



Yukon Legislative Assembly

1st Session

35th Legislature

Index to **HANSARD**

October 6, 2022 to November 24, 2022

NOTE

The 2022 Fall Sitting of the First Session of the Thirty-Fifth Legislature occupies two volumes

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2022 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 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	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
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' Safety and Compensation 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

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APPENDIX A

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Yukon Legislative Assembly

Number 75

1st Session

35th Legislature

HANSARD

Thursday, October 6, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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
Thursday, October 6, 2022 — 1:00 p.m.

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

I would like to begin the 2022 Fall Sitting of the Legislative Assembly by respectfully acknowledging all Yukon First Nations and that we are meeting on the traditional territory of the Kwanlin Dün First Nation and Ta'an Kwäch'än Council.

We will proceed at this time with prayers.

Prayers

Withdrawal of motions

Mr. 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, as they are now outdated: Motions No. 18 and 416, standing in the name of the Member for Whitehorse Centre; Motions No. 34, 82, 216, 220, 310, and 347, standing in the name of the Member for Kluane; Motions No. 39 and 62, standing in the name of the Leader of the Official Opposition; Motions No. 74, 139, 203, and 204, standing in the name of the Member for Lake Laberge; Motions No. 124, 125, 218, 351, and 352, standing in the name of the Leader of the Third Party; Motion No. 146, standing in the name of the Member for Watson Lake; Motions No. 171 and 360, standing in the name of the Member for Vuntut Gwitchin; Motion No. 217, standing in the name of the Government House Leader and on which debate adjourned on November 17, 2021; and Motion No. 263, standing in the name of the Member for Copperbelt South.

The following motions have been removed from the Order Paper as the actions requested in the motions have been taken in whole or in part: Motions No. 64, 247, 273, 353, and 406, standing in the name of the Member for Lake Laberge; Motion No. 120, standing in the name of the Member for Porter Creek Centre; Motions No. 238 and 260, standing in the name of the Leader of the Third Party; Motion No. 267, standing in the name of the Member for Pelly-Nisutlin; and Motion No. 291, standing in the name of the Member for Kluane.

Motion No. 413, standing in the name of the Minister of Justice, was removed from the Order Paper, as it is similar to Motion No. 427, which carried on April 28, 2022.

Motion No. 418, notice of which was given by the Minister of Highways and Public Works on April 28, 2022, was not placed on today's Notice Paper, as the motion is not in order.

Similarly, Motion No. 425, notice of which was given by the Member for Kluane on April 28, 2022, was not placed on today's Notice Paper, as the motion is not in order.

Motion No. 419, notice of which was given by the Minister of Highways and Public Works on April 28, 2022, was not placed on today's Notice Paper, as the motion is outdated.

Finally, Motion No. 423, notice of which was given by the Member for Kluane on April 28, 2022, was not placed on today's Notice Paper, as the motion is outdated.

Also, Written Question No. 22, submitted by the Member for Lake Laberge on April 28, 2022, was not placed on the Order Paper, as it is not in order.

INTRODUCTION OF PAGES

Speaker: It gives me great pleasure to introduce the legislative pages, who will be serving the House during the 2022 Fall Sitting. They are: Zayda Bilton and Bella Ganzer from St. Francis of Assisi Catholic Secondary School; Conrad Snowshoe and Sarah Cave from Porter Creek Secondary School; Alexandra Ibrahim, Sydney Sinclair, and Declan Wise from F.H. Collins Secondary School; and Paul L'Heureux from CSSC Mercier.

Today, we have with us Sydney Sinclair and Declan Wise. 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: I have a few folks in the gallery that I would ask my colleagues to help me welcome here today. We have Carly Carruthers, our president of the Yukon Liberal Party. We also have in the gallery Mike Pemberton and also, no stranger to the Legislative Assembly, Mr. Ted Adel. We have Clarence Timmons as well, I believe — maybe not; my eyesight is not that great these days.

I will say too, this brings me a lot of joy as well — I have in the gallery Aaron Casselman, who is my ministerial assistant, and his father, Dave, who is visiting from Alberta. It is really great to see you, sir. We also have in the gallery Renée Francoeur, who is with our communications staff. I had better get that name correctly because I kind of bungle it every once in a while because her mum is here — Mary Harris.

Thank you for joining us here and welcome.

Applause

Hon. Ms. McLean: It is really great to be back in the Legislative Assembly and to see so many people whom we all know. I want to ask my colleagues to please help me welcome two very special people in my life: my son, Jedrek Dendys — it is Jedrek's 23rd birthday today, so I just thought I would do a special mention of that — and my daughter, Bria Rose McLean. It is really great to have the two of you in the House today, so welcome.

