participate in the proceedings of the House. I ask that visitors sit quietly while you attend the Assembly. Thank you.

*Interruption*

**Deputy Speaker's statement**

**Deputy Speaker:** Order. The House will go into recess.

*Recess*

**Deputy Speaker's statement**

**Deputy Speaker:** I will now call the House to order. I ask all visitors in the gallery to please wear their masks.

**Withdrawal of motions**

**Deputy Speaker:** The Chair wishes to inform the House of changes made to the Order Paper. The following motion has been removed from the Order Paper, as the actions requested in the motion have been taken: Motion No. 157, standing in the name of the Member for Lake Laberge.

**DAILY ROUTINE**

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

Introduction of visitors.

Tributes.

Are there any returns or documents for tabling?

**TABLING RETURNS AND DOCUMENTS**

**Hon. Ms. McPhee:** I have for tabling the Yukon Hospital Corporation 2020-21 consolidated financial

statements, which are tabled pursuant to section 13(3) of the *Hospital Act*.

**Mr. Cathers:** I have for tabling a letter addressed to the Deputy Premier regarding the Hidden Valley school matter.

**Deputy Speaker:** Are there any reports of committees? Petitions.

**PETITIONS**

**Petition No. 3 — response**

**Hon. Ms. McLean:** I would like to acknowledge the seriousness of the matter and recognize those who took time to sign the petition submitted to the House on October 18, 2021. Again, as I've said before, there is nothing that is more important than the well-being, safety, and protection of students when they are in our care. I appreciate that so many other Yukoners agree and want to ensure that our schools remain safe spaces for students.

I would like to be clear that, as soon as the school was aware of the allegations in 2019, the individual was removed from the Hidden Valley school and has not worked for the Government of Yukon since. The Department of Education and I personally have apologized that many families became aware of this situation through media reports rather than targeted communication directly from the Department of Education or the RCMP.

To protect the privacy of the victim and the integrity of the RCMP investigation, the Department of Education did not take steps in 2019 to inform other parents of the situation at that time. We were respecting the RCMP process and confident that a comprehensive investigation would involve contacting additional students and parents. We now recognize that other affected parents were not made aware of the situation and that steps could have been taken during this time to share information in targeted ways to better inform and support families. That was a mistake. We apologize again for this and acknowledge the stress and emotional toll being experienced by the Hidden Valley school community. We can, and will, do better as we move forward.

We are now focused on taking the needed steps to rebuild trust and provide the best targeted supports to the school community. This is a difficult situation involving children, and I am committed to ensuring that all Yukoners get the answers they are looking for. We will be meeting again with the parents in early November to listen to the issues, concerns, and challenges that they are facing right now. We are honouring our commitment to the parents of Hidden Valley Elementary School and have launched an independent, third-party review by lawyer Amanda Rogers, which will look into Government of Yukon's internal and interdepartmental processes, as well as its policies and protocols to respond to incidents of this kind. Once the government's review is complete, this information will be made available to Yukoners.

We are participating in the Child and Youth Advocate's public review of policies, protocols, and actions to ensure that safety and supports at Hidden Valley school are in place for the

interests and well-being of students. Furthermore, the Department of Education will cooperate with the Yukon Ombudsman's review announced on October 25, which will examine the decisions, actions, or inactions around communication to the Hidden Valley school in 2019 and more recently in August.

The RCMP are also conducting an internal review of their 2019 investigation by the E Division Major Crimes Unit from British Columbia after acknowledging that mistakes were made in their investigation. Findings from these reviews will help us to improve how we protect Yukon students, support school communities, and ensure that the right policies and protocols are in place and effective.

I also want to acknowledge and recognize the dedicated Hidden Valley Elementary School administration and staff, who are deeply impacted by these matters. Any concerns about safety practices at any school or about how staff are interacting with students should be brought to the attention of the school administration and area superintendent immediately.

This is a truly difficult, complex, and challenging time. I am going to do whatever it takes to reduce the likelihood of this ever happening again in any Yukon school. We are absolutely committed to working in partnership to advance this healing process in a restorative way that rebuilds trust and strengthens our education system.

Again, thank you to all the Yukoners who took the time to sign this petition. We have a shared interest in the safety and well-being of our children.

#### Petition No. 5

**Ms. McLeod:** Madam Deputy Speaker, I have for tabling a petition that concludes as follows:

The undersigned ask the Yukon Legislative Assembly to urge the Yukon government to immediately rescind any and all requirements for mandatory COVID-19 vaccination announced October 15, 2021, and currently proposed to be implemented on November 30, 2021.

This petition has over 2,300 signatures.

*Applause*

#### Deputy Speaker's statement

**Deputy Speaker:** I would like to remind visitors in the gallery that, as part of not participating in the business of the House, please refrain from clapping as well. Thank you.

Are there any bills to be introduced?

Are there any notices of motions?

#### NOTICES OF MOTIONS

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

THAT this House urges the Minister of Community Services to apologize for the disrespectful comments he made toward municipal governments on October 28 during debate of Committee of the Whole.

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

THAT this House urges the Government of Yukon to fulfill its obligations under part 4 of the *Highways Act* to keep the roads safe by ensuring that vehicles are not left abandoned on the highway for long periods of time.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with the new City of Whitehorse mayor and council and the Royal Canadian Legion Branch 254 in the planning and development of a veterans square.

**Deputy Speaker:** Is there a statement by a minister?

#### MINISTERIAL STATEMENT

##### Yukon Forum

**Hon. Mr. Silver:** Madam Deputy Speaker, last Friday, leaders from across the territory gathered for the second Yukon Forum of 2021 and the 18<sup>th</sup> since we signed the *Working Together* declaration in January 2017. I want to thank Khâ Shâde Héni Dickson of the Carcross/Tagish First Nation for hosting us on their traditional territory. I would also like to thank the Grand Chief of the Council of Yukon First Nations and the Yukon First Nation chiefs for another successful meeting.

The Yukon Forum continues to be an important venue for open dialogue between the Government of Yukon and First Nation governments. There are a lot of pressing issues that we are dealing with as a territory, and we absolutely need to come together and work together to address them.

Communities throughout the territory continue to grapple with the opioid crisis. On Friday, we had a very heartfelt conversation about the crisis, and we all agreed that urgent action is needed to protect citizens and to keep our communities safe. Our government has taken significant action to advance harm reduction initiatives, including opening the first supervised consumption site in the north, as well as expanding the safe supply program that provides those with opioid addictions a prescribed safe alternative to street drugs.

We have also tabled amendments to the *Safer Communities and Neighbourhoods Act*, SCANA, in the Legislative Assembly. These amendments will provide communities with additional tools to address illegal activities related to child sexual abuse and sexual exploitation, gangs, criminal organizations, and illegal firearms. We are very pleased to hear support for these amendments from our First Nation partners, and we hope that members of this House will support them as well.

Another pressing issue is COVID-19. We continue to see cases, and there is not a community in our territory that has not been impacted by the pandemic. Our government continues to follow the recommendations of the chief medical officer of health to protect Yukoners and to keep our communities' health and safety. My team and I committed to continuing to work together with our First Nation partners as we implement the recommendations of our public health officials. We need to work together to do everything that we can to limit the spread of COVID-19 and get on a path of recovery.

We also had meaningful conversations regarding residential school recoveries and reconciliation. We heard about First Nation Government's Burial Investigation Committee, which will guide the research and investigation of potential burial sites around former residential schools here in the Yukon. The Government of Yukon committed to working with the committee and all Yukon First Nations that wish to conduct searches and other work at former residential school sites.

We have also talked about Yukon Days, upcoming meetings with the federal government, Yukon government, and First Nation governments. These trilateral meetings did not happen before the signing of the 2017 *Working Together* declaration, but they have proven effective in advancing our priorities with the federal government.

**Mr. Dixon:** I am pleased to rise to respond to today's ministerial statement on the Yukon Forum.

The Yukon Forum is an important venue to discuss issues with Yukon First Nations on a government-to-government basis. As opposition parties, we are only privy to what is released in the communiqué at the end of forum, so we are hoping to get some more details about that today.

We certainly agree that the opioid crisis is an urgent and important matter, as the press release states. Opioids have taken the lives of too many Yukoners, and we need all levels of government on board to help quell this crisis.

We look forward to seeing what additional recovery supports for Yukoners desperately looking to become sober are. As well, what additional funding has the Liberal government given to the RCMP to target criminals profiting off of our most vulnerable Yukoners?

We do firmly support the *Safer Communities and Neighbourhoods Act*, which was enacted in 2006 by a Yukon Party government, working in concert with the former Leader of the NDP, Todd Hardy. It's a mechanism to help keep our communities and neighbourhoods safe.

I do want to reiterate, though, that we have some concerns with the changes to SCANA, largely due to a lack of consultation on those changes. I also need to point out that the *Safer Communities and Neighbourhoods Act* itself is the subject of a court challenge, and our party, along with the Yukon NDP, asked for a full public review of that legislation.

As members are aware, the Trudeau Liberals are bringing in orders-in-council to make a number of legitimately and legally purchased firearms illegal. We do have a problem with the lack of public consultation on this legislation and how it appears that the Yukon Liberals are bringing in the changes with respect to firearms to make it so the territorial government can help the Trudeau Liberals confiscate these legally purchased firearms from law-abiding firearms owners. Hopefully, the Premier can explain why this change was necessary and why he believes that SCANA should give the government these new abilities.

With respect to the discussions surrounding the First Nation Government's Burial Investigation Committee, which will guide the research and investigation of potential burial sites

around former residential schools in the Yukon, we hope the Yukon government will provide the resources requested and necessary for this important and difficult work to take place. Of course, we very much support that work. We wish this committee all the best as they move forward.

Thank you to the Premier for his update, and I look forward to hearing his response and answers to my questions.

**Ms. White:** Yukon's opioid crisis is ongoing, and it is deadly. Opioid use has affected every community in the Yukon, and opioid overdoses have taken young people barely out of their teens to those in their 70s. Since the spring of 2016, 47 Yukoners have lost their lives to opioid overdose. As of August 31 of this year, there have been 14 overdose deaths in the territory. Sadly, we know that number has since gone up. Each of these losses represents a person with a story — a person who was loved and who loved in return. Each loss affects family, friends, and community. Each loss represents heartache, and each loss is a tragedy.

It's not a surprise that when First Nation leadership and the Yukon government had the Yukon government ministers in a room for the Yukon Forum, this important topic was discussed. The Yukon NDP are proud to have negotiated for important harm reduction services, like a supervised consumption site and safe supply. We are grateful for the work done by those at Mental Wellness and Substance Use Services, because without their perseverance and guidance, these two programs would not have been possible.

We hold our hands up to harm reduction organizations like Blood Ties Four Directions for their steadfast commitment to the safety of the community and to the ongoing work of others to tackle this pandemic.

These two programs are only two steps on a long road toward harm reduction. The Yukon government needs to act on the request of the RCMP and others to create and implement a managed alcohol program in the Yukon. Each of these harm reduction tools needs to be made accessible to the Yukon communities that need them.

**Hon. Mr. Silver:** Thank you to my colleagues for the comments today. As I said before, the Yukon Forum is about keeping an open dialogue between the Yukon government and First Nation governments. There are plenty of issues to address; that's for sure. Much of it is working together on a bright future for all Yukoners. We can address these issues more quickly and accomplish more if Yukoners work together. That's why these meetings are so important.

The conversations, Madam Deputy Speaker, are not necessarily always easy and we don't always agree, but what matters most is that we show up and continue to work on issues that we face together to make sure that the Yukon First Nations' voices are heard, included, and respected. The Yukon's future prosperity depends on strong partnerships with First Nations and First Nation governments, and we have built that respect — the government-to-government relationships with Yukon First Nations — to advance reconciliation as one of our top priorities over the past five years. We have worked hard to

strengthen the relationships with our First Nation partners — relationships that were completely broken down in the past. More importantly, our Liberal government has made a commitment to Yukoners that we would move forward in partnerships with First Nations for the benefit of all Yukoners.

As for the first order of business in this House, we established a National Indigenous Peoples Day as a statutory holiday in Yukon. We have revitalized this Yukon Forum, which completely broke down in the past. We created an assistant deputy minister of First Nation Initiatives to respond to the Truth and Reconciliation Commission's calls to action. We have worked in partnership with Yukon First Nations to establish a First Nation school board. We are implementing the First Nation procurement policy, which brought out a little bit of a divisive approach from the Yukon Party on the procurement policy itself. We continue to implement *Breaking Trail Together*, an initiative of the public service plan that will ensure that government is inclusive and representative of the people whom it serves.

The Yukon is the first jurisdiction in Canada with a strategy to respond to the National Inquiry into Missing and Murdered Indigenous Women and Girls — missing and murdered indigenous women and girls and two-spirited-plus individuals.

We are working together with First Nations and industry to modernize our mineral development regime to ensure that our mining sector is stable and sustainable going forward for the benefit of all Yukoners, and our commitment to strong partnerships is unwavering.

I will assure Yukoners that our territory would not be in the strong position that it is in today without our relationship with Yukon First Nations, and we will continue to work in partnership with these governments to bring a brighter future to all Yukoners.

**Deputy Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Sexual abuse within elementary school

**Mr. Cathers:** Throughout this Sitting, the Minister of Education has been asked about supports for families, students, and staff at Hidden Valley Elementary School. In response, she has been reading a pre-written script that was handed to her which claims that a number of supports and changes have taken place. Unfortunately, the minister hasn't taken the time to verify if the information that she is sharing is accurate, and parents and teachers continue to reach out to us to indicate that the minister's claims in the Legislature are not correct.

Here is a quote from an e-mail that the minister received on Friday from a parent: "Where are these supports that you keep talking about in the Legislature; these supports are non-existent! There has never been an 'on site social worker' at our school."

Can the minister please explain why the information that she shares in the Legislature about supports at Hidden Valley school is not accurate?

**Hon. Ms. McLean:** I am happy to rise in the House today again to speak about Hidden Valley. As I have stated over and over in this Sitting, the well-being, safety, and protection of our students when they are in our care is of the utmost importance, and we are very much focused on taking the needed steps to rebuild trust and to provide the supports that are needed for the school community.

Yes, I did receive a letter from one of the parents late last week, and I am replying to that letter. I plan to have a visit to the school tomorrow to do a walk-through with the administration and to ensure that some of the safety issues that have been pointed out are underway. My understanding is that they are being expedited to improve safety and openness in the school setting, including assessing the school for areas where doors can be removed and others where one-way glass can be effectively used. I'll continue on with my answer.

**Mr. Cathers:** Well, we've heard repeatedly from parents and the YTA that supports and changes that the minister says have happened haven't actually happened yet. The minister has a responsibility to ensure that information she shares here in the Assembly is accurate. We know the pre-written script that she has been relying on for most of the session may sound good as a way to deflect from the government's mishandling of the Hidden Valley school scandal, but the minister has not been ensuring that what she is sharing publicly is accurate. This is a serious situation, and it requires the minister to actually address the issue rather than just saying things and hoping that they come true. This lack of action and accuracy is frustrating parents.

I would like to quote another excerpt from the e-mail sent to the minister by a parent on Friday: "This is why it's so difficult for me to sit in the legislature every day and watch you say these things that I know are not accurate or true."

Will the minister please start taking this issue seriously and ensure that the information she shares in the Assembly about supports that are in place is actually accurate?

**Hon. Ms. McLean:** There is nothing more important than the safety and well-being of our students. Of course, I am very concerned about the supports for families. I have been clear about that. I have met directly with the families. I have spent time with them and heard their frustrations with how things were handled in 2019. We have launched an independent review into this.

In terms of supports for students, family, and staff — I know that I have said this many times and I will say it again — to note that we have not taken an approach that makes assumptions about the supports for students, staff, and families. The school has directed and referred families to many YG resources on an individual basis. I am looking into a couple of e-mails and concerns that have been brought to my attention. I'm happy that folks are bringing those matters to my attention because I am very committed to ensuring that families have the right supports in place.

**Mr. Cathers:** I'm glad to hear that the minister is finally going to visit the school. Her repeated inaccurate claims in the House about what supports are in place at Hidden Valley school are well documented. The Yukon Teachers' Association wrote her indicating that she shared incorrect information in the Assembly, and parents have done the same.

In an e-mail that the minister received on Friday from a parent, she suggests that it would be helpful for the minister and members from both opposition parties to do a tour of the school with people on the ground to see first-hand what the situation is, where the lack of supports is, and what physical changes are needed.

As she knows, she is able to tour the school at will, but Opposition parties require permission from the Cabinet Office to do so.

Will the minister agree to allow members of the Opposition to do a tour with concerned parents at Hidden Valley school so we can see first-hand, from a parent's perspective, where the gaps are at this school, so we can understand the reality of the situation rather than relying on the minister's talking points, which parents and the Yukon Teachers' Association have told us are not accurate?

**Hon. Ms. McLean:** I take my position very seriously, as the Minister of Education. I do not accept the preamble of the Member for Lake Laberge, basically putting my reputation — and reflecting it in a way that I am somehow being dishonest or not looking at the facts behind this situation at Hidden Valley.

I have talked repeatedly, over and over in this legislative Sitting, about the importance of providing the right supports and about hearing from the families. I did attend the school on September 22 where I attended a family meeting — a facilitated meeting. We are planning another session like that in early November to hear directly from the families and school community. The Minister of Health and Social Services and I will be attending that meeting together. Again, it will be a facilitated meeting that will include parents and guardians of current and former students and current staff at the Hidden Valley Elementary School.

#### **Question re: Obstetric and gynecological care**

**Ms. Clarke:** Last week, when I asked about wait times for Yukon women to see a gynecologist, the minister listed off a number of other issues, but she failed to mention anything about actually reducing wait times. We are glad that the minister has said that they are looking at subsidizing fertility treatment and free period products, but that has nothing to do with wait times. In fact, someone seeking fertility treatment won't be able to access that service unless they first see a gynecologist.

I will ask the minister again: What action is she taking to reduce wait times for women needing to see a gynecologist?

**Hon. Ms. McPhee:** I'm happy to rise again and answer the same question that I did last week with respect to this. This is an important issue for Yukon women. I can indicate that plans are underway for expanding health care services. The bilingual health care clinic is scheduled to open in January 2022. The expansion of services at the Sexual Health

Clinic and at the women's medical health clinic that are operating here in town, specifically inside other medical clinics but that see patients who are not necessarily attached to those clinics, is also underway. The consideration of, as I said, maintaining and continuing to improve all services to women with respect to their health issues is in fact a priority for this government and it is work that's underway.

**Ms. Clarke:** Last week, I noted that the current gynecology program is made up of just two doctors. We understand that currently one of those doctors is on leave, meaning that the entire Yukon is currently only served by a single obstetrician. This means that if that single doctor gets sick or hurt — or even a test for COVID — then there will be no capacity for C-sections or other emergency pregnancy procedures. This is not sustainable.

Will the minister agree to expanding or enhancing the OB/GYN program in Yukon to ensure that we are not faced with a situation like we are in now?

**Hon. Ms. McPhee:** I appreciate the scenario drawn by the member opposite, but the fact is that we have lots of options with respect to providing service to Yukoners and to Yukon women who might need those services. We are in the process of expanding the midwifery opportunities here in the territory — something that has been a long-standing issue and an opportunity for women to have care choices. We are working closely with the Yukon Hospital Corporation with respect to expanding that scope of practice for midwives, which is a very exciting opportunity here in the territory.

We will continue to fill vacancies with locum doctors and nurses. There are expanded nurse practitioner abilities here in the territory, and we are seeking nurse practitioners specifically for the purpose of providing women's clinics, additional services, and opportunities.

**Ms. Clarke:** Madam Deputy Speaker, it is clear that the status quo is not acceptable. The wait time to see an OB/GYN is over a year. Over a year — that is completely unacceptable. The program is structured in a way that will almost certainly burn out the doctors and leave Yukon vulnerable to a reduction in services, and this will harm women. We need to expand and support this program.

Will the minister review this program and address this important aspect of women's health in the Yukon — yes or no?

**Hon. Ms. McPhee:** I am pretty sure that I have explained now — in three answers — yes. We are working to expand options for women's care in health care — primary care, acute care, opportunities for women to have alternatives through midwifery, opportunities for choices here in the territory, and opportunities for women's care.

I can also remind the member opposite and all Yukoners that there is a national and global shortage of physicians, but that we manage to provide service to Yukoners when absolutely necessary through bringing physicians from other locations to cover for those physicians who have to be away. Clearly a priority for us is making sure that all Yukoners have the medical care that they need.

### Question re: Building renovation program

**Ms. White:** In 2019, with no notice or consultation, the government announced their intention to implement a building renovation program through municipalities. Municipalities were not impressed by the total lack of communication, but they were even less impressed by this government's downloading of responsibilities onto their already busy plates.

The Minister of Community Services at the time committed to exploring the possibility of housing this program under the Yukon government instead — a commitment that we have heard nothing about since.

Has the minister or his department explored the possibility of creating a similar program under the Yukon government and, if so, will he disclose the documents to prove it?

**Hon. Mr. Mostyn:** I am happy to talk this afternoon about the better building program that the government announced in the 2019 throne speech. The program is one that is offered by municipalities across the country. Here in the territory, we have heard from municipalities and understand how taxed they are in terms of their resources. We have expressed — my predecessor in this role and I — how we are willing to work with municipalities to make sure that this program goes ahead for territorial citizens.

We know as well that offering it through a local improvement charge through the municipalities and through the work that we've done is the cheapest option for our citizens. It allows us to offer loans to the territory's people at the Canada lending rate, which is currently about 0.25 percent. We think that this is very cheap money to allow Yukoners to actually improve the buildings, reduce the costs of running their buildings, and reduce our greenhouse gas emissions. We have heard time and time again — certainly this week we are hearing it again and again — how important it is to act on climate change.

I am reaching out and have reached out and will continue to work with our municipal partners to take the action that we need to start to reduce our greenhouse gas emissions in the territory and make our homes more efficient.

**Ms. White:** In the past, many homeowners, myself included, were able to access a similar program through Yukon Housing Corporation. The fact is that the government has had two years to work with municipalities and the Association of Yukon Communities to find an acceptable solution. Two years later, municipalities still don't have answers to some of the most basic questions that they have asked about this building renovation program. On Thursday, the minister insinuated that the communities are not cooperating, when in reality they are just looking for clear answers from this government.

When will the minister actually work with municipalities instead of trying to impose a program and refusing to answer the most basic questions about it?

**Hon. Mr. Mostyn:** I am happy again to continue to answer questions about the better building program, which we announced in 2019. We have been working with the Association of Yukon Communities and municipalities across the territory. On my community tours, I brought this issue up with every single municipality that I met with this fall.

Madam Deputy Speaker, the reality is that this is an opt-in program for municipalities. They do not have to offer the program that we are going to build if the amendments to the enabling legislation go through. They can opt into this program.

What this allows us to do is take dramatic action on climate change that's outlined in *Our Clean Future* — the territory's climate change plan. This program is identified in that plan. It will save 12 kilotonnes of greenhouse gas emissions if it's fully implemented. This enabling legislation will allow the territorial government to offer the program in unincorporated municipalities and to continue to work with municipalities to build the program. If municipalities want to opt into this program, as I've said many times, they are responsible governments and can take decisions on behalf of the citizenry that they represent.

I will answer more questions as they come up. Thank you very much, Madam Deputy Speaker.

**Ms. White:** The minister stated in this House that there is no onus on municipalities to sign on to this project, but he forgot to mention that there would be no alternative for residents to access the program if their municipality doesn't sign on. The minister continues to reference a better building program, a renovation program that has yet to be designed. If there were an actual program to review, maybe the municipalities would reconsider.

Last week, the minister continued to blame municipal governments for their questions. It's unacceptable. When will this government sit down with municipalities and the Association of Yukon Communities to work out a program that will be a win-win for all Yukoners?

**Hon. Mr. Mostyn:** We have designed the energy side of this program. What we haven't finalized yet, because the enabling legislation has not yet passed this House, is how we deliver it in municipalities. I know that my predecessor has met with municipalities over the last two years. I have met with them this summer and fall to work with them to actually deliver and pay for the program.

Now, this is a program that's offered across the country by municipalities solely, but we recognize that there is some work involved on behalf of municipalities. We realize how small some of our municipalities are. We are willing to work with them to pay them an administrative fee to deliver this program. We also will work with municipalities to enable them to work with this program.

However, it is an opt-in program. If municipalities do not want to deliver this program, if they find it too onerous, if there are problems, they don't have to deliver this program, but the municipalities that are ready to do the program can deliver it and it will be a great benefit to the territory and its citizens.

### Question re: Species at risk legislation

**Ms. Tredger:** 2021 marks the 25<sup>th</sup> anniversary of the Yukon government signing the National Accord for the Protection of Species at Risk.

It has been 25 years since the government promised to develop species at risk legislation for the territory. In 2019, the former Minister of Environment said — and I quote: “The

Yukon government is currently working to develop a Yukon Species at Risk Act.” I asked about this during supplementary debate last week and the Premier said that he did not have any updates. It has been 25 years.

Madam Deputy Speaker, where is the species at risk legislation?

**Hon. Mr. Clark:** Most other jurisdictions have legislative tools to list and conserve species at risk. Such legislative tools are also a priority for the Government of Yukon. With foresight and planning, the Yukon has an opportunity to benefit from the hard lessons learned in other parts of Canada and the world to prevent the endangerment of species, such as woodland caribou and grizzly bears, as our territory further develops its infrastructure and economy.

A timeline to complete a legislative framework for species at risk depends on several factors, including determining how new legislation would interact with existing federal and territorial laws and requirements.

Madam Deputy Speaker, in the interim, the Government of Yukon will continue to actively manage and steward species at risk using various existing legislative tools. These include the boreal caribou, section 11, conservation agreement signed in 2019 with Canada, the First Nation of Na-Cho Nyäk Dun, and the Gwich'in Tribal Council to protect the species and its critical habitat.

**Ms. Tredger:** Right now, we have no Yukon-specific measures, guidelines, or policy to determine if a species is at risk and, if so, what should be done about it.

Canada's species at risk legislation only covers federally regulated land in the Yukon, which represents about eight percent of the territory. Let me repeat this: Right now, just eight percent of the Yukon has any protection for species at risk. That means that 92 percent is without protection. There is no way we can make ecologically sound decisions about wildlife living in that 92 percent of our land without clear legislation.

Will the minister commit to a timeline to present species at risk legislation to the House?

**Hon. Mr. Clarke:** We continue to work collaboratively with our partners in the territory, including First Nations, Inuvialuit, wildlife management boards and councils, interest groups, and other government orders on species at risk conservation.

I can advise that, during the course of the summer, I had the honour to meet with the Inuvialuit Game Council, the Porcupine Caribou Management Board, the Wildlife Management Advisory Council (North Slope), as well as Yukon Fish and Game Association, and other organizations. We are alive to this issue.

Our efforts to ensure that species such as wood bison, woodland caribou, and grizzly bears continue to have viable populations in the Yukon are guided by management plans that the Government of Yukon developed with First Nations, Inuvialuit Wildlife Management Advisory Council (North Slope), and, as I said, Yukon Fish and Wildlife Management Board.

The Yukon Conservation Data Centre continues to track the locations and status of lesser known and globally rare species that are Beringian in origin and unique to northwestern North America. This information is used in global reporting of biodiversity change as well as environmental assessments.

I look forward to further questions from the Member for Whitehorse Centre.

**Ms. Tredger:** We continue to hear, and we've heard again, that species at risk legislation is a priority for this government and that this government is working with partners, stakeholders, and other governments. I would hope that the government hasn't been dragging First Nation governments and other partners along for 25 years of meetings with no progress to show for it.

In the face of a rapidly changing climate and loss of biodiversity around the planet, this legislation becomes more critical with every passing year. I repeat my question: Will the minister commit to a concrete timeline to present species at risk legislation to this House?

**Hon. Mr. Clarke:** National status assessments identify species at risk in seven levels. They are: extinct; extirpated, meaning lost from the wild; endangered; threatened; special concern; not at risk; or data deficient. Yukon's south Beringia is home to many rare, unique, and at-risk species found only in this region, including plants known nowhere else in the world, and wide-ranging species at risk, including caribou, grizzly bears, and wolverine.

Currently, 43 species listed as being at risk under the federal *Species at Risk Act* exist in the Yukon, and another 10 species have been recommended for listing. The Government of Yukon has received funding from the federal government for species at risk work and ground research, monitoring, and stewardship, including \$299,000 for bats, bears, bison, caribou, and wolverine for 2020-21 and \$188,000 for boreal caribou between 2018 and 2022.

The Department of Environment has undertaken research and policy work, including a jurisdictional scan to review existing legislation, enforcement mechanisms, and management tools to address species at risk. The jurisdictional scan identified that most provinces and territories within Canada have either stand-alone species at risk legislation —

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

**Hon. Mr. Clarke:** Thank you. So, I certainly take the Member for Whitehorse Centre's concerns very seriously and will make best efforts to move this matter forward on our legislative agenda.

#### **Question re: Physician recruitment and retention**

**Mr. Dixon:** We continue to be concerned about the thousands of Yukoners without a family doctor. Last week my colleague asked the Minister of Health and Social Services a very simple question about the recruitment and retention of family doctors. He asked if the minister will reverse the decision of the previous Minister of Health and Social Services and reinstate the physician recruitment and retention officer position and start working closely with the YMA to attract new doctors to the Yukon. The minister said — and I quote: “The

answer to that question is yes, because that's what we are already doing."

So, I would like to ask the minister to clarify that answer. When did the minister reverse the decision of the former minister and when did she reinstate the physician recruitment and retention officer position?

**Hon. Ms. McPhee:** I think I gave quite a bit of information to Yukoners, but I am happy to have the opportunity to do so again, reminding Yukoners that the *Putting People First* report found that there was, of course, a lack of access to a family physician — about 21 percent of Yukoners. As we implement the recommendations from that report, we remain committed to ensuring that Yukoners have access to primary health care services.

Our government is aware of some local physicians — I understand that there is one who has closed their primary care practice. We are working to make sure that individuals have access. As I have noted before, we continue to explore options to connect Yukoners to primary health care services. Previously, we have helped 1,048 Yukoners to be matched with a physician through the "find a doctor" program that was started in 2019 and expanded access to virtual care options and alternatives, not only during the pandemic, but to continue, and we have increased the number of pediatricians, psychiatrists, and surgeons.

**Mr. Dixon:** I assume that the minister didn't answer my question because what she told us last week was inaccurate.

The simple fact is that thousands of Yukoners are currently without a family doctor. We are hearing directly from doctors that they are tired and burned out and that the Yukon is not the most attractive jurisdiction in which to practise anymore. It seems that family medicine simply isn't a priority for the Liberal government. Recruitment efforts that are actually effective take time to develop and become established. That is why the Liberals' decisions to abandon the physician recruitment officer position was such a blow to recruitment efforts; so was the abandonment of the Yukon MD website.

When will the government start taking steps to address the serious problem of thousands of Yukoners without a family doctor? When will they take steps to address that problem right away?

**Hon. Ms. McPhee:** Unfortunately, just because the member opposite doesn't like the answer that I am giving doesn't mean that I am not giving one. He has accused me of being inaccurate or providing false information, which is completely and utterly inappropriate in this Legislative Assembly. We continue to explore options for Yukoners. It is absolutely known, through the *Putting People First* report, almost exactly the number of Yukoners who are without primary care. As we implement that report, we are looking to hire additional nurse practitioners, which I spoke about earlier, and we are meeting with the Yukon Medical Association to address physician recruitment and retention. This is, of course, a national and global problem, with respect to the fact that we are still in a world pandemic where the primary health care professionals have been front-line and we thank them for their dedication. Of course, they are getting tired, and we must

support them in every way possible to make sure that they have the coverage that they need for their patients and that they have the opportunities to have a balanced lifestyle.

**Mr. Dixon:** I invite the minister to correct me then — if they have reinstated the physician recruitment officer position, I would be happy to hear that.

I don't think that the minister is appreciating the extent of the problem. We aren't seeing new family doctors move to the Yukon, and those who are here are reluctant to open new clinics. We are hearing that family doctors are tired and considering closing clinics. Doctors who are planning maternity or parental leave are finding it extremely difficult to find locums to cover them off, which will further exacerbate this problem, and the Liberal government is nowhere to be found. The recruitment officer position has been abandoned. The recruitment website has been converted. There isn't a robust program to find locums, and there is significant uncertainty about whether and when the government will move away from fee for service. The result of this is that there are thousands of Yukoners without a family doctor. When will the minister start taking this problem seriously and start taking action to address the issues facing family medicine in the Yukon?

**Hon. Ms. McPhee:** The member opposite will take note, no doubt, of the changes that our government has made to double the medical travel subsidy for Yukoners, should they need to leave the territory, that we have expanded broadly the specialists clinic and the availability of specialists here in the territory, as well having specialists here in the territory who practise, particularly the expansion of the surgeons team and the orthopaedic surgeons team.

The department has been exploring options to work with a professional recruiter or recruitment firm to support physician recruitment, as well as exploring opportunities for recruitment of nurse practitioners to serve some of the existing clinics. Additional work is underway. We have also met with the Yukon Medical Association to discuss a physician recruitment position. That work is underway. I'm pleased that it's the case and that, like all complex problems, there are many solutions, and we are working on all of them.

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

**Some Hon. Member:** Question of privilege, Madam Deputy Speaker.

### Question of privilege

**Deputy Speaker:** Member for Lake Laberge, on a question of privilege.

**Mr. Cathers:** Pursuant to Standing Order 7, I would like to raise a question of privilege regarding social media advertising by the Minister of Community Services for a better building program. The Official Opposition was first made aware of the social media advertising dated October 21, 2021 on Friday, October 29. We have also provided the required notice to the Legislative Assembly Office this morning and thus are raising it at the earliest opportunity.

In posting the ads, the Minister of Community Services has appeared to violate the privilege of the Assembly and potentially breached the parliamentary privilege of each and every member, other than himself. In the text of the advertisement, he states: “Yukon businesses are increasingly taking action to reduce their waste, increase sustainability and reduce their emissions. We want to support them to keep going. The better building program supports the goals in the Our Clean Future Strategy and will help Yukon businesses retrofit their buildings to make them more energy efficient.”

Madam Deputy Speaker, the better building program, in fact, will be a new program and will only come into effect if Bill No. 3, *Act to Amend the Assessment and Taxation Act and the Municipal Act (2021)* is actually passed by this Assembly, which, of course, in a minority situation is not guaranteed. That bill, in fact, is currently awaiting second reading on our Order Paper. The advertising done by the Minister of Community Services would lead people to believe incorrectly that the program was already available and in place, when, in fact, it has still not reached second reading and may not be approved by this Assembly.

I would like to reference a ruling by the previous Speaker of the Yukon Legislative Assembly on March 7, 2019, in which he noted that public communications must uphold the principles of the authority and dignity of the House. He referenced the ruling of the Speaker of the House of Commons, Geoff Regan, in 2018 that — I quote: “The work of members as legislators is fundamental and any hint or suggestion of this parliamentary role and authority being bypassed or usurped is not acceptable...”

In the previous Speaker’s ruling, he found that the authority of the Legislative Assembly was not contravened and said — and I quote: “... at issue, then, is the dignity of the House and the extent to which it might have been offended by the news release. The news release was presumptuous. It was also confusing.”

That, of course, made reference to a press release by the Premier.

At the time, the previous Speaker of the Yukon Legislative Assembly concluded that what occurred did not rise to the level of contempt and was — quote: “... an error based on a misunderstanding of the legislative process and the relationship between the executive branch of government and the Legislative Assembly.”

However, the previous Speaker also recognized that it was improper and left no room for future breaches of the dignity of this Legislative Assembly as he stated — and I quote: “Though the Chair concludes that the action of the government on November 22, 2018 does not rise to the level of a contempt, the Chair agrees that the news release should not have been worded as it was.”

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

### Point of order

**Deputy Speaker:** Hon. Premier, on a point of order.

**Hon. Mr. Silver:** With all due respect to the member opposite, we are about two pages into his briefing notes and we

still have no idea what this “standing on a question of privilege” is. I believe, in the Standing Orders, he is supposed to be brief. We are trying to figure out what exactly he is bringing our attention to, but it has been a couple of paragraphs past the time of being brief.

Thank you.

**Deputy Speaker:** Member for Lake Laberge, on the point of order.

**Mr. Cathers:** In responding to the point of order the Premier raised, I actually stated at the outset what this matter was regarding. It is regarding the presumption of the passage of a piece of legislation. That the Premier wasn’t listening does not mean I was contravening the point of order and I would ask for the opportunity to continue my introduction.

### Deputy Speaker’s ruling

**Deputy Speaker:** Member for Lake Laberge, please continue, but keep it brief.

**Mr. Cathers:** Thank you, Madam Deputy Speaker. Resuming at the point where I believe I concluded in my notes: The Chair concludes, “Though the Chair concludes that the action of the government on November 22, 2018 does not rise to the level of a contempt, the Chair agrees that the news release should not have been worded as it was.”

“Further, the Chair believes that those who draft and authorize the release of government information have an obligation to ensure that they accurately describe the proceedings of this House. To quote former Speaker Staffen, this should be done so that ‘... the Assembly’s authority is respected, its dignity is protected and the public is properly informed.’ Therefore, having now addressed this issue, the Chair cannot be expected to extend the benefit of the doubt should this occur again.”

Again, for the Premier and others who may not have heard, I am citing and have previously provided to the Legislative Assembly Office copies of the social media posts by the Minister of Community Services which presuppose the passage of legislation by this Assembly that is still awaiting second reading.

The Minister of Community Services was a member of the government when this ruling came forward by Speaker Clarke and was present in the House. He is well aware of members’ obligations to preserve the dignity of the House and, as noted in Speaker Clarke’s ruling at the time, the Chair should not grant the benefit of the doubt in future contraventions of this provision in our Standing Orders.

### Deputy Speaker’s ruling

**Deputy Speaker:** The Chair will reserve this ruling for a later date.

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

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

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

*Motion agreed to*

*Deputy Speaker leaves the Chair*

## COMMITTEE OF THE WHOLE

**Deputy Chair (Ms. Tredger):** Order, please.

Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair (Ms. Blake):** Committee of the Whole will now come to order.

### Bill No. 4: *Act to Amend the Motor Vehicles Act (2021)*

**Chair:** The matter before the Committee is continuing general debate on Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*.

Is there any further general debate?

Member for Riverdale North, you have 15 minutes and 40 seconds remaining.

**Hon. Mr. Clarke:** Thank you, Madam Chair, and I would like to reintroduce my officials who are here today. To my left, I have Chris Butler, one of the specialists on this legislation, from the Department of Highways and Public Works, and to my right I have Andrea Bailey on the justice side and justice analysis of this proposed legislation. I have some brief comments and we can proceed if there are any questions arising.

Madam Chair, I would like to address the topic of roadside safety as it is contained within the new *Act to Amend the Motor Vehicles Act (2021)* as well as why these specific amendments are required now rather than part of the *Motor Vehicles Act* rewrite. The proposed amendments are designed to enhance road safety through expanding roadside suspensions and impoundment authorities of peace officers. Peace officers can now impose 90-day roadside suspensions for criminal impairment with drugs or a combination of alcohol and drugs. Peace officers now also have the authority to impound a vehicle in specific circumstances including: (1) failure to stop after an accident; (2) flight from a peace officer; and (3) existing driver suspensions.

Last year in the Yukon, at least five persons who were eligible to drive immediately with an interlock ignition device under the *Criminal Code of Canada* were prevented from doing so by the existing waiting periods in the *Motor Vehicles Act*.

The proposed amendments will ensure that this inconsistency is realigned by changing the waiting periods for the ignition interlock program to reflect the same waiting periods as found in the *Criminal Code*.

As a result of updates to the *Criminal Code of Canada*, there have been some problems sanctioning certain impaired driving offences because, as the existing *Motor Vehicles Act* only applies to above 0.08 percent, the amendments will reduce the risk of legal challenges to impaired driving sanctions by updating the impairment threshold for blood alcohol content to match the *Criminal Code of Canada* language, which is 0.08 percent or above.

During the Government of Yukon's collaboration with the RCMP and the Driver Control Board, we received input on addressing specific high-risk safety activities as well as aligning the current *Motor Vehicles Act* with the *Criminal Code of Canada*. The RCMP were supportive of the additional enforcement tools for roadside suspension and impoundment duties. The Driver Control Board supported updating provisions related to the *Criminal Code*, specifically the waiting periods for the ignition interlock program along with the alignment of Yukon laws with the federal law.

In conclusion, I recommend that the members of this Legislature support the passing of this *Act to Amend the Motor Vehicles Act (2021)* as a means to reflect the changes made to the *Criminal Code of Canada* while also addressing important safety issues which are needed now.

**Ms. Tredger:** My question is one that I flagged in general debate on this bill during second reading. I wonder about the timeline for the review of the full act. I did review Hansard, as my colleague had just asked this question before we adjourned debate, but in all of the second reading debate as well as the Committee of the Whole debate thus far, I have not been able to find an answer. I wonder if the minister could tell us when we can expect a full review of the act.

**Hon. Mr. Clarke:** Thank you for the question. I think that I can provide a fairly quick answer on this, but there are a number of different pieces that have been brought for consideration of our government in the overall rewrite of the *Motor Vehicles Act*. We are proceeding with that.

Members opposite will know that originally there was a proposal to introduce the new *Motor Vehicles Act* into the Legislature probably a year ago or so. However, at that time, there was consideration for the act itself to be brought to the Assembly for consideration. Upon reflection, it was determined that it was a better idea to have the legislation and the regulations ready to go. I have heard from people like Chris Butler and other technicians at the Department of Highways and Public Works on a number of different topics that we are reviewing to be brought forward to the Assembly in due course, certainly recognizing that there is some urgency in moving this matter forward. As I have taken a dive into this issue as well, I have found out that, in some jurisdictions, it has taken somewhere between seven, eight, or up to 10 years for a full rewrite of a motor vehicles act to occur. I certainly don't want that to occur.

I am pushing from my end. I can advise that we do have a dedicated drafter on this project, which is certainly very positive. The current likely time that this new legislation will come for scrutiny by the House is in the spring of 2024. However, if at all possible, I have certainly asked my drafting team at Highways and Public Works and Justice to expedite this if at all possible. That wasn't such a short answer, but that is the answer.

**Chair:** Is there any further general debate on Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*?

Seeing none, we will now proceed to clause-by-clause debate.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Clause 3*

*Clause 3 agreed to*

*On Clause 4*

*Clause 4 agreed to*

*On Clause 5*

**Ms. Tredger:** Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, read and agreed to.

#### **Unanimous consent re deeming all remaining clauses and the title of Bill No. 4 read and agreed to**

**Chair:** The Member for Whitehorse Centre has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all remaining clauses and the title of Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, read and agreed to.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Chair:** Unanimous consent has been granted.

*Clauses 5 to 12 deemed read and agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Clarke:** I move that you report Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, without amendment.

**Chair:** It has been moved by the Member for Riverdale North that the Chair report Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Vote 54, Tourism and Culture, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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 (Ms. Tredger):** Order, please.

I now call Committee of the Whole to order.

#### **Bill No. 202: Second Appropriation Act 2021-22 — continued**

**Deputy Chair:** The matter now before the Committee is general debate on Vote 54, Tourism and Culture, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any general debate?

#### **Department of Tourism and Culture**

**Hon. Mr. Pillai:** Thank you, Deputy Chair, for the opportunity to rise today to introduce the 2021-22 *Supplementary Estimates No. 1* for the Department of Tourism and Culture. I want to take a moment to thank Deputy Minister Justin Ferbey, who is here to support me today in answering questions from the opposition, and as well, our acting director of Finance, Kate Olynyk. Thank you for coming in today; it is great to see you both. I appreciate the supports not just today, but throughout the year.

As a quick review, the department's main estimates, as tabled in the spring of 2021, were \$39.2 million. That breaks down as \$36.1 million for operation and maintenance and \$3.1 million for capital. We are very proud of this budget and the work that is being accomplished through it. The programs and services delivered by the diligent and passionate staff of the department are very important to our society's well-being and economy. It also contributes to maximizing socio-cultural benefits to Yukoners and visitors.

As we are all aware, the COVID-19 pandemic is not over yet here in the Yukon or elsewhere in the world, but we are seeing signs of improvement in a number of economic indicators, which demonstrate that Yukon's recovery is underway.