I would also like to welcome Amy Ryder, my former ministerial advisor and now an employee for Air North. Welcome to all of you.

Applause

Hon. Mr. Pillai: I would also like to ask my colleagues in the Legislative Assembly today to welcome the team that is here from the Da Daghay Development Corporation. With us

today are Ben Asquith, Tiffany Eckert-Maret, Dakota Eckert-Maret, Aberdeen Broeren, Desiree Coad-Broeren, as well as Corey Reimer. These are folks who have been doing incredible work on wildfire, affordable housing, as well as innovation and investment in the Yukon.

Thank you for coming today.

Applause

Hon. Mr. Streicker: Mr. Speaker, I wonder if we could also welcome my colleague, Moira Lassen, who is in the gallery today.

Applause

Mr. Dixon: I would like to ask members to join me in welcoming Mel Brais, the president of the Yukon Party.

Applause

Ms. White: There is a person in the gallery who is not unknown to us all, but it is not often he sits as a spectator in the gallery; of course, it is the Deputy Sergeant-at-Arms, Joe Mewett.

Applause

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

TRIBUTES

In remembrance of Her Majesty Queen Elizabeth II

Hon. Mr. Silver: Mr. Speaker, today, I rise to pay tribute to Her Late Majesty Queen Elizabeth II and recognize her lifetime of service. On September 8, 2022, the world learned of the passing of Her Majesty Queen Elizabeth II. Throughout her 70-year reign, her Late Majesty Queen Elizabeth II served the United Kingdom, Commonwealth, and overseas territories with dedication and dignity. She travelled the globe and made it a priority to support causes that were close to her heart.

Her Majesty was patron to more than 600 charities and organizations, 36 of which were right here in Canada. These include the Canadian Cancer Society and also the Canadian Nurses Association. Her Majesty dedicated her life, as the longest serving monarch, to public service and helping Canadians and others, for which we are extremely grateful. Through our own grieving, individually and collectively, the world came together to pay respects to the Queen, and also the royal family, as one of the most-watched historic recent events in TV history. Her service impacted several generations, obviously, and demonstrated the depth and impact that Her Majesty had throughout her reign.

Her Majesty visited Whitehorse in 1959, and that was an historic event. Yukoners gathered with excitement to meet Queen Elizabeth II and Prince Philip, and that visit became a cherished moment in Yukon's history, and many still reflect on this with great fondness: their opportunity to meet the Queen.

She visited Canada more than any other country in the Commonwealth, demonstrating how important Canada was to her and how much she enjoyed our country and our culture.

As we mourn and mark her passing, and with the ascension of His Majesty King Charles III, this is a moment to reflect on the complex but important relationship between the Crown and indigenous people in Canada and here in the Yukon. We acknowledge that this relationship is part of Canada's painful history of colonialization. Here in the Yukon, we are committed to continuing the important work of reconciliation. We are encouraged that His Majesty has expressed that he is committed to working on reconciliation between the Crown and indigenous peoples.

His Majesty has also demonstrated a long-lasting commitment to his duty and has been a champion for our climate advocacy, including environmentalism and fighting climate change.

On behalf of all Yukoners, I extend our sympathies, once again, to all the members of the royal family. Her Majesty's legacy will forever be recognized in Canada, in Canadian history, and her visit to the Yukon, a very special moment for many, which will never be forgotten.

Thank you very much.

Applause

Ms. Van Bibber: Mr. Speaker, I rise on behalf of the Yukon Party Official Opposition to pay tribute to Her Majesty Queen Elizabeth II, and it is truly an honour. The history books will record September 8, 2022, as the date that Her Majesty Queen Elizabeth II passed away at Balmoral Castle in Scotland. Her death certificate states her given name, Elizabeth Alexandra Mary; her surname is Windsor; her occupation, Her Majesty the Queen.

Her reign of 70 years on the throne is unprecedented and unlikely to ever be repeated. As I had stated earlier this year, when I spoke to a motion regarding the Queen's Platinum celebration, she was a symbol of stability and grace. Even though we knew Her Royal Highness was the young age of 96, and she was not as agile as she was the months before, we were still surprised at her sudden passing.

On September 6, 2022, the Queen received the newly elected leader of the Conservative Party, Prime Minister Liz Truss, at Balmoral. Then her royal doctor stated she was under medical supervision and must rest. Two days later, the royal family, the Commonwealth, and many around the world mourned her passing, and we witnessed a genuine outpouring of grief.

The legacy of Queen Elizabeth II, as she adapted to the changes that kept coming with the decades, portrayed her dedication and the strength she needed to be the head of state. On September 19, after lying in state, the funeral at Westminster Abbey was held, and Her Majesty was laid to rest with symbolism and traditions that are marked only for a sovereign.

When someone dear to you passes, we have privacy and can be alone to grieve, if necessary. The royals have no such luxury, and with social and instant media, they have to shoulder the burden of being that public face of the Crown and be judged for every nuance of their behaviour. I personally wish them comfort and send them prayers.

The Yukon Party Official Opposition, again, sends our sincere condolences to her family, her children, her grandchildren, and all her royal family. The heir and first son of Her Majesty, Charles, then Prince of Wales, has now ascended the throne as King Charles III.

God save the King.

Applause

Ms. White: Mr. Speaker, I stand on behalf of the Yukon NDP to mark the passing and the life of Queen Elizabeth II, the United Kingdom's longest serving monarch, who died peacefully on September 8, just a few short weeks ago.

Canada and the Yukon have a long, shared history with Queen Elizabeth. Many Yukoners grieved her passing, and others had conflicted feelings about the relationship between First Nation people in the Yukon and the monarchy she represented for so long.

The Queen came to the throne in 1952 and, in the seven decades that followed, she witnessed enormous social change, not just around the world but right here in Canada: the continuance of residential schools, the Sixties Scoop, missing and murdered indigenous women and girls, and other awful things. I know that we as people grow and we change and we evolve, and I hope that to be true for the most powerful woman in the world.

In her last official statement, the Queen offered condolences to the families of the 10 people who died during the horrific mass killings on the James Smith Cree Nation. The Queen of England showed compassion to a small rural First Nation located 58 kilometres east of Prince Albert, Saskatchewan that most of us couldn't point to on a map. She went out of her way to extend her condolences to those suffering a loss. This was a small step toward a better path — the path of recognizing colonial harm and fostering the intent of reconciliation.

There is a real opportunity for the new reigning monarch, who is the symbolic head of the Anglican Church, to take responsibility for its role in the genocide of Indigenous peoples and the failure to fulfill agreements made with the Crown under treaty, to truly honour truth and reconciliation.

No matter how people remember Queen Elizabeth, her seven decades of public service is unmatched in modern times and a remarkable feat. Throughout this Queen's reign, she was an influential role model for generations of women who will be remembered for normalizing and evolving the perception of strong female leadership.

Mr. Speaker, this is the end of an era and an opportunity to go forward in a good way.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under tabling returns and documents, the Chair has for tabling *Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees*, dated October 6, 2022; *Report of the Auditor General of Canada to the Legislative Assembly of Yukon — Yukon Housing — Yukon*

Housing Corporation — Department of Health and Social Services, dated May 25, 2022.

Are there any further returns or documents for tabling?

Hon. Mr. Silver: I have for tabling a ministerial statement on inflation that the opposition didn't want you to hear today.

Mr. Cathers: I have for tabling today a letter to the Minister of Justice regarding federal firearms legislation, Bill C-21, and I would also note, just for the record and for Hansard, that the enclosure referenced in the letter is a copy of the National Police Federation's position statement on firearms issued in November 2020, which I previously tabled here in this Assembly.

Hon. Mr. Clarke: Mr. Speaker, I have for tabling three legislative returns.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Mr. Dixon: Mr. Speaker, I have for tabling the third report of the Standing Committee on Public Accounts, dated September 26, 2022.

Hon. Mr. Clarke: I have for tabling the fifth report of the Standing Committee on Appointments to Major Government Boards and Committees, dated August 22, 2022.

Speaker: Are there any further committee reports to be presented?

Are there any petitions to be presented?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 206: *Second Appropriation Act 2022-23* — Introduction and First Reading

Hon. Mr. Silver: I move that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Premier that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 206 agreed to

Bill No. 305: *National Day for Truth and Reconciliation Act* — Introduction and First Reading

Ms. Blake: I move that a bill, entitled *National Day for Truth and Reconciliation Act*, be now introduced and read a first time.

Speaker: It has been moved by the Member for Vuntut Gwitchin that a bill, entitled *National Day for Truth and Reconciliation Act*, be now introduced and read a first time.

Motion for introduction and first reading of the Bill No. 305 agreed to

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

NOTICES OF MOTIONS

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

THAT, for the duration of the 2022 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 video conference, notwithstanding Standing Order 8 or any other Standing Order, and by video conference shall:

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

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

(3) be permitted to participate in counts in Committee of the Whole notwithstanding Standing Order 44 and Standing Order 44.1;

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

(5) 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*.