The Yukon was one of the only two Canadian jurisdictions to demonstrate GDP growth in 2020. Statistics Canada found that, while Yukon's level of economic activity declined in April, May, and June 2020, it rebounded significantly from July 2020 to now. Retail sales did not decline in 2020, instead rising 2.3 percent over the 2019 levels.

Construction continued to be very strong through 2020. The first five months of 2021 show that this growth in construction has continued. The mining sector continued its growth during the pandemic, and the Yukon has benefited from increased exploration spending and investment in mining operations. The Yukon's population has also continued to rise, the number of active businesses has returned to pre-pandemic levels, and our unemployment rate is currently among the lowest in the country.

Despite all of these positive trends, tourism is the one sector that has not been improving at the same rate as the other industries in the Yukon. While some border restrictions have been lifted, travel is still far from returning to normal levels. The 2021 second quarter Yukon tourism visitation report for the months of April, May, and June shows international border crossing into Yukon 94-percent below the five-year average.

Overnight visitation for international visitors is starting to improve, but it is still 87 percent down from the five-year average. Similarly, air arrivals in Whitehorse are also picking up again, but are still 77 percent lower than our five-year average. Clearly, economic recovery is going well, but the tourism sector has not yet rebounded.

Based on industry feedback, data, and the guiding principles of the *Yukon Tourism Development Strategy*, our government launched the three-year, \$15-million *Tourism Relief and Recovery Plan* in December 2020. The plan outlines initiatives to support the survival of the Yukon tourism businesses and how we rebuild and strengthen our tourism sector for the future. We are now in the second year of this plan, and the tourism industry continues to need relief and recovery support.

This year's winter tourism season will likely be another difficult one for tourism operators. Assistance for these businesses is still a significant priority. To ensure that our tourism assets, accommodations, experiences, and communities remain viable and sustainable for recovery, we will continue to invest in tourism industry relief and recovery. That is why the Government of Yukon has renewed and extended the tourism accommodation sector supplement and the tourism non-accommodation sector supplement until March 31, 2022.

These funding programs were created to ensure the accommodation sector and other visitor-dependent businesses could access additional funding after they had exhausted other financial supports. The accommodation supplement provides up to \$400 per room each month, up to the point of break-even, for eligible accommodations businesses. The non-accommodation supplement provides businesses that rely on visitors at least 60 percent of their revenues, up to \$60,000, to cover fixed and variable expenses, up to the point of break-even.

As of October 29, we had provided support to 94 businesses, with agreements totalling just over \$4.1 million since these programs began last year. To continue these two important programs, the department is tabling a supplementary budget of \$43.1 million, an increase of \$3,985,000. This increase will mean that, from October 1 to March 31, 2022, tourism-reliant businesses will be eligible for a new round of supports. Because of their experience with business funding programs, the Department of Economic Development will take over administering these supplements going forward, but the budget will remain with the Department of Tourism and Culture. I would like to thank the Tourism and Culture staff for their responsiveness and hard work in developing the funding programs and administering them until now.

Responding to the evolving and unstable conditions brought on by the pandemic required flexibility and adaptation. I am proud to say that the Department of Tourism and Culture continues to provide effective relief and support. This government recognizes the value of our tourism, arts, and culture sectors and the contributions they make to our economic and social well-being.

Tourism, again, is vital to the Yukon in a myriad of ways. For decades, it has been a strong and consistent economic engine for the territory and a source of employment in Yukon communities. Every community participates in tourism and is home to tourism businesses and operators.

This pandemic has highlighted that there is a person, a family, and a story behind every business. These business owners and employees are our neighbours and our friends. They are people who care about our community, people who are deeply invested in our social fabric, and from an economic perspective, their earnings and their spending support the larger economy.

Yukon's outstanding tourism reputation is built upon the passion and talents of Yukoners. The ingenuity and enthusiasm are as much a part of what draws visitors as our incredible wilderness, vibrant culture, and captivating heritage. This sector continues to show great leadership and grit. Their businesses enrich the Yukon in many ways, but it wouldn't be possible without local support.

We all know someone whose livelihood depends on travel, and this is the moment to thank them through our patronage. As we recover, we can all help out by continuing to do the things we are already doing: Visit and take part in the activities and services that tourism businesses offer; share the Yukon places and people that you love on social media; celebrate the people, experiences, and events that make our corner of the world such an incredible place.

These were the foundational principles behind the Great Yukon Summer travel rebate program with over 170 tour packages from 62 businesses that were on offer, and Yukoners were able to explore their own backyard like never before, all while supporting local businesses.

As of October 29, 1,895 Yukoners had participated in the Great Yukon Summer, spending over \$1.3 million with Yukon tourism businesses. There have been 785 applications for rebates, totalling almost \$330,000. The summer experience packages were extended, and Yukoners were able to book existing summer packages into October, with the deadline to submit summer rebate applications being extended to November 30, 2021. This extension also gave Yukon businesses a chance to put together new packages for the Great Yukon Summer Freeze rebate program, offering Yukoners a range of experiences and options to take part in over the winter and during spring break 2022.

The Great Yukon Summer Freeze is a continuation of the summer program and will function the same way, with Yukoners paying for eligible tourism packages offered by local operators and applying for a 25-percent rebate. Given the popularity of the rebate program, this extension into the winter will look to build on the momentum and allow winter operators to participate, while continuing to encourage more Yukoners to get out and experience all the great sights and experiences that our territory has to offer.

Packages became available for booking on October 22 at [greatyukonsummer.ca](http://greatyukonsummer.ca), with more being added in the coming weeks. Winter packages will take place between November 1, 2021, and March 31, 2022, and the program will

continue to be administered by the Yukon Chamber of Commerce, which has done an exemplary job and has really stepped up as an indispensable partner.

As I said, the response to the Great Yukon Summer campaign was fantastic, which also includes the events funding, which I will speak to now.

As part of the government's ongoing commitment to assist Yukon businesses and organizations with COVID-19 impacts and recovery, a total of \$500,000 in extra funding was made available. We delivered this through a special Great Yukon Summer edition of the On Yukon Time funding stream to help develop, adapt, and expand the reach of Yukon festivals, events, and other summer activities. A total of 53 recipients — which included non-profit societies, industry, community associations and collectives, First Nations, municipal governments, and Yukon businesses — received this funding.

They held events and programming such as music and culinary festivals, film screenings, live theatre, dance, storytelling, artist residencies, sporting events, and a diverse array of small-scale and local events throughout the territory. Because of this new funding opportunity, we saw new areas of creative emergence and entrepreneurship, groups trying things they hadn't before, delivering to new audiences in new formats.

The Government of Yukon recognizes the important role of festivals, events, and other summer activities in the livelihood of Yukon artists, businesses, and Yukoners. Events not only attract visitors and bring a positive economic impact, but they enrich our lives, deepen connection, and give us all something to look forward to. Supporting arts, culture, sports, and business sectors leads to many other societal benefits beyond the immediate financial security of organizers. They show off who we are to the world, what we are proud of, what makes us unique, and what makes us somewhere that the world wants to be.

As we navigate this final phase of the pandemic, the forecast is favourable, and our path forward is promising. The Government of Yukon is committed to supporting the tourism and culture sectors through this crisis. Working across the entire Government of Yukon, especially with our colleagues in the Department of Economic Development, as well as with the federal government and impacted businesses, organizations, and other stakeholders, we will continue to explore avenues to support the tourism industry through recovery and will remain responsive to the needs of businesses.

We will continue to invest in relief and recovery to ensure that our assets, accommodations, experiences, and communities remain viable and sustainable for recovery. With the tourism development strategy and the relief and recovery plan to map the way, and the leadership and input of our industry partners, we are confident that we will get back to where we were pre-COVID.

I am honoured to represent Tourism and Culture as minister, and I look forward to the important work ahead.

**Ms. Van Bibber:** I too would like to thank and extend a welcome to the deputy minister and the staff who are attending today. As was mentioned by the minister, the world pandemic

has really hit our economy and taken the wind out of the sails, and of course, no one was hurt more than the tourism sector.

The Yukon thrives on its tourism industry, and a number of businesses are really suffering a major hit. As was also mentioned, the number of travellers has dropped so drastically that we are in the 80-percent to 90-percent range. Even without my crystal ball handy, we know this coming season is not looking so good.

As was mentioned, the department has stepped forward with the program for the accommodation and the non-accommodation sectors to provide dollars in support to at least keep them afloat.

Can the minister give us the total amount of money spent on each of these sectors — the accommodation first and then the non-accommodation sector? Has each of these programs been fully subscribed to?

**Hon. Mr. Pillai:** To date with the accommodation and the non-accommodation programs — October to March and 2021-22 April to September — so our total amount that we've provided through both of those programs is \$4,126,538. We have had a total of 140 applications, and we have supplied in support to 94 different businesses to date.

We have not been to a point that we have exceeded our allowable. Really, what we have tried to do, throughout the pandemic, is in many cases — you do your very best to forecast what your budgets look like — especially for these programs — of course, looking at a series of different data. We have been lucky to lean on some of the folks who specialize as, essentially, economists in government to help us with that.

So, today, we still have funds available. Really, truly, what we have always said is that we will dig in and make funds available. Sometimes you have to cash-manage that through the appropriations that we have. In this particular case, we're coming back to look for an increase through our supplementary budget, but we feel that, with this request, we're managing the demand well and we are still processing some applications. Right now, we would be allotting more than just this \$4.1 million. I think that we're in a good position to help the tourism operators who need it.

When we pivoted from the Yukon business relief program, there were about 12 businesses at that time that were still receiving funding. We were wrapping up those applications. What we have tried to do is make sure that, within the non-accommodation program, if we needed to, we could be agile enough to carry folks over. But I think we have done a good job of catching the companies or businesses that are still in a fragile state to make sure that they are ready to embrace tourism coming back to pre-COVID levels.

**Ms. Van Bibber:** The national TV ads that have been showing with the tagline "It's a Different World Up Here" — and I have to admit that I did see one when I was watching curling and was quite impressed with the ad. Could the minister tell us who created the ad? When did they start running? For how long and on which stations will these ads continue?

**Hon. Mr. Pillai:** This is our fall into winter campaign that is happening, and there are multiple platforms that it's running on. I think that I touched on it in the House the other

day. I watched one of them during *Hockey Night in Canada* two weeks ago, just when they started to run. It is our focus on really pushing to a number of different TV channels.

There is a tremendous specialty channel output as well as some of our regular cable channels. I will tell you what — I am going to get you the entire list of stations that are covering it, because it is pretty robust. We are also doing a digital strategy that goes along with that. I think that October 18 was our start date, and I believe that it goes into December. I will get the full campaign timeline for you. Again, there is a big digital component of it that we are pushing out. There is a multitude of three key different images that we're using. It is something that, through all the data that we collected — through Cossette, which we work with very closely, and Aasman, of course, is our other partner and a local company. So, for things like the Great Yukon Summer, Aasman jumped in and really helped us to define the look and feel of that campaign and helped us with some of the marketing strategy.

In this, you have Aasman, but Cossette is a lead on it, and they really took a look at going across and trying to get a feel — sort of with their data — that there was something that we needed to do. We needed to compel our visitors; we needed an emotional response, really, to what they are seeing. It is something unique. What we are hearing across the industry at this particular time is that this type of campaign is very unique. You might have seen some that had the look and feel from the northern lights. You might have seen some of the wildlife pieces that are there, with a sort of mountain backdrop. You may have seen some of the indigenous culture that is embedded into some of that as well and some of our local iconic pieces of infrastructure — hotels that are there as well.

Again, it is focused on our domestic market — so it is Alberta, BC, and Ontario. As my deputy minister said to me when we were reviewing it, it seems that people really like crime dramas — because if you look through the shows that we are covering — or the adventurous type of folks as well as some of the other shows — that would be more like *Gold Rush* and things such as that — that they have tied into. We are pretty excited about this one out of the gates.

I guess that the other piece — we have learned a lot over the last year, or year and a half, about our domestic market. We do think that we have areas that are untapped. We think that it is very important at this time, as we wait to see what is happening with international travel, to focus on some of those big, big markets and to see, in the early stages of this COVID recovery, if we can pull more Canadians to the Yukon in the summer — and, of course, in this one, showing pretty amazing winter opportunities.

**Ms. Van Bibber:** Could the minister fill us in on the cost of this campaign? Is there CanNor federal support for this? We also see that use of the program is running to December this year, so this is focused on our winter opportunities. Will there be a refocus come spring and summer?

**Hon. Mr. Pillai:** For the member opposite, I will make sure — I'm going to dig in just to make sure I have — I'm going by memory from reading through that, and I think it's December. But you are absolutely correct that we're also

looking at what happens in Q1 and Q2 of the next part of our strategies and into the part of the calendar year — sorry, confirmed that it is the end of January.

It's not just us. As we start to turn the corner on looking at our international opportunities and seeing the movement of visitors again, the approach that we're looking at right now is that we have the budget that we put together — which was that the previous minister identified \$15 million that had a number of items within it that were helping us to move through the recovery. We're using the existing budget for the campaign.

Essentially what happens is that — with our relationship with our marketing firms — as components of the marketing start to get underway, we sign off on those pieces of the strategy. I think what I'll do is — to be fair and to give you a fulsome answer, I'm going to get you all of the channels that we're using and a bit about our strategy so that you can see that, when it comes to the digital side and online — and then I can get a number for you just on that campaign from October 18 until January.

When we think about our international — we take some of that burden on, but also, we're looking for two key partners. We have lots of domestic folks, of course — partners that we work with that you would know from your days in the tourism industry and different organizations that you were part of — but above that, Destination Canada, which we're really looking to lean on. We had a meeting with them in September and had a chance to see what they're thinking, moving forward. They are feeling that the Yukon is in a good position to jump right back into the market, partially because some jurisdictions had big starts and stops.

You might see that there's an Atlantic Canadian province that has done an extremely good job over the last number of years with some really catchy advertising — expensive too. What we were trying to be very cognizant of — we didn't want to roll out something big and then have to really retract that, and some of those folks did.

When you talk to people in the tourism industry across Canada, at the same time that an ad was running on TV, the borders for that particular province were being shut down, so you are really sending mixed messages to your potential clientele. We just tried to stay live with our advertising and continue to have it out there but, at the same time, be really respectful of what was going on inside the Yukon — not just working with the medical community, but what was happening in the communities of the Yukon. My predecessor did a great job of really trying to have a finger on the pulse in all the communities of what people were feeling and trying to ensure that, when we were inviting people back, we used the best possible standards. That was some of the work that was done with TIAY to ensure that there was an acceptability. We also were ensuring that visitors were coming and approaching their experience in a really respectful way to those communities and, in turn, the communities were ready to embrace that opportunity. Those are some of the key pieces.

With Destination Canada, we are really seeing, from our conversations, how they want to interact with federal governments. Of course, they are like a Crown corporation and

they are looking at that European market pretty quickly as somewhere to be. They want to be sending representatives at the technical level to hit those markets. Of course, we have some of our best markets, as you know, in western Europe. At the same time, we are also looking to see what is going to happen now that they have identified a new minister who is going to lead tourism. I am happy about that — somebody who is coming back to Parliament. They are based in Edmonton. I have had a little bit of interaction with that individual before, and I'm really hoping that, once they get their feet under them, we are going to see how our provincial and territorial governments will be partnering with the federal government as well to look at not just the programs, but how we are going to market Canada.

I will just read a couple of pieces for you. Again, the department invests approximately \$6.9 million annually to market Yukon as a year-round tourism destination. Tourism Yukon actively markets in 10 countries around the world, and our primary markets are Canada — as we talked a bit about our domestic strategy — the USA, and German-speaking Europe. Our secondary markets are Australia, the United Kingdom, and Japan, and our emerging markets are China and the Netherlands. We are monitoring the markets of Mexico and South Korea also on our radar as places where there is some real potential.

I know, from my experience in Whitehorse and travelling around, that we are seeing and bumping into more and more folks from Mexico who are coming to the Yukon. Pre-pandemic, our international tourism accounted for about 70 percent of Yukon's visitation volume and 90 percent of visitor spending — so, very significant for us to keep our eye on. It's not expected to return to these levels until about 2023 — is what experts are saying in the field. Again, as you stated, for 2022, we need to have our programs in place and continue to have people ready for 2023.

Given the restrictions on travel as a result of the pandemic, Tourism Yukon re-profiled some of our budget in support of our Yukon and BC marketing programs. As well, we took \$100,000 for the Explore Your Yukon campaign, which was designed to encourage Yukoners to travel to communities throughout the Yukon. That was new; that is not something that was done before. About \$225,000 was spent on our BC campaign as well.

I think it would be important to note the *Art Show of Winter* video. It was a beautiful piece. It was produced under our content program. One thing we try to make sure that our marketing firms, our communication firms, are aware of is that we want to try to ensure that, any chance we have for Yukon content, Yukon artists, or technical expertise to be used by those firms — we always want to remind them of how much of an opportunity that is. As true partners with us, that is something they should be thinking about all the time.

The *Art Show of Winter* was produced by Megan Jensen. I think a lot of individuals here in the Assembly have seen that. If you didn't, please let me know, and I will provide you with a bit of information about it. It is just beautiful. It is a Yukon-based production company, TSU North, which has resulted in

significant awareness for the Yukon in our target markets and travel publications, such as [vacay.ca](http://vacay.ca). It won gold and silver awards from *strategy* magazine's annual marketing awards, which is something that was pretty significant. Just talking to the firm on how they went out and how they shot that and how they got it done, it was kind of a magical day. Megan did an incredible job — so, kudos to her and Yukon talent.

Going back to our visitation levels for domestic markets, they are anticipated to return to near pre-pandemic levels in 2023; however, as a result of supply-chain issues and other challenges — and COVID-19 variants — full return to overall markets could take until 2026 — is what subject matter experts are saying. We are hoping that our market is bouncing back much quicker.

I hope I covered most of your questions. If I didn't, please let me know.

**Ms. Van Bibber:** The current program that was called the Great Yukon Summer, where Yukon businesses registered a package, or packages, to offer to Yukon residents so that they could experience our territory and, at the end, apply for a rebate of their expenses ended yesterday, October 31. Today, a new program, called the Great Yukon Summer Freeze, begins on November 1 — I believe you stated until March 31, 2022.

Can the minister give us a breakdown of how the money flows? We have the Yukon Chamber of Commerce, which gets the packages together. We have the Department of Economic Development, which is now going to be doing the rebate portion, yet the funding is still coming from Tourism and Culture — is that correct? If the minister could explain the responsibilities and who handles which aspect of the program.

**Hon. Mr. Pillai:** I had better clarify: The accommodation and the non-accommodation programs that we're talking about today — the money is still inside the Tourism and Culture budget, but we're having some of our team members at Economic Development essentially process the applications. Part of that is because, early on, the Department of Economic Development jumped in very quickly and had a number of different programs to administer. They would have done 549 Yukon business relief program applications. We were doing the essential workers. The team got very competent at running those programs and moving through the applications, so that will stay the same. The only difference is that, instead of the Tourism folks essentially reconciling the applications for those two programs, it will be Economic Development.

We will continue for the Great Yukon Summer Freeze. That will continue to be delivered by the Yukon chamber.

I just asked our acting finance director, and essentially, we have a transfer payment agreement that's in place. We have paid admin fees to date, for your records, of \$48,096. That is based on that \$1.3 million, almost 2,000 people receiving, and almost 785 applications.

We will continue to have that same relationship with the chamber as we go into March. You are absolutely right, March 31 — and partially because we are hearing that from Yukoners, saying we really want to support our tourism operators who have winter product, and not just at Christmas

time, but also during March break, which would be a really good chance for us to support them. So, that is essentially how we are going to run our programs.

I am going to go through quickly so that the House has the information today, instead of having to wait. I am going to go through a little bit of our campaign and answer some of those earlier questions concerning what we are looking at for our campaign that is going on right now until January. I will try to give it at a high level without getting too deep into it.

For television, we are looking at British Columbia and Alberta, as well as some USA specialty channels, but really focused on BC and Alberta and regional. Global Network is one of the networks that we are looking at, as well as some specialty networks, and I will go through them all. Again, at the national level, we are getting reach through a number of networks that I will touch on, as well. Those are anywhere from 30-second ads to 15-second ads.

Online digital — we focused on British Columbia, Alberta, and Ontario. That can be anything from newsfeed posts and social media, and stories and video, and they range anywhere from 10 seconds to 15 seconds, and the YouTube videos we are using are 15 seconds. Our partnership with tripadvisor.ca — we are doing BC, Alberta, and Ontario, and it is site-wide and is videos that are about 15 seconds long, and we are also doing social and newsfeed posts.

Place-based, which is in airports — if you're going through the Vancouver airport or the Whitehorse airport, you'll see, on digital screens, about 10 seconds in arrival areas, and static posters as well. We're also pushing out to BCAA — British Columbia Automobile Association — as well as CAA, but really, CAA west — so, focused on Alberta, Saskatchewan, and Manitoba — and *Canadian Geographic*, and we're buying a full page in all of those publications.

Always-on, which is an approach that we're using through some of our digital strategy, is Canada nationally and BC, Alberta, and Ontario through content amplification on social media.

Our run dates for Travel Yukon winter, which is October 18, 2021, to January 2, 2022 — again, online digital, Tripadvisor partnership and magazine. On television, I think we've touched on some of the channels that we're looking at right now — Global, CTV, CTV Global, for the most part in Calgary, and then, as well, in Vancouver and Victoria, and as I stated, *CSI: Vegas*, *Survivor*, *Global News*, *NCIS: Hawai'i*, *NCIS: New Orleans*, *FBI*, *The Equalizer*, *Saturday Night Live* — as you can see, the trend, lots of — I guess through our data, that's — our professionals are telling us to team up into these pieces — as well as *60 Minutes*, *Grey's Anatomy* — these are all different shows that we're running our ads in, and that's the Vancouver and Victoria market and sort of the same content, pretty much, that we are using for our Calgary piece.

Some other channels — when I say the specialty channels that I touched on — the History channel, SYFY channel, W Network, Showcase, E!, CMT, Comedy, Food Network, HGTV, Sportsnet, Slice, Discovery, CTV Drama, SCI, DIY network, BBC Earth, MTV, Stingray, Velocity, BBC First,

TSN2 — that has a big reach for us, as well, there. I think I've gone through shows.

Our USA specialty stations, which is really focused on the BC market, BTN — Big Ten Network — CNBC, BBC World, Golf Channel, A&E, TLC, BET, AMC, Paramount channel, CNN, Fox Sports Racing, GSN, Fox News channel, PT TV, CNN Headline News, NFL Network, and MSNBC — so, it's quite a reach.

I think that one of the questions was: How much was the cost? Our total media buy for this was \$1,295,595.

The most we touched on earlier, because it really focused on our domestic work. What I will do is ask Deputy Minister Ferbey to just provide me with some of those ads that we could share. I have seen some individuals in government — Mr. Ferbey shared them, and others shared them, and I know that they will. I will just send them out to everyone here. Even through the political debate and challenges that we have, I think that everyone wants to see the tourism sector rebound. All the content is not political. It's very well done. You all have many followers on social media, so, if you could put that out, it will be a great help to your friends and neighbours.

**Ms. Van Bibber:** I understand that at the beginning of the pandemic there were quite a few dollars allocated to museums and cultural centres so that they could maintain at least minimum operations and also plan or make new projects for the comeback of visitors, whenever that happens. Has this proven successful? Can you give us an update on the projects or plans that have been submitted by the cultural centres and the museums?

**Hon. Mr. Pillai:** The cultural sector, which is a significant contributor to the socio-economic life of Yukoners, has been hit particularly hard by the impacts of the pandemic. Many events and festivals in the territory were cancelled in 2020 and notably scaled back in 2021, due to COVID-19 restrictions, which significantly limited opportunities for the creative sector to earn their income.

Yukon government continues to support the culture sector and create opportunities for it. To strengthen and ensure Yukon's unique creative voice in sectors, economic contribution continues.

The impacts of COVID-19 on the cultural sector here in the Yukon, across Canada, and around the world will be long-lasting, and the pandemic has resulted in some innovative and new ways of creating, performing, and engaging, which we expect to continue as part of the long-term adaptation.

In 2020, we immediately responded to the needs of the arts community by making an additional \$455,000 — arts funding for \$425,000, and again, through YVAC, we did another \$30,000 — available for individuals and organizations through our existing suite of funding programs.

We created the \$300,000 non-profit sector supplement program through the *Tourism Relief and Recovery Plan* year one, for organizations under financial pressure resulting from COVID-19. Yukon Historical and Museums Association administer this program, which was terminated on March 31, 2021. We distributed \$473,531 through the On Yukon Time: Great Yukon Summer Edition events funding,

and some organizations had the opportunity to leverage that and to be able to provide themselves with some income.

In 2020-21, the department honoured all existing funding agreements for organizations and projects that had been cancelled or postponed as a result of safety measures related to COVID-19. The arts fund was increased by \$125,000, and the department offered a one-time special intake last April for that amount.

When we were monitoring the sector impacts, we encouraged the establishment of the Yukon Nonprofit Advisory Council and undertook a survey of Yukon registered non-profit organizations, as a government-wide initiative, in partnership with the Yukon Nonprofit Advisory Council and the Yukon Volunteer Bureau, and monitored sector data from national surveys, such as the Canada Council for the Arts, and have adapted programs accordingly.

Getting right to the core of that, as I stated, do we feel that it has been effective — I think is essentially the paraphrase. It has been a different story for many different museums and cultural centres, from one to the other, based on their model. We have some smaller museums that just made the decision to shut down because of concerns in their community. Of course, we continue to provide the contribution agreement. Any of those fixed costs that may have been in place, for the most part, were covered. Some folks didn't bring staff back, or they had volunteer staff.

We have other museums or cultural centres that have a different model, where they may have anchor tenants, and they don't have any significant overhead, except for their O&M. If their O&M is paid for, perhaps by a First Nation government, then they might have used those individuals who would normally work in that centre to deploy them to another area of need.

The discussions I have had with folks in this sector is that there was a federal commitment made in the spring, and we are waiting for that to roll out. It was money committed. I thought, from our standpoint, what we are watching to see is: Will that be an appropriate amount to support the most vulnerable cultural centres and museums? That is something that we are closely watching right now.

We are hoping to see that defined. I know the leaders in that industry were waiting to see that, and that is something we are hoping, very shortly, that we will have an understanding of what those programs look like — and some of the bigger established museums or cultural centres, I think, have taken the biggest impact.

How we handle it — whether it will be enough, or will we have to take a look at that program and augment it — I'm not sure. These are going to be important conversations. Certainly, my conversations have been that we want to be there for the folks who are in that industry. Again, there is such plethora of different scenarios for each one.

I think it would be important to add, though, that I had the opportunity to speak about our museums and cultural centres policy, and I had an opportunity to speak to leaders. A meeting was held in Dawson City just a number of weeks ago. There were two key topics during that, and one was — the member

opposite will know — there is a long-standing need in the Yukon for an appropriate piece of infrastructure for us to look after our archived riches.

We have either the paleontological, the archaeological, or even the permanent collection. We have been in this situation for a long, long time. It has been over a decade where things have been stored in spots that really are probably not appropriate for that level of value. How can you put a value on some of those items?

There has been good work being done on that. The department has been doing some design and planning, which was budgeted. We continue to do that work, but the fear from all of the members was that the government was going to potentially occupy a space where museums do their best work. It was really about: Are we building something that will in turn compete or take the place of museums? That is especially when they are trying to make sure that they have appropriate funding in place. It was a good opportunity just to clarify to them that it is not about that; it's really about having proper archival space for all of those amazing things. The individuals who are extremely passionate about this have taken the time — I have had a chance to sit with them all and really get a sense of what their thoughts are.

The second thing was the policy. There has been a big push about trying to make sure — it has been a long time, many years and successive mandates, trying to get to a place. There are costs that continue to go on. They want to make sure that those museum and cultural leaders have the right supports in place. That was something that we have committed to continuing to work with them on and trying to meet them on that.

I think that those would be the key pieces. I think that it is appropriate to share that with you because I think, for museums and cultural centres, those seem to be the hot topics at this particular time.

**Ms. Van Bibber:** Thanks for that answer.

On this same line of questioning, there was a creative and cultural industry strategy that was completed and then delayed due to COVID, as I understand, and it is currently under review by you, the minister. Can the minister tell us what happens with this review? When will the actions be implemented for creative and cultural practices?

**Hon. Mr. Pillai:** I will answer this in three parts. Just for the Assembly, I want to give a little bit of background about this. There was some very significant work that has been undertaken on the creative and cultural strategy.

The creative and cultural strategies industries, of course, are a key part to Yukon's economy and our northern way of life. When we think about how many individuals work in this sector in the Yukon, we have, per capita, almost the largest number of individuals. But, when we cross-reference that against their impact to our economy, there seems to be a challenge there. We need to figure out how we can have those individuals working full time as cultural entrepreneurs and, at the same time, making the impacts that we are seeing in other provinces and territories across the country.

The creative potential, advancing Yukon's creative and cultural industries, is a government-wide strategy that will

support growth and development of Yukon's creative and cultural industries. There is a clear opportunity to increase the contribution that these industries make to Yukon's GDP and, through rewarding work, that enriches the quality of life in Yukon.

The strategy identified four strategic objectives and 22 key actions. All of the actions integrate input gathered through an extensive public engagement with individuals and organizations in the creative and cultural sector. The previous minister, to whom I would like to say thank you, from the start requested that I was there, working alongside on the opening of this. The previous minister did a lot of work — the bulk of the work — to get this to a place where it was ready to be funded and then moved back on.

I am going to clarify a bit on those numbers. Yukon's 2018 cultural GDP was \$59.7 million, representing two percent of the total territorial economy. Canada's 2018 cultural GDP was \$56.1 billion, representing 2.7 percent of Canada's total economy. Moving Yukon to 2.7 percent through implementation of the strategy will increase Yukon's GDP by \$21 million, so we think that there is an opportunity there. The numbers that we are looking at — we think that there is about a \$21-million opportunity.

Again, Yukon has the third-highest concentration — I apologize; I want to correct the record — I think that I said that we were the first, but we have the third-highest concentration of artists in the country — 1.14 percent — and the highest concentration of cultural workers at 5.3 percent in Canada. Those are 2016 numbers.

Just to give you a bit of background on the consultation around this, on May 3, 2019, the in-person Whitehorse gathering had about 100 participants, leaders in the sector; in September to December 2019 in-person sessions, there were 35 sessions and 5,000 comments; in September to December 2019, there was an online survey with 133 submissions, and December 2019 focus groups contributed to a draft strategy; and in January to February 2021, there was public comment on draft strategy with 36 responses. In the 2021-22 budget, we had put some implementation money in place.

But to answer the question, the cultural strategies — a number of things have happened. I thought that it was appropriate to ensure that I had a strong understanding of every component of that before we launched it or before I brought it through the processes — that we needed to have it funded. If there has been any delay on this, that lies with me. I just really needed to understand it.

The second thing is that I wanted to ensure that all of the budgeted monies in it — that we had a very clear understanding that they could all be deployed in a very effective and efficient way and that it was a strong, strong budget. We went back a bit with our teams to make sure that we really disseminated how we were going to use that money.

This is all in process now. I can say that. There are internal government processes that it has to go through. It's on its way, and then we will be able to work toward launching this very important strategy in the near future. Many individuals who work in a cross-section of these sectors are all patiently waiting,

but I know that they want to see the strategy put to work and to get that GDP again from 2 percent to 2.7 percent and for them to have the proper resources they need to really expand and excel in the areas that they work within the cultural fields.

**Deputy Chair:** 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:** I will now call Committee of the Whole to order.

The matter now before the Committee is general debate on Vote 54, Department of Tourism and Culture, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

**Ms. Van Bibber:** One of our southern gateway towns has been without a visitor reception centre for quite a few years now. The visitor reception centre is currently housed in the recreation centre.

Can the minister provide us with an update on this VRC and if there are plans to replace it or just continue to rent space in the recreation centre? Also, what is the cost of renting this space annually?

**Hon. Mr. Pillai:** There has long been a need for an improved visitor information centre. I know that probably over successive mandates there has been a discussion around this and different ideas on what structures to use — whether to build something brand new. At one point, there was thought about using one of the older hotels that were there, and it actually ended burning down in a subsequent fire. There is definitely a need.

I would like to take the opportunity to commend the municipality of Watson Lake. They have done an exceptional job of just making sure that it is a very pleasant community to drive into for tourists. For anyone who has been in Watson Lake this last summer or the summer before, under the guidance of the mayor and the CAO, they have done a great job. There are flags from all around the globe. There is another individual who takes time to make sure that there are flower baskets throughout and that the lawns are kept looking fantastic. Again, it makes such a difference. As the member opposite said, it is the gateway when you are driving into the community.

The visitor information centre in Watson Lake is located in a leased space in the town's recreation centre. Again, thank you to the Town of Watson Lake. It is usually open from May 1 to September 30. To be fair to the folks who work there, there are some individuals who have worked at the visitor information centre in Watson Lake for a long, long time. This September, I took some time to go and sit with them and understand what they thought about it. They walked me through the installations that were there, but also it was about what their thoughts and feelings were. The member is absolutely correct; it is not an optimal spot — everything from just the sound in the space to all the other activities that go on in the building. Certainly, the individuals who work at the visitor information centre in Watson Lake take immense pride in telling the stories

of the Yukon. I heard it loud and clear from them — the folks on the ground — who said, “Look, we know it’s not going to happen overnight, but this is not an optimal spot for us.” That really had to do with some water damage in the previous space.

I was privy to the previous minister having some pretty fulsome conversations with Liard First Nation on trying to figure out a model that would work — a model where there could be a cultural centre that really focused on Kaska culture and, at the same time, pulling the visitor information centre in or, like you’ve seen in Haines Junction, it became a great part of that business plan where the Government of Yukon leases a space. In some cases, what happens is that there could even be a prepay and that kind of offsets the capital expenditures for the piece of infrastructure that’s there — for the space.

I think, at this time, what I will share with you is that this dialogue has continued on. During that same visit, I spent a number of hours with the chief and council, and we talked about those opportunities as well.

My commitment to folks in Watson Lake, and to Yukoners in the tourism sector, is that I think we have to really go back over this next year and see what our timeline is, and is that going to be the right approach? Our number one priority in that was laid out by the previous minister — our number one option was to be in a partnership, but inevitably, we know that Watson Lake needs to have an appropriate visitor information centre. So, balancing that conversation in a very respectful way — the challenge, I think, is — for some of the nations and going back and sitting with Chief Charlie — to see if that’s a priority for his administration now that they are in place. They have lots of competing priorities that they’re looking at — and to see if this is something they want done. I know that the potential location is there, and there may be other options as well, as we go forward, for an interim solution that might be able to last for longer than just a lease in this space.

Highways and Public Works oversees the lease for the visitor information centre, so I will get back to the member opposite with the annual cost that we’re paying for that particular space in our lease to the Town of Watson Lake.

**Ms. Van Bibber:** The minister stated that he had met with Liard First Nation. Did he also meet with the municipality or any of the other sectors within Watson Lake?

**Hon. Mr. Pillai:** In that particular visit, I met with folks who work at the visitor information centre. I met with our housing manager. It was really as well to try to get myself up to speed in the communities with the individuals representing departments that I’m working with.

I met with the Watson Lake chamber, which is a large group when everybody comes together. The city manager was there, but I didn’t get a chance to meet just directly mayor and council, but I did have breakfast with the mayor and then I did meet with the chief administrative officer in the afternoon in that meeting. As well, the MLA — your colleague — attended that meeting with me. She was there representing the interest of Watson Lake. There were a number of other individuals there.

I also had an opportunity to stop by to speak to the folks who oversee the liquor store — two individuals who have probably more than 40 years of public experience there. I had a

chance to look into their needs and what we can do better. I was trying to meet with the folks who are on the ground delivering those services and the chamber and, again, the First Nation chief and council.

**Ms. Van Bibber:** The border restrictions that have happened — first, Americans could come into Canada. We couldn’t go there. Now those have been lifted and we can go to the States. There are all sorts of rules, regulations, and COVID requirements. I’m not completely aware of everything, but with respect to the cruise ship traffic that we are hoping will rebound and be allowed to come into Canada, has the minister any projections, or is he in talks with the cruise ship and bus tour companies about these passengers being allowed into the Yukon?

Can the minister also give us an estimate of how many visitors we might expect if he is in talks with Holland America?

**Hon. Mr. Pillai:** There are very live issues around cruise ship traffic at this time, so I think, to be very open to the Assembly, I can’t give a projection on numbers right now, but I will give a little bit of information around what is happening that could affect that.

First of all, I will just touch a little bit on the Canadian border crossing. The Canadian Border Services Agency facilitates the flow of travellers and trade. The agency enforces more than 90 acts and regulations, including the *Quarantine Act*, designed to protect Canadians.

We will continue working with our federal government to ensure that border-crossing processes, especially at the Fraser port of entry, are safe, efficient, and lawful. The tourism sector is an important part of Yukon’s economy and is, of course, our largest private sector employer.

The key to that — it sounds like just standard policy words, but the “safe, efficient, and lawful” — “efficient” is because, with the onset of COVID and global borders having particular protocols in place in order to pass through, it is something that we are watching very closely. The reason we are watching that is because what the wholesalers in the cruise industry end up doing is that they provide opportunities to come into the Yukon. Travellers come into Skagway and then have a certain amount of time to be able to come into the Yukon, go through that experience, and then, of course, depart. What we are really watching is the time that it takes folks, because sometimes they are in a busload of individuals and, of course, there are these new measures across the world that are in place. I think that is one thing that I am hearing on this. We are really watching to see how efficient those processes will be. That is going to be key.

The second thing is that we are concerned. I have asked our departments — both Tourism and Culture and Economic Development — to dig into the fact that there have been some very protectionist-style policies tabled by Alaskan legislators, both in the Senate and the Congress in Washington. That is of concern, so we are going through that and we are ground-truthing that. We are also reaching out to industry, and one of the things that we are hearing is that — potentially, you can understand that it is probably a very popular policy position in Alaska to say — what I am getting at is that they would be

looking to have — as I understand it, and we are still digging deep into this — cruise ships would not have to stop in Canada before they travel to Alaska, and they are mandated to do that now. So, there is this change that is being looked upon. But industry folks are saying that it may not give the same results that those legislators are looking for, because it may reduce the amount of time when people can actually depart or the timing for people to depart. Our teams have been reaching in. Essentially, that might mean that there are fewer travellers going to Alaska, which in turn means that there are probably fewer people potentially stopping in Skagway, which we tap into.

We're looking at having this discussion everywhere we can to inform folks about our concerns. The Department of Economic Development has had a membership with PNWER. It has been a great table with representation from Northwest Territories, Yukon, Alaska, Manitoba, right to British Columbia and, of course, Oregon, Washington, Idaho, Montana, and a number of others.

There are winter meetings that are coming up. I have asked for folks to prepare some information. I think that it's important for us to table that for our Alaskan counterparts. I believe that the new vice-president of PNWER is an Alaskan official. I can give a sort of formal background. The federal Minister of Transport announced — this is, of course, what happened first — that there was a ban on cruise ships and pleasure craft in Canadian waters, and that happened in April 2020, which is now due to be rescinded on November 1, 2021. The ban had a significant impact on cruise ship visitation to Skagway, Alaska and on post-cruise tour visitation, which we talked about. Skagway was forecasted to host over one million visitors in 2020 from approximately 473 cruise ship arrivals. Approximately 9,000 cruise visitors were expected through shore excursion trips to Carcross and the Southern Lakes. That gives you a sense of where it was going. In our discussions, I am sure that it will come up in other forms about the Skagway port. There is a big interest, of course, for expansion there. That continues. There is a real interest in Skagway to see those numbers increase and, of course, we want to see folks come across to here. Again, using the means that we have, which is to continue to have dialogue with counterparts or enter into dialogue with counterparts in British Columbia, using the PNWER association to make interventions to talk about our concerns and see what the thoughts are from Alaskan representatives as well.

So, at this point, we don't really have projected numbers because all of those pieces are still moving, but I think that, as we start to see what happens with next year's traffic again and look at ways that we may be able to work with my colleagues at Highways and Public Works and at Community Services around some of these issues and with the federal minister as well when it comes to where we can make those border crossings as safe and as efficient as possible —

**Ms. Van Bibber:** Many of us old Yukoners grew up with the White Pass and Yukon Route Railroad whistling into town with many passengers, and also going down to Skagway.

Are there any plans or activities to bring back the passenger rail into the Yukon?

**Hon. Mr. Pillai:** I would say that there are no plans underway, but I think that it is a very important conversation. There are many individuals and lots of different stakeholders, whether it be the communities that are here — or the potential as well to look at traffic even from Carcross to Whitehorse. I know that there are lots of concerns with communities. My colleague who represents Mount Lorne-Southern Lakes has gone to community meetings and there have been lots of discussions there before. It's fine for me to say that I think it is a great topic, but again, the Carcross/Tagish First Nation — there are so many different governments and communities along there.

Of course, this is owned by White Pass. White Pass has seemed to really focus over the last number of years primarily, if not solely, on tourism traffic, and that's seasonal. Of course, I might have the wrong term, but they still have the tenure to that rail, which is interesting.

We are seeing across Canada — both for traffic where people are just commuting or even from a commercial standpoint — people using rail as a means to reduce emissions and also as a way to reduce traffic flow. We are always trying to build that potential relationship with the folks in Skagway. We have attended a number of meetings there on topics other than tourism — really about the port — and have continued to talk to White Pass about what their interests are in the future with our rail line.

From a tourism perspective, I wish I had had the opportunity to travel that back and forth to Whitehorse. I think it is always a topic that we should keep on our mind. Potentially, in the future, it might be a solution for some of our traffic and supply chain needs.

**Ms. Van Bibber:** This will be my last question. I would like to thank the deputy minister and finance manager for attending today.

As we know, Condor flights have been a huge factor in our tourism industry. We are one of the few small towns in Canada with the luxury of a direct flight from Frankfurt to a city of our size. Can the minister indicate if there are discussions going on with Condor and if we're expecting even a few flights returning this coming year? Can the minister also indicate how many businesses that cater to that specific German-speaking market have been forced to either close due to COVID, or does the department keep those sorts of stats?

**Hon. Mr. Pillai:** So, Condor has recently announced a change to its summer schedule in 2022. The airline will now be flying from Frankfurt to Whitehorse on Tuesdays rather than its traditional Sunday slot. The 2022 summer schedule will still include a total of 17 rotations — return flights. So, impacts on Yukon tourism businesses should be minimal once they adjust to the schedules.

I have not seen a breakdown of statistical information that just focused on the companies that are supporting our German-speaking tourists. I will endeavour to dig into that. We are really seeing, sort of, the pre-COVID numbers of businesses. I'm going to go back and look. I know that there have been

some businesses that were in a fragile state. Probably because you asked me that question, then there might be stuff before I get into it that I should look into, but I certainly will dig into that.

That can be one of the questions that we respond to you on. I think the one that we didn't answer was about the lease in Watson Lake, and we'll also see if we have this. For the visitor information centre, I will get the value of that, and I will also go back and find out what businesses.

I will give you a couple pieces of information that's important on that piece. So, over the past 22 years, Condor has brought almost 100,000 visitors from Germany and other European nations. You absolute are correct in your question. When you talk to folks like Destination Canada, it is so important and it has so many ancillary benefits to the Yukon. Again, the airline celebrated its 20<sup>th</sup> anniversary of its Frankfurt-Whitehorse service in 2019, and the 2016 report prepared by Vector Research estimated that the economic impact of Condor's service from 1999 to 2015 was \$76.7 million, at \$4.5 million per year. The total 20-year economic impact of Condor's service was just under \$100 million.

**Ms. Blake:** Thank you to the officials who are here today. I appreciate the briefing given to us. Tourism was the first and hardest hit industry in the COVID crisis, and it is still true. We are probably looking at 2022, at the earliest, before we are even close to recovering. Tourism operators are still facing difficulties with ongoing COVID restrictions, travel restrictions, and staffing shortages.

The Department of Tourism and Culture cannot rely on just Yukoners to fill these gaps. As much as we all love the Yukon and call it home, we know that many Yukoners are looking to travel outside of the Yukon to visit family, attend postponed events like marriages and funerals, or return to travel plans that had been cancelled. I might have missed it if this question was asked, but I will ask it: Is the department targeting the European or Asian markets to come and explore the Yukon?

**Hon. Mr. Pillai:** I will just give a quick summary and, again, we can pull some of the information from earlier questions. We are, absolutely. The target markets — the German-speaking European markets, the Japanese market, and now the Chinese market that is coming online — are very significant opportunities for us. As well, we are now looking at Mexico. We do have a number of countries — 10 countries that are core. For the member opposite, just over \$7 million was spent. To summarize it: From October 18 to January 2, there was a lot of focus on western Canada and Ontario, but at the same time, we are really starting to do significant work on the European market and that international market to get prepared for the spring. You are right that we are still in a tedious position. We still have a tough winter to get through. We need Yukoners to go out and spend money in Yukon with Yukon tourism operators. We need to see that domestic market in Canada come in and support and, at the same time, get ready and go into 2022 with some very significant marketing around our international markets.

**Ms. Blake:** What is the plan for targeting outside the Yukon for the winter tourism that operators hope to see?

**Hon. Mr. Pillai:** Just as we had a good discussion earlier that was really around multiple platforms pulling people into the Yukon — it really focuses on our Larger than Life brand. That has provided exceptional opportunities to explore and share the Destination Yukon brand.

Something that I think, and as the Member for Porter Creek North stated — it catches your eye. It's a very significant strategy that we're putting together. We talked a bit about it earlier — probably just under \$1.3 million in ad buys, across multiple platforms. I think that this can help us drive our winter tourism at a domestic level — and then working with organizations like Destination Canada. Destination Canada is working with the federal government and really starting to put — in the first quarter of 2022 — a significant strategy for early winter recovery here in the Yukon.

**Ms. Blake:** We know that individuals flying here will be required to be double vaccinated. Is it possible to ask the same of tourists who are entering the Yukon by vehicle transportation?

**Hon. Mr. Pillai:** I would be remiss if I didn't touch on — we have a number of wholesalers who are actually coming to the Yukon over the next while. So, Tourism Yukon again completed a public request for proposals for its general sales agents in German-speaking Europe, the United Kingdom, Australia, and Japan in the winter and spring of 2021. Tourism Yukon's general sales agents provide in-market services in support of the department's efforts to market Yukon to the world, meet the goals of the Yukon tourism development strategy, and support Yukon tourism businesses under the government's COVID-19 tourism relief and recovery plan. The work done by our general sales agents will ensure that, once international travel restrictions begin to ease, Yukon tourism experiences will be available for sale in our key target markets.

I just want to check with the deputy minister.

I would say that, within the next 10 days, we are also going to be in a position where a number of our wholesalers and people who represent the Yukon products abroad are going to be in Whitehorse, meeting with industry folks. It gives us an opportunity to speak directly with them and to ensure that we are promoting the tourism sector and just letting them know how important this sector is. Of course, this is what these folks specialize in — getting our products out there.

I commend the Department of Tourism and Culture. What they have gone through — as any department — when you go through this level of impact to the industry that you represent right across the board is not easy. I think the folks who are part of our team are really excited about getting the Yukon back to where it was and continue to get back to the strategy, which was great. I know that you are a big proponent of some of those entrepreneurs in your community, especially the focus on indigenous tourism. There are so many opportunities to be doing stuff.

Of course, your key entrepreneurs are on *The National* tonight doing other stuff, but products like that are so important to get out.

When it comes to your question, the federal government is mandating the regulation when it comes to airlines. We haven't discussed anything about transportation coming in. The protocols that have to be followed in the Yukon are set out. Yes, they have changed from time to time, but, of course, that is really dictated when individuals get to a community or they get to an establishment or a business. If you hear anybody at this point — what they say about travel is, "Please make sure, whether you are travelling to the Yukon or you are travelling to Europe or abroad, that you are keeping up to date on whatever the regulations are, or whatever the current situation or status is in that particular region, because things are pretty live and they are moving from time to time."

**Ms. Blake:** Many Yukoners would like to be able to support local tourism businesses but find that the rebates offered through the Great Yukon Summer and Great Yukon Summer Freeze are only for expensive packages and not smaller ones. Not everyone can afford to go away for two or three nights to a lodge or another community.

Has the department looked at supporting less expensive opportunities that more Yukoners could participate in?

**Hon. Mr. Pillai:** Our approach on this, right from the start, was that we needed to put something together with speed and efficiency — and get it out — that would impact the individuals and the companies. I think that it is important for Yukoners to be aware — how we have set this up is that we communicated out to the private sector: "We can help you build your packages, and these are the terms around the packages — pretty broad terms — and we are also going to put dollars toward you building your packages." We committed \$2,000 for those companies to use a local firm to go out and build their packages.

Now, it is important to say that we had lots of local firms that do marketing and communication that were immensely impacted by COVID, and that could be any folks who are part of a media outlet that does classifieds and advertising, right through to people who do just core communication work. We wanted them to be able to have something that was beneficial and have an ancillary impact from this program. I think that the government program was generous in a sense that it was providing companies about \$2,000 to build the programs.

Secondly, it is important to note that the Department of Tourism and Culture, as I have been made aware, has wanted to have packages on their websites for a long time, and there was not a lot of buy-in. Sometimes they just went to one particular company and said — even a company putting their own package on seemed to be a bit of a challenge, and there wasn't a lot of uptake. So, the fact that we have 170 packages from 62 businesses and, in some cases, multiple companies coming together to build a package — we felt it was successful. It is not like those packages have to be taken down. The only difference is that the rebate will sunset and those packages will still be there.

You are correct. We went through this program from the start. The price point that we put on it — the cheapest package is \$250. I want to be very sensitive to the fact that there are people who are not going to be able to spend \$250 and get a

package. But, when we thought about it and we looked at the different examples — and I will wear this. I was talking to my officials and thinking, "How much does it cost to drive to Dawson from Whitehorse and do an activity?" When you think about that, the fuel up and back — it is a lot. We thought that \$250 was — I'm not saying that there aren't lots of people who may not be able to afford that, but we felt that it was a fairly decent price point to start at. This is the part when you are doing public policy and you know that you are not going to get it right across the board — there is going to be something where you miss some folks.

Folks have reached out to me directly and said that this program misses a segment of the population. Again, I will wear that, but we also know that when you are running a business, going through operations, and trying to deliver a product — for the business side of things — you are putting that effort in — the O&M that has to be taken into account when you are providing a product — you need to have a fairly significant amount of revenue coming through. We wanted to be respectful to the business owners and understand that, yes, there are some folks who didn't get it. To be fair, we are not looking at restructuring the pricing of the program, but we are just moving into the winter piece.

Yukoner Appreciation Week is coming soon, and I am hoping that folks will want to go out and support local business and still get a benefit themselves. We will be talking about it here in the Assembly. Folks who are focused on a different price point can then have an opportunity to participate by getting their Christmas presents early, getting a rebate, and helping local businesses at the same time.

**Ms. Blake:** We asked in the spring about providing and maintaining crucial infrastructure for our tourist sites and rest stops on our highways year-round. Sometimes outhouses are the only option on long stretches of the highway. Will the public sites continue to be maintained over the winter months for highway travellers?

**Hon. Mr. Pillai:** I'm going to have to get back to you, partially because I know that there are multiple departments.

This has sadly been a complex challenge for successive governments. I know that there are multiple departments that deal with this. Let me respectfully get back to you — just to find out which highway infrastructure, out of all of it, is maintained, which is seasonal, and which is connected to seasonal staff. I probably owe you, in the Assembly, a broader answer about the ongoing strategy on how to make sure that the right infrastructure is in place, understanding that, when people are coming through our communities, it might be one of their first stops. We want to make sure that it's representative of a good place to come and stay and also that it represents a province or territory that is serious about its tourism sector.

**Ms. Blake:** Early in the year, the government agreed to pay the current and back property taxes for the MacBride Museum. Has this department agreed to carry on paying these property taxes? How much are they every year?

**Hon. Mr. Pillai:** I can pull the numbers that we have on our funding with MacBride. I'm not sure what the upcoming tax yield is, but I can get through some of the numbers for you.

You probably know some of these numbers maybe from previous times. I will say that MacBride received \$182,000 annually to operate MacBride Museum and \$50,000 annually to operate MacBride Copperbelt Mining Museum.

In 2021-22, the MacBride Museum Society will also receive \$62,000 in project funding through the special projects capital assistance. The MacBride Museum Society received an additional \$217,407 in 2021 to pay for the museum's outstanding taxes. I know that they are receiving \$50,000, and I think that it's more about their winter product for 2021-22, 2022-23. That's the only commitment that has been by the department toward offsetting any tax burden or tax bill that MacBride Museum will have moving forward.

**Ms. Blake:** This will be my last question. Is the minister still intending to host the Arctic Arts Summit in Whitehorse in June 2022, given the current fourth wave and expected fifth wave of COVID-19?

**Hon. Mr. Pillai:** We are, at this point. I think that what we have all learned is that things can move pretty quickly. That is a commitment. I think that it is something that the previous minister worked on. We think that it is a pretty significant event. For those who aren't aware, the Government of Yukon and the Canada Council of the Arts will co-host the third international Arctic Arts Summit in Whitehorse. The summit is scheduled for June 27 to 29 and is to coincide with the Adäka Cultural Festival — very significant. It is the first time that Canada will host this event. The key aim of the Arctic Arts Summit is to strengthen and promote circumpolar collaboration in the art and cultural sectors. We are looking at 400 artists, cultural leaders, policy-makers, and participants from the cultural sector attending from all of the countries that are members of the Arctic Council. We are talking about Canada, the Kingdom of Denmark, Finland, Iceland, Norway, Russian Federation, Sweden, and United States. Other participants may include Canada's first indigenous Governor General. I sent a letter off about a week ago inviting her to come for the event with the Canada Council of the Arts. The Canada Council of the Arts sent representatives to Whitehorse a couple of weeks ago and we had the chance to meet with them, but I think that it is fair to say that it is something that we are going to have to watch, of course.

It is a big event and the planning is well underway, but as folks have talked about before, and as you have heard the Premier talk about, it was a very difficult decision to cancel the Arctic Winter Games. At the time, the magnitude of that decision was immense. Also, though, we found out shortly afterward that there were participants who had planned to come to Whitehorse who were sick with COVID. When you think about what that means — and, as a leader yourself in the north and having probably worked across on different pan-northern conversations — we have to be aware of how sensitive things can be, if things go back into communities across the north. I think we are going to watch it. We hope that we are going to be in a good position to host this event. It is very significant, and it really gets things moving, as we talk about tourism in the springtime with Adäka, as well as this particular event. It will really get things moving in the month of June of 2022.

**Mr. Dixon:** Thanks to the minister for his answers today. I have a few questions that I wanted to ask in relation to some of what I have heard from the minister and from my colleagues on this side with regard to questions.

To start, I would like to ask about the return to international travel coming to the Yukon. I am aware that the World Travel and Tourism Council has issued a series of global protocols for the return to what they call the "new normal". I am wondering if the government has taken any action to support industry adoption of the World Travel and Tourism Council's safe travels protocols here in Yukon?

**Hon. Mr. Pillai:** I am just digging through my information. My understanding is that we were working with TIAY. I just want to make sure that I have the appropriate information that I can read for the House. Under the theme, I guess we would say, of rebuilding our confidence and capabilities for tourism — as the member opposite has touched on, to support industry, part of what we feel that we need to do is to support the industry adoption of standardized safe travels protocols for the protection of visitors and residents. The department is working with TIAY to support industry adoption of the World Travel and Tourism Council's safe travels protocols.

I want to say thank you to TIAY. They have taken on a tremendous amount of work over the last year and a half, whether it was helping organizations — everybody is getting to the point of being sick of the word "pivot", but I will say that they were refocusing where their opportunities could be at times when things were really challenging. We have seen great support by TIAY to do that work, and they have been really good about sharing information with their members for our summer campaigns.

Again, going back and looking at the World Travel and Tourism safe travels protocols — "Implement resident perception of tourism and research monitoring" — I touched on that earlier. The previous minister tried to make sure that we had a really key understanding of what all the communities felt. The department is conducting a second survey now to measure resident support for tourism, and results are expected in late 2021.

"Implement a resident and community support for tourism strategy" — the department is working with TIAY, the WTAY, and the Yukon First Nations Culture and Tourism Association and other tourism-related NGOs to develop a resident and community sentiment strategy and support the recruitment, retention, and training for labour in our tourism industry as well. The department is working with the Department of Education, but that is really more about our capacity.

Yes, again, we are working with TIAY to try to put forward best practices and make sure that Yukoners are comfortable, and feel comfortable, with the visitors who are coming here to support the sector.

**Mr. Dixon:** I appreciate the minister's answer there.

I have another question — one that came to me as an MLA from a constituent who operates a tourism business here in the Yukon. The minister spoke about some of the marketing endeavours that the government has underway. I had a

constituent ask whether or not local tourism businesses like theirs have free access to the Yukon government's contracted marketing agencies.

If so, how do they go about accessing that?

**Hon. Mr. Pillai:** The only place, to date, where we have opened up that door is around these summer and winter packages. Absolutely — we don't have to name the companies now, but certainly, I would be happy — if they wanted to put packages together, they could leverage those dollars that we put aside to do that. That is up to \$2,000.

We are looking at, within our department, broadening our conversation around marketing, depending on where they are operating. I have had a lot of back and forth — good debate, but really just dialogue — with the Member for Kluane over the last number of years. He spent a lot of time in the tourism sector. We shared information, documentation, and strategy work that was done in Kluane. We have gone out and had discussions, and then this summer —

I think the Leader of the Official Opposition and the Member for Kluane were on the same route. They were just behind me. I was trying to make sure that we were out there getting stuff done. They were kindly identifying any things that they saw that needed to be worked on, like the banners in Beaver Creek and things like that.

What we clearly heard in discussions with the operators in Kluane is that it's such — I'm going to get in trouble here with other members in the House — it is such a beautiful place, like many places in the Yukon, and there's a real interest in the operators there to work with our department and to do some marketing around that area. One of the commitments that we talked about is that there has been lots of industry conversations and conferences; they've happened. I think the commitment I made is that we would get together and just put a plan and start to execute. We know that there are great operators out there. Depending on your constituent and where they're operating, there could be some very specific stuff toward Kluane. Of course, Dawson already does this very well through their organizations. At the same time, if there is somebody who wants to build a product, we can get back to them and make sure that they get tied into one of those local companies. If they want to use the ones that we primarily use, it would probably be Aasman that they could use and we would be able to support them with a small amount of funds for their project.

**Mr. Dixon:** I think the minister touched on it just at the end there. He noted that, I believe, the company is Aasman that they have contracted. I just wanted to confirm: Do local businesses have free access to that marketing support or free access to those marketing firms? I think the minister said there's a limit to how much they can provide. If so, what is that limit?

**Hon. Mr. Pillai:** \$2,000 — that's what we've used to date. But I want to be clear: That's if they're building a package for the winter or the summer program, they can access that \$2,000 from us. They're not limited to Aasman if there's another firm locally — really, what we were trying to do is that for them — if they're not using a local firm for their company — to get that — we'll invest the \$2,000 to build their marketing

around that product. That hopefully leads them to build a relationship with that local company and then continue to drive business for the local company and then again, through that synergy, to improve what they're seeing from their business as they continue to expand their product. So, again, \$2,000 — local firms. And again, just let us know and we'll have department officials reach out to see where we can be helpful.

**Mr. Dixon:** I think that Aasman is the only local company that the government currently has an agreement with. I just want to confirm, then: Do local companies have free access to Yukon government's marketing agencies, or is it just limited to the amount that the minister has specified?

**Hon. Mr. Pillai:** Yes, it is limited to the amount that we have there — absolutely correct. I think this last — when the firm of record — when the RFP had closed, it was this joint venture — we shouldn't say "joint venture" — but partnership between Cossette and Aasman. Again, that money is a grant and doesn't have to be paid back to us, and it can be used for the other organizations, as well, that are in this market.

**Mr. Dixon:** Thank you, Deputy Chair. Thanks to the minister for that answer; that is very clear.

What is the status of the construction of a new arts and heritage centre, which is aimed at preserving and utilizing the territory's art collection?

**Hon. Mr. Pillai:** We are in early design. We had funds put toward it right now and Highways and Public Works and the Department of Tourism and Culture are in dialogue — one, because, of course, Highways and Public Works normally lead all those bigger infrastructure projects. We are in early stage — I touched upon it a bit earlier in some of the first number of questions saying that it is the big piece of infrastructure that is required to house all of the amazing parts of our collection, but also, I took the opportunity today to clarify that it is really more about just an archival space, a place to work on a lot of the collection, but it wouldn't be front-facing, in the sense that it wouldn't be a spot where you would be driving folks, like a museum. Again, in the early design phase — the capital budget for next year has some funds in it for a more advanced look. We have not chosen a location to date. We are still looking at some different options and that is where we are at this particular time.

Something I will just say — really needed for a long time but, again, trying to make sure that we get the exact needs required and identified before we move forward.

**Mr. Dixon:** Thanks to the minister for those answers; I appreciate that.

Can he just confirm how much has been budgeted so far for the facility and how much money has been spent on it to date? I assume that, based on his earlier answers, we are at a fairly early stage, so much of the money, I am sure, is related to consultation and designing, but if he can confirm that. Also, is there an operation model that has been set up for that facility, and if so, who would operate it? Who would fund it and how would the operation of the facility work?

**Hon. Mr. Pillai:** I'm sorry — can I get the member opposite — just the last part of the question. The first part, I can

go through the budget piece, but just that last part around the operation piece.

**Mr. Dixon:** I concluded my question with one question related to — what would the operations model look like? Who would operate it? How would it be funded? What would that look like once the facility is constructed?

**Hon. Mr. Pillai:** For this year, there has been about \$100,000 budgeted toward this particular project. I'm just looking to pull our next year's numbers for this — so, more advanced. If I don't have them right now, I'll make sure I get back with them.

Really, we're looking to centralize a number of different parts of Tourism and Culture. In the current state, we have leased space throughout the City of Whitehorse for our different units. The idea is really for us to pull a number of our folks into the same space. There will be some shared amenities, I think more around loading part of the collection as it comes in. This is, of course, complex in that we have all of our First Nation governments that also have an interest in different ways, whether that is for our government to be housing parts of that collection — what happens now — and so we still have the responsibility to oversee those points of the collection. There are different relationships around the collection. In many cases, we just have it stored in a secure, safe place. That's our role. Again, we're looking for the Tourism and Culture team to be looking after building and operating it, not having anybody else in there, and then looking to see what's the most appropriate way, based on the relationship with different First Nations, pending if they have a space that they have in their community that's appropriate. I think there are at least one or two nations that have big parts of their own collections that are housed in their own communities.

For the budget item — \$100,000, which was touched on, for this year. I think we're looking at \$2 million for 2022-23, and then again, leading to that, we have budgeted out in the latter years — but again, for the building of it for 2023-24, 2024-25. I just want to make sure, because what we've seen is this absolute disruption in the supply chain. We know that we are probably into 2023 to see the supply chain level off, depending on what it is. We also saw construction materials really move in increased cost. Looking at all those things with lots of good work done by my predecessor and now just taking it and looking at it within this current construct that we are dealing with on supply chains needs, labour, all of those things, we are just trying to make the most appropriate financial decisions for the Yukon taxpayer and for Yukoners, all the while understanding that we do need this space. We are all putting our heads together both at Tourism and Culture and Highways and Public Works to come up with what we think will meet the needs that have been long needed but, at same time, do it in the most appropriate manner.

**Mr. Dixon:** I appreciate the answer from the minister. What steps have been taken to develop a new Yukon museums policy?

**Hon. Mr. Pillai:** As a department, we are pleased to support 19 museums and First Nation cultural centres through financial agreements and expertise in collections management

and conservation. These supports to museums and First Nation cultural centres are guided by a policy that is now quite outdated. It no longer reflects the current realities and operational practices for museums and cultural centres. A new Yukon museums and First Nation cultural centres policy is being initiated to update the roles and supports in the museums and cultural centres community.

The policy will be high level with a clear vision and the overarching goal of providing the foundation for a sustainable sector. This year's annual museums and cultural centres roundtable is focused on this initiative. We look forward to, of course, some healthy dialogue.

I did get to speak a little bit to folks in the beginning of this roundtable. It is very early in the building of this, so it's just really for us about starting to work with the sector. We have signalled to them that we are committed to this and we know that there is a real need for this policy to be updated. I am happy to bring it back to the House as progress is made on this policy development.

**Mr. Dixon:** Thank you to the minister for that answer.

This summer, I attended an event that was hosted in Mount Lorne-Southern Lakes. It was a cultural festival related to Mexican heritage. I understand that they were able to access some funding for that.

I am wondering what kinds of funds were available this summer in 2021 for local organizations to host local events throughout this past summer.

**Hon. Mr. Pillai:** On Yukon Time, which is one of the funding pots — one of the things that was done this summer was that, first of all, we took \$500,000. That is what we had put in place to support —

On Yukon Time — we call it the "Great Yukon Summer Edition" — up to \$15,000, I believe, was the allotment that we provided. I can give you the breakdown exactly. There was \$141,446 committed to 23 organizers of events that were receiving funding. Essentially, we topped up what they were getting, and they were either getting that through the arts fund or the arts operating fund to just help amplify and increase the reach of those events.

On top of that, we also provided \$362,485 to 34 groups of public events that were not funded through other arts programs. Those awards were up to \$15,000 and available to non-profit societies, industry, community associations, First Nations, municipal governments, Yukon businesses, and collectives. Events eligible for funding took place between June 21 and October 31.

The department put out the information, and we did it through a number of different types of media platforms. Then folks could apply. My understanding was that it was really just first come, first served. I am very happy with the success of that. If you have been around event management — we had a very short period of time for people to make that decision and to get those funds. The department did a really good job of working to get the applications identified and approved, and our summer was difficult. We wanted to be extremely sensitive.

You have people going through a really significant threat and damage to their homes through flooding. You have

individuals who are dealing with threat of fire. In June, when we started to roll this out, we were dealing with significant focus around our fear on what was happening with COVID — so trying to balance.

The department did a really good job of, in some cases, being flexible with the terms and stretching out the opportunity of when this event can happen. That really helped — over 50 events across so many different sectors and types. Everybody who did apply this summer did receive funding to that program. That was good. We didn't have to turn anybody away.

We felt that it was important to get Yukoners out. It has been a rough journey for everybody, and to get out and safely spend time and be able to really enjoy their summer — that reach went out to 10 different communities in the Yukon overall that were hosting events from this funding.

**Mr. Dixon:** Can the minister tell us what happened with the mountain music festival and whether or not that ever happened?

**Hon. Mr. Pillai:** We still have funds available for this fiscal. We got to a point where our decision — and working with partners — they didn't feel that, with everything that was happening, this was an optimal year.

Some of our initial work was done with MacBride Museum on this. They had come back and said that they didn't feel that they were in a position to host the event this year. Also, a number of other organizations across the Yukon that focus on providing this type of event — whether it be the Yukon Arts Centre, Dawson City Music Festival, bluegrass festival — a number of organizations have all put their hands up and said, "We're interested in being part of this as well."

Our plan, moving forward, is to host planning sessions over the winter of this year. We want to bring in some subject matter experts that have produced and delivered events and festivals that are similar to what we're looking at, which is really the goal here — to touch as many communities in the Yukon as possible over a defined period. That can be anywhere from 10 days to two weeks.

Whether you are going to Haines Junction to the event centre there or you're going to Watson Lake, there are different types of music being delivered across the Yukon. We really want to focus on that for the shoulder season. We hear that from tourism operators: "How can we extend the season a little bit more?" We think that there have been different things tried over the last number of years. We believe that it is an optimal time to host events like this. Our hotel occupancy starts to retreat a little bit. It's a phenomenal time when the northern lights are out. We really want to be able to drive as much of the traffic for this event to communities.

What we have seen in other jurisdictions is that the actual host communities work with a central committee that has expertise in this, but those local folks in many cases use it as an opportunity for a fundraiser through the sale of some of the goods, whether that is food or alcohol, that are sold. At the same time, a bigger committee is working to look at the revenue that is coming in from the ticket sales for the event.

We still have work to do. We felt that the right thing to do this year was to take the funds that were defined and use them

to properly plan and get as much reach as possible for next year. We look forward to some discussions over the winter to get ready and to start our marketing plan for the fall of 2022.

**Mr. Dixon:** I just want to return briefly to the arts and heritage centre planning that the minister indicated was underway. He mentioned that there was consideration that there could be a partnership with different First Nations. I just wanted to confirm if it is the intent that this facility would be in Whitehorse, or is the minister considering hosting or building that facility outside of Whitehorse? Is there any consideration being given to linking that facility with Yukon University and the studies that are underway there?

**Hon. Mr. Pillai:** Just to clarify, I will have to go back in the Blues. I don't think that, in my preamble, I said that there was a potential partnership with First Nations, but I will touch on the fact that, in January 2020, I travelled with the then-Minister of Tourism and Culture to Roundup. There was an event that was hosted by the First Nation Chamber that focused on opportunities for development corporations.

At that time, the minister tabled that idea, saying: "Look, we have this building we need to build, and we are looking for partners." Really, after that, my understanding was — and I had discussions subsequent to that with a number of different affected corporations that were there. There really wasn't any interest that we heard of at that time. I think that, to date, the real tangible thing is — I believe that Highways and Public Works and Tourism and Culture have reached out about a potential location, and that discussion focused on potentially working with Kwanlin Dün.

So, to date, the idea is still that the building gets built in Whitehorse. As I am getting briefed by departmental officials, that is what they are still focused on — maybe the potential of a location that would be on leased land, potentially, but still, I think those were early conversations, but not a bigger dialogue around the university. That could still be a live conversation. In my conversations with officials, that is not something that has come up. I know that there has been an interest and it may be something that we need to ground-truth to see if things have changed on that discussion. I guess the key is that, when we think about the location, the thing that officials continue to say is that we just really need to be up on the bench, and that has to do with the collection and concerns for a thousand-year event type of thing. I don't want to say that loosely, but a very significant event — and it would be important to put it up on the bench by the Beringia area or on campus or something like that.

**Mr. Dixon:** I appreciate that time is running out here, so I will ask one further question and perhaps he can respond as long as he wishes and then we can carry on.

I did want to ask a question in follow-up to one that was asked earlier, and that was about the work that had been done so far about the possible return of passenger rail to Whitehorse. I am just curious if the minister can update us further on what work has been done so far to consider the options for bringing passenger rail back to Whitehorse.

**Hon. Mr. Pillai:** There have been some very preliminary conversations between department officials and

White Pass. I think that the response that we have heard is that all ideas can be on the table. That is at least what we have heard from the private sector, and as private sector players, it just has to make financial sense to them. So, it's very early in that sense, and if there are any further talks of substance, we will have an opportunity during Question Period or in the springtime during debate to discuss that.

Deputy Chair, seeing the time, I move that you report progress.

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

*Motion agreed to*

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

**Deputy Chair:** It has been moved by the Acting Government House Leader that the Speaker do now resume the Chair.

*Motion agreed to*

*Deputy Speaker resumes the Chair*

**Deputy Speaker (Ms. Blake):** 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**

**Ms. Tredger:** Madam Deputy Speaker, Committee of the Whole has considered Bill No. 4, entitled *Act to Amend the Motor Vehicles Act (2021)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

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

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

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

*Motion agreed to*

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

*The House adjourned at 5:29 p.m.*

**The following sessional paper was tabled November 1, 2021:**

35-1-26

*Yukon Hospital Corporation Consolidated Financial Statements March 31, 2021 (McPhee)*





# Yukon Legislative Assembly

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Number 25

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Tuesday, November 2, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

### CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly**  
**Whitehorse, Yukon**  
**Tuesday, November 2, 2021 — 1:00 p.m.**

**Speaker absent**

**Clerk:** It is my duty, pursuant to the provisions of section 24 of the *Legislative Assembly Act*, to inform the Legislative Assembly of the absence of the Speaker.

*Deputy Speaker takes the Chair*

**Deputy Speaker (Ms. Blake):** I will now call the House to order.

We will proceed at this time with prayers.

*Prayers*

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Ms. McLean:** I would like to ask my colleagues to help me welcome our new president of Yukon University and vice-chancellor, Dr. Lesley Brown — welcome to the House — and also Lacia Kinnear, the associate vice-president of Yukon University. Thank you for coming today.

*Applause*

**Hon. Mr. Pillai:** I would also like to send out a warm welcome from the Legislative Assembly to individuals who are here for our tribute for Yukoner Appreciation Week: Susan Guatto, the executive director of the Whitehorse Chamber of Commerce; Andrei Samson, programs manager for the Whitehorse Chamber of Commerce; Bernie Hoeschele, who is there as well with their team and part of their support staff; Lars Hartling, the chair of the board of directors, is with us today; Jerome Casanova, first vice-chair, board of directors; as well as Trevor Mead-Robins, director of the chamber's board and well-known owner of MEADIA solutions. Thank you for coming today.

*Applause*

**Hon. Mr. Clarke:** For the tribute to Lindsay Staples, I would like to introduce a few individuals. I apologize in advance, through a combination of the mask and maybe late-arriving attendees, if I miss anybody.

With the Department of Environment, we have Christine Cleghorn, Stephanie Muckenheim, Matt Clarke, Marc Cattet, and Thomas Jung. I am also advised that there are retired environmental department staff: Rob Florkiewicz and Dan Lindsey and perhaps Bruce McLean as well. Jennifer Smith, the current chair of the Wildlife Management Advisory Council (North Slope); Kaitlin Wilson, program manager for the Wildlife Management Advisory Council (North Slope). If anyone is listening in — the Inuvialuit

colleagues on the various boards and committees that Lindsay has been interacting with and supporting over the last more than three decades — welcome to all of you.

Of course, I would be remiss if I didn't introduce Lindsay Staples and his spouse, Heather Alton.

*Applause*

**Deputy Speaker:** Tributes.

**TRIBUTES**

**In recognition of Lindsay Staples**

**Hon. Mr. Clarke:** I rise to pay tribute to Lindsay Staples, a long-time advocate for the conservation of wildlife and traditional Inuvialuit use on the Yukon North Slope. Lindsay has the distinction of being the first chair of the Wildlife Management Advisory Council (North Slope), a co-management body arising from the *Inuvialuit Final Agreement*.

Lindsay has recently retired after spending over 30 years fulfilling the role of chair for the council. I must concede that I knew he had this role, but I had no idea that it was for that long.

Since the council's inception in 1987, Lindsay has worked hard to ensure that a healthy environment and robust wildlife populations are maintained in this special part of the Yukon. In particular, Lindsay's efforts in protecting critical habitat for the Porcupine caribou herd on the Yukon North Slope are commendable. He has also spent years advocating for the inclusion of Inuvialuit interests and values in the realm of polar bear management.

Lindsay has a long-standing passion and respect for the land and the people of the Inuvialuit settlement region. Early on, Lindsay recognized the importance of holding the summer council meetings on the land of the Yukon North Slope so that council members could see and experience the unique landscape and wildlife that they were responsible for stewarding.

During his 30-year career with the council, Lindsay built strong and trusted relationships with Inuvialuit leaders, elders, and other co-management bodies, as well as governments, wildlife management organizations, NGOs, and conservation groups.

In collaboration with the Government of Yukon, Lindsay led 10 Yukon North Slope conferences, each larger than the previous, with over 170 delegates in attendance at the last conference in 2015.

Lindsay has been a strong advocate for the recognition and use of traditional knowledge in decision-making processes. For example, Lindsay's support for the Inuvialuit polar bear traditional knowledge project was a milestone in integrating two ways of knowing into polar bear management.

In 2015, Lindsay was honoured with the Inuvialuktun name "Kisaun", which means "anchor". Lindsay's leadership and advocacy for the Yukon North Slope have always been anchored in the *Inuvialuit Final Agreement*. This honour is a testament to the level of respect that he has garnered from the Inuvialuit people for his work in ensuring that their vision for the Yukon North Slope is respected and maintained.

Lindsay has made a lasting contribution to the conservation and management of the Yukon North Slope and the implementation of the *Inuvialuit Final Agreement*. Beyond his work with implementing the *Inuvialuit Final Agreement*, Lindsay has had a significant and meaningful career as a facilitator and project manager on so many wildlife and final agreement implementation initiatives, including work with the Porcupine Caribou Management Board.

His creativity, resourcefulness, and pragmatism with so many issues have certainly left a mark on how we work together to realize the vision outlined in our agreements and kept our expectations high for ourselves and for each other. His approach of consistently being fair and informed, and expecting the same of others around the table, has pushed, and sometimes pulled, us to a better place.

Thank you for all that you have done in the last 30-plus years as the chair of the Wildlife Management Advisory Council (North Slope). Thank you very much.

*Applause*

**Ms. White:** I rise on behalf of the Yukon NDP and the Yukon Party to congratulate Lindsay Staples on his well-earned retirement from the Wildlife Management Advisory Council, a key element of the *Inuvialuit Final Agreement* advising indigenous and non-indigenous governments on issues in the western Arctic, including Yukon. There is no doubt that Mr. Staples has had a beautiful career in the north — one that has contributed much to our understanding of what giving effect to reconciliation really means.

For many, including no doubt many in this Chamber, Lindsay Staples is one of the unsung heroes whose quiet passion for people and place has resulted in the creation of significant beneficial changes that affect northern communities and citizens throughout Yukon and the western Arctic. That passion and commitment to people and the good stewardship of the environment have even extended, in more recent years, to work in East Africa.

From his early work in Yukon on the groundbreaking and innovative Yukon 2000 in the mid-1980s — a process that asked Yukoners across the territory to envision the Yukon of the new millennia and resulted in substantive changes to government programs and policies — to his work on Yukon's *Environment Act*, our human rights legislation, as well as amendments to the Yukon *Wildlife Act* to give effect to the *Inuvialuit Final Agreement* in Yukon law, Lindsay Staples has contributed to the essential fabric of our northern community.

In addition to his work in the Inuvialuit region, Lindsay was an instrumental part in the successful negotiation of the Kwanlin Dün final and self-government agreements that were signed in 2005. He also worked with the Selkirk First Nation in addressing socio-economic impacts of resource development.

The threads that tie all of his work together are the values that he places on active and effective listening and the relationships that flow as a result of truly hearing the views of others. This gift has contributed to his ability to work with diverse interests toward collaborative outcomes. A common theme to his approach has been to assist those he works with to

see that the main challenge is to shift our perspective away from projects to values.

His role in helping to develop a better understanding of, and giving effect to, the intention behind negotiated agreements has contributed to the success of such diverse initiatives as the 2019 *Porcupine Caribou Native User Agreement*. This involved the eight indigenous governing bodies in the Yukon and Northwest Territories fulfilling the intent of the commitment in the 1984 Inuvialuit agreement to give effect to the key issues associated with the healthy and sustainable management and harvest of this iconic herd.

In addition, the multi-year process leading to the finalization of the North Slope plan is another significant contribution that Lindsay has been involved in over the years.

This significance of the work and the community building that has evolved in the western Arctic as numerous elements of the Inuvialuit agreement have been worked on, debated, and implemented cannot be overstated. I encourage everyone to listen to the podcast by the Wildlife Management Advisory Council (North Slope) in which you can hear Mr. Staples as he shares his 30 years of experience with the council and outlines how the Inuvialuit, the Government of the Northwest Territories, the Yukon, and Parks Canada found ways to effectively work together to create new national parks on the Yukon North Slope, which are managed collaboratively.

In a career that has spanned decades, there are, without a doubt, countless more stories to tell and events to celebrate, but I want to note that one of the more touching signs of respect that Mr. Staples has earned over the span of his career was to receive the Inuvialuit name “Kisaun”, which, as we heard, means “anchor”. Today we thank you for your solid and continued contributions.

*Applause*

### **In recognition of Yukoner Appreciation Week and Buy Local November**

**Hon. Mr. Pillai:** I rise today on behalf of the Yukon government to pay tribute to Yukoner Appreciation Week and Buy Local November. Buy Local November is an annual campaign coordinated by the Whitehorse Chamber of Commerce that promotes Yukon businesses and is highlighted by Yukoner Appreciation Day. Last year, Yukoner Appreciation Day was expanded to become a week-long event, and I am glad to see that this will continue for a second year. Yukoner Appreciation Week features local businesses and organizations offering customers and clients discounts, prizes, and fun activities. This year's event kicks off today, running through to November 7.

Shopping locally should always be a priority for Yukoners, but it is now more important than ever. As we know, the pandemic hit some of our local businesses very hard, and they need our support during this recovery period. This is an excellent time to celebrate the Yukon's businesses while benefiting from great offers and chances to win prizes. By shopping at participating businesses during Yukoner Appreciation Week, you will have the chance to win one of five \$1,000 gift cards to the businesses of your choice. This year,

there are over 90 participating businesses offering savings to locals. I want to thank the Whitehorse Chamber of Commerce for once again coordinating the festivities and for bringing all of these businesses together.

I encourage all Yukoners to take advantage of this occasion and to show their support for these incredible local businesses, and please, for folks who don't have the opportunity to be in Whitehorse over this period of time — whatever Yukon community you live in — please support those local businesses. There is such an array of businesses that need us to lean in.

This event presents a great opportunity to reconnect to some of your favourite shops, get a head start on holiday shopping, or discover a location that you have never visited before. We have so many fantastic business owners here in the Yukon, and I am happy to see many of them participating in the Yukoner Appreciation Week.

Yukon businesses have demonstrated resilience and creativity through the pandemic in adapting to changing public health measures and finding new ways to go above and beyond for their customers. I hope that all Yukoners have a safe and joyful Yukoner Appreciation Week and buy local in November.

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition to recognize November 2 to 7 as Yukoner Appreciation Week. This week's campaign is brought to us by the Whitehorse Chamber of Commerce with over 90 participating businesses. Over the week, businesses will be showing their appreciation to Yukoners through deals, fun activities, and offerings at their locations. Watch for free gifts, prizes, and discounts at each place, and also enter to win the big prizes — one of five \$1,000 gift certificates. There is going to be something to do and see at all of these many stops.

There are so many advantages to supporting and shopping local. It not only keeps the money moving our economy at home, but it builds neighbourhoods and adds community strength. The friends and neighbours who own these businesses are part of the fabric of any town. It has been proven that a strong local economy means a more prosperous area that is well-connected and is better off all around for the health and well-being of its residents.

It wasn't long ago that we gave a tribute to Small Business Week, and I stressed the importance of "shop local" — or "please shop local". The local infrastructure that houses these businesses pays taxes. They support local, non-profit events and charities, and they sponsor sports teams and many other things. They give back big time. How can each of us do our part? Return the kindness by visiting the many, many unique and interesting stores that provide a plethora of items for purchase.

With the Christmas holiday season right around the corner, the shelves are filled with goodies to ooh and aah over. I am sure that you can find that perfect something for someone you like.

Yukon businesses have been through a lot over the past year and a half, with the coming of COVID and the rapid changes in our world. Yukoners have risen to the occasion, so

let us all continue to do so. Get out, not only this week but every time we need or want something. Check out local before you search elsewhere.

To all the participating businesses and to the Whitehorse Chamber of Commerce for spearheading this initiative, we appreciate all of the planning and caring. Thank you.

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to celebrate Yukoner Appreciation Week. Local businesses support the Yukon. Just try to find an event, sports team, or performance that doesn't have sponsorship from a local Yukon business. They support Yukoners, and Yukoners support them.

The Whitehorse Chamber of Commerce is making supporting local businesses extra easy this week. As my colleague mentioned, there are over 90 participating businesses this year. We can't wait to get out there and enjoy the specials this week. We encourage all Yukoners to do the same. Also, remember to shop local all year-round.

*Applause*

**Deputy Speaker:** Are there any returns or documents for tabling?

## TABLING RETURNS AND DOCUMENTS

**Hon. Mr. Pillai:** Madam Deputy Speaker, I have for tabling the Yukon Geographical Place Names Board's 2020-21 annual report.

**Hon. Ms. McLean:** Pursuant to Section 53(3) of the *Yukon University Act*, I have for tabling the 2020-21 annual report.

**Deputy Speaker:** Are there any reports of committees? Petitions.

## PETITIONS

### Petition No. 5 — received

**Clerk:** Madam Deputy Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 5 of the First Session of the 35<sup>th</sup> Legislative Assembly, as presented by the Member for Watson Lake on November 1, 2021.

The petition presented by the Member for Watson Lake meets the requirements as to form of the Standing Orders of the Yukon Legislative Assembly.

**Deputy Speaker:** Accordingly, I declare Petition No. 5 is deemed to be read and received. Pursuant to Standing Order 67, the Executive Council shall provide a response to a petition which has been read and received within eight sitting days of its presentation. Therefore, the Executive Council response to Petition No. 5 shall be provided on or before November 16, 2021.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

## NOTICES OF MOTIONS

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

THAT this House urges the Minister of Energy, Mines and Resources to hold a public meeting with residents of Golden Horn before the end of the 2021 calendar year to discuss the *Golden Horn Development Area Regulation*.

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

THAT this House urges the Minister of Health and Social Services to commit to a date for holding a public meeting with the residents of Watson Lake to discuss continuing care in the community.

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

THAT this House urges the Government of Yukon to reduce barriers to accessing proof of vaccination for vulnerable people by waiving fees related to general identification cards.

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

THAT this House urges the Government of Yukon to direct the Land Planning branch to support the Golden Horn development area regulation zoning committee by initiating further engagement with the Golden Horn community and property owners on possible zoning changes.

**Deputy Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Clean energy legislation

**Hon. Mr. Streicker:** One of our climate action commitments under *Our Clean Future — A Yukon strategy for climate change, energy, and a green economy* is to develop a new clean energy act. When enacted, the new clean energy act will be the territory's first piece of energy and climate change legislation. The clean energy act will legislate emission reduction and renewable energy targets. Legislating the territory's targets demonstrates the Government of Yukon's commitment to implementing *Our Clean Future* over the next decade and our commitment to address climate change.

The proposed legislation will provide the authority to regulate energy-related programs and products. It will also ensure long-term climate change accountability and transparency through public reporting as we deliver on *Our Clean Future* commitments. This new legislation will bring the Yukon in line with the most progressive energy and climate change legislation in North America. The proposed legislation also supports seven other commitments under *Our Clean Future* and will help us move toward sustainability that benefits Yukoners and the environment.

Last week, the Government of Yukon launched a public engagement on the clean energy act. We are seeking input as we develop this new legislation. We are engaging with industry, First Nations, municipalities, stakeholders, interested parties, and the public to discuss the proposed legislative framework and to identify any potential barriers or gaps.

A discussion document called *Creating a Clean Energy Act for the Yukon* is available at yukon.ca for review. In the discussion document, Yukoners will find the proposed implementation approaches for key provisions, including: greenhouse gas emission reduction targets, renewable electricity generation requirements, zero-emission vehicle sales targets, renewable fuel content standards, renewable heating targets, ability to set energy-efficiency criteria for products, and reporting requirements.

The proposed legislation will also grant the government the regulatory authority to develop regulations regarding mining emission targets. Intensity-based greenhouse gas reduction targets for the Yukon's mining sector are being developed through a parallel process that will include the opportunity for public comment. I also note that many of the targets and requirements being proposed in the Yukon's clean energy legislation were designed to achieve a 30-percent reduction in greenhouse gas emissions from 2010 levels.

In the spring of this year, we announced an increase to the Yukon's overall greenhouse gas reduction target to 45 percent by 2030. We will work with the newly established Yukon Climate Leadership Council to identify any additional actions needed to reach the 45-percent greenhouse gas reduction target. An accelerated decrease in the territory's emissions is possible and will be achieved by scaling up our current efforts in partnership with other governments, organizations, and citizens.

The additional actions that we take to reach the increased target will create new opportunities for both Yukon businesses and individuals, as we build a green economy in the Yukon, for the Yukon, by the Yukon. We are living in an era of transformation. We are seeing evidence of the climate emergency in our backyards and around the world. The proposed new climate energy act will play an important role in increasing access to renewable energy, helping Yukoners adapt to climate change, building the Yukon's green economy, and ensuring that the Government of Yukon delivers on its commitment as part of *Our Clean Future*.

**Mr. Kent:** Thank you, Madam Deputy Speaker, for the opportunity to talk about the issue of energy here today. We appreciate the update from the minister.

As we enter the winter, I think that it is very important, though, that, as a legislature and as leaders, we reflect on the fact that we are in an energy crisis. As the territory grows, demands on our energy are increasing. Due to poor planning by the Liberal government, there does not seem to be any solution to address this shortage of energy beyond the rental of diesel generators.