I also give notice of the following motion:

THAT, for the duration of the 2022 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 that the Legislative Assembly meet virtually via 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.

I also give notice of the following motion:

THAT, for the duration of the 2022 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.

I also give notice of the following motion:

THAT the Yukon Legislative Assembly, pursuant to sections 2 and 3 of the *Ombudsman Act*, recommends that the Commissioner in Executive Council appoint Jason Pedlar as the Ombudsman of the Yukon for a term of five years, effective October 14, 2022.

I also give notice of the following motion:

THAT the Yukon Legislative Assembly, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, reappoint David Phillip Jones, QC as a member of the Conflict of Interest Commission for a three-year period, effective November 1, 2022.

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

THAT this House urges the Minister of Highways and Public Works to:

(1) review the penalties associated with drivers failing to respect the flashing lights and stop signs mounted on school buses that are intended to keep students safe; and

(2) implement the recommendations from *Strengthening School Bus Safety in Canada*, a report of the task force on school bus safety, issued in February 2020.

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

THAT this House urges the Yukon government to support the valuable work of the Golden Age Society by entering into a multi-year agreement to assist them with core funding.

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

THAT this House condemns the actions of Hockey Canada in response to the allegations of sexual abuse and urges Yukon hockey organizations to reconsider their affiliation with Hockey Canada.

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

THAT this House urges the Yukon government to recognize that over one-fifth of Yukoners are without a family doctor by taking action now to improve physician recruitment and retention initiatives and to support doctor recruitment efforts by the Yukon Medical Association.

I also give notice of the following motion:

THAT this House urges the Yukon government to ensure that territorial policing resources are not diverted to assist in the implementation of the federal Liberal government's flawed gun buyback program.

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

THAT this House urges the Government of Yukon to provide funding to Yukon municipalities to help them address the financial impacts of the public health restrictions during the COVID-19 pandemic, which included loss of municipal revenue and increased operational expenses.

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

THAT this House urges the Government of Yukon to work with other levels of government, tourism stakeholders, and the Canada Border Services Agency to:

(1) determine appropriate opening and closing dates for Yukon-Alaska border crossings for the 2023 tourism season;

(2) determine appropriate operating hours for Yukon-Alaska border crossings that reflect the needs of Yukon and Alaska tourism; and

(3) establish stronger communications between border operators, contractors, tourism operators, and governments about the ongoing operation of the Yukon-Alaska border crossings.

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

THAT this House urges the Government of Yukon to work with the City of Whitehorse to examine the feasibility of increasing the number of residential suites allowed in commercial or industrial buildings.

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

THAT this House urges the Government of Yukon to discontinue plans to close rural transfer stations and to meaningfully consult with affected communities about plans to change solid-waste operations in those communities.

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

THAT this House urges the Government of Yukon to recognize and support the global feminist protests led by Iranian women in solidarity with Mahsa Amini.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide further inflation relief for Yukoners in the form of:

(1) a one-time payment of \$500 for every individual and household who earns less than \$70,000 annually;

(2) an income-tested amount for households earning between \$70,000 and \$100,000, up to \$250;

(3) an increase in the Yukon child benefit up to \$173, and indexed to the rate of inflation going forward;

(4) a \$300 monthly increase to social assistance rates; and

(5) a comprehensive social assistance review of the rates started by January 1, 2023.

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

THAT this House urges the Government of Yukon to work with the Vuntut Gwitchin Government to plan for and provide a safe home for children and youth in the community of Old Crow.

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

THAT this House urges the Government of Yukon to update *Our Clean Future* to include recommendations from *Climate Shot 2030*, such as the actions in *Our Clean Future* will reduce the Yukon's greenhouse gas emissions by 45 percent from 2010 levels by 2030.

I also give notice of the following motion for the production of papers:

THAT this House do order the return of a written response to each of the leadership and capacity-building recommendations contained in *Climate Shot 2030*.

Speaker: Is there a statement by a minister?

This then brings us to Question Period.

QUESTION PERIOD

Question re: Public sector growth

Mr. Dixon: In the lead-up to the Fall Sitting, the current Premier has touted Yukon's economic growth as one of the highlights of his record and one of the things he is most proud of. However, what he leaves out is where the actual growth has occurred. There is no doubt that there has been job growth in the Yukon since he took office, but what he neglects to mention is that the growth has occurred almost entirely in the public sector. This unsustainable ballooning of the public service has come at the cost of the private sector.