During the recent appearance of the Yukon Energy Corporation in this Legislature, they stated that they project to be renting diesels at least until 2030. That is at least another nine years of renting dirty diesel generators. With the push to see more electric vehicles or homes switching to electric heat, and with new builds in Whistle Bend relying almost entirely on electric heat, the demand on this system will increase even further. If there were a major malfunction of one of our hydro

generation stations during a cold snap, we could see the real possibility of not having enough electricity to meet the demand. Further, we are seeing the Liberals go forward with a request to increase electricity rates by close to another 12 percent.

For those in the Yukon who rely on other sources of energy for their home heating, such as wood, oil, or propane, they are also seeing major storm clouds on the horizon. There is a shortage of firewood for home heating due to the Liberal government's inaction and inattentiveness. We have seen the price of wood skyrocket to almost \$500 a cord. Despite the Minister of Energy, Mines and Resources' suggestions, scavenging the ditches for firewood is not a legitimate solution. Those who heat their homes with oil are seeing prices skyrocket, as the Yukon Liberal government was unable or unwilling to get an exemption to home heating oil from the carbon tax like the Northwest Territories was able to negotiate. Those who use propane were shocked to see recent headlines in the *Financial Post* that read — and I quote: “Canadian propane prices surge 300% — and could climb higher as US markets brace for ‘Armageddon’”.

All of these energy issues that the Liberals have ignored and sometimes even contributed to are making life more difficult and less affordable for many Yukoners. We need urgent action to ensure that we have consistent and reliable backup energy, and we need that yesterday. We also need the government to take action to ensure that our energy and heating options are affordable.

**Ms. White:** We are, of course, very happy and proud to see this legislation moving forward. Yukoners have been clear. At the doorsteps, in petitions, and at climate rallies, they have told us that we cannot waste time. We are in a climate emergency and we need to act now, decisively.

With Yukoners who fought for climate action in mind, the Yukon NDP negotiated for an ambitious 45-percent reduction of greenhouse gases, and we won — 45 percent is the target that will be legislated.

I have read the questions that the Yukon government has put forward as part of their consultation, and I have some feedback that I would like to provide.

The first question is about the framing of the legislation, about the objectives that this legislation is trying to achieve. I would strongly recommend that the Yukon government look to the work done by the Yukon Youth Panel on Climate Change. I would like to quote their work: “The Yukon Youth Panel on Climate Change prioritizes reconnection and sustainable relationships with the land and people to ensure that social and economic systems are based on reciprocity and supported by ecological integrity. Overall, this results in a changed mindset and way of living to sustain a healthy planet.”

Climate action is not just about quick technological fixes. Yes, we need renewable energy. Yes, we need zero-emission vehicles, but we also need reconnection. We need to prioritize sustainable relationships with the land and people.

It is also important to discuss the plan for intensity-based targets for mining. This is the wrong approach. The climate doesn't care about intensity targets. At the end of the day, what

matters are total emissions. If total emissions go up, it doesn't matter how efficient the technology was; it is still making our climate crisis worse.

It is also important to talk about what is not captured in the legislation and the targets that will be legislated. One of these is the destruction of ecosystems. When naturally occurring carbon sinks are disturbed, they release significant amounts of carbon, and this isn't captured or accounted for in our targets. This needs to be considered as we make decisions about land use. For example, allowing mining in wetlands — this action will have climate impacts, and we need to consider that carefully.

To wrap up, I would like to again express our pride and excitement about this legislation moving forward. I have identified some concerns and shortcomings, and I would like to offer to work collaboratively with the government to address them so that the Yukon can lead the way in climate action.

**Hon. Mr. Streicker:** First of all, we are in a climate emergency. We have declared it here in the Yukon, but so has Canada, so has the City of Whitehorse, so has the Council of Yukon First Nations, and so has the Vuntut Gwitchin First Nation.

Right now, the Conference of the Parties meetings are taking place — the international meetings in Glasgow, the 26<sup>th</sup> set of meetings to talk about climate change — and the conversation is about being in code red — that humanity has caused this problem and we need to change it and solve it. We need to address it.

I would like to echo the comments from the Member for Whitehorse Centre. We cannot waste time. Yukoners want action; they want us to act.

I think that it is critically important that we enshrine our commitment to climate change and the climate crisis and to make sure that we are on the right side of history by enshrining it in law.

I am a little surprised to hear the Official Opposition talk about diesel backups. The Member for Copperbelt South talked about the importance of having a backup, but then said: “But we don't want diesels.” I think what he said was: “We don't want rented diesels.” Well, the proposal from the Official Opposition is that we actually invest in fossil fuels and that we build diesel plants. The whole idea that they have is that we would create a long-term dependency on those fossil fuels. The backup is for backup right now, and that is what the point is. Yes, I know that the price of oil is going up — that is why we want to transform the energy economy to a renewable energy economy. That is the whole point.

I will note that when the Leader of the Official Opposition was the Minister of Environment, he said — and I quote: “We don't think setting a territory-wide emissions target is the right thing to do.”

Well, I am very happy now that all parties in the Legislature have said that they have endorsed *Our Clean Future* and the 10-year renewable energy plan, but the 10-year renewable plan doesn't include building a fossil fuel plant, so I disagree with that.

I will say that there are many things that we are working on right now, and we will have the chance to debate and vote in this House about bringing in better buildings legislation to try to improve the energy efficiency of our homes and our commercial spaces. That is a great opportunity, because what it does is reduce the need for energy in the first place, and so it is a win all the way around.

We are talking about batteries, which First Nations are investing in, that will make our renewables go further. We are talking about wind and solar. We are building charging stations for electric vehicles from Watson Lake to Dawson City, so there are a lot of projects that are underway right now. We are very happy that we are working for Yukoners because we believe that this is the era of transformation and we are ready to get down to work. We want to make sure that it is the law that any future government will uphold these targets.

**Deputy Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Physician recruitment and retention

**Mr. Dixon:** Over the course of the last few sitting days, we have been asking the Minister of Health and Social Services to provide some semblance of a response to the thousands of Yukoners who are currently without a family doctor. Instead, what we've heard from the minister are non sequiturs and unrelated facts. The minister has told us about the medical travel subsidy, we have heard about specialist clinics, we have heard about orthopaedic surgery, but none of that has anything to do with family medicine and the thousands of Yukoners who are without a family doctor. One fact that she did provide that was actually useful was that, according to her, 21 percent of Yukoners are without a family doctor.

Can the minister provide Yukoners with a single concrete example of something that this Liberal government is doing to attract family physicians to the Yukon and help address the thousands without a family doctor?

**Hon. Ms. McPhee:** Our government is aware that one local physician has closed their primary care practice. We have recognized this as affecting Yukoners and their ability to have a walk-in style clinic. The *Putting People First* report, as I have said recently, reports that approximately 21 percent of Yukoners do not have access to a family physician. This is a concern — absolutely. We have accepted all of the recommendations of the *Putting People First* report and take the priority to ensure that Yukoners have access to primary health care services.

We recognize that Yukoners have questions and concerns about how they will be able to access primary care. As part of the implementation of *Putting People First*, we are moving forward with adding more nurse practitioners, expanding access to virtual care alternatives — Madam Deputy Speaker, these are the examples that the member opposite has asked for — more nurse practitioners, expanding access to the virtual care alternatives, and exploring options for primary health care reform.

We continue to meet regularly with the Yukon Medical Association to discuss the primary health care services and physician recruitment and retention.

**Mr. Dixon:** In that whole response, the minister couldn't point to a single concrete action that this government is taking to attract family physicians to the Yukon — not a single concrete answer was she able to provide there.

Last week, when we asked for the minister to reverse the decision of the former minister and to reinstate the physician recruitment officer position, she said — and I quote: “The answer to that question is yes...” However, yesterday she refused to confirm if what she said was true.

So, can the minister confirm: Has she reinstated the physician recruitment position that was terminated by the former minister, or did she once again share inaccurate information with the House?

**Hon. Ms. McPhee:** The Department of Health and Social Services has been exploring opportunities to contract nurse practitioners to serve some existing clinics and add additional patient access for patients to medical care. Additionally, work is underway to expand the virtual physician services as have been done during COVID and should continue. The department has also been working to assess options for working with a professional recruiter or recruiting firm. We have, despite the physician recruitment position, been actively recruiting physicians. I should note — I think yesterday there was a comment that Yukon is not an interesting place for physicians. I think that is completely inaccurate. Physicians thrive and are very appreciative of the opportunities that exist here in the territory. I said earlier that physicians are often attracted here because the rates that they are paid are equivalent to those in British Columbia plus 30 percent. That is a significant opportunity for us to recruit physicians and to retain them.

**Mr. Dixon:** The minister has tried her best to explain this away. Yesterday, she tried to explain that this was a national or even global problem, and while there is a shortage of medical professionals in the country, what is not a national issue is that the Liberals have given up on recruitment efforts. It was the Liberals who made the decision to eliminate the position that was tasked to lead this work. They made the decision to ditch Yukon MD website, and they still don't have a robust locum program to help fill in the coverage gaps. They can try to blame others and try to pass the buck, but the reality is that, rather than increasing efforts to recruit family physicians, they have actually cut those efforts. We have an acute shortage of family doctors, and the government has never done less to attract family doctors than they are doing right now.

When will the minister start taking this issue seriously and start actively recruiting family doctors to the Yukon to help the thousands of Yukoners without a family doctor?

**Hon. Ms. McPhee:** I truly believe that, as MLAs, we have not only the opportunity but the requirement and responsibility to present accurate information to Yukoners. That is not what is being done here.

The Department of Health and Social Services has been working closely with the Yukon Medical Association to discuss feasibility and partnering on a new physician recruitment and locum coordinator. This is work that is being done as we speak. It shows a priority for our government with respect to recruiting and retaining physicians. Physician practices are private businesses that oversee their own recruitment and locum coverage. We endeavour to support them during that process by the incentives — financial and otherwise — of living here and working here in the territory.

Initially, between January 2013 and March 2015, prior to our party coming into power, the department had one FTE physician recruitment and retention officer who provided support to identify opportunities for physicians. We are exploring returning that.

**Question re: Obstetric and gynecological care**

**Ms. Clarke:** I have now asked the Minister of Health and Social Services several times what she is doing to reduce wait times for gynecologists. However, she continues to give answers that do not address the issue. We have pointed out that there is a year-long wait time for OB/GYNs, and she told Yukoners not to worry because they are giving away free period products or expanding midwifery. While these are nice, they do not address the issue that there is a year-long wait-list for OB/GYN services in the Yukon.

Can the minister tell us a single thing that she is doing directly related to reducing the wait-list for gynecologists?

**Hon. Ms. McPhee:** I certainly can point to our government's commitment to expanding access to maternal, prenatal, reproductive, and sexual health care. Obstetricians and gynecologists provide a range of support to pregnant individuals, including during birth, as well as a number of reproductive and sexual health care services.

In total, the Yukon is supported by two obstetricians/gynecologists who are based in Whitehorse at the Whitehorse General Hospital. Yukoners must be referred there by another caregiver. The wait time is approximately 10 months, but, of course, wait times are triaged according to the level of need, with the most urgent care needs being addressed first.

I will continue to answer the member opposite's questions in the second and third supplementaries.

**Ms. Clarke:** Yesterday, we pointed out that currently the territory is only served by a single obstetrician. If that single doctor gets sick, there will be no capacity for C-sections or other emergency pregnancy procedures. This will put women and babies at risk.

Yesterday, I asked the minister what she is doing to address this very real and serious issue. Her response was to point to the expansion of midwifery, which, of course, does not address this issue of not having the capacity for C-sections at all.

What is the government's plan to expand the OB/GYN program in the Yukon so that we are not at risk of being left without an OB/GYN doctor in emergency situations?

**Hon. Ms. McPhee:** Yukoners are able to access a number of services that are provided by obstetric and

gynecological specialists. I should note that obstetric gynecologists are highly specialized care providers who require dedicated clinic space and resources. Outside of Whitehorse, there are no communities in the Yukon — that is no surprise to anyone — equipped to hold such an obstetric unit, so they are based here in Whitehorse.

Based on the small number of births here in the Yukon each year, there are challenges with recruiting such specialized care providers for the Yukon and the cost of operating these specialized units. Offering an obstetric program in any other community is not possible, but the Yukon is well-served by the obstetric and gynecological services that are provided here.

Additionally, there are a number of private clinics in Whitehorse that deliver sexual, reproductive, maternity, and prenatal care. My colleague opposite has dismissed the opportunity for individuals to have services of a midwife. That is certainly something that a number of Yukoners will want to choose when that program starts.

**Ms. Clarke:** It is clear from the minister's answers over the last several days that she is not entirely clear about the important and critical services that obstetricians and gynecologists provide the community. We have asked several times for her to expand the program and she points to providing free period products or expanding midwifery. Those are great policies, but they do not address the critical and serious issue that we are raising. We have a shortage of gynecologists and obstetricians in the territory. The wait-list is over a year.

What is the minister doing to deal with this right now?

**Hon. Ms. McPhee:** Thank you, Madam Deputy Speaker. Yukoners are able to access a number of sexual and reproductive health care services through the Sexual Health Clinic and the Women's MidLife Health Clinic that operate here in Whitehorse. They are supported by two nurse practitioners contracted by the department. Additionally, the Crocus and Sage maternity clinic in Whitehorse provides maternity services and prenatal supports. This clinic is supported by a group of physicians who specialize in maternity care. Our highly trained community nursing staff are available to provide a range of maternal, prenatal, and postnatal supports and education through community health centres.

Our government continues to work closely with the Yukon Hospital Corporation to discuss shared priorities, areas of concern, and plan for the future of a service delivery here in the territory. The obstetrics and gynecologists' highly specialized team here in the territory serve pregnant people well. There is an opportunity to make sure that there is proper coverage through that clinic. The Yukon government supports the expansion of these services — which include midwifery, by the way — and include others at the sexual health clinics to provide service.

**Question re: Old Crow water delivery**

**Ms. Tredger:** In Old Crow, drinking water is delivered by truck to each home, up to three times per week. Due to the housing shortage, many homes are overcrowded. This means that the water tanks are too small for the number of people living there. Citizens know to conserve water to make it last,

but still, it is not rare to have a home run out of water — sometimes for days at a time. Let me repeat this: We have a community in the Yukon where people don't have consistent access to running water.

What is the minister doing to fix this unacceptable situation?

**Hon. Mr. Mostyn:** I am glad to field the question this afternoon on safe drinking water in our rural Yukon communities. It is an issue that we have to address and I will get more information for the member opposite.

**Ms. Tredger:** Perhaps I can provide some of that information. Because of staff shortages, the two main water delivery staff have had to work almost non-stop. They work long hours and can hardly take vacation. They are often on call long after their shift has ended just to keep up. This situation is obviously not sustainable. The workers are tired; they need a break.

On August 5, the minister replied to a letter from my colleague, the Member for Vuntut Gwitchin, saying that his department is working to provide training opportunities for local residents in Old Crow. Can the minister tell this House when training will start on the water and waste delivery for Old Crow residents?

**Hon. Mr. Mostyn:** I do remember the letter that I wrote to the member opposite in response to her question. I will follow up with my department officials and see where that program is at right now.

**Ms. Tredger:** I appreciate that the minister will follow up, because the current staff need long-term support and the community needs solutions that will attract local interest in these positions and retain workers. This ongoing staffing shortage has a direct effect on the community. This is a Yukon community where people have to prioritize water use or risk running out altogether. Water is a vital source of life that we take for granted when we don't have to worry about running out. It is 2021, Madam Deputy Speaker, and indigenous communities deserve better.

Does the minister have a plan to provide long-term reliable access to water for the residents of Old Crow?

**Hon. Mr. Mostyn:** I appreciate the question from the member opposite. This is, of course, an issue of national importance, an issue of regional importance, and an issue of local importance. We have advanced nearly 100 community infrastructure projects across the territory since 2016, valued at more than \$690 million in shared investment by the Yukon government and Canada, with Canada contributing approximately \$488 million under the Investing in Canada infrastructure program.

Community infrastructure is the backbone to our modern lives. It provides the water, the sewer, and other municipal services used by Yukoners every single day — every single day, Madam Deputy Speaker.

Community infrastructure also includes public service spaces for gathering and recreation that enable Yukoners to live healthy and active lives. We do our best to meet the needs of communities, recognizing that the infrastructure gap and desires far exceed the available funding. As we advance

priorities, we are also working with our federal colleagues to maximize contributions to the Yukon with as flexible terms as possible to better meet community and territory-wide priorities. Be it in Old Crow, Watson Lake, or Ross River, we are working on all of our community infrastructure.

#### **Question re: Magnetic resonance imaging program**

**Ms. McLeod:** The MRI at the Whitehorse General Hospital is an essential and critical health service for Yukoners. However, currently there are 650 people on the wait-list for non-urgent MRIs. Can the Minister of Health and Social Services tell us of anything she's doing to reduce this wait-list?

**Hon. Ms. McPhee:** The MRI service that's provided by Yukon hospital to Yukoners throughout the territory is an important and essential service with respect to how Yukoners can be diagnosed and have additional health information for their own decision-making. As a result, the current MRI program is being run by individuals who are experienced and necessary for the purpose of operating the MRI. As a result, Yukoners are served well in that capacity.

We are exploring options with the Yukon Hospital Corporation with respect to expanding the opportunities by having additional operators and extended hours of time that are possible for Yukoners to have MRIs and to reduce the wait times.

**Ms. McLeod:** The wait-list for non-urgent MRIs is 650 people, as I said. This means that the average wait time is now 332 days, and that's just under one year to get an MRI. What new funding is the Liberal government providing the hospital to reduce this wait time?

**Hon. Ms. McPhee:** Madam Deputy Speaker, these are decisions made by the Yukon Hospital Corporation with respect to MRI operation and the service that they provide very well to Yukoners for those who need MRI diagnostics. The work continues every day on issues that affect Yukoners' health that are operated by the Yukon Hospital Corporation. Our continued work together will have conversations and will enable us to consider each and every one of the services provided. To be clear, those decisions are made by the Hospital Corporation. Certainly, I meet regularly with them and have the opportunity to talk about how we can improve services for Yukon. It's always something that we do together.

**Ms. McLeod:** Of course, it is the minister's responsibility to work with the Hospital Corporation to ensure that Yukoners receive the services that they require. Waiting a year to get an MRI will have a negative impact on the quality of life for the 650 Yukoners who are on that wait-list.

The minister has made a reference that she is working with the hospital to expand services. Can the minister give us some indication of the timeline and the cost?

**Hon. Ms. McPhee:** I certainly will look into the wait times that are being expressed here in the Legislative Assembly and the number of individuals who might be waiting. I say that I am going to do that because certainly inaccurate numbers came from the opposite side on other issues today.

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

**Deputy Speaker:** Order. The member has the floor.

**Hon. Ms. McPhee:** Thank you, Madam Deputy Speaker. So, as a result, certainly we'll look into that. I cannot produce for the member opposite today a budget or a timeline. Those are decisions made by the Yukon Hospital Corporation. This government will continue to work with the Yukon Hospital Corporation as a vital partner in the delivery of services to Yukoners and always with the concept of trying to improve those.

**Question re: Yukon Hospital Corporation funding**

**Mr. Cathers:** As you know, this Liberal government has a record of neglecting the needs of our hospitals. The Yukon Hospital Corporation's annual report for the last fiscal year has now been tabled.

Once again, it shows that the Liberals have neglected their funding, leaving Yukon hospitals short millions of dollars for the last fiscal year. Total expenses for the Yukon Hospital Corporation, as shown in the annual report, were \$103.6 million while total revenue was only \$99.6 million.

Will the Minister of Health and Social Services tell us what, during a pandemic, the government's excuse is for leaving our hospitals short millions of dollars?

**Hon. Ms. McPhee:** This is an important question for Yukoners. It happens to have been, unfortunately, taken out of context.

In the first supplementary estimates for 2021-22, we are providing the Yukon Hospital Corporation with approximately \$85.8 million — it is actually \$85,761,000 — which includes an increase of \$206,000 in additional funding to cover interest payments on a letter of credit to meet the Yukon Hospital Corporation's pension solvency needs. I am happy to answer more as we go forward.

**Mr. Cathers:** With all due respect, that excuse from the minister is ridiculous. It is in the hospital's annual report. It's not out of context; it's in their report. We have seen the government balloon spending under the minister's department this year, but our hospitals are left short of money again.

For most of the Liberal government's time in office, the Yukon Hospital Corporation has been short of money. Annual increases are often less than the rate of inflation, despite the increasing costs of everything from personnel, drugs, medical imaging, lab, and the list goes on. Twice during this pandemic, our hospitals have finished a fiscal year with a multi-million-dollar funding shortfall thanks to the neglect of the Liberals. They did it to them in the fiscal year ending March 2020, and they did it to them this year again.

Over 2,000 Yukoners have no family doctor and are forced to go to the emergency room when they need a doctor. How does the Minister of Health and Social Services expect our hospitals to be able to manage when she leaves them short millions of dollars?

**Hon. Ms. McPhee:** As I said earlier — and as I think I said yesterday — it behooves the members of this Legislative Assembly to provide accurate information to Yukoners. To not do so, I think, abdicates responsibility.

Between the fiscal years of 2015-16 and 2021-22, the Yukon hospital services O&M budget has increased by

35.4 percent when we compare the mains to the mains. Our government is committed to working closely with the Yukon Hospital Corporation to ensure that we are meeting their core funding needs.

The overall increase of five percent — or 5.44 percent or \$4.2 million — over the 2020-21 mains has been the funding from the first supplementary estimates. This includes an increase of core funding of four percent for growth and cost-of-living adjustments. This increase also includes \$1 million for security and safety enhancements at the Whitehorse General Hospital secure psychiatric unit, which is in addition to their core funding.

Between the fiscal years of — thank you. I will stop there.

**Mr. Cathers:** When the minister talks about bringing accurate information before the House, I will remind her that she tabled the hospital's annual report. It's right from there that we see this funding shortfall.

It's clear that the Minister of Health and Social Services and the Premier are both out of touch with the needs of Yukoners. As a result of the Liberals cutting recruitment for doctors, thousands of Yukoners who have no family doctor are forced to rely on our hospitals and the emergency room in lieu of a family doctor.

Our hospitals are dealing with other increasing costs across the board. When the hospital CEO last appeared in this Assembly, he told us — and I quote: "... this past year, almost every ambulatory and inpatient service increased by greater than, say, three percent. Some of them are up to possibly 10 percent. That is something that we will have to work with government on to ensure that our core funding — our base funding — keeps pace with what we see as far as increases."

How does this government justify their decision to leave our hospitals short \$3.9 million, according to their own annual report, during a pandemic?

**Hon. Ms. McPhee:** I would like to note that capital funding for the Yukon Hospital Corporation has also been provided for a total of \$7.7 million in the 2021-22 budget, and that is in addition — the hospital receives funding for their COVID-19 needs, which is included in the COVID-19 budget. I think that it's important for Yukoners to know this.

I have already noted, but it's worth repeating, that between fiscal years 2015-16 and 2021-22, the current budget year, the Yukon Hospital Corporation has received an O&M budget increase of 35.4 percent when we compare mains to mains. As a result of these increases, the Yukon Hospital Corporation has been able to offer additional services here in the territory. Yukoners now have better access to orthopaedic surgeons, to MRIs, and to pediatricians, and bringing care closer to home is an important priority for this government. We will continue the work with the Yukon Hospital Corporation, and we will do so on behalf of all Yukoners.

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

We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

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

**Deputy 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 (Ms. Tredger):** Order, please.

I will now call Committee of the Whole to order.

The matter before Committee is general debate on Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

**Chair (Ms. Blake):** Committee of the Whole will now come to order.

### **Bill No. 9: Act to Amend the Cannabis Control and Regulation Act (2021)**

**Chair:** The matter before the Committee is general debate on Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*.

Is there any general debate?

**Hon. Mr. Pillai:** First, I would like to welcome the officials this afternoon. With me is the director of policy and communications with the Yukon Liquor Corporation, Amelie Quirke-Tomlins, and Andrea Bailey, legislative counsel with the Department of Justice.

We had second reading on the proposed bill, and we can now continue the debate here in Committee of the Whole.

As we discussed at second reading, the proposed amendment to the *Cannabis Control and Regulation Act* is very brief. The details of how e-commerce and home delivery will function is to be set out in the regulations — those under development. The change to the act that we are examining today allows a person to receive cannabis from a licensed cannabis retailer for the purposes of e-commerce delivery. This amendment, together with the regulations, will ensure that the Yukon's private retail e-commerce system can combat the illicit market more effectively. The aim is to establish a system that matches, as far as it is possible, the convenience of the illegal market while maintaining health and safety standards.

Public engagement at the time of legalization indicated support for online sales and home delivery of cannabis. The Yukon's licensed retailers have done an outstanding job serving our community since legalization. They have adjusted their business operations throughout the pandemic as far as possible

within the requirements of the legislation. It is now time to take the next step in this evolving industry and to develop legislation that authorizes our licensees to offer remote sales with home delivery. This will help them to better serve their customers while strengthening their business operations.

I look forward to discussing the bill further with Committee members.

**Mr. Dixon:** I appreciate that from the minister. We did have a chance to raise some issues and have some amount of discussion at second reading, so I would like to return to a few of the issues that were discussed there, both by the current minister and the former minister, in relation to this bill.

I think that it goes without saying that we are supportive of the bill and that we are happy to see the development of e-commerce. We, of course, have been pushing for this for some time prior to the bill being tabled. This was available to retailers previously under an emergency order of CEMA whereby, for a fixed period of weeks, retailers were able to offer their products online. Of course, that ended earlier in the year with the termination of that ministerial order — or that regulation under CEMA, which allowed it. This bill seeks to make that opportunity permanently available.

I would, however, like to raise a few questions about some aspects of the cannabis legislation and regulatory framework overall and perhaps ask the minister why they were not included in this bill. Obviously, the department and the minister took some time to advance this, and they made the decision to pursue this one particular aspect and decided not to proceed with a number of other changes that could have been made.

I am curious about some of those decisions, so I will start with one particular issue that I have heard from a number of retailers, and that is in relation to promotion and sponsorship. Cannabis retailers are sometimes asked to sponsor local events. Any number of local events happen in the territory that private sector operators have the opportunity to sponsor. I know that for liquor businesses or bars, they are frequent sponsors of sporting events, school events, and the list goes on.

However, those kinds of promotion and sponsorship opportunities are not available to cannabis retailers. I would like to ask the minister: Was any consideration given to provide for legislative changes to allow for the types of sponsorship and promotion that are available to some businesses in the Yukon but are not available to cannabis retailers?

**Hon. Mr. Pillai:** I think that, first and foremost, it is important to touch upon what our goals are with our process today. This is what, I guess, many would call a surgical amendment. We are really focused on prioritizing the conversations with the private sector and the work that we will continue to do to ensure that they have the best possible climate in which to undertake their businesses.

Our focus was really to go out and have the consultation piece and have discussions. The folks at the corporation have done a great job of continuing to have a lot of conversations, and the Leader of the Official Opposition, from the briefing, would know that there are so many touch points. Almost on a weekly basis, individuals in our organization are having conversations with the retailers. That is because we want to be

very respectful of the hard work that the private sector does. We want to be very respectful of their knowledge, ensuring that we can learn from them and improve this piece of legislation and how we support them, which is very important.

What is important to be aware of is that you have two sets of legislation that dictate what happens. We have the federal act that was put in place, and then the Yukon made a decision to follow through and put our own legislation in place. That's, of course, what we are amending today.

Certain things — sometimes there is the discussion around thinking that we have the responsibility or, at least, that we even have the powers to control that, but they may fall under a federal act. I think it goes without saying.

I wouldn't say that we, at this time, under this particular act, have everything exactly how the private sector would want to see it, but I think that we are doing a very good job of sticking to the commitments that were made from day one. I have to say — we get into strong debates, of course. That's what this Assembly is about, but at the same time, the previous minister came in and made a commitment. That good work was followed through by the corporation, and it was to enact — get that legislation in place — make sure that we have a proper governance structure and make sure that there was an opportunity for folks to access retail. That was done out of the gates from a government-owned store. Of course, there was lots of feedback from opposition. I mean, certainly there is difference of opinion here in the Assembly, but that commitment was to get that moving and to sell it off. Of course, that now has transitioned to a privately owned establishment, which we applaud. How we respectfully worked with the folks who were on the front lines for that store for the government was done as committed to, and now we are in a position where it essentially is primarily a private sector marketplace with a commitment from us to have it solely as a private sector marketplace.

I'm just going to touch on advertising and loyalty programs because it was something else that was touched on. I'm going to jump ahead a little bit and just touch on that.

So, first of all, the federal *Cannabis Act* has a range of requirements that licensees must follow, covering brand preference and promotion of information, brand elements on merchandise such as hats or T-shirts, and the display of cannabis and accessories at retail — inducements that might encourage non-users to begin using cannabis or that might encourage excessive or heavy consumption. Health Canada assess the compliance with the provisions of the *Cannabis Act* and its regulations relating to promotion on a case-by-case basis.

Under the *Cannabis Act*, benefits provided to members of a loyalty program cannot be provided again. So, we've heard locally where some of the national — there's one, I think, retailer that is part of a national chain of stores. We were made aware that there was loyalty program activity. I think that they reported back to the corporation. Of course, the corporation has followed up on that.

When it comes to loyalty programs, again, understanding that if folks see things such as that in place — that are not allowed to be in place — please let us know.

I don't want to solely say that the federal act doesn't give room for us in some sense — in cases where we may be able to look at a deeper dive and still be able to support some of the interests of the private sector — that is something, of course, that we are willing to do. I have spoken directly to those operators and they have some strong arguments. Inevitably, where these particular products have come into the marketplace and are looked at similarly to alcohol products — again, I think the member opposite makes good points. We do see some of our local entrepreneurs who are in the alcohol sector really contributing a lot to numerous activities through their corporate social responsibility activities.

My commitment today is that we are trying to make sure that the legal framework is followed but, at the same time, I will make a commitment that we will go back again and take a look at ways that we may be able to reduce the burden or take another look at the perspective of — if this is undue red tape that should be removed.

It was, right now, about us working, of course, with folks like Ms. Bailey to make sure that we can draft this and get a surgical amendment done to get this very important piece of legislation changed so we can see e-commerce thrive for the private sector.

**Mr. Dixon:** Just to reiterate, I appreciate that the minister has anticipated a future question that I have about loyalty programs, but my specific question was around promotion and sponsorship. If he could start by just addressing that first issue: Is the prohibition on the sellers of cannabis — cannabis retailers — to promote themselves by way of sponsorship similar to what we see from alcohol distributors or retailers a function of the federal *Cannabis Act* and subsequent regulations or a function of the territorial act?

**Hon. Mr. Pillai:** Again, I just want to touch on the fact that what we have been doing, in any case, when we have heard complaints or concerns — as it was touched upon — is for us to go and address those — that is again to the loyalty program. I want to be respectful of the question as it is laid out.

I think that we have to do some work on our side to make sure that we look at each specific case in the same way that the federal government is looking at each specific case. It's hard to just define it that way, based on the interpretation of the federal legislation. There are some activities that would look at branding or promotion and that the federal entities would want to review. Once that is done, there is also an obligation that we have to cross-reference that against the legislation that we have.

What I am really saying today is — I'm making a commitment to the Assembly to go back and look at specific examples by all of our retailers right now who are looking to be in the sponsorship and promotion field. I certainly don't want to see folks who want to contribute to their community having a barrier to doing that if it's not there or can be appropriately changed.

Again, I think that it is a great point that was brought up today. I am willing to do the work on this side. As I stated, we

are in constant conversation. I will look to having a formal briefing with the corporation around aspects concerning sponsorship or community social responsibility programs that companies may want to have underway but feel that they can't because of what they are hearing from us or even the interpretation that is coming from the federal act.

**Mr. Dixon:** I appreciate that answer from the minister and his commitment to seek a briefing from the department to look at that.

In the course of that briefing, I recommend that he have a look at the federal *Cannabis Act* and regulations, which outline permissible and prohibited advertising and promotional activities, and cross-reference that against what exists in the territorial legislation. From there, I am sure that he will find some opportunity to move forward. Once he has had a chance to have that briefing, I would be happy to discuss that with him further.

I will move on to the next issue, which the minister did begin to talk about — the loyalty program. It sounded, from what the minister has said so far, like the loyalty programs that are available to national retailers or franchises are not allowed in the Yukon.

Can he confirm that this is indeed correct? Loyalty programs that provide third-party and non-cannabis-related merchandise or gifts as a result of a customer's patronage are not allowed in the territory, or are they in fact permitted under our territorial legislation?

**Hon. Mr. Pillai:** Loyalty programs are prohibited under current Yukon legislation. This rule applies to all licensees in the Yukon and is in place to prevent retailers from encouraging consumption, which is part of our program. Each jurisdiction has its own rules about loyalty programs. A cannabis franchise may be able to run a loyalty program in one jurisdiction, which is the case here. We have an operator who likely runs loyalty programs in other jurisdictions, but they are prohibited from having the program in the Yukon, the same as all Yukon licensees.

My conversations with the private sector — we see folks right now who may have just one outlet. Maybe they have a plan to expand into other parts of the Yukon. I am not aware of that yet, but as businessfolks, maybe they will make those decisions.

With this, we also want to make sure there is a fair playing field for Yukon businesses. We want to make sure that an organization that has multiple stores across western Canada, say, aren't being able to use these loyalty programs to have an unfair advantage.

When a complaint is received by the corporation — and we have had them about one of the organizations — regarding this type of activity, enforcement actions are taken. Licensees also need to comply with the federal *Cannabis Act*, which we touched on earlier. It has the requirements related to promotional products and inducements that might encourage non-users to begin using cannabis or to encourage heavy consumption.

I hope that answers the question. It's our legislation here that prohibits that. If there is any indication that such activity is

happening, please let us know and we will follow up with action.

**Mr. Dixon:** I appreciate that. My intention today was not to flag a potential regulatory issue for the minister; it was to flag a potential opportunity for future legislative change.

The reason I say that is that, while I know our first instinct is to protect locally developed businesses, I also want to make sure we have the ability for our local businesses to explore and expand beyond the Yukon. For instance, if a local retailer were to want to use their Yukon retail shop as the launching point for a bigger chain, they need the tools to compete with other national retailers.

I know of at least one retailer in the territory who is considering opening shops outside the Yukon. By limiting their ability to access those sort of loyalty programs, they are at a competitive disadvantage when they go outside of the territory.

I appreciate the minister's comments. I guess I would just flag the issue as something that he should consider when reviewing future amendments to the legislation. I think that it's an opportunity, but we ought to think about the comparison between cannabis retailers and the alcohol sector. The alcohol sector has fairly permissive opportunities for promotions and loyalty programs, as we see — every time you crack open a particular kind of beer, you can get a T-shirt or those types of activities. There are lots of those types of loyalty programs that exist in other sectors. I think that cannabis should be given some of those opportunities as well as the legal cannabis market becomes normalized.

The next issue that I want to mention builds on that. Under territorial legislation, cannabis retailers are only able to offer cannabis and cannabis accessories in their licensed area. That is, they can't sell other goods in what we consider the licensed area. For smaller retailers in the Yukon, that means that they just don't have the ability to sell those other general goods without having to expand their area or get a second location.

I was wondering if the minister could comment on that and whether or not — the consideration of allowing other products in what we consider to be the licensed area within the Yukon.

**Hon. Mr. Pillai:** I appreciate the comments concerning loyalty programs, just to step back there. I think there is opportunity there, of course. Anyone who is expanding into another jurisdiction will follow the rules in that jurisdiction. It goes without saying that absolutely — loyalty programs built on having individuals hit a particular store or franchise on multiple occasions in different jurisdictions and draw them in based on their commitment or whatever their connection or opportunity for benefit within their program — I hear that. The member opposite probably knows as well as anybody, too, that I appreciate that sometimes that approach — whether it is exemptions in the *Canadian Free Trade Agreement* — the honourable Leader of the Official Opposition negotiated well for Yukon — so even in a sort of *laissez faire* free-market perspective, sometimes we are taking a look at appropriately supporting our businesses.

That's not to say that, in future days, we can't look at taking legislation and, of course, making sure that we can support great Yukon businesses that are expanding and starting

to work, which we think is a fantastic endeavour, if there are companies, organizations, and businesses now that are seeing that opportunity, and the business planning that they are doing states that it is a sustainable and profitable opportunity.

Specifically, there are three things that I am really committing to. We have walked through and we have seen in particular stores — and some stores — you are right — have had that opportunity to have a bigger location, and so it makes it easier to sell the merchandise. I think that the commitment that I am making is that we are talking really about branding merchandise. That is the conversation where I'm saying that we are committing to go and have, with the retailers that we have — really looking at, one, are there ways for us to make it easier for them to sell their products while still following the federal guidelines or, from a federal perspective, are we going to have to make an intervention? I mean, we are already concerned at the federal level where we look at packaging. We think that packaging — we are over-packaging, and we are concerned about that. We think that there are ways, but, again, it is federally mandated.

But the commitment that I am making to the Assembly is around opportunities where folks want to get their branding out — merchandise — if there are easier ways to do that. I want to be very respectful of the fact that, although I understand that some of those merchants have limited square footage. Again, going to get extra square footage in a very competitive commercial real estate market may inhibit you from even putting your product out there because of the costs that are associated with even having that extra space to do it.

I think, again, I'm committed to going back and looking at where we can support folks to get their ancillary products out the door, reducing red tape, if there is red tape in place that doesn't need to be there but, all the while, being cognizant of the fact that we have to be very committed to our values around responsibility in how we also put the names and the branding of those organizations out there, all the while trying to make it consistent with what we do with organizations that are entrepreneurial organizations locally that are also producing alcohol products and how they play within the marketplace.

That is my commitment. We will sit with folks and try to figure out how we can make things better for them while being respectful to the legal framework that is in place at the national level.

**Mr. Dixon:** Thanks to the minister for that. I appreciate the commitment that he has made to review some of these issues, engage with local businesses, and consider further changes going forward.

The minister mentioned a few things that caught my interest, but I won't go into the CFTA and the cannabis table at this point, but I would note for the minister that he is in the unique position where he is both the minister of trade and the Minister responsible for the Yukon Liquor Corporation and the cannabis corporation, which I hope he uses to his advantage to advocate for some changes at the federal level through those national tables.

He also mentioned the federal legislation. I wanted to ask briefly if the minister is aware of the comprehensive review to

the federal *Cannabis Act* that's being contemplated by the federal government and is committed to begin in October 2021. Also, if he could provide an update for us as to whether or not he is aware if that has begun, and, if so, has Yukon government provided any feedback yet? If not, when will we provide that feedback to the federal government?

**Hon. Mr. Pillai:** Health Canada runs a federal-provincial-territorial working group that we are a part of and, as part of its review of the *Cannabis Act*, the Yukon Liquor Corporation has attended two meetings so far and will continue to participate. I can go back to see if any interventions were made during the first two meetings of the working group. I would think that, from experience, probably it was project opening in, one, setting the agenda and setting the mandate and then, two, starting to do the work. My experience to date has been that the folks will come in and have a sign-off at the ministerial level. If they are looking for any particular mandate or intervention, that would be done at the table. I know that my mandate letter does identify a few things, one of which we are talking about today, but it is also our concern around the packaging.

Those items — they have already have support and a mandate to discuss, but if there is anything further, I can bring it back to the House and make the Leader of the Official Opposition aware of that.

**Mr. Dixon:** I appreciate that response from the minister and the commitment to return to us with any feedback that may come based on the submissions that Yukon may or may not have made to the federal government on the comprehensive national review of the *Cannabis Act*.

By way of background, again for the minister, I think this is an opportunity for the Yukon — sorry, the comprehensive review of the federal act is an opportunity for the Yukon to make an overture to the federal government about the nature of the licensing for producers. Nationally, there are different levels of producer. One consideration may be for the burgeoning agriculture industry in the Yukon, that we consider the size of our market and the size of production that can occur in the Yukon and consider whether the level of burden that Health Canada's regulations put on prospective producers is appropriate to the Yukon, relative to our size, and the fact that we would have naturally smaller cannabis production here in the Yukon. The regulations, as they are set up currently, obviously contemplate very large production that can occur in the south, and so, I think that's something that the minister may want to consider.

My next question relates to the overall model. I've had a few discussions with the former minister about this, but I would like to chat with the current minister. Where are we at in terms of the markup and the pricing structure that the Yukon cannabis corporation employs? I've recently heard anecdotally that we had the highest markups in the country, but then more recently, I did hear that the cannabis corporation was either contemplating changes to the markup or had recently made some changes.

Could the minister update us on that?

**Hon. Mr. Pillai:** So, the Yukon Liquor Corporation — again, we're consistently meeting with retailers. I know I've touched on that a few times. I think it's important just to show the level of engagement and how active we are to understand the needs and perspective of the retailers and to review the cannabis pricing with licensees. What we have done already is that we've reduced the cost of service charges on products. That went live at the end of the month; so, just this past weekend, we've reduced that. We switched from a per-gram to a per-unit cost of service for some products. The cost of service dropped from \$14 to as little as \$2.15 on some products. So, we think our first step is to really reduce some of those charges that were in place.

Secondly, as the member touched on, the corporation has a markup on all products purchased by licensed retailers. This markup has not changed in the three years since legalization, and we are currently looking at whether the rate can be reduced. What we have committed to, right from the start, is being able to cover our costs with moving product. There might be a difference of opinion about how that model is looked upon. I would go back to the "what we heard" document. This was one of the most engaged processes we have seen on consultation — ever — in putting this act in place. It was astounding how many Yukoners wanted to be a part of that process.

What we did hear in the end is that, overwhelmingly, Yukoners wanted to see essentially a hybrid model from that "what we heard". I think this follows through on that. If we go back and you see what Yukoners said and then you think about a model where it is direct to licensee, that's not what the majority of Yukoners said; they wanted to see a program like this.

As Minister responsible for the Yukon Liquor Corporation, I strive to find an appropriate balance between the needs of licensees, social responsibility, and the need to return dollars to government to fund services for all Yukoners.

A continued reduction of the illegal cannabis market is a priority. Currently, our aim is to be as close to revenue neutral as possible. I want to make that commitment. That is the goal — as I sit with the president and our supporting staff — to get to the place of neutrality.

We are three years in, and for anybody who has been in a position of running a business, part of what we have been doing is understanding our costs. I am continuing to make that commitment to get to a neutral spot. What does that mean? It means that we want to ensure that we are not overcharging our licensees. To put that on the record, that is not what we are looking to do, but we are looking to be careful with this process and understanding and being respectful to the taxpayers of the Yukon and making sure that we follow through on what people wanted to see as the model and that we are sustainable in the expenditures that are part of the hybrid model, while being fair to licensees.

I would just close by saying we are very happy to be able to make such a dramatic drop in the costs for the private sector, and that all just went live on October 30, just a few days ago.

**Mr. Dixon:** Can the minister repeat what the cost-of-service fee is and whether it is per gram? I believe he said it

is two dollars and something, but can he repeat that, please, and indicate whether that is per gram or per some other unit of measure?

**Hon. Mr. Pillai:** I had just touched upon an example, in one case, where we were looking at the reduction. We switched from a per-gram to a per-unit cost of service. For some products, the cost of service dropped from \$14 to as little as \$2.15. The cost of service — the current rate that was in place before October 30 was 50 cents per gram. We have now gone to a new rate, which for two grams is \$2.15 a unit — as well, for two grams equalling 50 cents per unit. So, for all other products, we're charging 15 cents per unit.

Those are the changes we have just made. I can give you an example: Under the previous cost of service for a large format, such as a 28-gram bag, it had a cost-of-service charge to licensees of \$14. Under the new rate, the cost of service for a 28-gram bag is \$2.15.

**Mr. Dixon:** I appreciate the answer, and I will spend some time looking at the Blues to reflect on exactly what the minister said there, as I didn't quite follow everything. I appreciate the overall reduction, in particular for that 28-gram bag from \$14 to \$2.15. I would also note, though, that the cost-of-service fee would not be necessary if the retailer could go directly to a producer, so that cost is on top of all the other costs that exist there. If a retailer were able to go directly to a producer, as opposed to through the cannabis corporation, that cost-of-service fee wouldn't exist, so that is one thing to consider there.

That leads me to my next point, which is the question about whether or not to allow retailers to purchase directly from a registered and legal producer. I know that the minister has spoken about this. He said that, because of the public consultation that was conducted back in 2017-18, that is why we can't make any further changes. So, that is where I would like to challenge the minister a little bit. Relying on the "what we heard" document from three or four years ago I don't think is the best choice, just because opinions have significantly shifted — not only in the Yukon, but in Canada — about the nature of the cannabis industry and in particular the role of the legal cannabis industry in combatting the black market. I think that, if properly presented to the public, there would be support for at least consideration of a type of model that would allow retailers to go directly to a producer, should they so choose. I do appreciate that some retailers would like to continue to purchase through the cannabis corporation, because of their buying power, but I think that there is an opportunity, at least, for the consideration of another model — or different options, at least.

Perhaps I will let the minister respond to that, because I know that he has some thoughts on it.

**Hon. Mr. Pillai:** I think that, in many cases, legislation is going to be looked at in a different way over time. We are a few years into this process, and we are having a good debate about opportunity, business expansion, maybe even increasing the GDP, depending on what happens here for production, and that is a different conversation than we were having with the opposition three years ago. I know that signals have been made

that this amendment will be supported, and I think that is a good thing. So, you are absolutely correct. We have transitioned in perspective immensely, not just in the Assembly, but across the country. Do I think, as time goes on, that we are going to see an opportunity for the model to change? Yes, potentially. I think that door could be left open.

But what I do know is that, in the last number of years, we brought this in, and what I would say to Yukoners is that the previous minister did a very, very good job of laying out the plan, committing to that plan, committing to the values of the plan, and having a corporation that worked in a very efficient and effective way to execute that.

What we saw when we asked Yukoners about sales and distribution — when it was overseen by government, so the same way that we see liquor — 28 percent of respondents thought that government-licensed, private distributors should oversee the managed cannabis distribution within Yukon; 24 percent thought that retail operators should be required to purchase wholesale from government suppliers; and 17 percent were in favour of government distribution to government-run stores, which is even more of a reach. When you take into consideration that, overwhelmingly — we are talking about almost 70 percent of folks wanting to see that, and then we had 24 percent saying that they thought cannabis producers should be allowed to sell directly to retail stores.

I think that is a fair comment. Over time, maybe as people get more comfortable — and they certainly have become much more comfortable in this short time. But at this particular time, I am just really focused on this amendment, but I am always open to hearing from the private sector. As things change, you are right — that would reduce the administrative cost, but this was something that Yukoners, for their comfort — as this industry is moving so quickly, changing, and maturing, it was key to see this. Even the bigger players that were producing are now reallocating their energies into research and development. The whole thing is moving so quickly, even in this short period of time, that I think it's prudent to be able to monitor for a short period of time and then see if that opportunity is there and what the private sector feels that they can do.

We know right now that we are in a position where we can carry a ton of buying power. We are in a position where we are able to house and store a tremendous amount of product. We have a lot of different interests.

I do get it. We have retailers who are saying, "Look, I would like to take a particular product and I want to be the only person who can sell that product, and that is what is really going to drive people into my store or, if this changes, we will be able to deliver that to folks." I do see that part of it and the strategy around it, but we also think that we are giving an advantage — being able to have the huge buying that we do have and that other opportunity. We have talked about this a lot. It is always difficult in public policy to get it exactly how everyone wants to do it, but I think that, with this one, the folks who drafted this, did the work, went out to talk to Yukoners, and then deployed it have done a very good job. That is not to say that there can't be improvements in the future.

**Mr. Dixon:** Was there any public consultation on this bill?

**Hon. Mr. Pillai:** No, we worked directly with our licensees and went back and looked at, I think, the most responses of any "what we heard" document that the Yukon government had experienced. That is how I remember it. I can go back and look. We went back to those original discussions, and what we heard from the private sector was to please get this done and get it done as quickly as possible.

**Mr. Dixon:** In the "what we heard" document, I would note for the minister that only 24 percent of Yukoners thought that retail operators should be required to purchase wholesale from a government supplier. If the minister is compelled by the numbers in the "what we heard" document, I would implore him to look at that and consider the feedback that Yukoners provided then.

That being said, I stand by my comments that I think that the minister should consider the significant shift in public opinion with regard to their viewpoint on the legal cannabis market and its role in our economy.

That being said, the minister mentioned the importance of the corporation remaining revenue neutral. That is something that he highlighted in his earlier comments as being very important. I noted that, in the report that was tabled by him earlier this session, it appears that we are in a surplus with the corporation. Can the minister confirm that the Yukon Liquor Corporation is in a surplus with regard to cannabis?

**Hon. Mr. Pillai:** I just wanted to make sure that I had the right numbers.

We did. We had a surplus of just under \$200,000. This is what we're trying to monitor. We are trying to make sure that, as we are striving for a neutral position — and so again, new products coming in, understanding about storage, understanding about the cost that we have to incur within this model, and ensuring that we are being as fair as possible to the private sector.

We could have a debate on economic models. I think that the difference is — yes, there are pros and cons to it. What we have seen in this country, and in talking to business leaders across the country, what I'm hearing is — I get it. I know that there is a perspective to say, "Government, get out of the way of business and just let us do what we need to do." I think that a lot of very sophisticated business leaders have looked at what has happened in the last two years, as well, and understand the importance of government stepping up. That's why we are seeing a move for individuals within corporations to be part of their government relations at the federal level and seeing almost — extensive hiring when it comes to public affairs because of the importance around that relationship.

Again, here we are focusing on getting to neutral. There was a surplus this year. We are trying to get to a neutral place and still ensure that we are being very respectful to Yukon taxpayers.

**Mr. Dixon:** So, the minister is correct that the annual report notes nearly a \$200,000 surplus. Can the minister indicate what would happen to that money? Does it go back to

general revenue, or does something else happen with the corporation in this respect?

**Hon. Mr. Pillai:** It does; it goes back to general revenue. At this point, there are two drivers. One driver was that our freight costs were less than we had thought — so that was part of it — and our sales were higher. Both of those drove this particular cost. To be open to the House and accountable to the House — absolutely. It would go back to general revenue. We're going to continue to have our discussions with the private sector to get us to a place of neutrality.

**Ms. Tredger:** Thank you, Madam Chair, and I would like to also thank the officials for being here today.

My first question about this amendment is about the regulations. I was wondering if you have a timeline for when the regulations will come into effect.

**Hon. Mr. Pillai:** I don't know if the House is going to be happy with my answer. We have requested to have this done as soon as possible. That is really where we are at. I apologize that I am not giving a week or a month. This is extremely important. We have reached out across departments to let individuals know that, so the commitment that we made is to just get this done as soon as absolutely possible, understanding that there are some big times and dates that could drive revenue off in the future that we will try to work toward.

**Ms. Tredger:** I would like to ask some general questions as we won't have another opportunity this Sitting to debate it. I don't disagree with the model of having a centralized location through which stores receive their stock. I have heard concerns about supply of specific products. Because they are coming through a central location and split up, there are not enough of some products for stores to meet their demand.

I wanted to flag this with you and wonder if that is something that you have been in discussion with stores about.

**Hon. Mr. Pillai:** I thought that the Third Party was going to go after me on free markets, and I was going to be very confused. I think it is a good point. I haven't heard that, and I say respectfully that I will go back and make sure that we are distributing in a way that is appropriate and that we are making sure that folks have product.

I don't know, from time to time, if there is one particular line of product that is being sold in one store more than another — but I hear you. I haven't had that conversation, but I will ask our team to reach out and make sure that if there are particular lines of product —

I don't know what is happening on the supply chain at the national level with some of the producers — so making sure we can purchase it, number one, and make sure, as you stated, that we allocate in an appropriate manner that is respectful to all the licensees.

**Ms. Tredger:** I appreciate that answer.

I apologize if I missed this in a previous question, but is there a timeline for a full review of the act?

**Hon. Mr. Pillai:** There is a five-year time frame for review on the act, from its date of coming into place.

Just to let you know — one of the notes that I have from our officials is that we haven't had a problem in the last year on product. Now, if you have information that's different, please

let me know. I say that as a friendly gesture, and I will make sure that we go back and find out. Early on, we did have some of those problems. I think that we have remedied them.

Like many acts, this is at five years — that is what is written in — for a review.

I touched on the questions earlier that were tabled — where an opportunity may be to take a different perspective toward this, based on what Yukoners want and what we are hearing from the private sector.

**Ms. Tredger:** Thank you for that answer. I don't have any further questions.

**Chair (Ms. Blake):** Is there any further general debate on Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*?

Seeing none, we will now proceed to clause-by-clause debate.

*On Clause 1*

*Clause 1 agreed to*

*On Clause 2*

*Clause 2 agreed to*

*On Title*

*Title agreed to*

**Hon. Mr. Pillai:** Madam Chair, I move that you report Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, without amendment.

**Chair:** It has been moved by the Member for Porter Creek South that the Chair report Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, without amendment.

*Motion agreed to*

**Chair:** The matter now before the Committee is general debate on Vote 22, Yukon Development Corporation, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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 (Ms. Tredger):** Committee of the Whole will now come to order.

### **Bill No. 202: Second Appropriation Act 2021-22 — continued**

**Deputy Chair:** The matter now before the Committee is general debate on Vote 22, Yukon Development Corporation, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

Is there any general debate?

### **Yukon Development Corporation**

**Hon. Mr. Streicker:** Deputy Chair, I would like to begin by welcoming colleagues to the Legislature to help us in answering questions today: Deputy Minister Justin Ferbey and

the chief financial officer, Blaine Anderson, from the Yukon Development Corporation.

First of all, I would like to thank members for the opportunity to speak to the Yukon Development Corporation's first supplementary budget for the 2021-22 fiscal year. There are basically two requests in this supplementary budget for the Yukon Development Corporation. One is an increase to the annual budget for the Innovative Renewable Energy Initiative, and there is a one-time increase to the Investing in Canada Infrastructure plan from the green infrastructure stream.

Let me just go over both of those quickly. The Innovative Renewable Energy Initiative, often referred to as IREI, was established in 2017 and provides funding for small-scale First Nation and community-led renewable energy projects in the Yukon. Eligible technologies include wind, solar, hydro, gasification, geothermal, and biomass. This initiative has already provided funding to 16 projects in communities across the territory. Half of the funding allotted to date has gone to Yukon First Nation governments and development corporations, nearly a third has gone to community-based businesses or a public utility, and the remaining amount has gone to municipalities.

Funding projects include: the Haeckel Hill wind project, which is being worked on as we speak; the Old Crow solar project, which was energized earlier this fall; the Teslin biomass project; and the Kluane wind project. IREI is contributing to the territory's *Our Clean Future* goals of establishing independent power production projects in all off-grid communities by 2030 and generating 97 percent of electricity on the Yukon's grid from renewable sources by 2030.

Funding for IREI is renewed annually through the main estimates. As was announced in a news release this past summer, the Government of Yukon approved an increase in the annual budget from \$1.5 million to \$2.5 million, so we are requesting the additional \$1 million to fund this year's project as part of the supplementary budget.

The Yukon Development Corporation is also seeking a one-time increase to funding allocated under Canada's Investing in Canada Infrastructure plan for two Yukon Energy Corporation projects already in progress. Invoice costs for both projects were less than anticipated during the 2020-21 fiscal year, largely due to COVID.

In this supplementary budget, we are seeking approval for \$3.323 million for the Mayo-McQuesten transmission line, and \$3.054 million for the grid-scale battery project. Both projects were approved for multi-year funding under the Investing in Canada infrastructure plan.

The Mayo-McQuesten transmission line upgrade is needed to improve power quality and reliability, improve public safety, and enable future growth around Mayo and Keno. Construction of the Mayo-McQuesten transmission project began in June of last year, and the new transmission line was energized in March 2021. Upgrades to the Stewart Crossing south substation are expected to be completed by the end of this calendar year. Total funding for the project does not change with this request. We are simply requesting that the funds be reallocated from last

year's budget to this year's budget, and the funding is 100-percent recoverable from Canada.

The grid-scale battery project will help reduce thermal generation by being able to store renewable electricity when there is low demand for it and then feed electricity into the system as demand goes up. In addition to being able to use less diesel and LNG, the battery will improve grid reliability and save the utility money.

To summarize our request, the Yukon Development Corporation is requesting an additional \$1 million for the innovative renewable energy initiative and an additional \$6.377 million for the two projects under the Investing in Canada infrastructure plan. I look forward to questions for the corporation today.

**Mr. Dixon:** Thank you to the minister for his introductory remarks; as well, thanks to the officials for joining us today.

Obviously, we had the chance to raise a number of questions with the witnesses from the Yukon Energy Corporation and the Yukon Development Corporation earlier in this Sitting; however, there were a number of questions that we weren't able to get to, so we would like to raise a few of those with the minister today. I would also like to build on some of the questions that I had asked of the corporation witnesses earlier. I know that the minister was intently listening to the questions that we had for the corporation, so I am sure he is very much aware of some of the issues I want to raise, so I probably won't provide as many introductory comments as listeners may need, but I hope that the minister will find my questioning sufficient to provide thoughtful answers.

The first question I have is in relation to the process by which projects are approved through the IPP process. I had a few questions of the corporations, a few weeks ago, about that. I think that the witnesses, at that point, recognized that this was a new process and that there were some growing pains and that some of the earlier projects that had gone through that process were sort of the guinea pigs for how this process is going to work.

But, in general, what I would like to ask the minister is: In working with those corporations, what steps are the corporations and the government willing to look at to increase the speed at which projects are approved and improve the efficiency of the process by which these projects carry through that process?

**Hon. Mr. Streicker:** The first thing I want to say is that, overall, the uptake on the independent power producer initiative has been really strong. There has been a lot of interest from the community, and there has been good uptake generally.

I did listen, as the Leader of the Official Opposition noted to the witnesses, both to the questions and the responses from the Yukon Energy Corporation and the Yukon Development Corporation. I did hear the questions that he raised.

In general, the answer is that it is a new process, and with it, there are sort of two ways in which we are working to improve or streamline the process. The first one is informal. As the projects have been coming in and the work has been evolving, we see that there are places that are particular sticking

points, and there are efforts put on them to either inform applicants about where those challenges are and how they can help navigate that or if we can put more effort toward reducing the burden on those places. It's sort of a continuous improvement model.

The second one is, given that it is a new program, there is an intention to do a fuller review and to talk about how the process can be improved over time. There are some challenges. Some of those are solved through communication to make sure that, as people are applying, they are well aware of the issues that have to be navigated and to make sure that, when they connect to the grid, it is safe to do so and that everybody is aware up front. I think that is the place where most of the focus is going. It's not to necessarily cut any steps out, which would compromise the safety of those projects or the success of those projects.

I understand there is acknowledgement from the corporation that the process can catch some of the proponents off guard, so there are efforts made to make sure that understanding is clear up front so that everybody is well aware, as they enter into the process.

**Mr. Dixon:** I appreciate the minister's response. I will leave some of the technical questions that I asked of the corporation for now and focus more on the policy issues for the minister.

The minister has mentioned that it is a very popular program, and it has been well-subscribed. A number of projects are coming online imminently. Some projects are earlier in their nature, and there are some projects that are already online.

Is there an uptake limit on the IPP? Is there a point at which we can no longer take on new wind or solar independent power projects? If so, what is that uptake limit, and how close are we to achieving it?

**Hon. Mr. Streicker:** There is an upper limit on the current independent power producer program. It's 40 gigawatt hours, or 40,000 megawatt hours.

Currently — and there are a lot of caveats around this “currently” — if the projects that are in the pipeline were all realized, that we have either already energized or that are in the planning phases, and not counting things like Atlin or other large projects like that, but if we looked at what we have, there are 20 gigawatt hours now active or in the planning stages.

Now, typically not all of those projects come to fruition. Some of them — people come forward, they plan, they talk it out, and then they decide that, no, they're not going to make it for whatever reason. So, not every one of those projects is realized, but what I can say is, notionally, we're at around 50 percent of the upper bound.

The other thing I want to say is that this project was meant to be — we put an upper bound on it, as I understand it, in order to then re-evaluate it and see where we would go from there, but it has been very successful at getting projects onstream, especially solar projects.

**Mr. Dixon:** I appreciate the minister's answer there. The 40-gigawatt hour limit is one that I had seen in some material, so I'm happy to see that confirmed by the minister.

The minister, I'm sure, was listening intently when I discussed with the witnesses from the corporations the notion of carbon credits that are a part of the negotiation for the electricity purchase agreement between an IPP proponent and the corporation.

As he will recall, I had some back-and-forth with the witnesses about the nature of those carbon credits and whether or not they make sense to sit idly, as they do currently — remaining unused and with their potential untapped — or if they would be better placed in the hands of the proponents who are bringing them forward and creating those credits as a venue or way to reduce their capital costs and receive some compensation for those credits.

I would like to ask the minister a general question about that. I am sure that he has some thoughts on this particular issue so, rather than ask a pointed question, I would be curious to know what the minister's take is on that. Is he comfortable with the status quo, or does he think that there is an opportunity out there — that we could consider changing the way we allocate and monetize or don't monetize those carbon credits?

**Hon. Mr. Streicker:** I thank the member opposite for the question. He did alert me even after the last session with the witnesses that he would raise this question again today. It is a very interesting question.

First, let me just explain — because it's kind of a new notion for folks — what a carbon credit might look like and how it might work. Suppose that you have someone who wishes to offset the emission of carbon into the atmosphere and, in so doing, they could reduce emissions themselves. What they could also do is that they could sell that reduction in emissions, because maybe there is another individual, company, organization, or government that is trying to reduce their emissions. They could say, “Well, we can't reduce our emissions, but what we're going to do is pay for someone else to do it.” So, the investment comes from someone else — or some other entity or group — and they get the credit for those emissions being reduced. It can work. It can be a complicated system, and it gets more complicated when we start to work outside of a jurisdiction.

What would happen, for example — if there were companies in Costa Rica that were trying to reduce emissions and companies in Canada decided to say, “Yes, I am going to buy those credits,” they invest in Costa Rica because there is an opportunity to reduce the credits. What is supposed to happen in that instance is that the emission reductions accrue in Canada, even though they happened in Costa Rica, and the reason is that the atmosphere is a global commons and that it would have the same net effect.

The challenge with all of this is the accounting around it; it gets very complicated. So, if you were going to enter into such an agreement, you have to be very careful to make sure how it is accounted for — that it is not doubly accounted for. We have seen challenges with this over the past decade as carbon credits have come onstream. Effectively, how I heard the corporations respond is that, while there is work happening to those credits, they are helping to reduce the emissions of the Yukon. How is that being paid for? That is being paid for in

this power purchase agreement through the independent power purchase agreement. This policy itself is setting out that we will buy renewable energy from independent folks, and those credits then accrue to Yukoners writ large.

The basic principle that the member opposite, I think, is asking about is: Are we leaving something on the table? Could we find another way to incentivize those projects from going ahead? I think that this is the important thing that he is asking about. But really, where that lies for us is in the power purchase agreement and the price we set. So, rather than trying to sell credits, could we increase the rate at which we buy that renewable energy? The way that Yukon Energy pays for the independent power producers for their renewable electricity that they put back on the grid — well, it is fixed, and the price is based on the last cost approved by the Yukon Utilities Board for Yukon Energy's thermal generation. So, that is how the process gets set up by which there is a price that is being paid.

What I said in earlier responses is that generally the whole program is pretty successful. I am happy to look at, with Yukon Energy and the Yukon Development Corporation, the success of the project — about how we can support projects to get a good price and how we incentivize them to bring their projects online, but I would caution us from getting into the carbon credit system, especially if those credits are going outside of the territory. We do take advantage of the reduction in emissions and that helps us in our overall.

What would happen if we started selling — I'm still asking departments to investigate, including the Department of Finance to advise us. We would have to say that these are the emissions we measured here, but we have to add something back on because we sold those credits Outside. It would get kind of convoluted. In principle, I think that it's the wrong way to go about supporting our independent producers; I think that we should look for other tools to support them.

**Mr. Dixon:** The corporation has signed an EPA — at least one. I believe one. Others are coming soon. What happens with the carbon credits right now? How are they accounted for now? There has been at least one EPA signed. That would include the contemplation of a credit for that carbon that has been displaced. How is that accounted for, and how is that tracked?

**Hon. Mr. Streicker:** The corporation will check into exact details around the electricity purchase agreement and if there is some means by which things are accounted. What I can say is that, overall, we say: "Here is the Yukon. Here are our emissions." We work with a national body that then reports internationally to the United Nations Framework Convention on Climate Change, so there is a whole way in which we account for emissions. What we can say is that, overall, our emissions are reduced because we are bringing renewable energy on board and we are displacing fossil fuels.

**Mr. Dixon:** So, those carbon credits that we accrue over time — or certainly will accrue as this program gets more popular — represent an asset. There is a financial value to that. I am wondering if the corporation is adequately contemplating the value of those credits and reflecting them in any of their public reporting. I haven't seen any contemplation of the

carbon credits that they are taking on as a result of the EPAs that they have signed with independent power producers from renewable energy.

I know the minister said that he would get back to us, or that the corporation would get back to us, on that process, but to my knowledge, I haven't seen any contemplation of that issue by the corporation, certainly not in any of their public disclosures or their public comments. I stand to be corrected. If the minister can point out to me if that is contemplated — somewhere on a website or on a page that I've missed — I stand corrected, but to my knowledge, the corporation hasn't contemplated the financial value of those carbon credits as they would have fairly substantial value on the market. I wonder if the minister can clarify that for me.

**Hon. Mr. Streicker:** I will say again specifically that I have never been briefed in any way — talking about how there is some additional value here and that there is some sort of bonus for the corporation because we have accrued these credits.

I will give a bit of an explanation about what the electricity purchase agreement states to make it clear for the record today. Again, I will turn back to the corporation to ask them if there is some way in which this is added up, accounted for, or valued. I just will leave it — because it's such a technical question, I will make sure that I get back with some sort of legislative return for the members opposite. Now, I will note that, in addition to other definitions, the electricity purchase agreement defines an environmental attribute as — and I quote: "... any credit, reduction right, off-set, allowance, allocated pollution right, certificate or other unit of any kind whatsoever whether or not tradeable resulting from or otherwise related to the reduction, removal, or sequestration of emissions at or from the Seller's Plant..."

If one were to look at section 4.5 of the electricity purchase agreement, it speaks to exclusivity, saying — section 4.5(a) states — and I quote: "Seller..." — independent power producer — "... will not at any time during the Term commit, sell or deliver any Energy (or related Environmental Attributes) to any Person other than Buyer under this..." — electricity purchase agreement.

Basically, what it's saying is that — it does say within the agreement that the reduction of emissions goes to the utility, having been bought through this power purchase agreement.

**Mr. Dixon:** When the corporations were in the House, I had a few questions about the relicensing of the Aishihik hydro plant. I noted at that time that some of the challenges facing that relicensing between the government, the corporation, and the First Nation have become somewhat political. I don't mean that in a partisan way; I mean that there is a political discussion between governments about this. I am wondering what role the minister has played in the Aishihik relicensing and whether or not he has had any discussions with the Champagne and Aishihik First Nations about that project.

**Hon. Mr. Streicker:** I will give a bit of background, and then I will respond to the member's question at the end. The existing water use licence for the Aishihik hydro plant expires at the end of the next calendar year, December 31, 2022. On

June 18, 2021, YESAB's designated office in Haines Junction issued its evaluation report on Yukon Energy Corporation's proposal to continue to operate the Aishihik facility after its existing licence expires. The report outlined a recommendation that Yukon Energy Corporation be permitted to continue to operate the Aishihik hydro plant until December 31, 2027, subject to 44 terms and conditions.

We have just recently issued the decision document on that, working with Fisheries and Oceans. To go back to the question that the member opposite asked, early on in my role, I did have some conversations with Chief Smith of the Champagne and Aishihik First Nations, but they were pretty high-level conversations about the process and how it had evolved up until that date. I believe that it was even before YESAB had issued their recommendation.

Since then, I have not had any direct conversations with Chief Smith. I know that the Premier has had the odd conversation with Chief Smith, but in general, most of the work has been happening at the departmental level, working through the recommendations with the Champagne and Aishihik First Nations.

**Mr. Dixon:** I would like to move on to the Atlin project. Can the minister give us an update, from his perspective, on that project and whether or not the government has secured federal funding for that project?

**Hon. Mr. Streicker:** I think the member opposite asked about the Atlin project — is that correct?

**Deputy Chair:** Yes.

**Hon. Mr. Streicker:** Thank you. Just one moment, Deputy Chair.

The Atlin expansion project is an important part of the 10-year renewable electricity plan. Our hope is that it will provide Yukon Energy with another dependable source of renewable electricity that it can use to meet peak demands for power each winter and to meet growing demands for clean energy. One of the great things about the Atlin project is that it is dispatchable power — meaning that the power that we are going to get, or the power that will be sold to us, will be sold as winter power, which is when we need it most. So, it is a really good energy fit with us.

I should be careful to note that the project is led by the Tlingit Homeland Energy Limited Partnership, sometimes called THELP, which is the Taku River Tlingit First Nation's development corporation. We have an agreement in principle stating their intention to work together to eventually sign an electricity purchase agreement.

The member opposite asked about funding for the project, and what I can say is that there is ongoing work to support THELP in securing funding from the federal government. We are also in conversations with the Government of British Columbia, and so that work is ongoing. I don't have any announcements that I am able to give today, but I am happy to answer more detailed questions as they arise.

**Mr. Dixon:** Obviously, with a capital cost of around \$200 million, it is a very expensive project. The corporation was very clear that the project was not likely to be viable without substantial federal investment. I am wondering if the

minister has made any overtures to the federal government about investing in that project, and if so, how much money is needed from the federal government to make that project viable?

**Hon. Mr. Streicker:** What I will say is that conversations with the federal government have been ongoing — I am sure, even before I got into the role, but certainly since I've been there, I know that our department officials have been in touch with the federal government throughout.

We anticipate that THELP — the Taku River Tlingit development corporation — intends to invest some money into the project. We intend to invest some money into the project, and we are looking to the federal government to make up that difference. It is significant. We don't have a finalized number, but it's many tens of millions of dollars that I think we are looking for support from the federal government on the project.

I can also say that, when I have met with the previous Minister of Energy, Mines and Resources and his officials, we were encouraged by their understanding of the project and their verbal support for the project. I think they see this as a very good project. It is a little bit complicated, because the jurisdiction that wants the power is outside of BC, so that adds a wrinkle for sure.

Late last week, the federal Cabinet was announced, so I look forward to speaking with Minister Wilkinson in his new role, specifically about the Atlin project. That will happen shortly, I believe. I can't give a specific number today, just to say we are looking for a significant investment from the federal government, and they have given us indication that they think this is a worthy project.

**Mr. Dixon:** So, the minister has indicated that the Tlingit Homeland business is going to invest — I believe the acronym is THELP — in this project and that the Yukon government is going to invest in this project and that the balance will be sought from the federal government. In order to make that request, we need to know how much we are putting in. How much is Yukon government going to be contributing to this project?

**Hon. Mr. Streicker:** The exact amount of how much the Yukon government will put in is still being discussed — not only at the Management Board table, but also in dialogue with the federal government and in dialogue with the Tlingit Homeland Energy Limited Partnership.

What I can say is that we have identified this as one of our most important infrastructure priorities both internally, as part of our conversation, and externally with the federal government — identifying it as an important project. I will also say that there was a comment that I recall hearing in the Legislature — and it may have been the Leader of the Third Party who talked about it — but whoever it was, I will check back to attribute it fairly — it was talking about this type of project — the infrastructure for this project — whether that be the transmission line, et cetera — that is sort of like a public good. We want to invest in this for the good of the territory and not try to use the ratepayer as a way to cover the cost of the project.

That is how we are treating it. I'm not able to give a figure today, but I am able to say that we have prioritized this project,

and we are working closely with our counterparts to secure the funds overall for the project.

**Mr. Dixon:** I appreciate the minister's comment, but based on what the corporation told us last week, this is not a public good; it is going to belong to THELP. The generation asset and the transmission line from Atlin to Jakes Corner will belong to a private company, which is owned by the First Nation in Atlin, which is, of course, fine, but it is not like it is going to be a commonly owned piece of infrastructure. This is something that I presume they are trying to make a profit on, and I think that it is important that we understand what sort of numbers we are talking about, because this is an extremely expensive project; it is over \$200 million or thereabouts, according to the corporation. So, we need to understand what sort of ballpark we are in for the level of investment that Yukon taxpayers can expect to burden.

I would ask again if the minister has given any thought to what level of investment Yukon taxpayers would make into this project and whether or not it would come from the Yukon government, the Yukon Development Corporation, or the Yukon Energy Corporation. I ask that because any expenditure, of course, of the Energy Corporation would have to be reflected in the rates. So, has the minister considered that, and if so, what is the amount that we are contemplating investing?

**Hon. Mr. Streicker:** First of all, the type of investment we are talking about is not investment through the development corporation; it's investment from Yukon government. The purpose of that, as I just stated when I rose last time, is that we are not looking to try to put all of this onto rate. The infrastructure, in simple terms, would be owned by THELP up to about Jakes Corner, and then from Jakes Corner in, the infrastructure would be owned by ATCO; that is my understanding.

The way that this is working is like the independent power producer, where we will have a power purchase agreement, and that will be separate from the investment that is going in to build the project. In a similar way, we talked recently about the innovative renewable energy initiative — we talked about it in terms of the budget, because there is a \$1-million additional amount there. One thing that is going toward is the Chu Níkwän wind project up on Haeckel Hill. That is not going to be owned by the Government of Yukon; that's going to be owned by a First Nation development corporation. It's an investment they're making, but we are helping them with that investment.

We would also help with this investment, because we believe there is a really important piece of infrastructure that would come to the Yukon, or support the Yukon. As I noted, we think of this as one of our highest priorities. It's there; it's central within the 10-year renewable energy plan for Yukon Energy, and it makes great sense for the Yukon because we will get dependable winter power from it.

What I can say is that Yukon Energy and the Tlingit Homeland Energy Limited Partnership have signed an agreement in principle for the Atlin expansion project. Both organizations continue to work on details of the electricity purchase agreement for the project.

**Mr. Dixon:** So, the minister mentioned the Chu Níkwän renewable energy project. I think, on that one, we're very clear how much we're investing. The corporation told us a few weeks ago that we're investing \$13 million in that. That's coming from the Arctic energy fund, which of course is a federal fund. I assume that the Yukon government is adding to that investment as well.

But what I'm asking is: How much will Yukon taxpayers be investing into this project? I appreciate that the minister has indicated that the power purchase agreement is close to being signed, or has been signed, but I don't understand how the company can enter into a power purchase agreement without first understanding how much their capital costs are going to be and how those are going to be covered.

If the total capital cost is \$200 million, and they're only getting \$1 million from the Yukon government, how can they plan for that? Certainly, the government must have some sense of how much they're going to invest in this project. It's a massive project, and they're in negotiations for a PPA right now.

I would assume that we have some indication of what investment Yukon taxpayers could be making in this.

**Hon. Mr. Streicker:** What I think I said is that there's — we've signed an agreement in principle with the THELP, but we haven't yet developed the electricity purchase agreement. So, there are some balls in the air.

What I've also tried to indicate is that dialogue with the federal government and the British Columbia government are ongoing. I'm not wanting to state numbers here today, because they're not finalized. As soon as I am able, I would be happy to stand up with a ministerial statement or in some way reach out to the opposition and the public and say, "Okay, here it is. Here's the plan going forward."

It is a live negotiation right now, so I ask the indulgence of the Legislature that we let that negotiation happen in good faith, and I will report back as soon as I am able.

**Mr. Dixon:** I appreciate that the minister is not able to provide a number at this point, so we will look forward to hearing what that is. Of course, it will be of great interest to the Yukon taxpayers — certainly — the level at which they are investing in this, because the range, at this point, is zero to \$200 million. Obviously, it could be anywhere in between there, so that's a fairly broad scope for Yukon taxpayers to contemplate.

I will move on though and ask if the minister can provide an update from his perspective on the Moon Lake project and where the corporation is at with regard to that particular project, as it was mentioned numerous times by the Energy Corporation when they were witnesses here earlier.

**Hon. Mr. Streicker:** The Moon Lake pump storage project is another very important project. One of the reasons is, when we get to pump storage, we will be able to take excess summer electricity that we have right now, where we spill water at the hydro facility here and elsewhere — when that water is spilled, we are not getting any energy from it, because we don't need that energy. What we can do is take that energy, pump water back up, and store the energy at a site like Moon Lake.

Then it becomes winter power. Again, like the grid-scale battery, it allows us to improve every one of our renewable projects that we have on grid, so it just makes them all better. It allows them to become dispatchable when they need to be dispatched and backed up by Moon Lake otherwise.

Planning for this project is in very early stages. We started to have discussions primarily with the Carcross/Tagish First Nation but also the Taku River Tlingit First Nation and the federal government. We believe that government-to-government collaboration will be key to this project's success. I did have a brief conversation with Haa Shaa du Hen Dickson in Carcross last week. We talked about this project and we are looking forward to working with each other. It was just touching base, really, about where things are at. We discussed the importance of energy projects for the Carcross/Tagish First Nation.

**Mr. Dixon:** Does the minister have an idea of the general capital cost of the Moon Lake project?

**Hon. Mr. Streicker:** Not at this stage. The way the corporation explains it to me is that it will really depend on the sizing of the project, so there are various ways — you could scale it larger or smaller. Until we have some of those important conversations, especially with Carcross/Tagish First Nation — but also do some additional preliminary engineering work — we can't yet talk about the scale and the cost.

**Mr. Dixon:** Given the extremely early nature of this project and the fact that, as the minister said, we don't have any sort of cost estimates — the conversations are at the extremely early stages — does the minister think it's realistic that this project would be producing power and supplying our grid with electricity in 2028?

**Hon. Mr. Streicker:** What I can say, Deputy Chair, is — I have to check the date to be sure, but I think that it may say "2029". I'm not trying to quibble about the year.

But what I am trying to say is that this is our working target. There is a lot of work to happen and there are a lot of pieces to resolve within that work, but the concept is pretty sound. We have been looking for a project where we could have pump storage. It is very important to the overall renewable strategy. What I think is critical is that we began with the conversation with the First Nation rather than the other way around — where we said: "This is the project we want to do. Please get on board." The First Nation was there at the beginning and a partner. I think that it is an important piece of this. I am not saying that the dates are concrete. What we have is a working plan and we are progressing toward it.

**Mr. Dixon:** So, does the minister think that the working target is realistic?

**Hon. Mr. Streicker:** When you look at a project of this type — an energy infrastructure project, a hydro project — I think that a 10-year horizon from planning to design to buildout to commissioning is a reasonable number. I think that there are, of course, many things that we need to do between now and then, and it is very difficult for me to try to project exactly what will happen, but it is a reasonable timeline. I feel that we will endeavour to make it happen, working with diligence on our side.

**Mr. Dixon:** The minister said that the working target is roughly a 10-year horizon from now until the project comes online. That puts us at about 2031. I know that YEC's current document suggests that the project will come on in 2028-29, which is, of course, in seven or eight years, depending when in that horizon it does come on.

The reason why I ask is — that project is what the corporation is relying on for the plan to get off of rented diesels. The plan right now is for us to rent diesels until 2028 when Moon Lake is supposedly — at least according to the documents that the Energy Corporation has published — to come online. The minister has now pushed that back a little bit to call it more of a 10-year window, but nonetheless, it is important — whether it is seven or eight years or 10 years, I agree that we don't need to quibble about the exact dates. Either way, we will continue to be renting diesels to fill in the dependability gap that the corporation has until this project comes on — at least according to documents that are online.

The minister's timelines for this are important because it means that, without this new generation, we won't be able to move away from filling that dependability gap with rented diesels. That is why I am asking the question, and that's what I want to understand — if this is a realistic timeline. This is a fairly massive project that we are talking about, and to suggest that it could come online in seven years or eight years, I think that is pretty ambitious, given where we have seen large hydro projects go in this country over the last number of years.

I know that the minister has had some further information given to him, so perhaps I will give him a chance to respond to that.

**Hon. Mr. Streicker:** When I was talking a moment ago about 10 years, I guess I was referencing it from the perspective of when the 10-year renewable plan came out, which I think is now a couple of years ago. I wasn't trying to suggest that we are getting to — when the plan came out, it was discussed as a 10-year project. I think that the 10-year plan itself is referencing 2030 as the overall timeline of the plan.

The point that the Member for Copperbelt North is making is correct. It is important that we get to these projects. I completely agree with him. I disagree with him — and I said so earlier today and I will say so again. We seem to have a dispute between us about rented diesels versus building a diesel plant. I did sit in here and listen to the witnesses from the Yukon Development Corporation and the Energy Corporation, and I heard Mr. Hall say that the levelized cost of capacity for rented diesels is about \$211 per kilowatt year and that a diesel plant, which we would build, is about \$212 per kilowatt year.

So, it's virtually the same, meaning that the cost to Yukoners, in terms of the physical cost of rented diesels versus a diesel plant, is the same. I don't know why we are arguing about it because, if you were to build a plant, the other thing that happens is that you have some sunk costs now in expecting that plant to last you decades. Then you start to get nervous when someone comes along and says, "Let's do this renewable project," and you say, "Well, no, because I have already invested in this fossil fuel plant."

As we are standing up here and saying that we need to get to zero emissions by 2050, we — all of us, all parties in this Legislature — have said, “Yes, let’s do that.” How do we then say, “And let’s build a diesel plant?”

I think that the solution is — and I’m willing to debate it until I’m blue in the face — that we use diesels to fill the gap. In the meantime, we do everything — we move heaven and earth and the moon, for Moon Lake — to try to get to as much renewable as possible on all fronts. That’s the way to reduce those rented diesels.

But let me say this: If what we did was to build a diesel plant, you can’t then reduce the diesels because you have built them and you now need to pay them off over time.

We have a fundamental difference in what we believe, but what I heard Mr. Hall say when he was here answering questions from the opposition is that the leveled cost of capacity for rented diesels is virtually the same — \$1 less per kilowatt year than a diesel plan.

Back to the original question about Moon Lake and that project — yes, we need to work hard toward it. I don’t compare it to large hydro projects from the provinces, which are orders of magnitude larger. What I compare it to are the types of projects that we have going on here in the territory. I agree that there is a lot of work to resolve to get to the Moon Lake project, but what I want to say is that, in principle, it is a sound project in terms of what it would do for our energy grid and, in principle, we are working with Carcross/Tagish First Nation. I think that they will be the lead on the project and we are there to support them, and I think that this is an important thing.

**Mr. Dixon:** Does the minister have a cost for the investment in the permanent diesels that are being invested in by the government currently for Dawson?

**Hon. Mr. Streicker:** Deputy Chair, my apologies. Could I just ask the member opposite to repeat the question? I’m sorry.

**Mr. Dixon:** The corporation is investing in permanent diesels in this budget year, and I am wondering how much the minister can tell us is being invested in those permanent diesels this year.

**Hon. Mr. Streicker:** At the risk of confusing the public, I just want to be very clear that what I am being asked about now are diesels that we have permanently in our possession that are for backup — should one of our hydro facilities go down, or one of our transmission lines go down, that we have the ability to make sure that the lights can stay on for Yukoners. I am asking the corporation to reach out and find out what that investment is this year for refurbishment and replacement of our existing permanent diesel fleet.

**Mr. Dixon:** Just to be clear, the government is currently investing in permanent diesel generation in the community of Dawson. I believe that two of the units will be moved out to Callison and the remaining four will stay downtown. When the minister is able to, I would like him to provide a sense of the cost of that and what that level of investment would look like. I know that I have seen some information being handed to him, so I am hoping that he now has a response to that.

**Hon. Mr. Streicker:** The member asked about what we are going to be investing. It’s not just this year, so let me make that clear. Yukon Energy’s diesel replacement project is to replace our diesel backups or to refurbish them. It is to extend their lives, because they are at the end of their lives. It is going to happen over the next five years, so it’s not increasing any diesel capacity; it’s replacing, or refurbishing, existing diesel backup capacity. The intention is to complete the project by the first quarter of 2024. Typically, the new diesels are more efficient than the old diesels, so what it will also do is remove two of the rented diesels, because the new ones are just better.

I understand from the department that, for Dawson, that amount is in the range of \$10 million and that, overall, for the replacements for Whitehorse, Faro, and Dawson, it has an estimated cost of about \$45 million.

**Mr. Dixon:** Just to confirm, as I may have missed the last piece there, the total cost there was \$45 million that the government is investing in permanent diesels in the Yukon?

**Hon. Mr. Streicker:** Yes, Deputy Chair; again, the Yukon’s grid is not connected to any of the provincial grids. We have what is referred to as an “islanded” grid. What that means is that we have to be ready, should some of our infrastructure go down — either the transmission line or one of our large hydro facilities — and that’s why we have backup diesels on hand. This is referring to those backup diesels, yes.

Those backup diesels — the cost for the project over the next several years — for all of that replacement and/or refurbishment — is in the range of \$45 million.

**Mr. Dixon:** I’ll move on. I think we’ve gone as far as we need to go on that particular issue.

Has the minister considered expanding the mandate of the Yukon Development Corporation beyond energy? Has he considered setting up a fund to invest in other economic diversification activities, such as innovation or other aspects of our economy?

**Hon. Mr. Streicker:** There is activity around innovation, in particular with energy, both through Economic Development and some through Energy, Mines and Resources, which is taking the lead under *Our Clean Future*, but I don’t believe that there has been any conversation about the development corporation taking on that role as well.

**Mr. Dixon:** Is there currently a \$10-million economic infrastructure investment fund that is administered by the YDC to advance economic diversification and innovation?

**Hon. Mr. Streicker:** There is no fund with the Yukon Development Corporation that the member is asking about. I can sort of point to a couple of things that may be of interest or related. One is that there is work under Economic Development, which set up things like, for example, the NorthLight Innovation centre, but that was under Economic Development. It’s not under the Yukon Development Corporation. Under the Yukon Development Corporation, we did set up the innovative renewable energy initiative, which we have been talking about here today. Under this budget, we are hoping to increase it, because we think it is very successful, but it’s not a fund, as the member opposite is describing it.

**Mr. Dixon:** I appreciate the minister's clarity on that — that the mandate of the Yukon Development Corporation hasn't been changed, nor has a fund been established.

The reason I ask is because that was verbatim from the Liberals' platform in 2016. The commitment, at that time, was to expand the mandate of the Yukon Development Corporation beyond energy and establish a \$10-million economic infrastructure investment fund through YDC to advance economic diversification and innovation. Of course, that remains unfulfilled, and that was a promise that was either broken or ignored by the Liberals following the last election. I believe it was in the minister's predecessor's mandate letter from the Premier.

With that, I will move on. I want to return briefly to the issue of Moon Lake. I just want to confirm — if the minister is able to — the number that I had seen previously, that we were told by the witnesses some time ago for Moon Lake was \$300 million. I am wondering if the minister can comment on that and confirm if that is the best estimate that he has as well.

**Hon. Mr. Streicker:** The order of magnitude — we're not talking about any sort of full analysis. It is just an order of magnitude number that could run the range of a few hundred million dollars — yes — and it could also be somewhere in the range of 30 megawatts to 40 megawatts. As I said earlier, the work has really not been done yet to scope out the project appropriately. That will happen in the stages of work, as we have already described, and that dialogue has begun with our partners.

With respect to the innovation fund from the previous mandate, what I understand is that the money that was contemplated there was used to set up the Innovative Renewable Energy Initiative. That is what set it up, and it has been going for four or five years now, and we have just bumped it up. I would have to work the math backward to figure out roughly how much money we have invested to date, but we would be getting close to that \$10 million — but I am happy to look into that.

**Mr. Kent:** I'm just curious if the minister can tell us if it is the Yukon Development Corporation that would be the lead on Yukon discussions around the southeast Alaska inter-tie. If so, is he able to provide us with the government's position on that project and if he sees a role for the Yukon in pursuing that?

**Hon. Mr. Streicker:** Can I just confirm if we were talking about the southeast Alaska electrical grid inter-tie or if we were talking about British Columbia? Could I just confirm, please?

**Mr. Kent:** In some conversations that we have had with various industry folks, they have talked about the southeast Alaska inter-tie, so it would be specific to southeast Alaska. It's not a British Columbia inter-tie down the Stewart-Cassiar; it's specific to that Lynn Canal area and the communities along Lynn Canal.

**Hon. Mr. Streicker:** I do think that it would likely be the Yukon Energy Corporation that would begin those conversations. I don't know of any that have happened formally to date. I think that we understand that, as we upgrade the transmission lines around the Southern Lakes, including down

to Carcross, and as we get to a project like Moon Lake, which goes further down the south Klondike Highway, we get incrementally closer to Skagway. I think that those conversations will develop over time. My answer for the member opposite is that the likely lead will be Yukon Energy Corporation, but there is always work that could happen with major projects under the Executive Council Office and/or Economic Development in their work relationship with southeast Alaska. I am not certain which way it would go, but I think that it is fair to say that Yukon Energy Corporation could and would likely be involved, although that conversation has not formally happened to date as far as I know.

**Mr. Kent:** So, just to clarify, the minister said that the Energy Corporation would play a role, but none of those conversations have taken place yet.

He did mention the Southern Lakes transmission network, so I have a number of questions about projects in the 10-year renewable plan. Perhaps that's where I'll pick up the conversation with the minister.

On the Yukon Energy Corporation website, it talks about the Southern Lakes transmission network, and I'll just read it into the record. It says: "An upgraded transmission line between Whitehorse and Tutshi-Moon..." — Moon Lake — "... to deliver excess renewable power to the pumped storage facility in the summer and make that power available on the Yukon grid during the winter."

The minister has explained, sort of, how that process would work.

"An upgraded transmission line to Jakes Corners allows the Atlin hydro plant to connect to the Yukon grid." So, that would be sort of part of discussions that are underway already.

"Enables the connection of future community-based renewable projects in southern Yukon to the grid.

"Creates the opportunity for future sales of surplus renewable electricity to Skagway."

This, again, is from the Yukon Energy's website.

I'm just curious — there is obviously an existing transmission line from Whitehorse to Carcross. Can the minister just confirm for us — and I believe it to be the case: Is that transmission owned by ATCO Electric Yukon at this point? Would it be upgrading the existing transmission line or building a new transmission line to get power from Whitehorse to the Tutshi-Moon Lake project?

**Hon. Mr. Streicker:** Every one of these projects that we've been talking about today are really important and actually quite exciting projects. We talked about Atlin, about how we could get a lot of winter power out of that. Then we talked about Moon Lake and how we could use our excess summer energy to create winter energy. That is really quite important. Then, if you think about a connection down to Skagway and then along Lynn Canal — although they have always had their own challenges with connecting across from one community to another, given the challenges of the geography — Skagway is an interesting opportunity, because, again, what kind of energy do they need? They need summer energy, because that is when the cruise ships come in, and what they would really like is to be able to take those cruise ships off

of running bunker fuel when they come into port and have enough energy in town to supply those cruise ships, but it is a lot of infrastructure to put in just for that one brief season that happens in the summer. But look at the match with us — we need winter energy and they need summer energy. We have excess summer energy and they have excess winter energy, so it actually could be a really great fit.

When I said that there were no conversations, what I was trying to say is that there have been no formal conversations to date; there may have been many informal conversations — I would have to check.

The member asked about who owns the transmission line between Whitehorse and Carcross. It is ATCO that owns that transmission line. I would have to check about the technical specifications on that line and what it would need to be upgraded to for Moon Lake and/or other potential projects in the future, but those technical questions I would have to check back with the corporation on to get a response for the member opposite.

**Mr. Kent:** The minister is going to look into the technical aspects, but obviously when my colleague was asking questions earlier about Moon Lake — according to the Yukon Energy website, it is expected to come online in 2028-29. Obviously, this line would be required — this line from Whitehorse to Moon Lake would be required to allow that to come online.

The minister, I think, mentioned to my colleague — and he can correct me if I'm wrong — that there are no cost estimates yet for Moon Lake. Are there any cost estimates for this Southern Lakes transmission network, including the upgraded transmission line from Whitehorse to Jakes Corner that would allow the Atlin hydro plant to connect to the Yukon grid? Another question too: Will there be any upgrades between Jakes Corner and Carcross along the Tagish Road as part of this Southern Lakes transmission network enhancement?

**Hon. Mr. Streicker:** There are various stages to this. Atlin will come off the Atlin Road and then go over to Jakes, which is just a kilometre, or a couple of kilometres, away — that little jog there. Then you catch the Alaska Highway, so we would need to build the transmission between Atlin and Jakes, largely — some of which is in the Yukon, some of which is in BC. Then we would need to upgrade the line from Jakes to town or maybe to the cut-off, I expect.

Then for the other projects that we are discussing here, sort of the expansion of the Southern Lakes, we would have to upgrade from Whitehorse to Carcross. We would tie from Carcross over to Jakes. It would be smart to get a redundancy there. We would have to build down to Moon Lake. Again, I don't want to call this our "projected cost". I want to say it's an "order of magnitude cost" that we are talking about for upgrading those lines and building the new transmission line. It is in the range of \$100 million.

The way to think of it is: If you are building new transmission line, of course, it depends on the voltage of the line, but it's about \$1 million per kilometre. That is a rough number that I am told.

**Mr. Kent:** I am just going to jump over to the Southern Lakes enhancement project. I was on the Yukon Energy Corporation's website today. What they have mentioned there is that, in 2020, the Yukon Energy Corporation Board of Directors decided to prepare a proposal to the Yukon Environmental and Socio-economic Assessment Board — YESAB — to assess the project. A fall 2021 update indicates that fieldwork and landowner engagement that was originally scheduled for this past summer could not be completed because of high water levels in the Southern Lakes. Because of that, they were not able to submit their proposal to YESAB as originally scheduled for this summer asking them to assess this project as had been originally planned.

Is the minister able to tell us when they do plan — or if they are still planning — to submit this project to YESAB for an environmental and socio-economic assessment?

**Hon. Mr. Streicker:** I can say that the flooding of the Southern Lakes this past year was incredibly significant for all of the folks along the lake — the same folks who are directly connected to the enhanced storage project. I know that conversations are ongoing, but I don't know yet if the Yukon Energy Corporation has landed on a game plan. I am not able to update the member opposite at this time.

**Mr. Kent:** As I had indicated, it was decided to go forward in 2020 with preparing the proposal. From the website, it mentions five key commitments as part of that decision. I will ask the minister about those. There was to be work with the Carcross/Tagish First Nation, Kwanlin Dün First Nation, and Ta'an Kwäch'än Council to complete fieldwork for a heritage resources impact assessment. Has that work been completed as part of this preparation for this proposal?

**Hon. Mr. Streicker:** The only note that I have on this is that fieldwork that was originally scheduled for this past summer couldn't be completed because of the flooding.

**Mr. Kent:** I will just ask about the second point, but perhaps if the minister can clarify if any fieldwork has been completed to date on that heritage resources impact assessment — or was it all scheduled for this summer in advance of filing the YESAB project proposal which originally, of course, before the flooding, was scheduled to happen this summer?

That second commitment was to: "Continue our discussions with First Nations governments and other stakeholders in the project area to develop a Monitoring and Adaptive Management Plan." Again, this is from the website: "This will help us track potential effects of the project and outline how we'll make adjustments, if needed, to address significant effects."

Has there been any work done on the monitoring and adaptive management plan as outlined by the Energy Corporation?

**Hon. Mr. Streicker:** The commitment from the corporation, which included: the monitoring and adaptive management plan; the fieldwork on the heritage resources impact assessment; negotiating draft project agreements with affected First Nations; the plan for a third-party adjudication process; and meeting with the property owners expected to be directly affected by the project to review erosion and

groundwater mitigation plans — I don't have an update on any of those right now. I will just let the member opposite know that I can check into where things are at. Basically, what I understand is that the flood overtook all of this work. I can just check in to see what specific details I can find out and share across, but everything switched when, in the spring, the flood came. We are back down to normal levels now, but it was quite the summer.

**Mr. Kent:** I appreciate the minister mentioning the other three key commitments that I was going to ask him about — the specific benefit agreements with the First Nations, meetings with property owners, and the adjudication process. I would ask the minister at this point now, given the events and the flooding of this past summer, if he still believes that this project should be considered and submitted to YESAB for an environmental and socio-economic assessment.

When you go down to the fall update on this, it says that the Southern Lakes residents can be assured that, at a minimum, the project will not be implemented before the fall of 2023. I think that is what it said, but I am just curious what the minister's thoughts are, given what we experienced this past summer in the Southern Lakes area.

**Hon. Mr. Streicker:** All along, I think that one of the things that has remained critical about this project is that there be necessary conversations with First Nations and the citizens who live along or near the lake and who would be affected by the enhanced storage project.

The situation has been affected by the flood, and I am not sure where that is landing, but I think we all look at the flood and try to understand where folks are at with respect to the project. I think it is still important to have that dialogue.

I will check on Yukon Energy and the commitments that were made to see what the intention is, and I will try to report back.

**Mr. Kent:** So, yes, we look forward to receiving that update from the minister.

I just want to ask a couple of quick questions about the battery storage project that is happening on the north side of Robert Service Way here in Whitehorse. As you drive up Robert Service Way, you can see some clearing going on — about three-quarters of the way up on the north side of the road. I just wanted to confirm that this is indeed the area — the Kwanlin Dün First Nation land — where the battery storage project will go. If the minister can just confirm that for us, and if he is able to provide us with some of the terms of the lease — the length and the cost of the lease with Kwanlin Dün First Nation — for that spot, that would be helpful.

**Hon. Mr. Streicker:** First of all, the site that the member opposite described is the site that is going to be for the battery storage. I know that we are in conversations with First Nations — both Kwanlin Dün First Nation and the Ta'an Kwäch'än Council — as potential energy proponents and investors in the battery. There are some opportunities for them, and we are just negotiating that now. Again, it is a negotiation that is in progress, so I am unable to provide any update at this time, but I can say that it is the location that we are working on with First Nations.

**Mr. Kent:** We look forward to when the minister is able to provide us with the terms of the lease for that specific property that will house the battery storage facility. I want to thank the minister for his time here. We will look forward to some of the other commitments and getting responses. I thank the officials for coming and providing support to the minister. I know that my colleague, the Leader of the Third Party, the Member for Takhini-Kopper King, has some questions here this afternoon as well.

**Ms. White:** I welcome the one official we have seen before and the other who is joining us today.

Just to follow up on what my colleague was just talking about on the area at the top of the south access, it has recently been cleared of trees. I noticed that the trees are all piled up in heaps and look like they are destined to be burned, although the same minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation has said that he is encouraging brush piles to be made available for woodcutters. Maybe this isn't a question, but I will put that out: It looks like it has been piled up as burn piles, and as firewood is a hot commodity these days in the Yukon, it may be worth noting. I will just leave that. I don't expect an answer, as the minister can just check it out on his way past.

I think that part of the conversation that is important — and I want to give the minister an opportunity — is that the NDP fundamentally believe that we should be renting generators and that we shouldn't have invested in permanent diesel infrastructure, but I think that one thing that would be very helpful to have on record is if we can talk about the costs. What would be the cost of a 30-year investment for the diesel generators — for example, the project we were talking about three years ago — versus the cost of renting? Could the minister walk through why it makes financial sense? It certainly makes environmental sense, but maybe the minister can help us better understand the financial reason why we would rent diesel generators, as opposed to purchasing and building permanent diesel infrastructure.

**Hon. Mr. Streicker:** I thank the member opposite for the comment about the trees. I will follow up on that.

As we heard the corporation say when they were here as witnesses on Thursday, October 21, the way that you tend to calculate this out is by using a metric called the "levelized cost of capacity".

I will ask the Energy Corporation to tell me what the overall dollar figure would be if they were to build a 12.5-megawatt diesel plant to deal with the gap of energy demand. I want to differentiate, first and foremost, that we are not talking about backup. We do need backup in case something goes down — that is different — but what we are talking about is having capacity for additional energy due to demands by Yukoners, whether that be residential, commercial, or industrial.

What we were told is that the levelized cost for rented diesels is \$211 a kilowatt hour. What we were told is that the levelized cost for a diesel plant, one that you would build, is \$212 a kilowatt hour, so it is virtually equivalent. So, from an economic perspective, it does not make any difference whether

we rent or build, but from an environmental perspective, it makes a huge difference, and the reason, as I have said, is because, once you build that plant, it will disincentivize you to invest in renewables, because you just invested in that diesel plant, which you have to pay off over time. So, it is much better when you intend to try to move — to shift your energy economy — to a renewable energy economy; it is much, much better — when the costs are the same — to move to rentals so that you are nimble and that you move to reduce those rentals over time, as you increase your renewable capacity.

**Ms. White:** I think it could be helpful to the conversation if information like that was readily available on the website. I just say that in terms of — to know that it is literally a dollar difference in an hour, it is a really big — I mean, years ago, when we were having these conversations, the price wasn't quite so comparable. I remember going to the open house that was being held out at Hidden Valley school and pleading my case to staff, at that point in time, including that I made a written submission saying that we should rent the generators, that we should not tie ourselves to dirty energy for a generation, because if I couldn't believe in technology, then there wasn't a lot of hope for us as a planet.

I appreciate the answer, but I think that having that kind of information or that kind of comparison on how decisions are made is important, because again, there will be those of us who make the environmental argument, but knowing that the financial argument is also strong is really helpful to getting people outside.

When the witnesses were here last week, and we were talking about different things, we talked about the amount of renewable energy that was coming online. It's important to note, at this point in time, that I have been in this House for 10 years. For five years, I didn't see a lot of action, and I have seen multiple plans come forward about our 10-year plan or our 20-year plan or "this is the future". I've gone to public information sessions about next-generation hydro. I've gone to information sessions about liquified natural gas. I've gone to information sessions about wind. I've gone to information sessions about biomass. Interestingly enough, there hasn't been any really large-scale information sessions on solar, but I feel like solar has done a pretty good job of getting itself known. Through all of that, some of the conversations that also come up, of course, are demand-side management and the challenges that both the Yukon Energy Corporation and ATCO Electric Yukon face in trying to manage energy. I have also been to public information sessions about demand-side management and different opportunities.

I would like to give the minister a bit of an opportunity to maybe catch us up on some public information sessions that are coming or, if there is specific information, where people can look.

I have talked a lot in the House about my own decisions. For example, I installed an air source heat pump in 2016, before there was a concrete economic argument at the time, because there was no information, but through the Energy Solutions Centre, I was one of the people where we monitored energy consumption through that unit.

I am happy to say it went from being a \$600 grant to a \$1,500 — I got the \$1,500 — to knowing that now we are offsetting the costs of those machines by up to 30 percent, or \$8,500.

Some things I have seen in this House are our ability to slowly move forward, but I think the minister has highlighted the need to move forward in leaps and bounds. Maybe he can let us know what information sessions are coming up about renewables that are coming on and when we can expect to have conversations publicly about projects like Moon Lake.

Again, celebrating what is going to be coming is good, but I was at next-generation hydro meetings, and we were talking about what that would look like, and here we are now — so, if he can let us know when information sessions may be coming online and when people will be able to access more information about upcoming projects.

**Hon. Mr. Streicker:** I will add a few things to the question. First of all, I will have to get the corporation to let me know about upcoming opportunities, but I can add a few things. For example, we know that we have renewable projects that we are working on within each of our off-grid communities. Because they are dependent on diesel, those are generally easier wins. We started with Old Crow, but we have stuff happening in Beaver Creek, in Burwash, and in Watson Lake. One of the differences was that we argued that you should work with offset fuel costs rather than the levelized costs, because it is subsidized for them to be the price here, and then it made no sense.

So, those projects are now starting to move, and I think that this was the little unlock that we got to. Again, maybe Yukoners saw the piece on CBC's *The National* last night in Old Crow. It was a good piece.

We have work happening across our grid because, even though the main grid uses the Whitehorse dam, the Aishihik dam, and the Mayo dam and Fish Lake — but really, there is still diesel burned here, so getting renewable projects onto our islanded grid displaces a lot of diesel. That's important. That's like wind up on Haeckel Hill and other projects. Teslin with the biomass is a great project; that's really important.

The last thing that I want to say is that we also brought in an order-in-council, a regulation, which said — for the Yukon Utilities Board to be able to consider demand-side management. So, we really want to help the Yukon Utilities Board to get to better decisions so that it will help us to reduce our energy needs broadly, and our utilities are good partners with that.

Anyway, I won't go on, Deputy Chair. This is a very important question. I'm passionate about it. I'm happy to try to get more information to members here from the corporation.

Seeing the time, Deputy Chair, I move that you report progress.

**Deputy Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Streicker:** 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*

*Deputy Speaker resumes the Chair*

**Deputy Speaker (Ms. Blake):** 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**

**Ms. Tredger:** Madam Deputy Speaker, Committee of the Whole has considered Bill No. 9, entitled *Act to Amend the Cannabis Control and Regulation Act (2021)*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

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

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 sessional paper was tabled November 2, 2021:**

35-1-27

*Yukon University 2020-2021 Annual Report (McLean)*

**The following document was filed November 2, 2021:**

35-1-13

*Yukon Geographical Place Names Board 2020-2021 Annual Report (Pillai)*



# Yukon Legislative Assembly

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Number 26

1<sup>st</sup> Session

35<sup>th</sup> Legislature

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## HANSARD

Wednesday, November 3, 2021 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

# YUKON LEGISLATIVE ASSEMBLY

## 2021 Fall 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 — Emily Tredger, MLA, Whitehorse Centre**

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NAME	CONSTITUENCY	PORTFOLIO
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Deputy Premier Government House Leader Minister of Health and Social Services; Justice
<b>Hon. Nils Clarke</b>	Riverdale North	Minister of Highways and Public Works; Environment
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Energy, Mines and Resources; Public Service Commission; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation; French Language Services Directorate
<b>Hon. Ranj Pillai</b>	Porter Creek South	Minister of Economic Development; Tourism and Culture; Minister responsible for the Yukon Housing Corporation; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Community Services; Minister responsible for the Workers' Compensation Health and Safety Board
<b>Hon. Jeanie McLean</b>	Mountainview	Minister of Education; Minister responsible for the Women and Gender Equity Directorate

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Takhini-Kopper King
<b>Emily Tredger</b>	Third Party House Leader Whitehorse Centre
<b>Annie Blake</b>	Vuntut Gwitchin

### LEGISLATIVE STAFF

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Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly  
Whitehorse, Yukon  
Wednesday, November 3, 2021 — 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 changes which have been made to the Order Paper. The following motions were removed from the Order Paper as they are now outdated: Motion No. 158, standing in the name of the Member for Porter Creek Centre; Motion No. 159, standing in the name of the Member for Watson Lake; Motion No. 160 and Motion No. 161, standing in the name of the Member for Pelly-Nisutlin; and Motion No. 164, standing in the name of the Member for Kluane.

**DAILY ROUTINE**

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

Introduction of visitors.

**INTRODUCTION OF VISITORS**

**Hon. Mr. Clarke:** I have the pleasure of introducing two groups of individuals in the gallery today. For the Mothers Against Drunk Driving tribute, we have the president of the Whitehorse branch, Jacquie Van Marck. As well, with MADD, we have Carlos Sanchez-Aguirre and, I believe, Cory McEachran, and from the RCMP, we have Rob Mason.

Welcome.

*Applause*

**Hon. Mr. Clarke:** Mr. Speaker, for the Climate Leadership Council ministerial statement, from various Yukon departments that are working on this file, we have — and I apologize if my list is not complete, but I think that it is: Amanda MacDonald, Ed van Randen, Shane Andre, Rebecca Turpin, Emma Seward, Katie Woodstock, Kirsten Burrows, Nelly Bouevitch, Nina Vogt, and Amanda Lieverse. Thank you for coming today.

*Applause*

**Speaker:** Tributes.

**TRIBUTES**

**In recognition of MADD Project Red Ribbon campaign**

**Hon. Mr. Clarke:** Mr. Speaker, I am pleased to rise in the House today to recognize the annual Mothers Against Drunk Driving Project Red Ribbon campaign. Project Red Ribbon takes place over the holiday season from November 1 to just after New Year's. The holiday season is a busy time with social events, and with that comes increased alcohol consumption. We all want to celebrate the holidays and the end

of another year. It is important, however, that we do that while also keeping our roads safe. This is why, every year, we wear the iconic red ribbon. It is a small but powerful reminder for all of us to plan ahead for a safe ride home.

There are no two ways about it: Impaired driving is a real problem here in the Yukon and the data shows that it is getting worse. Between 2018 and 2020, the Yukon averaged 1,746 impaired driving incidents per 100,000 people. Comparatively, the national average for this same time period was 207 incidents per 100,000 people. To put it simply, the Yukon is currently averaging an incident rate that is over eight times higher than the national average — over eight times.

It is a staggering statistic, but it does not even begin to show the human impact. What the numbers alone cannot show is the emotional toll that impaired driving has on those whose lives it fractures — a pain that's evident in communities across our territory. The loss of someone loved — a parent, a sibling, a grandparent, an aunt or uncle, a cousin, a friend, a child — each one a tragedy, each one representing a life purpose that will remain unfulfilled, each one marking a whole network of lives forever changed, each one wholly, completely preventable. No one needs to drive while drunk or high. What makes these situations so tragic and difficult to accept is that impaired driving is not an accident. It is a crime, and it is one that we can prevent.

The fight to reduce, and hopefully one day eliminate, impaired driving is everyone's responsibility. With the holiday season about to commence, Project Red Ribbon helps keep the message to stay safe and sober top of mind.

I urge everyone to drink responsibly. Never drive impaired or ride with an impaired driver. Plan ahead and arrange a safe ride home, whether that is having a designated driver, taking a taxi, or spending the night. If you suspect a driver is impaired, you should feel empowered to call 911.

On behalf of the Government of Yukon, I would like to commend the local MADD chapter, in particular, the current president, Jacquie Van Marck, and all of the dedicated volunteers for their commitment to end impaired driving. Your work is helping to save lives and we thank you for that.

In closing, I want to say that we can all do more to prevent and eliminate impaired driving. If you have been drinking, put your keys down and find a safe ride home. Make sure that your friends and loved ones are doing the same.

You can find the MADD red ribbons and donation boxes in all Yukon liquor stores and also at the Highways and Public Works Motor Vehicles office here in Whitehorse. This small but powerful symbol demonstrates your commitment to sober driving and keeping Yukon roads safe for everyone.

*Applause*

**Mr. Hassard:** Mr. Speaker, I rise today on behalf of the Yukon Party Official Opposition to recognize the Whitehorse chapter of Mothers Against Drunk Driving as they launch their 2021 Project Red Ribbon campaign.

This national initiative raises awareness of the risks of impaired driving — risks to ourselves, our families, friends, neighbours, and our communities. In September of this year,

the Yukon Bureau of Statistics released data on police-related crime here in the Yukon.

There was a 125-percent increase in incidents of criminal traffic violations in 2020 from 2011; 85 percent of these violations were due to operating while impaired on alcohol, seven percent were impaired on drugs alone, and five percent were impaired by a combination of drugs and alcohol.

As we head into November, we begin to see changes in the weather. The snow sets in and road conditions change. We must be alert and aware of the risks of the road.

The risk that we increasingly face on the road as we near the holiday season is, of course, impaired driving. Project Red Ribbon asks Yukoners to make a commitment to ensure that your vehicle is not a hazard on the road and that you only get behind the wheel if you are sober and fully aware and attentive. So, tie a ribbon on your vehicle and promise to make alternate arrangements when you have a few drinks — call a friend or a family member, take a cab, or, even better, take turns being a designated driver. It might not always be the most fun or glamorous job on a night out with friends, but it is the most important one.

*Applause*

**Ms. Tredger:** I rise on behalf of the Yukon NDP to pay tribute to the Mothers Against Drunk Driving Project Red Ribbon campaign. The death toll of drunk driving is heartbreaking, it is unacceptable, and each number is a person we have lost.

I also want to talk about the other people who are affected by drunk driving: the parents who get the terrible phone call in the middle of the night; the people left with lifelong disabilities, big and small; and the communities left with a hole where a person used to be.

So, today I would like to thank the many, many people at MADD who have led the fight to keep our roads safe, to support the victims, and to end deaths from impaired driving. Thank you for all your work to keep us safe.

*Applause*

### **In recognition of National Community Safety and Crime Prevention Month**

**Hon. Ms. McPhee:** I rise today on behalf of the Yukon Liberal government and the Third Party to recognize National Community Safety and Crime Prevention Month.

This month, the recognition initiated by the Canada Safety Council brings awareness to issues facing our communities and reminds us all to think about what we can do as individuals to improve community safety. The more people we are able to reach, the better chance we have of creating a future where our communities are safe.

The Yukon has seen an increase related to Statistics Canada's violent crime severity index in both 2019 and 2020. 2020's increases were largely due to violent firearms offences and assault involving a weapon. This is why we have proposed amendments to the *Safer Communities and Neighbourhoods Act* and why they are so important.

I would like to turn for a moment to the issue of family violence. Family violence can include physical, sexual, emotional, and financial abuse that occurs in a domestic or intimate relationship. In 2019, the Yukon had the third highest reported rate of family violence in the country. People of all genders and ages may experience intimate partner violence; however, we must also acknowledge that, according to a 2018 report from Statistics Canada, women experience domestic violence at much higher rates.

In 2021, a report on intimate partner violence showed that 66 percent of women in the Yukon have experienced physical or sexual assault since the age of 15. This is completely unacceptable. If you are a victim of crime, or know someone who is, help is available. The Yukon's *Family Violence Prevention Act* provides tools to help victims experiencing family violence. The sexual assault response team, or SART, helps Yukoners who have experienced sexualized assault. Trained professionals provide a safe, confidential, and compassionate network of services.

Victim Services provides support to victims of crime, all victims of crime, and has offices located in Dawson City, Watson Lake, and Whitehorse. Victim Services provides additional services to all other Yukon communities. Services are provided in person and/or by phone.

Transition homes in Dawson, Watson Lake, and Whitehorse are safe places to find help. Victims of intimate partner violence and sexualized violence may access independent legal advice through the independent legal advice program at Victim Services. Safer communities start with safe homes and families.

Just a few days ago, we had a terrifying and stark reminder of the need to ensure community safety. What happened in Faro should never happen. This is a traumatizing experience for individuals and for a community, and I want to acknowledge the strength that the Town of Faro has shown in the days since. Their community needs time to grieve. Please know that we are all grieving alongside of you and that we are here to provide the supports you need.

We cannot control the actions of every person, but to create safer communities, we need systemic and societal change. Government alone cannot do this, but we are committed and are taking action.

Partnerships with the RCMP, First Nation governments, and advocacy groups allow us to move forward on creating a safer Yukon for everyone. We are committed to supporting tailored approaches to community safety that are responsive to the concerns, priorities, and unique circumstances of indigenous communities.

I would like to thank Yukon First Nation governments, municipal governments, the RCMP, and the organizations and volunteers that have played, and continue to play, an important role in building and maintaining safe Yukon communities.

National Community Safety and Crime Prevention Month serves as a reminder to us all that keeping our communities free of crime and safe for all Yukoners is a responsibility that we all share.

*Applause*

**Mr. Cathers:** In rising on behalf of the Yukon Party Official Opposition to recognize National Community Safety and Crime Prevention Month, the Canada Safety Council brings awareness every November to the importance of reducing crime and building community safety, with the organization highlighting a different topic related to community safety this year. This year is focused on the effects of gambling addiction on individuals, families, and communities. It has been reported that 66.2 percent of Canadians reported participating in some type of gambling this year. While the number is on the decline, it is still a significant problem across the country, and Canadians are encouraged to acknowledge and identify problem gambling in order to help themselves, family, or friends to break the habit.

Crime prevention is something that everyone should take seriously. Social media has provided people with a platform to make others aware of incidents of property crime in their neighbourhoods and the targeting of businesses. Locally, this practice has led to more people being self-aware and taking preventive measures in an attempt to avoid being a target of property crime. We see more people installing security or surveillance equipment, taking time to secure valuables, and keeping an eye on what is happening in their residential neighbourhoods. I know that my colleagues and I have heard from both citizens and businesses concerned about property theft within our communities.

Locally, we have also seen a dramatic increase in incidents of fraud in recent years. It is worth mentioning that Yukoners should take the time to acknowledge the many different ways that they can be targeted in telephone and Internet scams and to share that information with those who may be more vulnerable to this type of activity, such as senior citizens.

I would like to thank the RCMP as well as community volunteers and organizations that are dedicated to crime prevention and to community safety.

As the minister made reference to in her tribute, violent crime and organized crime have increased under this Liberal government. She made references to SCAN amendments that she tabled in this House. Since she raised the topic, I would note that, while we do support the purpose of the SCAN legislation, we do have concerns about the content as well as the lack of any public consultation and, like the Third Party, we do support a review of this legislation.

The minister also, in closing, made reference to the tragedy that happened in Faro, and certainly the Official Opposition, all of us — our hearts go out to the people affected by this tragedy.

I would also like to recognize the fact that my colleague, the MLA for Pelly-Nisutlin, was there last night with his constituents and to just acknowledge his work on behalf of them there. Again, to everyone in Faro and to all of their friends and families, our hearts go out to you at this difficult time in the wake of the incident that occurred.

*Applause*

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

## TABLING RETURNS AND DOCUMENTS

**Ms. Van Bibber:** Mr. Speaker, I have for tabling two letters to parents and guardians of Jack Hulland school regarding incidents that happened there.

**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:** I rise to give notice of the following motion:

THAT this House urges the Minister of Education to tour Hidden Valley Elementary School with parents who have asked her to do that for the purpose of hearing their concerns and suggestions for safety improvements.

I also give notice of the following motion:

THAT this House urges the Minister of Education to provide the Official Opposition and the Third Party the opportunity to tour Hidden Valley Elementary School with parents and staff for the purpose of hearing their concerns, suggestions for safety improvements, and understanding the expected timelines for changes at the school.

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

THAT this House urges the Government of Yukon to support part-time childcare programs by including them in the Yukon early learning and childcare funding program.

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

THAT this House urges the Government of Yukon to amend the regulations of the *Public Health and Safety Act* such that the regulations empower the chief medical officer of health to make orders to mandate personal protective equipment during a public health emergency.

**Speaker:** Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Yukon Climate Leadership Council

**Hon. Mr. Clarke:** In 2019, our government declared a climate emergency, acknowledging that we all — governments, industry, businesses, communities, and individuals — need to take action to address the climate crisis. Yukoners want action, and our government is listening.

Last fall, we released *Our Clean Future*, an ambitious Yukon-wide strategy to address our changing climate in a comprehensive and sustainable way. With clear targets — like reducing the territory's greenhouse gas emissions by 30 percent from the 2010 levels and tangible actions to reach them over the next 10 years — *Our Clean Future* marks an important turning point for the Yukon as we collectively take steps toward a more resilient future for our territory.

In recognition of the urgent need to address the climate crisis, the territory's emission reduction targets were increased

earlier this year to 45 percent below 2010 levels. To provide advice to the Government of Yukon on how to reach this ambitious new target, the new Yukon Climate Leadership Council was established. In August, we put out a call for candidates, seeking a wide range of representatives from environmental organizations, the renewable energy sector, industry leaders, Yukon First Nation governments, municipal governments, Yukon University, and labour organizations. A total of 54 people applied, and the successful candidates were chosen by the *Our Clean Future* policy implementation committee, based on a balance of technical experience, lived experience, and traditional knowledge.

Today, I am pleased to share that the members of the new Yukon Climate Leadership Council are as follows: Coral Voss from the Yukon Conservation Society; David Silas with Yukon University; Forest Pearson from the Sustainable Development Advisory Council; Hector Campbell, from the Yukon Chamber of Commerce; Kim Lisgo, with Yukon University; Kirsten Hogan, of Aperture Consulting; Margaret Njootli, who is a retired First Nation elder; Michael Ross, the industrial research chair in Northern Energy Innovation at Yukon University; Sean Smith, with the Yukon Native Language Centre; Sruthee Govindaraj, who served on the territory's first Yukon Youth Panel on Climate Change; and Steve Roddick, of Resilient North Consulting.

I want to congratulate these candidates and thank them for putting their names forward for this important council.

The challenge of addressing climate change is immense, and it cannot be done without mobilizing Yukoners across the territory. It is important that we engage and work with community leaders to develop innovative measures that will help us reach our territory's climate goals. The council will work in collaboration to develop advice and recommendations for reaching the 45-percent reduction target by 2030, and we'll share the report and recommendations publicly by July 2022.

**Mr. Istchenko:** While the Liberals are good at announcing committees, they are not always good at listening to them, so we are wondering right off the hop if this Liberal government will even listen to the recommendations from the candidates who were announced today. We can only assume that this is based off the BC NDP Climate Solutions Council. When comparing the two, what is most glaring is who isn't on the Yukon Climate Leadership Council.

An August release said that the government is looking for representatives from environmental organizations, the renewable energy sector, industrial leaders, Yukon First Nation governments, municipal governments, Yukon University, and labour organizations. It appears from the minister's statement that there are no formal representatives from Yukon First Nation governments. There are no representatives from the *Umbrella Final Agreement* boards, no reps from the Fish and Wildlife Management Board or any of the renewable resources councils who deal with climate change on the ground. As well, nowhere in here does it include asking for a specific representative from the mining industry, or any major industry, for that matter. That is reflected in the candidates announced

today. There is no representative from the Chamber of Mines or any other industry or industry partner, except for the lone representative from the Yukon Chamber of Commerce.

As you know, it will be industry who will be required to do a lot of the heavy lifting when it comes to developing climate solutions, so leaving them out is an unfortunate misstep. Even the BC NDP Climate Solutions Council includes at least four members from the business community, including the VP of environment for Teck Resources, the manager of policy and advocacy for Shell Canada, and the VP of the Council of Forest Industries.

I would like to remind the Liberal government that, in this House on May 25, the Minister of Energy, Mines and Resources said — and I quote: "I will note that mining is a key industry but certainly not the only industry representation that I would like to see on that panel. There are a number of other sectors that would have a good voice there and a chance to help us work together to achieve our targets."

I would like to remind the minister that the mining and mineral exploration industry plays a big part in driving our economy. Even British Columbia recognizes the importance of having the mining industry at the table. Yukon's mining industry could help provide valuable information to this council about how Yukon can reach our climate change targets. I believe that this is a missed opportunity for the territory.

I would also like to note the inclusion of a youth member, which is a great step. However, it highlights at this time that there is absolutely no Yukon youth climate ambassador attending the United Nations conference in Glasgow, which is happening right now. That's because the Yukon Liberals cancelled that program, eliminating that unique opportunity for youth in the Yukon. Previous participants have leveraged their experience to become leaders here at home, and we think that it is another failure on the part of this Liberal government.

In closing, I would like to know if the minister can inform Yukoners how much this will cost and if members are receiving honoraria for participating. We do look forward to hearing updates on the work of the Yukon Climate Leadership Council.

**Ms. Tredger:** We are so delighted about the announcement of the members of the Yukon Climate Leadership Council. I was overwhelmed by the response we received from community members who wanted to participate. It really showed Yukoners' passion for climate action and their eagerness to be part of the solution. There were so many phenomenal applicants. At times, choosing just 11 felt impossible. We could easily have made two, three, or four councils all full of strong people. Thank you so much to all of the Yukoners who put their names forward.

We are extremely proud of the group of people who will form this council. The rest of my response is for them.

You have an enormous task ahead of you, and we know that you are up to the challenge. We have so much faith and confidence in you. We know that you can do it. You are all there for a reason, and you are all needed. We can't wait to read your recommendations. One piece of advice: Don't be afraid to

tell us the hard truths. Be bold and brave, and know that we have your back. We're behind you all the way.

**Hon. Mr. Clarke:** Just to address one specific question that the Member for Kluane had, yes, the members will receive an honorarium. I can provide the member opposite with the proposed budget in due course.

Mr. Speaker, we cannot lose sight of the fact that we are in a climate emergency. This is recognized across the territory, across the country, and around the world. The United Nations Climate Change Conference — COP 26 — is currently underway in Glasgow, Scotland. World leaders recognize that the need to take action is urgent to address the climate emergency. We cannot wait to act.

In Glasgow, Prime Minister Trudeau pitched a global price on carbon. Currently, more than 20 percent of the world's greenhouse emissions are covered by a price on carbon, including here in Canada. The Prime Minister called on the world leaders at COP 26 to triple that figure to 60 percent by 2030.

Here in the Yukon, it took the Yukon Party five years to come around to the idea of carbon pricing. They fought it tooth and nail during the 2016 election, and they made dire warnings about the catastrophe to come, but it was included in their platform in this year's election. For more than five years, carbon pricing has been recognized internationally as the most effective policy mechanism to address greenhouse gas emissions by economists, environmentalists, and leaders around the world.

We are in a climate emergency, and we do not have any time to waste. Yesterday, my colleague spoke about the development of Yukon's new clean energy act. When he, the Premier, and I met with the Yukon Youth Panel on Climate Change to receive their recommendations, they raised a lot of good questions for us as political leaders. One pointed question was how they can ensure that the Government of Yukon will follow through on its commitments to fighting climate change. Enshrining it in law, through the clean energy act, is part of the answer.

Yukoners, and particularly our youth, want action, and our government is listening. *Our Clean Future* is an ambitious Yukon-wide strategy to address our changing climate in a comprehensive and sustainable way. This strategy was developed in collaboration with our partners across the territory. All Yukoners are impacted by the climate emergency, and we need to work in partnership to meet the targets in this strategy.

The Yukon Climate Leadership Council will provide us with the advice as we move forward, and I am pleased to see the diversity of perspectives and knowledge on that council. The challenge of addressing climate change is immense, and it cannot be done without mobilizing Yukoners across the territory. It is important that we engage and work with community leaders to develop innovative measures that will help us reach our territory's climate goals.

As I stated at the outset, Mr. Speaker, this council will work in collaboration to develop advice and recommendations

for reaching the ambitious 45-percent reduction target by 2030, and we'll share the report and recommendations publicly by July 2022.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: Student behavioural issues at Jack Hulland Elementary School

**Ms. Van Bibber:** We have raised a number of concerns about incidents of violence at Jack Hulland Elementary School over the past several weeks. Many parents and families who live in my riding have raised significant concerns about issues related to the Grove Street program. The issue has attracted so much attention that tonight's school council meeting has requested the use of the gym to allow dozens of parents who want to raise their concerns about what is going on at the school. Several parents have indicated to me that they would like to see the minister in attendance at that meeting to hear first-hand about their experiences and how this is affecting their children.

Will the minister agree to attend tonight's Jack Hulland school council meeting?

**Hon. Ms. McLean:** I am happy to stand and speak about all of our schools in the Yukon at any given time. I have spent some time at Jack Hulland school, at their last school council meeting, and I have spoken about that in the House. I have also — and I will get to that probably in subsequent questions — spent some time directly with teachers — an extensive amount of time — and have put some changes in place in the school.

The Department of Education supports a healthy, active, safe, and caring learning environment for Yukon schools. This commitment is outlined in the Safe and Caring Schools policy, which applies to students, parents, teachers, and other school staff.

The Department of Education continues to collaborate with the Jack Hulland school community to address parent and staff concerns related to safety and escalating behaviours of students. I know that this week there were a couple of incidents at the school. One was connected to a student pulling a fire alarm and the other was a student who became elevated physically and verbally.

Again, I will continue to elaborate on my answer as we move forward.

**Ms. Van Bibber:** Mr. Speaker, the minister didn't answer the question, which was whether she would attend tonight.

Previously, the minister told the Legislature that the department had been trying to improve the Grove Street program at Jack Hulland by updating the program handbook and implementing new communication protocols. I am aware that both of these documents are available online now.

Can the minister tell us what substantial differences were made in the program handbook and what changes have been made to the program? Also, could the minister indicate whether the new communications protocols have been implemented and if they have been effective?

**Hon. Ms. McLean:** Again, I am aware of the issues that are unfolding at Jack Hulland school and some of the issues that have arisen as a result of the Grove Street school program. I know that, absolutely, we made commitments to update the handbook; we have done that. We have also updated and developed a Yukon school post-incident communications protocol, and I can get into a bit more about that.

Some of the issues that the member opposite is speaking about today — I had a lot of time to meet with staff on October 21 about some of the concerns that they had. I attended, listened, learned, and absolutely acknowledged them. I want to thank those staff for their candidness at this meeting. We have committed to an interim response to specific concerns of staff related to the specific questions posed at the meeting. Additional opportunities to hear other staff are being developed. We have made some immediate changes. Right now, we do have a senior person at the school, which I will talk about in a moment.

**Ms. Van Bibber:** Many of the concerns that we have heard from parents relate to the Grove Street program. In the last election, the Liberals committed to reviewing the Grove Street program. Can the minister tell us if a specific review of the Grove Street program has begun and, if so, what is the status of that review?

**Hon. Ms. McLean:** Again, I will continue on because I really want Yukoners to know that the Department of Education has taken some really important steps to address some of the issues at the school. We have arranged for an experienced school administrator, Jeff Cressman, principal of Elijah Smith, to be at Jack Hulland until November 12 to provide additional support for the school administration while the principal is currently on leave.

As I have stated, there are a number of other opportunities that are being arranged in real time to ensure that all staff have an opportunity to be heard. The deputy minister, Assistant Deputy Minister Ryan Sikkes, Superintendent Donna Miller Fry and I all attended this important meeting. An interim report has been developed — and again, more steps and a lot more to come on this in terms of the review of Grove Street. As members are aware, we initiated a review of inclusive and special education for the entire Yukon. Part of our steps going forward are to review of all the shared resource programs in the Yukon.

### **Question re: Student behavioural issues at Jack Hulland Elementary School**

**Mr. Kent:** My colleague, the MLA for Porter Creek North, tabled earlier today a letter and an e-mail sent to parents in Jack Hulland school regarding three serious incidents that occurred at the school on November 1 and 2. In some cases, these incidents have involved violence and have disrupted the entire school and resulted in lockdown orders being called in over the PA system. These follow many other serious incidents. We have heard many stories from families and staff about violent acts, bullying, and physical altercations with teachers and EAs. Some parents and staff have reached out to us to indicate that many students no longer feel safe in the school as

a result. While not all incidents can be attributed to students in the Grove Street program, many of them certainly can.

What is the minister and this Liberal government specifically doing to address these serious safety issues at Jack Hulland school?

**Hon. Ms. McLean:** Mr. Speaker, thank you again for the question about Jack Hulland school, one of our many schools in the City of Whitehorse. I have talked a little bit today about the time that I have spent at the school, at the school council level, and have taken time to sit and candidly listen to the concerns of the staff members. I want to again thank them for having that trust and faith in a process to be heard. The member opposite raises issues that happened this week, I have talked about them a little bit already. The nature of those incidents — staff effectively managed the situation to keep students away from the individuals in accordance with the school's emergency plan.

Families received timely communication about the incidents, and the response was an example of the new communications protocol developed at the request of the Jack Hulland school council. I have already talked about some immediate changes that have happened at the school, in terms of having a senior, very experienced school administrator — Jeff Cressman — who is working with the Elijah Smith school and very closely with Ryan Sikkes to put the right measures in place.

**Mr. Kent:** Teachers, parents, and, most importantly, students are scared of what is happening in the school. According to yesterday's e-mail, a fire alarm was pulled in the morning, and I'll quote from the e-mail: "At 1:15 p.m., there was a separate incident involving a different student who also exhibited heightened behaviour which included yelling, swearing, and the breaking of an interior window. In addition, some students may have witnessed the student being physically aggressive towards a staff member. Due to these behaviours, the school was placed in 'hold and secure' (where students were required to remain in their classrooms while instruction continued)..."

It is unacceptable that students should regularly feel unsafe while attending school. So, is the minister concerned about this type of behaviour in one of our elementary schools? Are there any plans on relocating the Grove Street program out of Jack Hulland Elementary?

**Hon. Ms. McLean:** We are focused on the health, safety, and well-being of staff and our students in all of our schools, Mr. Speaker. There is nothing more important than that. You have heard me talk about that repeatedly over this Sitting. Of course, I am concerned about the incidents that are happening at Jack Hulland, which is why I have spent time there. I have met with my department officials, and steps are being taken.

I have already talked a little bit about the two incidents that have happened this week, and the staff effectively managed the situation to keep students away from the individuals in accordance with our school emergency plan. Families received very timely communication as a result of the protocol that is in place.

We have acknowledged that the Grove Street program continues to cause concerns for staff and families at Jack Hulland Elementary School. I have heard that directly, not only at the school council but at the staff meeting. We are working with other departments to explore alternative therapeutic supports available so that our programs in Yukon are resulting in student success. I will continue with the rest of my answer.

**Mr. Kent:** So, we have heard other stories about what is happening at Jack Hulland school and how children in the school are becoming terrified. On Monday of this week, a letter went home to parents that stated — and I quote: “... a student’s behaviour escalated to the point where they threw some items in the hall and then went outside. Once outside this student used a tree stump to bang on the outside walls and doors.”

In October, Mr. Speaker, we heard that a staff member was punched in the face by a student, who then vandalized a bus window. So far, the minister has shown a lack of leadership on this important safety issue. There will be parents and teachers at tonight’s Jack Hulland council meeting looking for answers and looking for leadership from the minister. However, it doesn’t sound like she will be attending personally.

What can the Jack Hulland school community expect to hear this evening about the minister’s plans to address these significant issues at their school?

**Hon. Ms. McLean:** Again, I am committed to working with all of our school communities. I acknowledge that there are significant issues with the Grove Street program at Jack Hulland that are related to other issues in the school as well. I am absolutely very concerned about all of the concerns that have been raised with me. I have spent considerable time meeting with teachers and meeting with the school council and, of course, my staff to work toward addressing these. A number of steps have been taken in terms of the Grove Street handbook and the implementation of the review and the implementation of that handbook — which can be found on the website for the Jack Hulland school.

I have already talked today about the fact that we have a very experienced school administrator, Jeff Cressman, who is also the principal at Elijah Smith, who is at the Jack Hulland school until November 12, providing additional support to the school. There are a number of other measures, of course, that are being taken. There are a number of other meetings, and there are additional opportunities for next steps and workplace assessments underway.

#### **Question re: COVID-19 vaccine and safety measures**

**Ms. White:** On October 15, the government announced that people accessing non-essential services would need to show a proof of vaccination. With today’s announcement, we have learned that people will have to show proof of their first dose, but the fact remains that the deadline for this is now just less than a month away, and non-essential businesses still have little information to work with.

People were hoping to get more details at this morning’s press conference, but the government offered very little new information. The Premier said that they’re working with

businesses. Sure, that’s great, but we’re hearing from business owners who don’t know what they’re expected to do, and some aren’t even sure which category they fall under. We recognize that this is an important measure, but the government needs to do a better job of communicating its requirements.

When does the government plan to tell owners of designated non-essential businesses what these new rules are and how to enforce them?

**Hon. Mr. Pillai:** Mr. Speaker, as soon as the Yukon government announced the protocols for later this fall, we had the Department of Economic Development meet with the business chambers here in the Yukon. Part of that process — you’ve heard it from the Premier — where we get recommendations — the recommendations then come to us, and we announce those recommendations right away. Although it can be a challenge to roll out, we make sure that information is provided to all Yukoners. From that point, we work with the business community — in my role and with the Department of Economic Development — to work through the challenges that they have.

Those discussions are continuing to be ongoing. We’re trying to look at other jurisdictions to see if there are measures that we can take to support them and to make this transition for them easier. What we are hearing from the business community is keeping people safe, and keeping people healthy, is the best thing for the business ecosystem. That keeps business going. I think that people can see in the Yukon right now that business is thriving. That’s what we want to see happen.

Our commitment is to continue to work with folks and to make sure that, if there are any particular tools that they need, we can support them. Again, it’s an ongoing conversation right now with our chambers here.

**Ms. White:** Although I appreciate the minister’s response, businesses still have plenty of questions. Maybe he can let us know who they can contact for those answers.

Non-essential businesses are not the only ones with questions. Many NGOs rely heavily on volunteers and have few paid staff. They have had no direction regarding the vaccine requirements for their volunteers. In some cases, they don’t even know if they’ll have to start asking for ID from their clients. The vaccine mandate will have a huge impact on the ability of many NGOs to deliver services that people count on. Again, nobody has received information, and at this point, NGOs are playing a guessing game of what’s going to be expected of them.

My question: When is the government going to start communicating their plan so that NGOs can start taking the steps they need to meet the deadline?

**Hon. Ms. McPhee:** Thank you for the question. This is a process that has been ably described by my colleague and ably described by the Premier this morning in a public news conference in response to media questions. The recommendations come from the chief medical officer of health. Our job is to consider how they affect the lives of Yukoners and, ultimately, how to operationalize them for the public health and safety of Yukoners.

I can indicate that I had a very productive call yesterday — as my colleague has noted his contact with the business community. My call was with mayors and chiefs of First Nation governments across the territory to provide them with updated information that the Premier gave to the public today. The indication was certainly supportive from them. They had similar questions to those. We have indicated that this work is imminent and that ultimately individuals, businesses, and NGOs have known about this since October 15 and that, as soon as we have decisive information, we will provide it, as we always have.

**Ms. White:** With just over three weeks to go, folks across the board have questions. Again, who should they contact for clarification? If there is a phone number, I'm sure people would appreciate it.

For small businesses or NGOs with only one or two employees on shift, this will not be easy. Many business owners have shared their experience of implementing the previous rules — masking, social distancing, sanitizing, and more — and it hasn't been easy. It takes time away from staff to go about their regular jobs.

On top of this, some business owners are worried about putting their staff in harm's way. We have heard from business owners whose staff have been harassed for asking customers to mask up. Tensions are running high right now. People are exhausted, people are frustrated, and some people are angry.

It's the government's job to keep Yukoners safe. So, what is the government doing to make sure that the burden of enforcing these measures will not be left solely on NGOs and non-essential businesses?

**Hon. Mr. Pillai:** What I would state to the member opposite is that, first, if it's from the business community, please, reach out to the Department of Economic Development or through your chambers. The chambers do a great job, whether it's the Whitehorse chamber or the Yukon chamber. The Yukon chamber has a very large net into our communities as we work through.

At our initial meetings, there was a tremendous number of questions. We went away with a lot of work to do with the Department of Economic Development. We are trying to meet folks where they are, and we're trying to keep people safe.

My day started off with some of my colleagues and meeting with business leaders today — one who has one of the largest private sector workforces in the Yukon. What I am getting from those meetings is: Let's keep people safe and let's ensure that people are vaccinated. That is really key to ensuring that our business community continues to thrive.

Over and above that, we have been doing work through Economic Development with a broad range of leaders in the NGO field. Certainly, we can continue to field questions that are there. I think that, in most cases, it is good too for folks to reach out to some of the leaders, whether it be the Volunteer Bureau or others, and then come to us if they have questions. I know that we can take that on and make sure that we vet those questions. If they are specific to Health and Social Services or other particular community services, we will pass those questions on.

Again, we are asking folks to have patience. Yes, it is tough. We are in the middle of the end of a pandemic.

#### **Question re: Teacher staffing**

**Ms. McLeod:** Yukon's education system is facing extreme challenges. The lack of teachers and the lack of substitutes are causing chaos and pushing schools to their limits. It has become such a problem that some parents have told us that they have been told to keep their children home because the school was so short-staffed on certain days. Some children have gone through as many as four teachers already this school year. Teachers have told us that they are hanging on by a thread and on the verge of burnout.

What is the Minister of Education doing to prevent this staffing crisis from turning into a disaster?

**Hon. Ms. McLean:** Thank you for the question regarding staffing challenges in our schools. Effective teachers are absolutely one of the most important factors in a student's success at school, and we work to attract and retain the best educators that we can. I have had a chance a couple of times to speak about this — at least one time to speak about this — in the Legislative Assembly regarding the issues that we have had this year around attracting folks to the position. This is something that is an issue across the country. As of November 1, we now have 12 teacher postings — two in Whitehorse, 10 rural — and seven EA positions and four Yukon First Nation language teachers.

There are two principal postings that are now having intakes until they are filled. We have filled one of the three positions. We certainly know that COVID has caused a lot of pressure on our schools, and I will continue to build on my answer around teachers on call and the measures that we are taking around that.

**Ms. McLeod:** On July 21, I wrote the Minister of Education to raise red flags around this staffing shortage. I asked her a number of questions related to how this crisis is going to negatively impact schools this year. That was 105 days ago, and the minister still has not responded. That is 105 days that the minister has ignored this issue.

Will the Minister of Education start taking this teacher shortage and staffing crisis seriously and immediately develop a strategy to recruit and retain teachers and substitute teachers and stop ignoring the concerns of rural schools that I raised 105 days ago?

**Hon. Ms. McLean:** Again, effective teachers are one of the most important factors in our students' success at school, and we work hard to attract and retain the best educators. We certainly have had challenges this year. This is not just a Yukon issue; it is a national issue.

We have been working really hard to increase the number of teachers on call to be available when teachers need to be away from school. We now have 183 registered — 139 are in Whitehorse, and 44 are in communities. We additionally have 38 applications pending — eight of those for rural communities. I have taken the time to meet with — and I have reached out to all the school councils, to meet with them, and we are moving through each school as the fall progresses. I do

have meetings planned for the Watson Lake school council, and I am certainly not ignoring the rural communities, Mr. Speaker.

I know that there are challenges in all of our schools around teacher vacancies and the availability of teachers on call, and our staff and department are working very hard to work with every school — and I know that it is improving.

**Question re: Student psychoeducational assessments**

**Ms. Clarke:** Earlier this fall, several parents of children who require additional learning supports went to the media to raise concerns about the long wait times for psychoeducational assessments. These assessments are done by specially trained psychologists who look at how a child learns, as well as barriers to learning that the child may face. In many cases, such an assessment is necessary for parents to access particular educational supports. Some parents were forced to seek private assessments when they learned that they would face a two- to three-year wait time.

Can the minister tell us if this is indeed accurate? Do some children needing a psychoeducational assessment face a two- to three-year wait time for the services offered through the Department of Education?

**Hon. Ms. McLean:** First, I think I'll start by just talking about a couple of things around the 2019 audit and the final report on the review of inclusive and special education, which tells us what we have to rethink about how we're supporting students and delivering timely and effective supports for their learning needs.

We have heard, through these two reviews, that student assessments need to be conducted in a more timely manner. We will be advancing the recommendation in the final report of the review of inclusive and special education to come up with localized criteria around prioritizing assessments and ensuring student learning needs are being addressed.

If a student needs a formal assessment, school staff may still implement their strategies, supports, and accommodations recommended through the school-based teams and informal assessments to address the learning needs of the students so that they can be successful at school now.

The length of time for performing an assessment is dependent on the complexity of the student's needs, the nature of assessment needed, and the schedule of the professionals administering the assessments. I'll continue to build on my answer, as we go forward.

**Ms. Clarke:** The parents who spoke out in the media said that the wait time for those assessments was unacceptably long. The executive director of the Learning Disabilities Association of Yukon agreed with parents and said that an up to three-year wait in the public system was absolutely not an appropriate length of time.

Can the minister tell us what she is doing to reduce the wait time for these important assessments?

**Hon. Ms. McLean:** I believe that I did speak about that in terms of the acknowledgement that this has been an issue that has been a long time in the making. It was pointed out clearly in the Auditor General's report and further in the report that we

asked to have conducted on inclusive and special education. We know that the length of time to perform assessments is long, and the length of time to perform an assessment is also dependent on the complexity of the student's needs, the nature of the assessment, and the schedule of the professional administering.

When an educator and/or parent has concerns about a student's learning, the first step is for the school-based team to discuss the student's needs and collaborate on what strategies or interventions should be implemented by school staff to support that student.

If a referral is received from the school-based team, Student Support Services staff determine the type of assessment that's needed. The Department of Education educational psychologist completed 123 assessments last year to support simple to complex needs. A school may request specific or further support from Student Support Services. Again, I will continue to build on this as we go forward.

**Ms. Clarke:** These psychoeducational assessments are important because not only can they help identify specialized learning approaches for both parents and educators, but they can also result in the child receiving an official diagnosis. An official diagnosis is often required for a student to be eligible for certain funding and supports from various levels of government. As many parents have noted, there is a significant cost for parents when they are forced to seek a private assessment as opposed to one offered through the Department of Education.

Are there financial supports available to parents who are required to pay out of pocket for psychoeducational assessments as a result of the two- to three-year wait time for the publicly funded option?

**Hon. Ms. McLean:** Again, I started out my answers today talking about the 2019 audit and the final report on the review of inclusive and special education. It's important to note that these reports did point out that student assessments need to be conducted in a more timely manner. We will be advancing the recommendation in the final report of the review of inclusive and special education to come up with more localized criteria around prioritizing assessments and ensuring that student learning needs are being addressed.

We are advancing this work quickly. We have an education summit that is happening on November 12. We have built, with all of our partners, a comprehensive work plan that will work toward addressing this very issue.

This will be one of the very specific work groups that come out of the summit. I am looking forward to advancing this. It is absolutely vitally important that our children are assessed and that they are receiving the supports that they need to be successful in school. That is our goal.

**Speaker:** The time for Question Period has now elapsed. We will now proceed to Orders of the Day.

## ORDERS OF THE DAY

**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 Minister of Energy, Mines and Resources 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*

**Chair (Ms. Blake):** I will now call Committee of the Whole to order.

The matter before Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

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. 202: *Second Appropriation Act 2021-22* — continued**

**Chair:** The matter now before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 202, entitled *Second Appropriation Act 2021-22*. Is there any further general debate?

### **Department of Energy, Mines and Resources — continued**

**Mr. Kent:** I know that we talked about a number of things the last time we had Energy, Mines and Resources before. I would like to welcome back the officials — the deputy minister and the assistant deputy minister — to support the minister here this afternoon. One of the things that emerged since we were last up and talked about a range of issues was today's ministerial statement regarding the Yukon Climate Leadership Council.

I want to take the minister back to May 25 of this year, when we were in the Energy, Mines and Resources debate. I will quote my question and then quote the minister's answer and then just see if we can get some sort of explanation or response with respect to it. What I said at the time was — and I quote: "One of the other things that was brought up by the Yukon Chamber of Mines with respect to the confidence and supply agreement was the Yukon Climate Leadership Council. The Chamber of Mines wanted to represent the exploration and mining industry on the council. I'm curious if the minister was asked about that at his meeting with the chamber and what his response to the chamber was."

Madam Chair, the minister then answered me by saying: "I was asked about that by the chamber. They did make that generous offer, and I would love to take them up on that offer.

I hope to work alongside other colleagues here — the Minister of Environment — on the Climate Leadership Council. I think that it's really important that we have industry there.

"I will note that mining is a key industry but certainly not the only industry representation that I would like to see on that panel. There are a number of other sectors that would have a good voice there and a chance to help us work together to achieve our targets.

"What I said to the chamber was: 'Thank you very much' and I do hope that they are one of those voices at the table."

So, of course, with the ministerial statement earlier today, the membership of that panel was announced, and not only was there not a representative of the Yukon Chamber of Mines, I don't believe that there is any representative of the mining industry or perhaps some of these other industries that the minister was speaking about in his response back in May. I'm curious if he has any comments on why he would say that in May, and then we fast-forward to early November, when this panel was announced, and there are no representatives of the mining industry on that panel.

**Hon. Mr. Streicker:** Yes, I thank the member for going back and sharing those comments that we had in exchange here on the floor back in — was it May? — in May. I did say that, and what I can say is that, in the interim, I have met often with industry, with the Chamber of Mines, and also other mines, and we have had conversations with them about the importance of shifting the energy economy.

What I want to say is that they have been — overall, what I have heard from them is great interest in trying to do that work together and to work collaboratively toward that. What I have heard from the mining industry is that they would want to be part of that solution — that's great. I acknowledge that there was no one from the chamber who was selected for the leadership council, but that is not going to stop me from working with the Chamber of Mines — mines in general — and working closely with them over time, and I look forward to that work.

**Mr. Kent:** The challenge that we have is, from when we spoke in May, and as I said at that time — I believe that all three parties met with the Chamber of Mines executive at that time, and they outlined three important aspects with the 2021 confidence and supply agreement, which is the agreement between the Liberals and the New Democrats which allows the Liberals to govern the territory. One of them was with respect to successor legislation, the other was some questions around accelerated land use planning, and then the Yukon Climate Leadership Council seat. I am curious if the minister can tell us where his thoughts were in May about wanting industry representation on that leadership council and noting, at the time, that mining was a key industry, but certainly not the only industry representation that he wanted to see on that panel.

So, how did we get from those comments in debate on May 25 to where we landed today, where essentially, I believe, the Yukon Chamber of Commerce has a representative, a retired member from the Yukon Energy Corporation — a retired official from the Yukon Energy Corporation — but we

don't see any of these key industry representations that he wanted to see on that council back in May.

I guess I'm just kind of curious where this went off the rails in ensuring that there was industry representation on that Yukon Climate Leadership Council.

**Hon. Mr. Streicker:** I'll have to look into the makeup of the council more closely, but I thought I heard today, as the Member for Copperbelt South noted, someone from the Chamber of Commerce, who I think has chaired the energy sub-committee — I also heard Dr. Michael Ross' name, who is the industrial research chair on energy electricity — I believe through the Yukon University — so that is industry, in a sense.

There were folks named on there who are in private practice and are working on the issues of shifting the energy economy.

What I will commit to today is to reach out directly to the chamber — but also in conversations with mining companies — and just extend my openness to them to hear their thoughts and contributions. My belief is that, as I have been in conversation with the mining industry, they want to be part of the solution and that they share our interest in helping the territory to shift the energy economy. I look forward to working with them.

**Mr. Kent:** With respect to the minister, the Chamber of Mines mentioned, I believe, to all three parties at their May meeting that they would like to represent the exploration and mining industry on the council. The minister mentioned an individual, the research chair from the university, and then another individual who is a retired official, I believe, from the Yukon Energy Corporation. Are either of them there to represent and advocate on behalf of or I guess represent the mining industry on this new council that was set up?

**Hon. Mr. Streicker:** I think that the point of the leadership council is that people bring a broad range of experience and that they will work together — but to try to support the initiative of the territory to shift the energy economy. It's great work. I'm not suggesting that someone is representing mining from that group. What I'm suggesting is that I will make efforts to connect with the mining industry broadly. That will include through the Chamber of Mines. It will include talking directly with mines. I will also raise it with the Yukon Minerals Advisory Board whose job is to try to advise me. I will ask that they all feel welcome to provide their thoughts around how to shift the energy economy.

What I can say is that in all of the conversations that I have had over the past summer and fall, they have been constructive conversations. I would characterize it that mining sees themselves as part of the solution, and that's a great position that they have. I thank them for that effort. I am happy to receive that advice from them and I look forward to it.

**Mr. Kent:** I am hoping that the minister can appreciate the concerns that we are raising here today, because he has spoken about the broad range of individuals. I certainly recognize the broad range of individuals who are on the council that was announced today. However, there appears to be no one on that council who represents one of our most important

private sector industries, which is the mining industry — mining and exploration industries.

Back in May, the minister was quite bullish about having someone representing that key industry and other key industries, but we fast-forward to today and there doesn't appear to be any industry representation on the council that was announced today. I would note that — I think it's in July 2022 — they will be presenting a report on their work. It is well and good that the minister is going to reach out to the Minerals Advisory Board and others, but I am curious why — going back to May — he was so bullish on wanting those voices at the table, and then we come to November when this is announced and there is no voice representing the mining industry at the table.

**Hon. Mr. Streicker:** I continued to say — and I am happy to rise again to say — that I think that mining is very important in this conversation. I have said that I am — and I know the department is and all the good folks at the department are — very interested to work closely with mining on these questions.

I know that how we have divided out *Our Clean Future* — we have an overall target, and we also are going to set industry-based targets. That's a separate track.

I disagree with the member opposite when he says that there is no industry representation. I am saying that there is industry representation, but there is no mining industry representation. From my perspective, mining is not our only industry here in the Yukon.

This is an important issue, and I have had great conversations with mining companies. What I have heard from them is really strong, supportive thinking around how we shift the energy economy. This is not a small question; this is a very big question. I am happy that we have had good conversations with the mining industry. I think that this is going to continue and I look forward to it.

The Yukon Climate Leadership Council is not the only way in which we take advice. We have, for example, the Yukon Minerals Advisory Board. We have ways in which we will collect this advice. As the Minister of Environment and the Member for Whitehorse Centre said earlier today, there were a lot of names to choose from. After people were contacted, some of the folks who were not selected reached out to me and said that they were still interested, and I said thank you. I look forward to other opportunities where their input can be received.

So, yes, I continue to be interested in listening to mining around this very important issue.

**Mr. Kent:** Again, the minister said here today that he believes that there is industry representation on this council, just not mining industry representation. Again, I will take him back to what he told me on May 25 of this year. He noted that mining is a key industry but certainly not the only industry representation that he wanted to see on that panel: "There are a number of other sectors that would have a good voice there and a chance to help us work together to achieve our targets."

As my colleague, the Member for Kluane, said during the ministerial statement response today, of course they want to be

part of the solution. We commend them for that as well, but they are one of the heavy lifters as far as what can be done, whether it's transportation or power generation, on sites that aren't connected to the grid. Again, I am going to voice our concern that there isn't anyone representing the mining industry on this Climate Leadership Council, as he stated in his previous response — that there was no mining industry representation. He said that there are other boards that he seeks advice from, such as the Minerals Advisory Board.

So, how will the concerns of the Minerals Advisory Board or the Chamber of Mines or others be channelled to this leadership council by the minister since he and his colleagues never chose someone representing that industry to be on the council itself?

**Hon. Mr. Streicker:** Somehow I feel like I'm hiccupping with the member opposite. I'm acknowledging that there was not a mining industry representative who was selected for the leadership council. I'm saying that we look forward to hearing from mining and for them to give their perspectives. I'm not asking them necessarily to give them directly to the leadership council. They can give them directly to us as we work on this issue of shifting the energy economy to a renewable and sustainable future.

If the industry wants their comments to go into the council, that's fine. I would be happy to take them there. I'm sure that the council itself will also ask for ways of having conversation and getting feedback. We have assumed that there would be briefings that the Department of Energy, Mines and Resources would give to the council, that the Department of Environment would give to the council. I'm sure that there are ways for them to ask for other questions; that's fine. I look forward to what they ask and request.

But it does not preclude that the mining industry is welcome to provide their feedback. What I have said is that we have already begun to do that work, to talk to them, to sit down with them, to hear their ideas and thoughts, and to chart a way forward for how to shift the industry, including setting targets for them, which is on a separate track.

What I have also indicated is that work, that engagement with the industry, has been really constructive, and I am acknowledging the positive attitude they brought toward this challenging problem. What I hear from them is very solutions-oriented thinking.

There are opportunities to receive that feedback, and I don't think it has to be just that it comes through the leadership council, that it's the only way through which we are listening out there broadly. I am making the commitment, as I stand on my feet each time here, that I will make specific efforts and am open to the feedback from industry to work with them collaboratively on how we will shift the energy economy.

**Mr. Kent:** One of the early things — I think it was perhaps just after the minister was sworn in as the new Minister of Energy, Mines and Resources — that he would have met with the Yukon Chamber of Mines. The Chamber of Mines specifically asked, with respect to this council, that they would like to represent the exploration and mining industry on the council. I think it's unfortunate that other industries have been

prioritized over mining. The minister has mentioned that the individuals he has talked to are solutions-oriented and focused on being part of the solution. Unfortunately, their voices will be dampened down or somewhat muted, because the Liberals and — it sounds like — the New Democrats — after having listened to the response by the Member for Whitehorse Centre to the ministerial statement — played a role in choosing the representatives of this council as well. That is fair; it's part of the CASA; I understand that.

But I can't help but think that individuals in the exploration and mining industry will feel slighted by the decision not to include anyone specifically from their industry to provide advice and experience and support to the council as it makes its deliberations and works toward its report in the summer of 2022.

That said, I know we have a number of other things that I wanted to touch on today, and one of them — I think we spoke briefly about it at the end of Energy, Mines and Resources debate the last time the minister was before Committee, and that is the successor resource legislation.

So, I know I expressed some concerns about timelines, but the minister did say that they were still on track to have a new quartz and placer mining act tabled in the Legislature in the fall of 2022, before the expiry of the CAS agreement. I'll go back to what the Chamber of Mines was asking the leaders in early May, and what they said was that, for successor legislation to be successful, industry — the Chamber of Mines — must be fully engaged in the process.

Can the minister tell us what the engagement is with industry and what the overall process that has been put together looks like, so that we have an idea of how industry's input will be taken, with respect to the development of this legislation?

**Hon. Mr. Streicker:** I'll have to look back at Hansard, but what I believe I said was that the process was on track at the moment, but that we had also heard from First Nations that they wanted to make sure that there was enough time to work through all of the questions in front of us, and of course I noted, I think, in my response, when we spoke a short while ago, that there was a clause in there to make sure that we had full engagement with our First Nation partners.

With respect to the mining industry and successor legislation, I know that I heard at the Yukon Forum, when we discussed this — I think it was two Yukon Forums ago — the table said to make sure to be very inclusive of industry, and that was good news. Of course, we believed that, so that was very welcome news.

We indicated that to the mining industry. We have set up a mining industry table. They had their first meeting some time ago; I think that their next meeting is coming up later this week, and I understand that the meetings are going well. I can also say that the mining industry asked if there could be some opportunities to have conversation across tables, and I think — we believe that is going to happen. We are working to realize that — so, it's underway and going well, as I understand it.

**Mr. Kent:** I thank the minister for that response. I will look forward to speaking to industry representatives at the upcoming Geoscience Forum about what their thoughts are

with respect to the development of the successor resource legislation.

Sorry, can the minister — he doesn't have to identify the individuals by name, but he can identify by organization. What industry, and then environmental NGO, organizations are represented? Sorry, if he mentioned this, but my understanding of this is that there are two separate working groups feeding into what will be some sort of a drafting of this legislation. Is there one that involves industry and then is there a separate one that involves environmental stakeholders and other stakeholders?

If the minister can confirm that, and if he can confirm — as I said, I don't need the names of the individuals, but perhaps the organizations that are represented.

**Hon. Mr. Streicker:** I may have to check in with the member opposite on part of the question, but I want to just correct something. I was wrong that the minerals advisory table was meeting for a second time later this week; they met for the second time yesterday, so they have already had their second meeting. The composition of the minerals advisory table includes reps from the Yukon Minerals Advisory Board, the Yukon Chamber of Mines, the Klondike Placers Miners' Association, and the Yukon Prospectors Association.

I will just now check on the other part of the question that I think I heard, but I'm not sure, which was about who was involved in the environmental non-governmental organization table — if I can just check on that.

**Mr. Kent:** It was my understanding that it was two separate tables meeting, and one is specific to the industry, and then there is another that one involves environmental NGOs and other stakeholders. I am just curious as to who was sitting at that table as well.

**Hon. Mr. Streicker:** On the environmental non-governmental organizations table, currently I understand that there are two groups representing it, and that is the Canadian Parks and Wilderness Society Yukon and the Yukon Conservation Society. As I stated earlier, we are working to have opportunities for those two tables to sit together and talk directly to each other to share concerns, ideas, and interests.

**Mr. Kent:** I am going to turn the minister's attention to the mandate letter that he was sent by the Premier shortly after he was named Minister of Energy, Mines and Resources. I am obviously not going to go through all of the things here, but I do want to touch on a few. Under the first bullet — I am on page two of it — "As Minister of Energy, Mines and Resources, you are to: Have a leadership role in ensuring that the commitments under *Our Clean Future* are realized including..." the following.

I just wanted to drop down to the third bullet there, which is "Expanding the range of professional development offerings to enable more Yukoners to participate in the green economy."

Can the minister expand on the work that he is either undertaking right now or is anticipating undertaking to fulfill that particular commitment in his mandate letter?

**Hon. Mr. Streicker:** I think there are a few ways in which we envision this happening. The work is in development. It is not all realized as of yet.

First of all, we're working with the Energy Solutions Centre around the suite of actions from *Our Clean Future* and identifying where there are areas for having continued professional development in the territory, which would be really good for trades and professions to have on this issue.

We've had some initial conversations with Yukon University about that type of development. We have met with the Canadian northern innovation in mining group. We've also met with the research chairs to talk about their work, and I think we will, as well, work with the Department of Economic Development to do a lot of work around professional development. It's a range of ways in which we see this unfolding over time.

That's sort of the rough outline.

**Mr. Kent:** I guess — sorry — that the minister had mentioned that he would be working with the Department of Economic Development. Other spots in the mandate letter where there is cross-departmental responsibility, it's identified, so it's not identified there with respect to expanding the range of professional development. I perhaps would have thought Department of Education or Yukon University, as the minister mentioned.

Can the minister just give us a quick indication on when he'll have some additional information on how they will expand the range of professional development offerings to enable Yukoners to participate in the green economy?

**Hon. Mr. Streicker:** What I can say is that the Energy branch offers services to trades and other professionals who are necessary for the success of its main programs, including a trade ally network, subsidizing building and transportation sector professional development courses, and projects and contracts that facilitate private sector participation in the green economy.

There is work happening now. We anticipate more.

Pardon me, Madam Chair, when I last rose, I misspoke. It is the Centre for Northern Innovation and Mining. I had the acronym wrong in my head.

The member asks about timing. I think, over the coming year, we will be developing this further, or building on the work that is already there, and enhancing it. I don't have a very specific timeline. I can say that we have made initial steps. For example, Deputy Minister Bailey has joined the Centre for Northern Innovation in Mining board. This is one of those ways that we will draw some connections between the Department of Energy, Mines and Resources and the university and professional development. There are several ways in which we have made our first steps. We haven't yet laid out a full timeline for the work that we anticipate, so I am unable to give a firm time commitment here today, but I do anticipate that we will continue to develop this into 2022.

**Mr. Kent:** I wanted to move down to the next bullet in the minister's mandate, which is "Begin work to consolidate elements of the Climate Change Secretariat with the Energy Solutions Centre within the Department of Energy, Mines and Resources with a goal of aligning climate change solutions and initiatives."

I am curious what this work will entail. Is that an actual — will the Department of Energy, Mines and Resources and the Energy Solutions Centre be taking over the role of the Climate Change Secretariat?

I am speculating now, so I will leave it to the minister to perhaps explain what exactly is meant by that bullet in his mandate letter.

**Hon. Mr. Streicker:** I thank the member opposite for the question.

Look, this is really more about trying to make sure that our teams are working well together and focused on solutions. It's not about moving the Climate Change Secretariat under Energy, Mines and Resources. What we are anticipating is co-locating these teams that are working — for example, the Energy Solutions Centre and the Climate Change Secretariat — and have them working closely alongside of each other. Partly, that could be physical, but it is more about making sure that their work is aligned.

It will also include, for example, some folks — or at least a couple of folks — from other departments, like Highways and Public Works, which has a strong lead, when you look through *Our Clean Future* as well.

The idea is that this is a very big step to try to shift the energy economy from fossil fuels. It is not done easily, and what we need to do is we need to have all these teams working more closely with each other so that they are aligned. We have also talked about making sure that there is a climate lens on decision-making, but this is really about — the mandate letter here is really talking about making sure that these groups are working closely together, and I know that I am working closely. It is just lucky happenstance that the Minister of Environment is also the Minister of Highways and Public Works, so that is a good alignment. We will be working together, and these groups will work together in order to maximize our ability to focus on solutions.

**Mr. Kent:** We will look to monitor how that rollout happens here over the next number of months and into the Spring Sitting; perhaps we can revisit it.

One of the other actions that the Minister of Energy, Mines and Resources has been tasked with by the Premier is to consider the recommendations from the mineral development strategy to determine endorsement and implementation, beginning with those that focus on successor legislation. Obviously, the mineral development strategy and recommendations were presented in April of this year. It is a fairly lengthy document with a number of recommendations, some of which are of concern to industry; some, I'm sure, are of concern to First Nations and other stakeholders.

I know that the minister, in the spring, spoke about — or perhaps even the last time EMR was up — the focus on the successor legislation, but can we expect a fulsome response from the minister and the Department of Energy, Mines and Resources with respect to the mineral development strategy and which of the recommendations are supported and which ones, perhaps, the government is not too enthusiastic about implementing?

**Hon. Mr. Streicker:** The mineral development strategy came up with — I think it was — in the neighbourhood of 125 recommendations. When we looked through it, about half of them have to do pretty directly or pretty cleanly with successor legislation. What we've said is that we would take that half and provide them — or address those ones first — but what we've also said is that, as we enter into working on successor legislation with First Nations, we're not prejudging where we will go through that process. We are open in our work with them to let the legislation evolve through the work of the steering committee, and the core group, and the tables that we have brought to try to provide feedback.

We're not going to say: "Yes, we're going to do this one, this one, and this one." What we could do is share the list of the 125 recommendations and our efforts to identify which ones we believe are relevant for the work that we're undertaking right now. What I want to make very clear here is that we are focusing on successor legislation. So, how these recommendations assist toward that — terrific. Those will be the ones that we look at first.

**Mr. Kent:** I would appreciate that list of the half that are under consideration. The minister has identified, I think, 125 different recommendations. So, the 60 to 70 or so, whatever number that is — if he would be able to provide us with that information, it would give us a little bit more certainty on which ones are being considered as part of this successor resource legislation review. The minister mentioned in his earlier response that he would provide that. I'm just kind of interested in perhaps a little bit of timing around when he believes that could be provided to the members of the House.

**Hon. Mr. Streicker:** I know that, based on the other day when we were here in debate in Committee of the Whole around Energy, Mines and Resources, there was a series of questions that the department is working on. They are working pretty quickly. We will get an answer fairly quickly, I'm sure, and we are happy to provide a written response about that list for all members of the Legislature.

**Mr. Kent:** I will jump ahead in the minister's mandate letter with respect to his role around increasing housing stock across the territory, developing new land parcels and lots, and innovative approaches. This is led by the Yukon Housing Corporation, and there is also the involvement of Community Services and of Energy, Mines and Resources.

The first bullet in there is releasing the 5<sup>th</sup> and Rogers land parcel to the private sector for future housing development. It was my understanding that there was some historic contamination on that site. Can the minister let us know, or perhaps direct us to the appropriate minister, whether that has been remediated and then perhaps a timeline on when he expects that land parcel to be released to the private sector for future housing development? The final question would be — and again, this might be for a different minister: How would he envision that release going? Would it be some sort of a public tendering or offering, or would it be a request for qualifications? There's any manner in which it could go, but we are just curious about what is being considered at this time.

**Hon. Mr. Streicker:** I will begin by saying that it is the Department of Environment that has the lead on the questions about contamination, but I will share that what the department helped us to understand is that the level of contamination now is such that you could reasonably deal with it through the development process itself. So, how you develop this city block — there is a way that you can do that such that you can deal with the contamination. That has changed things around 5<sup>th</sup> and Rogers.

We have had conversations with the city, of course. For us, the lead on the project at the moment is the Yukon Housing Corporation, as noted, I think, in the mandate letter. I can indicate that we have put out an expression of interest to the private sector previously, and I can say that I think what we're hoping to do is release 5<sup>th</sup> and Rogers as soon as we are able to. The goal is to try to catch the next building season, but there are certain things — for example, we just had a municipal election. It's important that we sit down with the mayor and council to make sure that we are still aligned. I think that, again, our lead on that work is the Yukon Housing Corporation.

**Mr. Kent:** I am just going to move into a few questions about local area planning — some of the sub-regional planning, the Beaver River land use plan, and some of the other sub-regional plans — I'm hoping for a little bit of an update on them from the minister.

Can the minister provide us with some status updates on the local area planning in Fox Lake, Tagish, and Marsh Lake? Is there any timing for completion of those plans that he could share with us at this point?

**Hon. Mr. Streicker:** I will give a partial answer, and I will hunt to fill in any gaps that I have left.

I heard a question about Marsh Lake. The Government of Yukon, Kwanlin Dün First Nation, and Carcross/Tagish First Nation are working to complete the Marsh Lake local area plan. First Nations are engaging with citizens on the draft plan. No surprise, Madam Chair, that the COVID-19 restrictions caused some delays affecting the timelines for the plan approval.

The past minister approved a request from the First Nations for the 2016 draft plan to be considered as a proposed planning scheme under the *Subdivision Act*. Kwanlin Dün First Nation has asserted impacts to aboriginal treaty rights related to an agricultural home site subdivision application on the M'Clintock Valley Road, and the Land Planning branch is consulting with the Kwanlin Dün First Nation on the application.

With respect to Tagish, First Nations in the Southern Lakes have expressed concerns and, in some situations, asserted impacts on aboriginal treaty rights related to subdivision applications and new agriculture developments. The Carcross/Tagish First Nation is concerned that land development and land use in the 10 Mile Road area may be impacting migration of the Southern Lakes caribou.

I will get an update from the officials here, because I know that we have the local area plan and we also have the Tagish River Habitat Protection Area. I will get another note on that.

**Mr. Kent:** I look forward to receiving those responses either today or in a legislative return or letter going forward.

I do have some questions with respect to the status of the Shallow Bay zoning — obviously an issue that the minister no doubt knows came up during the recent territorial election. My understanding is that there was a commitment — not made by the government but by one of the Liberal candidates at the time — for more consultation. However, there hasn't been anything engaged as of yet.

Can the minister just give us a status update on that Shallow Bay zoning and when we can expect additional consultation to occur or if there are plans for additional consultation?

**Hon. Mr. Streicker:** Madam Chair, one of the things to note is that we had a very high flood in that area this year. It changed some things for us. Because of the impact of flooding on the properties in Shallow Bay, as well as concerns brought forward by the Ta'an Kwäch'än Council, we are recommending a pause to the zoning regulation process. We do think that it is important to advance discussions with First Nations on land use planning in this area. We need to make sure that there are going to be some clear rules about development in areas at risk of flooding. We all know that this was a very high flood, but we also recognize that this may be more frequent due to climate change.

I know that the committee members and the Ta'an Kwäch'än Council have contributed many hours trying to resolve some very challenging land use issues, and we are committed to continuing to work with them and the community to understand and address the concerns that have been raised.

We have asked the Shallow Bay zoning committee to complete the "what we heard" report to share feedback received from community members on the proposed zoning that was presented to the community last winter, so that is what I understand to be the next step.

**Mr. Kent:** I will move the minister to the other side of Whitehorse now. I know that he was sent a letter dated November 1 with respect to the *Golden Horn Area Development Regulations* zoning committee and a public meeting.

The letter was copied to me, to the Leader of the Official Opposition, as well as to the Leader of the NDP. Both the Leader of the NDP and I gave notices of motion yesterday with respect to this issue. I am hoping that the minister can perhaps provide us with a bit of an answer.

Just for some background on this, the *Golden Horn Area Development Regulations* zoning committee was established in October 2020. They undertook a questionnaire and survey of local residents regarding a review of the GHADR. Fast-forwarding to now, they are planning to conduct further consultation with the community and are intending to arrange a public meeting in late November or December of this year. They were hoping that the new minister — obviously not as new as perhaps they think. They are requesting a review of the *Golden Horn Development Area Regulation* and seeking assistance from the Land Planning branch to undertake a public meeting to further consult with the community.

Sharing a lot of that area with the minister, as MLAs, we know that there will be very passionate thoughts put forward on

both sides of this issue, but I think that it is a reasonable request to have the department assist in helping them put together a public meeting to further consult with the community. I am hoping that the minister will be able to give us a response here this afternoon to this request put forward by the spokesperson for the committee who sent the letter.

**Hon. Mr. Streicker:** I sure noted yesterday when both the Official Opposition and the Third Party brought forward a letter or a motion referencing the letter.

I am happy to turn back to the department and just ask them to take another look at this. I will make sure to follow up with the committee that was struck last year. Of course, land planning brings a range of perspectives. It always does, but it is always better for us to sit down and work those things out. I think that is a good thing to do. I thank the member for his question and for his interest. I will ask the department to take another look.

**Mr. Kent:** I appreciate that from the minister. I will pass on the remarks from Hansard to the spokesperson who signed the letter. I am sure that he will hold your feet to the fire with respect to arranging those conversations and hopefully getting to a place where some of those conversations can take place.

I just wanted to ask quickly about the Beaver River land use plan. It has been three and a half years or so since it was announced. Obviously, there was a fairly major setback last year around this time, just after Geoscience, with respect to the denial of the permit for the tote road for ATAC. They put out a very strongly worded press release about whether or not the Yukon was open for business. We talked to the former minister about it.

I am just looking for an update. I believe I downloaded this on October 26. The last update was on May 20, 2021, on [www.yukon.ca](http://www.yukon.ca). The minister, I thought, indicated that perhaps they were looking at the spring of 2022 for completion. I will read what's on the website. It says: "The Government of Yukon and the First Nation of Na-Cho Nyäk Dun remain in regular contact and we anticipate an update in the spring of 2022." To me, that doesn't sound like it's any sort of draft plan or completion. Perhaps the minister can correct me if I am reading that incorrectly. I am curious where we are at with the Beaver River land use plan and access into that area north of Keno.

**Hon. Mr. Streicker:** There are several things that I will say on this question. I thank the member opposite for the question.

The first one is that, when the permit was denied, it wasn't denied because there was no plan in place; there were other reasons for that. I have indicated previously here that the target is to complete the plan in 2022. We remain committed to that target. In fact, I had a conversation with Chief Mervyn from the Na-Cho Nyäk Dun this past Friday. He also indicated his commitment, so we are supportive of our planners to try to finish the work. We are also staying in touch with ATAC as they have a strong interest on this file. The last that I have been advised is that our target is still for next year, in the spring. I would be happy to provide updates if that changes, but that is currently what I understand to be the target time.

**Mr. Kent:** We will stay on top of that issue, as well, as we have since it was first announced. I look forward to asking more questions about that as we move forward.

I do have one question related to agricultural land and the development restrictions — I think it was part of the agricultural strategy. I apologize, Madam Chair, agriculture is not my normal critic role within Energy, Mines and Resources, although it is an EMR responsibility. But those new agricultural land development restrictions were to have been implemented on April 1. However, it is my understanding from my colleague, the Member for Lake Laberge, that they were then paused and there was a commitment to consultation.

Can the minister provide us with a status update on that issue? I know that it affects a number of individuals in the Member for Lake Laberge's riding, but there is also agricultural land in my riding outside of the city limits, particularly on Gentian Lane and Venus and that area.

**Hon. Mr. Streicker:** What I understand is that, in the sequence of things, we had pulled together the agriculture industry to ask them about how we could develop this policy. They made recommendations to us. We went to initiate it, and then we started to hear concerns from other farmers across the board, and so I think we said, "Okay, hold on. If we have something wrong, let's take a moment and check back in." I think that our director of Agriculture is doing that work now — engaging back with industry — to try to see, if there are improvements needed to the policy, how those would be achieved. That's underway at this moment. I'm looking forward to hearing what that conversation yields.

**Mr. Kent:** I do have one final question on forestry for the minister before I turn the floor over to my colleague, the Member for Copperbelt North — the Leader of the Official Opposition.

We've talked a great deal about fuel woods and the challenge there, but there are also the challenges that the minister is aware of for some of the smaller mill operators. I know that he and his deputy have taken some time to visit the Creekside operation in my riding, and I appreciate that they did that. I know that they're in the process of putting together some supply to meet some of his supply shortages from different sources, but I'm kind of curious about the longer term implications. What are the longer term plans for some of these smaller selective harvest mills, like the Creekside Wood Supply mill, and where we are looking for some reliable and secure sources of the appropriate wood close to the Whitehorse area? I guess it would be part of the Southern Lakes plan that was announced earlier this year.

**Hon. Mr. Streicker:** There are several ways in which we are working over the medium and long term to try to address supply. I think that we believe that we need supply across all sectors, so that would include firewood, biomass, and timber supply. These are different things — of course, they are all forest, and overall, we have recognized — again, through *Our Clean Future* — that our forests are a tremendous resource, but they are also a risk if we don't manage them well.

One of the ways that we are looking at that is how we can align more closely with the Department of Community Services

in their work to do protection around our communities to make them safer from large-scale fires. What we want is — we look to see if we can turn those into opportunities. We have identified — we had a large plan that went forward in the Johnsons Crossing area, but through work with YESAB, it was not recommended, but I think we turn right around and sit down with the Teslin Tlingit Council and talk through where it might work and just get back to the drawing board with them.

I have had conversations with several chiefs in and around Whitehorse, and over to Champagne and Aishihik, to talk about wood supply and working through our forest resource management plans to try to identify those opportunities.

As I said earlier, when I have been asked questions on this, I think that we really want to identify all opportunities that are possible, because I think that this is an important sector in terms of how, if we don't address it, we risk increases, but also in terms of the types of opportunity that should exist for local entrepreneurship, local heat security, and local supply.

**Mr. Dixon:** I have some questions for the minister about the off-road vehicle regulations that were brought in earlier this year. As I am sure the Legislature is aware, the department brought forward regulations under the territorial *Lands Act* earlier this year. Those regulations limited the use of off-road vehicles in a number of ways.

There are currently three management areas in the territory that are used under this regulation. The first, of course, is Ddhaw Ghro and the HPA there. I don't think that this was a great surprise to anyone. The second one is the west Hart River landscape management unit off the Dempster, where previously the Dempster development corridor had limited access for ORVs already. The one that was fairly startling to a lot of people was the broad-based alpine area. The entire territory, anywhere above 1,400 metres or higher, is now off-limits for ORVs.

I have a few questions for the minister about that. The lack of communication about that regulation, when it came in earlier this year, really caused a lot of folks to be concerned, particularly in the hunting community, as there was a profound lack of information and communication from the government about this. A lot of hunters who asked the Department of Environment, or COs, about this realized that the Department of Environment had very little information about this and that, even though the regulation was from EMR, EMR hadn't really thoroughly communicated with Environment about it.

Likewise, the lack of clarity in the regulation itself makes it very confusing for someone to understand when they are on an existing trail or not. As anyone who has spent any time in alpine areas knows, you can easily be on a trail going up a hill, and then the trail will disappear and you will be going over some rocks or something like that, and you can very easily lose a trail.

A lot of folks have been concerned. They don't want to break the rules. They want to follow the rules, and they want to do their best to follow these rules, but unless you have some sort of GPS tool on you at all times, beeping or letting you know somehow when you reach 1,400 metres, it is very difficult for

an individual to know that, and it will be even more difficult for the NROs who are tasked with enforcing this regulation.

I would like to ask the minister about that. Why was so little communication done with the public about this? Why was there so little communication department to department? Who is actually going to be enforcing this, and how on earth are they going to enforce this regulation?

**Hon. Mr. Streicker:** I was thinking about this the other day. I don't use maps much anymore — not physical maps. I found one in my old camper van. "Oh, look. A map."

Nowadays, most people do use their phones. It's pretty typical. Typically, you have GPS in your phone, so I think there is some information out there. Of course, we want to help people to know.

One of the questions the member asked was: Who is going to enforce this? The answer is the COs. This is going to fall under their responsibility.

The Member for Copperbelt North talked about a lack of engagement, but I'm sorry, I have heard us talk about off-road vehicles for a long time — a very long time. I personally sat in on a whole bunch of meetings where that conversation was happening, and I get that it's challenging — how to limit things — for us, but this is pretty self-explanatory; it is a pretty straightforward thing. There is an elevation, and above that, please, no.

I could start to list off a bunch of the engagement, but there was quite a bit of engagement. This is where it landed — after all of that long engagement and conversation back and forth, we ended up with these three areas, as the member has noted. We also will begin now to allow the opportunity for renewable resources councils, the Fish and Wildlife Management Board, First Nations and other governments to be able to bring forward areas that they believe are sensitive to put into consideration as part of the process.

As well, there is work, as the Minister of Highways and Public Works and Minister of Environment has noted, to talk about the *Motor Vehicles Act* and its overhaul, and one of the pieces within that will be off-road vehicles. That work is coming as well. I am happy to answer further questions.

**Mr. Dixon:** Just so that I understand it, the minister is suggesting that hunters and users of the backcountry are required to self-enforce this, that they are required to carry a GPS and know at all times their respective elevations. That seems to be what he has suggested, and I know that there are many hunters in the territory, especially of the older variety, who don't use GPS on their phones and aren't as adept with the apps to allow for that, as perhaps the minister is. Even myself, Madam Chair — I often don't use my phone when I am in the backcountry, and so, I think that it is pretty easy to imagine a scenario where someone would be driving an off-road vehicle up the side of a mountain and unknowingly break the regulation by crossing over that threshold of 1,400 metres, without ever meaning to and without ever intending to, by simply following the trajectory of the hill, but it was very interesting to hear that the minister said that this is going to fall to the conservation officers to enforce, because that's not what conservation officers are saying.

They are saying that it is the natural resource officers under EMR who are going to be the primary enforcers of that regulation. I'm curious about the interdepartmental workings here, because my understanding is that conservation officers understand that they will have a role to play at some point but that they are secondary and that the primary enforcement for this is natural resource officers. I would like to ask the minister to clarify that.

I would also like to ask if there are any exceptions to this. Does this apply broadly to any ORV user, or does someone conducting business — for instance, if they are staking a claim and they are required to drive a post in a particular area, that could require them to go to a particularly high elevation to do so. There could be any number of reasons why a business, or someone conducting business, may need an ORV to go into an area that they have indicated in these regulations.

So, those are a few questions for the minister.

**Hon. Mr. Streicker:** First of all, the legislation sits with us. I thank the member for his question. The enforcement will include Energy, Mines and Resources natural resource officers and the conservation officers. They are both there. I'm not sure about the notion of primary — I think that both have this authority.

The thing is that usually it is the conservation officers who are up at elevation. It's not usually the natural resource officers who are up there. When it comes to this area — the elevation cut-off — we may find that it is more the conservation officers who are doing it, but they are going to be working together.

The overall goal here is about the fact that there is a spider web of trails that are happening across our territory. At elevation, they are slowly but surely causing damage. We want to work to stop that.

My experience with most ORV users is that they are completely responsible and that they will figure out where they can and cannot go. We will do our best to help them to figure that out — whether that is with digital tools or whether that is old-school maps. We will do our best to inform because people want to know. It is the folks who are not just inadvertently coming up over an elevation, didn't catch it, and are back down in short order. It's the people who are really driving up with disregard for the rules who are the challenge.

The member asked a very good question — talking about, if there was some industrial development or something happening at elevation, how these rules would apply. The department officials have said that they would get back to me with some notion about how the rules would apply against, say, the seeking of a permit to do some work that would include work at elevation.

I will have to get back to the member opposite about that to understand how that would work. The principle here is that we are trying to stop the spread of trails up in the alpine that are slowly but surely causing damage.

**Mr. Dixon:** In addition to the question that I had about the industrial users — and I appreciate the minister's willingness to get back to us. Could he fold into that request whether or not it applies to outfitters and their clients as well?

The regulation defines an “existing trail” as — and I will quote from it: “‘Existing trail’ means a trail on which off-road vehicles are or have been regularly used up until or on the date on which this regulation comes into force.”

The regulation came into force in January of this year, so, by that, my understanding is that you can still go above 1,400 metres as long as you are on an existing trail. An “existing trail”, as it is defined, is basically anything that has or could be a trail. I am wondering how that is going to be enforced. I think we have all been in places where you can see a couple of tire tracks, you can see an established trail, or you can see the folded-over brush from someone who has just punched in somewhere, and everything in between. I can only imagine the kind of debates and discussions that will happen on a mountain top when someone enforcing this regulation comes into contact with someone and asks them if they have stepped off an existing trail or not. Then, when they look at this definition to try to resolve that dispute, I think that there are going to be some debates.

I am wondering about the definition of “existing trail” and how the government seems to think that this definition is going to be sufficient either for the debates that will occur on the mountainside but also eventually in the case of a court challenge when one of these charges or fines — or whatever — are levied with respect to this regulation.

**Hon. Mr. Streicker:** I will say that we are happy to try to package up these questions to get a response and see. I will include in that industrial development outfitters and how we are going to distinguish existing trails and differentiate, but I just want to emphasize for a second that the purpose of this regulation is really about dealing with off-road vehicle users who really are flagrantly not abiding by the overall rules.

The broad base of off-road vehicle users are respectful of the environment, are trying to do the right thing, and, I think, will be happy to live within this new set of rules. I don't think that this is where the challenge is coming from. I think that it's coming with people who have really gone well off the path — that is where we will start to see our enforcement being needed.

I will get back to the member opposite with dealing with this suite of questions that he is posing.

**Mr. Dixon:** So, if the minister is going to get back to us, then I guess I will add to the pile and just ask him to confirm that I'm correct in suggesting that it doesn't apply to snowmobiles. I would also like to ask about the Hart River Road. My understanding of the rules on the Dempster corridor is that there is no ORV use on non-approved roads eight kilometres out from the centre line of the Dempster Highway for the extent of the Dempster Highway in the Yukon. However, as a result of this ORV management area created in the Hart River area, there is a new level put on that supersedes the development corridor for the Dempster.

As anybody who has been down the Hart River Road knows, at the end of that eight-kilometre limit where previously you were allowed to go off on ORVs after that eight-kilometre corridor, the road splinters off and there are many existing trails. I just want to understand that all of those existing trails can still be used, but now people can't go off beyond that. If the

minister can just confirm when he gets back to us about how that works in the Hart River area given the Dempster development corridor.

The final piece, I guess I would say — I appreciate the minister's explanation of the intent, and his explanation of the intent is exactly why I'm raising it. I think what has happened here is that they have used a very broad brush on a very wide-reaching regulation for a very discrete problem. I think that this is an example of overreach. I think that they have gone with a very broad brush here to catch just a few things. The result of this is that they are going to inadvertently cause a lot of well-meaning, responsible operators to be caught up and violate this regulation without really meaning to and without really doing any environmental damage.

That is going to present a real problem for enforcement and present a real problem for users of the backcountry who want to follow the rules and will be worried, from time to time, that they may inadvertently go offside of them.

That's why I wanted to raise it and note that there are some really difficult to understand aspects to this regulation, and that confusion, I think, hasn't been addressed through public communication. One only needs to look at the hunting regulations to see how short an amount of information exists in those regulations about this, and that's the primary document that people who use the backcountry look at — the hunting regs. There is a short little piece in there about ORVs and this new regulation. Having conversations with a lot of different people in the Department of Environment and in the CO world — they don't know, either. I think there needs to be better interdepartmental discussion about this, because if you go and talk to the COs and invite the Minister of Environment to do the same for his department, I think you will find that there is a lot of misunderstanding and a lot of discrepancy between these two departments about what these regulations mean and what enforcement is going to look like in the field.

I'll leave it there. I know the minister is going to get back to us. I look forward to hearing more about that, and with that, I think we are getting close to 4:00 p.m., so I'll turn it over to my colleague, the Leader of the Third Party.

**Hon. Mr. Streicker:** First of all, with the very explicit and technical questions about the Hart, yeah, for sure, we will wrap that up into the response. With respect to snowmobiles, I'll just quote from the information page: "Currently, snowmobile use in a designated ORV management area is NOT affected."

I hear the Leader of the Official Opposition saying that he has concerns about these ORV regulations. I don't think that they are complicated. I think that there may be lots of questions to resolve in helping people to abide by them, but I think that they are pretty straightforward. I appreciate that he has concerns, and I thank him for sharing those concerns, and what I will say is that I know that the departments are working on this, and we will again work with users. In my experience, the broad base of users will make sure that they are, by and large, following the rules. That is not what the purpose is here, and we will help them to do so. These types of regulations are largely here in order to help protect the environment, and that

is what this is about. Most ORV users I know of want to do the same thing.

**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 (Ms. Tredger):** Committee of the Whole will now come to order.

The matter now before the Committee is continuing general debate on Vote 53, Department of Energy, Mines and Resources, in Bill No. 202, entitled *Second Appropriation Act 2021-22*.

**Ms. White:** Thank you, Deputy Chair, and welcome back to the officials. I am excited that I have longer than 33 seconds in order to have our conversations today, so it's a pleasure.

The first thing I wanted to do was steer our direction toward Sunnydale, outside of Dawson City. In conversations with residents of Sunnydale, I have a series of questions for the minister. When the minister met over Zoom with residents of Sunnydale, they thought that possibly he didn't seem aware that the project was a three-phase project, with phase 1 being the development of three lots, to a total of 16 lots by the end of phase 3.

When the minister met with residents of Sunnydale, was he aware that it was a three-phase project, and if he wasn't, was he briefed on the full scope of that project?

**Hon. Mr. Streicker:** Yes, I think that the department did brief me, and I think that any appearance of not knowing on the Zoom call is my responsibility, but I do believe that the department had informed me.

**Ms. White:** Aspirational, for sure.

There was an exchange between the minister and I in letters. I sent one on August 25, and the minister responded to me on September 21. We were talking about Sunnydale. In his letter to me, he references a contract going to a company called CryoGeographic Consulting of Whitehorse, when he was talking about permafrost. A resident of Sunnydale actually called that contractor to have a conversation about the road, to discover that the person who did the assessment actually was a soils expert, but not permafrost.

I wanted to know if permafrost holes had been drilled in the proposed road location and the proposed lot locations.

**Hon. Mr. Streicker:** That is a pretty technical question. The deputy minister has just advised me that we will check in with the department to try to get a response.

**Ms. White:** I appreciate the answer from the minister and his answer from his deputy, but I will just get them on the record, so, at any point in time, the minister can just let me know that the information is forthcoming.

One of the reasons why it is important to have the full understanding of the permafrost is that one of the concerns that has been highlighted by Sunnydale residents is with the proposed road location. Their understanding is that there are

permafrost issues, so it's making sure that the department is making decisions based on permafrost, and not soil, so that's the important thing.

A Sunnydale resident was told by a representative of the department during their meeting that the road construction has started, so it might as well finish, and they'll see what happens. Is that also the opinion of the minister — that we should build the road and just see what happens?

**Hon. Mr. Streicker:** When you are building roads, I think you have to care about permafrost, and I think you have to care about soil; I think you have to care about both. That's the first thing I want to say.

I heard some concerns that were raised by the folks from Sunnydale. I spoke right after the call with the assistant deputy minister. There were things that we agreed to follow up on. What I said to the folks in Sunnydale was: Let's take a look at those concerns that they have that are specific to — gosh, I'm trying to recall the exact wording that I used. I said to them that I thought we should focus on those issues that were specific to this location and not a concern about agriculture generally and that, overall, we wanted to develop land for agriculture broadly and that I didn't want to get into too much of the argument about whether that is a good thing or not. Generally, they said they were supportive of that.

We tried to focus on those specific things around this location that would be pertinent. One of them was road stability and downslope impact. That definitely was one of the things that we discussed. I'm happy to follow up.

**Ms. White:** I do appreciate that answer from the minister.

I guess one of the issues that continues to be highlighted in my communication with Sunnydalers, as they refer to themselves, is their knowledge and understanding of the area compared to that of the Agriculture branch. I think it's really important to note that no one disagrees that we should be developing agriculture lots, including Sunnydalers. They aren't saying that it shouldn't happen. They aren't saying that it's a bad idea.

One of the things I did highlight in my letter was the importance of land-matching. So, one of the — and I said in the letter that one great thing about this project was that — I guess I could quote myself. In the letter, it says: "The great news about these proposed changes is that it has really encouraged the residents of Sunnydale to look at the proposal and seek viable alternatives that could be implemented instead."

So, it really got Sunnydalers talking, and I think that is a really important thing, especially when we talk about a little removed — a little bit more remote.

So, they go on to highlight that, in the Sunnydale Valley alone, there are existing agriculture lots where farmers are retiring, where they have worked really hard. They're kind of tapping out just because, as we all know, it's incredibly hard work to be a farmer. Their land was already cleared, the roads were already in place, some of the necessary infrastructure is already in place or has been built — no need for a new road or new development — and it goes on. And they said land-matching. This has worked in other jurisdictions.

So, just a quick question before I ask additional questions: Has the minister been working with residents of Sunnydale as far as land-matching options in the Sunnydale Valley?

**Hon. Mr. Streicker:** The way the member asked it was whether "I have". I think she is likely meaning the department. What I said to the folks when we were there is, yes, these are great ideas. When you think about solid waste, you reduce, reuse, recycle, so you should start with reduce. I think the ideas that were being brought forward were how to squeeze more out of the land, sort of like this reuse side, and a little bit of reduce. I said to the folks at Sunnydale that overall, across the Yukon, we wish to double our agricultural production and then do that again.

I think these are great ideas. I appreciated hearing them all. As the Member for Takhini-Kopper King has noted, it was great to get the folks from Sunnydale talking about these creative ways to get more out of the land. Terrific. I think we will need to develop new agriculture land across the Yukon. The question here is whether this is a good location. As I say, the folks from Sunnydale raised some concerns that are important to take a look at.

We want to maximize the use of our existing land, and that is where I thought these suggestions were terrific, and we will also want to develop some areas, as we continue to increase local food security.

**Ms. White:** I agreed on a lot of the points.

One of the concerns that Sunnydalers have raised about the proposed lots — it's not so much that it's a leasing agreement. That is fine with them. They agree that land belongs to the commons. Some of the concerns were that the ability of those lots to actually produce, knowing that the smaller zones were being targeted for new farmers — which is how some of the language was used. They had concerns about the viability of those lots.

Has the department — and just to agree with the minister, I refer to him as the minister — top of the pyramid — he has lots of able staff in different parts, but ultimately, it comes back to the minister, who I get to have the conversation with.

One of the concerns was, for example, the viability and the value of those lots, as far as agricultural development.

What work has the department done to make sure that the lots that are being proposed in Sunnydale are actually going to be sufficient to sustain themselves? Are they producing — will those lots produce?

**Hon. Mr. Streicker:** First of all, again, the meeting I was at — and some of the Agriculture branch folks were there with me, and we heard the concerns that were raised by Sunnydale, and we are working to respond to those concerns — listened to them.

The Member for Takhini-Kopper King asked about the viability of the land itself, and I would have to go back and check through technical notes, but my understanding is that there is a classification rating system on how productive land is, and this was definitely not the top, and it was definitely not the bottom. I would have to ask the department again, but I seem to recall a discussion about four or five, but the problem is that is out of context for me, at this moment. When the

department advised me, they basically explained to me that this is not the best land, but it is a class that we use across the territory for developing agriculture projects.

**Ms. White:** I thank the minister for that, appreciating that it is not the best or the worst and somewhere in the middle. Again, I will highlight the opportunity for land-matching of those lots.

There is concern with Sunnydalers that the government has recently approved the subdivision of a very fertile piece of proven agricultural land in Sunnydale for the purpose of creating residential lots. Is the government working with existing landowners to create strictly agriculture lease lots, or can they expect other agriculture lots to be subdivided into residential lots?

**Hon. Mr. Streicker:** I don't know the specific area that the member is asking about, and if she can assist me in knowing that, it would help.

There are a couple of principles at work here. First of all, we are definitely looking to develop residential land for building homes. It is not our preference to take away agricultural land to do that. There are times when that is what happens — sometimes when landowners propose it. I don't know the specific example that is being referenced, but I'm happy to look into it. I would need to ask the department about the specifics of the piece that we're talking about, and then I would be better suited to respond about what the motivations were behind that work.

**Ms. White:** I thank the minister for that. From my perspective anyway, what seems to be one of the problems is the lack of communication between Sunnydalers and the department. The fact that there is a long history — it starts off with the initial plan, I believe in 2015, and it talks about the YESAB assessment. From the point of view of residents, the initial assessment was done by YESAB in 2015 when the project was only going to be three large lots. To the best of their understanding, there has been no other assessment from YESAB since, even though the project is now a three-phase, 16-lot project. There are 16 lots cleared and 16 more individuals and possible help using the road. It is different infrastructure — all those different things.

I think that when it comes down to it, Sunnydale has really asked for the ability to communicate with government and they feel like they haven't had that opportunity. An example is a meeting being scheduled for September 20, which was the federal election day. There was a listing in the newspaper for a location that didn't exist. It was outside, and 16 people still showed up in the snow. To the best of the understanding in Sunnydale, TH still has not really been engaged.

I just saw the minister looking to the official. I can explain the location. There was a meeting published in the *Klondike Sun* held for a location that does not exist as it was described. I will just look at that.

I guess the question for the minister, at this point, is: Has the department reached out to TH directly about the development in Sunnydale?

**Hon. Mr. Streicker:** A few things I will add — I'm just going to go back for a second. I received a note talking about

the class of land. The best land that we have in the Yukon is called "class 4" land. Typically, though, what we have is called "class 5" land, or the classification — the lower the number, the better. So, this is class 5 and that is typical for the Yukon.

We totally recognize the importance of getting input from local folks. When I was on, as minister, I was invited to talk with folks and we had a Zoom meeting, and they expressed to me their concerns around communication. I offered to stay engaged a little bit more to assist to make sure that communication was going well. But I have to tell you, Deputy Chair, that in my experience with the department and the people whom I have worked with, they do care about the public and what they have to say about these issues. I have seen them generally working hard to engage. If there was some misstep around informing people about a meeting, I apologize for that and I will take responsibility for it. But what we said in the Zoom call when we met with residents is, "Okay. Thank you for those concerns and let's try to address them."

With respect to talking with Tr'ondëk Hwëch'in, first of all, there were some reps from Tr'ondëk Hwëch'in on the Zoom call. I think that this started back — I don't know. This has probably been ongoing for about eight years — or maybe seven years — where there has been work to do this development.

Definitely Tr'ondëk Hwëch'in has been involved in that all along, and that work is ongoing. I don't happen to know if there was follow-up following the meeting with Tr'ondëk Hwëch'in, but they were at the meeting, along with folks from Sunnydale.

**Ms. White:** I thank the minister. I never meant to insinuate that folks in the Agriculture branch don't care; it's not that at all. I don't have the ability to talk to them directly, because of the way that his governments have set up the ability for elected members of opposition parties to speak directly with departments — I am not allowed.

I can tell you that Sunnydalers care, because they reach out to me. I am sure that people within the Agriculture branch care — when I get to see them at things that we are invited to, So, because it's a public thing, I absolutely know that they care. That's not what I am insinuating. I am insinuating that Sunnydalers have a lot of opinions and a lot of concerns, and they don't feel that they have been heard, and that is problematic.

I was referencing an invitation that was published in the *Klondike Sun* for a public information session on Thursday, September 23, between 12:00 and 2:00 at the West Dawson campground. There is no such thing as a West Dawson campground. That was the point that Sunnydalers had made. They said that, despite all those things, despite it being in the middle of a workday, despite it being zero degrees with snow, 16 people attended the meeting. So, Sunnydale cares — it cares very much.

I guess I would urge the government and the departments today to continue those conversations with Sunnydale. Ahead of going forward with the construction of the road, maybe find out if there is local knowledge. We talk all the time about the importance of traditional knowledge and local knowledge, and I would suggest that this is not a location that's any different.

I'll leave it at that, but in his response to me, in his letter, he says, in 2019, that the Yukon government hired local contractors to explore the issue in the Klondike and the Whitehorse area of agricultural land-matching. He said that the need has been confirmed, potential matches have been identified, and the legal land-matching agreement documents are being developed. So, can I get an update on the legal land-matching documents that were referenced in September?

**Hon. Mr. Streicker:** I thank the member for her comments, and I will pass across to the department her compliments to them. In the times that she has been engaged — I know what she is saying about the challenge, or the inability, to talk directly with department officials. I'll let her know that it is also true for me. There are times when I am allowed to do it, but there are times when I am not, so usually the route is to talk to the deputy minister, and then it works its way down, and that's the system that we have.

I have seen it go sideways in other situations, and I understand why it's there, and I actually support it, but as a person who loves chatting with people — and I know that the member opposite has that same interest — I feel the challenge she is describing.

I will have to get back to the member opposite about an update on the matching. I thank her for the question, and I look forward to providing some information for her.

**Ms. White:** I thank the minister. I am indeed a chatty individual who really likes to know what is going on and what people are passionate about and what they are doing in their jobs. So, it's true, but I don't have the opportunity to dig in and find out. I think sometimes it can just be a misunderstanding between two sides. "Lost in translation", as they would say.

I did have the good fortune this year to attend a tour from the Yukon Agricultural Association around farms in the Takhini Valley. As the minister can guess, my next question is going to be about elk and elk fencing.

Doing the tour of those farms was really important, because it gave a layperson like myself an opportunity to see the damage that is done by elk and have a better understanding of how that affects farmers and their peace of mind and their ability to farm. One of the solutions that Yukon government has is subsidizing elk fencing, so I would like to know how much the government has spent so far on fence subsidies this year.

**Hon. Mr. Streicker:** I will have to reach into the department to try to get a number for the current year that we are in. What I can say is that, in the past eight years, we have provided \$350,000 to support preventive measures and compensation. This year, there was an additional funding program of \$225,000 established to support the construction of exclusion fencing on properties in the eastern buffer zone.

But I will have to ask the department to inform me how much was spent this year, and I will make sure to get that across.

**Ms. White:** I thank the minister for that answer.

Again, this spring, I had the pleasure of touring with the deputy ministers of both Environment and Energy, Mines and Resources. Unfortunately, you, as Minister of Energy, Mines and Resources and the Minister of Environment, were unable

to attend. Have the minister and his colleague made plans to visit the affected farms inside the core and buffer elk zones?

**Hon. Mr. Streicker:** Yes, I think I have noted previously here in the Legislature that, on that day, it just happened that I was also meeting with several chiefs in Dawson, and it was just unfortunate that I couldn't make it.

We did sit down with the Agricultural Association and had a conversation afterward. I have had a few conversations with farmers; I have a few more on my list to get to. I will be happy to tour at some point. We don't have a plan in the works at this moment, but I think that it is important to have these conversations — and they are ongoing.

**Ms. White:** I appreciate that the minister at the time was unable to — I mean, it makes sense to me that sometimes it doesn't work out, but are there plans to visit those affected farms?

**Hon. Mr. Streicker:** As I just indicated, we don't have a date set. Following that original tour, there was an attempt to set up another time, but it just didn't work out at that point. I remain open to this issue, this concern, and would I be willing to go to visit farms? Yes, for sure. I think that it is important to go there and see the place and to talk to folks on their farms. I think that is always a good idea.

**Ms. White:** I thank the minister for that. I think that it is really important to see what has been done and what works and what doesn't work. I mean, seeing a fence — essentially an elk barrier — that runs down a very steep hill, and a farmer's effort to keep the elk away from their herds, is really eye-opening. Understanding the challenges of what that would have been like to build, it is eye-opening — understanding that, right now, farmers don't feel that the solutions government has put forward work.

I think that this is an important point. Typically, farmers wouldn't be people who would look to or reach out to the Yukon NDP to talk about their issues, but they have. That is an indication that things are not going very well.

Does the department have plans to review the elk-agriculture conflict hunt and make it work for farmers? What they say over and over again is that it currently does not work in the way that it is presented.

**Hon. Mr. Streicker:** First of all, just going back to the earlier question about how much has been spent, currently, it looks like we have spent about \$110,000 on elk fencing so far in 2021, but there is an anticipation that this number will get up to about \$150,000. All of the bills haven't come in, but that is what we are expecting to spend.

The initiative was proposed as a two-year initiative, and we are more than halfway through that two-year initiative. Clearly, the point was to see if it worked, then to pivot either to do something else or to enhance, or whatever it is. It was meant to be an interim measure and to assess how that measure was working. I completely understand that there are strong concerns on the part of farmers. I think that there are competing concerns that are out there, so one of those challenges is how we find a solution.

I have committed to the Yukon Agricultural Association to work with them toward trying to resolve this question. I don't

want to stand up today and say that we already have a solution. I don't think that it's there yet, but I will say — as I have said to farmers — that I want to work with them toward finding that solution, noting that there are competing interests at work here, but we definitely need them working with us to get to a solution for all.

**Ms. White:** I do appreciate that answer from the minister. His willingness to look into it and to work with farmers is important. It's important that, in *Our Clean Future*, we talk about northern food security. We talk about the importance of expanding our own ability to produce, and we have farmers on some the richest land in the outskirts of Whitehorse who are struggling because of the elk.

I was just on the Yukon government website where the number that is listed on that page is 300 elk, which means that, at this point in time, it's \$2,000 that the Yukon government has paid, per elk, to try to keep them out of farmers' fields; \$500 this year, if it's \$150,000. It's one of those things that bears questioning. If it doesn't work now, what's the next step?

Part of the reason to do those tours is that there is a farm that is on the way to Haines Junction. Last year, they had 75 elk at a time in the field, they were using the conflict hunt, and they had questions. What happens when all of those elk run into the road? They are right on the highway. Who is responsible for that? Recognizing that this may not be the solution — but keeping the animals in their field for the winter is definitely not the solution.

It's challenging. I think that it's really interesting that we introduced a herd species here. We went from the lone moose to the "like to hang out in a gang" elk, and that's a problem, I think. We have recognized now that this is not ideal. I'm glad that the minister is open and is going to work with the Yukon Agricultural Association because I truly believe that he also believes in food security, and let's get to it.

In the words of one of our favourite reporters from CHON FM, I'm just going to switch gears here. Can the minister give us an update on the status of the Wolverine mine and its remediation?

**Hon. Mr. Streicker:** Right now, the next sort of moment in time will be next month — sometime in December when PricewaterhouseCoopers will, I think, write a letter to the court, or respond to the court, for their review of the applications that were made when the request for proposals was put out. That is what is coming next. Currently, it is still doing maintenance remediation work up until that point.

**Ms. White:** Understanding that the Yukon government has now gone through the money that they had from the mining company, how much has the Yukon government paid to date to keep that mine in care and maintenance?

**Hon. Mr. Streicker:** We will work to get the aggregate total over time, but I can indicate for now that we anticipate expenditures during this fiscal year at approximately \$11 million.

**Ms. White:** I appreciate that answer from the minister, especially as there is a \$3-million expenditure in this supplementary budget. To know that we have brought up the cost of Yukoners paying to take care of a mine that has been

vacant, a mine where I spent a fair amount of time, to be honest, so I understand it in a different way —

What was the plan? During the briefing, we were told that there were plans for that mine to go on the docket for sale this year. Can the minister update us as to what that process looks like and give an expected timeline?

**Hon. Mr. Streicker:** That is what I was just referring to with the response that we anticipate from PricewaterhouseCoopers next month.

I will say, just as I am on my feet, that I am frustrated about this file. This is not how we wish to do mining in the territory and it reminds me every day, as I look at this file, about the importance of making sure that we collect an appropriate amount of security against the activities that are ongoing in our mines.

**Ms. White:** I absolutely agree, which is a nice entrance into the next question.

Can the minister walk us through how mining security is calculated for an operator of a mine site, and what staff or organizations are involved in that decision?

**Hon. Mr. Streicker:** I will give some of the background that the department shared with me, and then I will try to add a little bit to it as well.

The Government of Yukon determines and holds financial security for mine developments to ensure that any future environmental liabilities can be effectively mitigated. The amount of security is determined for each site based on approved reclamation and closure plans that are updated every two years and also updated whenever there is a significant change at the site.

I spoke some time earlier — it was when we were discussing the resource roads legislation, Deputy Chair, and there were questions coming from the Official Opposition about how we were going to calculate some of the maintenance dollars, and what I was talking about is this assessment matrix. The branch has tools that they use in which they judge the amount of dollars needed to reclaim and for closure. There is sort of a process by which it is used. I can say, as well, that the department is updating those reclamation and costing protocols and the guidance materials to ensure that each mine site's closure liabilities remain adequately secured.

Overall, we currently hold just over \$120 million in financial security for major mines and mineral exploration projects. That is largely the process. I am happy to answer further questions.

**Ms. White:** I thank the minister for that. One of the reasons I ask is that, in recent times, a recommendation had been made by a mining inspector as to an amount upwards of what was decided on by Yukon government. How was that decision made? How did a recommendation of \$12 million go down to \$1 million, and who makes that final call? If it is based on someone's professional expertise, how is something slashed in that way?

**Hon. Mr. Streicker:** There is a unit within government called the "major mines unit". This is work that they undertake all the time. It's a group of professionals, but they also bring in

expertise as they need it. It's not typically one person and their assessment.

I know that we are talking about the Brewery Creek mine site. I get that. There is a new company there called the Sabre Gold Mines Corporation. What I can say is that I heard, as did others, that there was a past employee who expressed some concern around these dollars. I asked the department to go in and take another look for me and to make sure that they felt that their assessment was correct.

They did that, and as I just indicated earlier in my previous answer, when there is a change at a mine site, then we will go back and check it. The \$10 million or \$12 million number was a number that existed back when the mine was much more active and there was work ongoing, but at the end of that, some materials had been covered over and protection had been put in place as part of the closure plan. Those things adjust what the level of risk is.

As an engineer, I know that you can get differences of opinions. Of course, you can. What I will say is that there is a pretty involved process about judging it. Where I feel that we have gone wrong in the past — there can be times when there have been some mistakes around that estimate for sure. The bigger issue, I think, is when there is political interference with those things and decisions are made to not collect security for some reason. That is when I think we have gone sideways.

In this instance, I appreciate that there is a person who has stated that they believe that the number is insufficient, but I have asked the department to consider it and to confirm their evaluation. I think that, for this site, their mining licence is currently set to expire on December 31, 2021, and that there is work underway to make sure that the closure liabilities are appropriate for that. That work is underway as we speak.

**Ms. White:** I am just asking the minister to refresh my memory. If the department had collected the full security asked of the Wolverine mine, would that have covered the \$11 million that the Yukon government paid this year?

**Hon. Mr. Streicker:** In some ways, some of these questions are “what ifs”. They are very difficult to answer. I can look back to see — and trust me, I will — what was not collected previously — as us, as a government, but under a different group. It's still our responsibility now to deal with the situation as it is. Events would have unfolded differently if we had collected the full security. I'm not sure that we are treating apples to apples at that point. But I will get the number of what the security had been assessed at and what was not collected and what our exposure was as a result.

**Ms. White:** I appreciate that from the minister. I guess the reason why I'm asking about securities and environmental liabilities is, you know — we just got a recent example of that number changing. Understanding that, under the devolution transfer agreement, Yukon is now responsible for any cost of any mine that opens, one would think that the precautionary principle wouldn't be a bad one to take, keeping in mind, of course, that we are working with companies that have those fundraising capabilities.

Just to follow up on the calculating of the security, when calculating the mining security, does the department ever take

into account the risk of the mine itself and the activity happening, or are there risks viewed that are associated with previous activity by operators or investors? So, is it that we just look at what is happening in the Yukon context, or do we look at what has happened outside of Yukon by those same operators or investors?

**Hon. Mr. Streicker:** First of all, with respect to Wolverine mine, I am advised that we assessed that we should collect \$35.5 million. What I'm told is that we did collect \$10.5 million — so a difference of \$25 million. Would that have made a material difference to cleaning up? Yes, absolutely.

The member has asked a really interesting question about how we assess the performance of companies outside of the Yukon, or maybe even outside of Canada, and then how we judge them here. I don't know of ways in which that is factored into security estimates, and I will ask the department to look into that for me. Of course, there may be other ways in which we consider those things. For example, I have said here in the Legislature previously that, whenever we talk to a mining company, we talk to them about connecting with the community itself, especially the First Nation, and then develop a relationship with them.

I know that when we see companies that do not have the ability to foster meaningful and strong relationships with First Nations, then that is a very hard road. We don't think that is a good way to work, so we talk about the environmental, social, and governance values — the ESG — for mines. Even though I don't believe that the mine, or a company's performance, outside of our jurisdiction is used as part of the assessment, there are other ways that, I think, we try to look at that.

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

There were two spills reported this year so far at Victoria Gold — one in March and one in June. The second spill was over 17,000 litres of a cyanide solution. So, we know that Victoria Gold was fined \$460 after a 70-litre spill back in March 2021. How much were they fined for the 17,000-litre spill in June?

**Hon. Mr. Streicker:** I will have to try to ask the department to get a very specific answer, but I just want to try to provide a little bit of an explanation about how this works. It isn't — \$460 is not a significant amount of money, but it does make a difference for a mining company that they are fined.

That starts to show up, and they are concerned and sensitive to these things. When our Compliance Monitoring and Inspections teams go in, there is a range of ways in which they work. If they see that the mine has had an accident, has worked to resolve that accident, and is coming up with a plan to deal with it and prevent it in the future, that's a very different thing than if the mine is dragging their feet or not trying to address the problem. We need to think of it as a series of escalating tools that our team has and can use to deal with these problems.

Generally speaking, the mines want to have a positive working relationship with our Compliance Monitoring and Inspection folks, because they know that they have to live up to the safety measures that are put in place to make sure that the environment is largely protected.

I don't think we should look at that fine as being something where, if we have a small cyanide spill, it should result in a fine, and if we have a bigger one, it should be commensurately scaled up. No, it's much more to do with what the conditions were that led to that spill. Did the mine act appropriately? For example, they are to report that spill — did that happen? How did they address the situation? Was it something that was within their control or not as much within their control? There are a whole series of factors that go into how the Compliance Monitoring and Inspections team works to make sure that there is an outcome for the mine that will, at all times, work to ensure that safety is upheld.

If the mine is working well and sorting it out, then the fine might be small. If the mine is not, we have much heavier tools that we can use, as necessary.

**Ms. White:** I do appreciate that answer from the minister. I guess the concern is that, we talked about the perception of Yukoners, so understanding that mining companies are working in the Yukon and accessing Yukon's non-renewable resources, and Yukoners see this happen — you know, it has happened twice, in a fairly short amount of time, and Yukoners are concerned that, although the minister says a fine is not great for a mining company, Yukoners look at the fee and say, well, it was \$460.

And so, I appreciate that one of the things that's going to be discussed — and was discussed — during the mineral panel conversation, and what will be discussed, probably, during the successor resource legislation, is making sure that fines and penalties are updated or more on point. But, in some cases — well, in many cases, poaching wildlife in the territory is a bigger fine than \$460. So, the perception of Yukoners is, if a mining company is fined \$460 for an infraction like this, does it change things?

Something that the Yukon Conservation Society has highlighted is that they have concerns that the second spill points toward a design flaw. So, it was under high pressure. It's great that it was in a lined ditch for part of it and that they only had to remove 176 cubic metres of fill — I think is what it says — but the point is that it's two times — it's two times — in a similar area. Does that highlight another concern?

Has the Department of EMR worked with inspectors and experts to assess how that happened, why it has happened twice, and how to prevent it from happening again?

**Hon. Mr. Streicker:** So, the answer is yes, there is work to try to take a look at it just to make sure that it is not systemic.

There are some active investigations underway by natural resource officers to follow up on potential licence contraventions. In July of last year, they were issued an inspector's direction to reconfigure and repair the performance problems with ditch A with the Platinum Gulch water management system and prepare a freshet high-volume management plan that addresses overall site freshet preparation. And then Victoria Gold complied with that direction. This is one from last year.

There are ones that are ongoing right now, and it's much more — like, the first step, whenever our inspectors show up, is to make sure that the problem is contained. The next step is

to make sure that the problem is being resolved. Then we get down into these questions that the member is asking about to try to make sure that the design of the system is appropriate.

I can say that the Mineral Resources branch has retained a technical expert to review the heap leach facility operations and cyanide management practices to ensure Eagle Gold's operations are consistent with international standards. The branch is working with the company to undertake the review, which will generate recommendations for Victoria Gold to implement. Yes, there is some work to look at it. I don't want to say that it is concluded that there were problems, but we thought it worth the effort to check to make sure.

In my experience, Victoria Gold has been doing the right thing in reporting the spills, as required, and have followed our recommendations on their need for cleanup.

I have had a couple of conversations with Victoria Gold about this and asked them a few questions. I just do that as sort of a matter of course to make sure that I am understanding their perspective on how this is working, as well as talking with the department.

**Ms. White:** Thank you, minister, for that answer. In understanding that he has had conversations with Victoria Gold about situations there, has he spoken to Alexco about their recent report — construction of settling ponds that weren't permitted, a sludge pond that hadn't been dealt with, and a non-sanctioned burn pile. I think one of the worst photos was the rubber gloves that were being used to stop a leak in a pipe.

During Question Period, I believe I was told that was a subcontractor. Does the minister reach out to all mine operations in the territory to see how it's going, especially after a negative report? Has he reached out to Alexco and had a conversation about what is happening there?

**Hon. Mr. Streicker:** I am sure I will at some point — I have not, as of yet, since I got that note — I don't know if it was a week or so ago.

The letter I received was using photographs that we had taken and then published for the public to be able to see. It was actually our inspectors who identified those issues. So, the system, as I understand it, is working appropriately well. Based on the question that was raised recently, I know that we have a legislative return coming, which is outlining a lot of the work around Alexco.

Again, when those things come to me, I am happy to talk with the mines to hear what they are saying about this. What I am looking for is that they are concerned and that they are addressing the issues. What I can say is that the report that the department has been drafting for me and sharing across — which is, I think, just about ready to be shared with others — is that what I hear is that, yes, there are issues that are there but that, over time, as issues are identified, they are resolved and that the mine then is working to make sure it has that sorted out, and if there are other problems that are identified, they work to resolve them.

Sometimes they are — let's call it — errors of operation, but sometimes they are just things that occur, like slumping or something like that. As I read through that report, what I saw was a process that, over a high level, is working to make sure

that the mine is kept operating safely, and an important part of that is our compliance monitoring and inspection team that works at those sites.

**Ms. White:** Thank you, Deputy Chair, and I thank the minister for that.

I think it's great that those photos were made public by the department; it should. I mean, it's the oversight. It is what we depend on as Yukoners to make sure we are protecting our Yukon landscape and that people who are operating here are doing so in a responsible fashion. I appreciate that it was made public; it is part of the importance of transparency as well.

I have a couple questions about the Dawson land use plan. Last fall, Yukon government submitted its conservation priorities map for consideration by the Dawson Regional Planning Commission as they developed the draft Dawson regional plan. The Tr'ondëk Hwëch'in First Nation also produced a map, showing substantially more conservation priorities than the Government of Yukon map. The Yukon government map excluded many areas known to have high conservation values, including the core habitat of the Fortymile caribou, and did not include a rationale for why areas were included or excluded.

Can the minister explain why the Yukon government didn't include the core range of the Fortymile caribou herd as having high conservation value?

**Hon. Mr. Streicker:** Right now, we are just partway through the process. The member is asking me about what was submitted originally. I have to look back to see what that was. I am sorry. I don't have that historic information. Even if I were to look at a map, I would have to start asking some more questions as well about how it was framed.

What I can say is that, since I have been working on this file and we saw the draft plan, which I think came out in June or July of this year, one of its suggestions for an area of protection — I can't quite remember the name of the land management unit, but it is the unit that has the Fortymile caribou herd in it. I know that we have had lots of conversations about seeing if there are ways to extend that and protect more area for the caribou — from our perspective but, of course, listening to others as well, such as the Tr'ondëk Hwëch'in and other groups within the public. There are conversations underway about the Fortymile caribou.

I think that the Minister of Environment would probably be better positioned to give the response about the Fortymile. It was his team that led the work around that issue, but we both sat in on all of the conversations that departments had raised about both conservation and development issues.

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

In my last question, I just want to go back to something that I referenced yesterday. The Minister of Energy, Mines and Resources is also the minister responsible for Yukon Development Corporation and Yukon Energy Corporation. Yesterday, I asked about the lot that is being cleared at the top of Two Mile Hill where the lumber has all been put into burn piles. Understanding that we are in a firewood crunch right now, I just wanted to ask if the minister has had any update on that.

The minister has suggested previously that his department could release smaller cut blocks that would be subject to less rigorous assessments. Has the minister made smaller cut blocks available to commercial fuel-wood harvesters this fall?

**Hon. Mr. Streicker:** I will let the House know that I did speak with the president of the Yukon Energy Corporation and the deputy minister yesterday about that clearing. I haven't heard back yet, but I did reach out.

The answer to the question is yes, we did work to release some additional cut blocks. For example, I can say that, while we were waiting for the Quill Creek YESAB application to see what would happen with that large cut-block area, the department put forward and got two blocks approved in the Haines Junction area, totalling about 4,500 cords, and another couple of blocks in the Fox Lake area, totalling about 1,500 cords.

I asked the department to work with the Wood Products Association to alleviate the crunch on firewood. There is more, of course.

I am being informed that the land that is cleared for the battery project is Kwanlin Dün land. I will have a conversation with Chief Bill as well, but I think that citizens are being invited to gather wood. I will check to make sure that this is how it is progressing.

Deputy Chair, seeing the time, I move that you report progress.

**Deputy Chair:** It has been moved by the Member for Mount Lorne-Southern Lakes that the Chair report progress.

*Motion agreed to*

**Hon. Mr. Streicker:** 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

**Ms. Tredger:** Mr. Speaker, Committee of the Whole has considered Bill No. 202, entitled *Second Appropriation Act 2021-22*, 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 House do now adjourn.

**Speaker:** It has been moved by the Minister of Energy, Mines and Resources that the House do now adjourn.

*Motion agreed to*

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

*The House adjourned at 5:28 p.m.*