Does the current Premier recognize that the dramatic increase in the size of the public service that has occurred under his watch is unsustainable and actually serves to hamper the growth of the private sector?

Hon. Mr. Pillai: I think it would be important to point out that we have seen growth across many sectors. Of course, when you look at our contribution, province by province right now, and you look at our per capita input, when you think about mining and what we've done as an economy, we're fourth in the country, leading almost all provinces, I believe, except for Alberta.

Today, we had good numbers that also came out, based on what our compensation is, not just for the public sector, but for the private sector, in those numbers across the board.

Again, we have seen growth in the mining sector. We have seen, up until COVID, some very strong growth and strong numbers in the tourism sector. There is a really diverse sense of growth across many, many sectors. I think that the comments from the Leader of the Opposition are accurate, that it wasn't just one particular area of the economy, but we have seen some strong growth. Of course, that has led to the population growth in every province and territory in North America.

Mr. Dixon: My question was for the current Premier, not the presumed future Premier.

The data from the Yukon Bureau of Statistics paints a stark picture of the current Premier's job record. When he took office in December of 2016, total employment for the Yukon was 21,500. Of that, 8,600 jobs were in the public sector. Fast-forward to now, in August of this year, total employment was 24,100. Of that, a shocking 11,000 jobs were public sector employees. That means that, of the 2,600 new jobs created since the current Premier took office, 2,400 of those jobs are in the public sector and only a few hundred are in the private sector.

Does the interim Premier recognize that his legacy is big government squeezing out the private sector?

Hon. Mr. Silver: The Leader of the Official Opposition has been proven unreliable and now he is saying that basically every government job in the Yukon is a Yukon government job. Those numbers are all governments right across Yukon, for the record, just so he knows.

In the 2022-23 main estimates, we are reporting 5,421 full-time equivalent jobs here in this Government of Yukon. They are all very dedicated public service employees. In our Supplementary No. 1, there are absolutely no additional FTEs; however, due to increased fire activity in the territory, there will be some additional overtime cost overruns.

We are fully committed, Mr. Speaker, to providing transparency and up-to-date accounting of the budgeting of FTEs in the mains and the supplementary budgets, and the government shares these updates in the House with all members during the briefings.

During COVID, our economy boomed. The member opposite doesn't speak about that. Also, a lot of the growth that we have seen with FTEs were due to responses to COVID. We have asked the member opposite many times in the Legislative Assembly which jobs he would take away from the public service. If he could give us a list of the people that he is going to axe if his government gets into power, that would be very helpful.

Mr. Dixon: Mr. Speaker, the data I am citing is from the Premier's own statistics branch, so I don't know why he finds that unreliable.

The simple fact is that the rate in which the interim Premier has grown the public service is unsustainable and it's having a negative impact on the private sector. It is not just me saying this, Mr. Speaker. Earlier this year, the Yukon Chamber of Commerce wrote to the Premier to express their concern. They called this trend "highly disturbing" and pointed out that it was hurting the private sector's ability to hire staff and driving up costs for small businesses.

In last year's Bureau of Statistics business survey, 96 percent of businesses said it was difficult to find staff and one of the top reasons was competition with government.

Does the interim Premier recognize that his record of ballooning the public service is not only unsustainable but it has created real hardship for small businesses in this territory?

Hon. Mr. Pillai: I see two themes in questions from the Leader of the Official Opposition. The first theme was about really a lack of respect for what we have seen in growth in the private sector, and the second piece was a labour market challenge.

First of all, when it comes to the labour market challenge, I hope we have a chance to talk about this and debate it through the fall. We see this across the country right now. Again, part of our challenge is that we are far above everyone else when you look at where we are from the standpoint of our unemployment rate. Our unemployment rate right now is 1.7 percent. We see the biggest participation from our population of folks who are able to work, and we are essentially leading the country in that category — if we're not number one, then we're number two for participation in the labour market.

Our folks are working. There are lots of jobs for them, but we see a labour market challenge across the country.

Again, when we talk about the private sector, our stats from our expenditure and GDP growth in 2020 was attributed to year-over-year growth from 2019 and 2020. Of that, 18 and a half percent was made of exports of goods and services — almost all mining. Again, we are seeing growth there. And 18.3 percent was the general government. The member opposite said it was all really from that, but it is 18.3 percent from there.

Again, our consumption and growth and our capital work —

Speaker: Ten seconds.

Hon. Mr. Pillai: — was 6.6 percent. Again, growth in the housing sector, which is really a driver, was 6.2 percent. So, as you can see across the board — construction, mining, tourism — all leading.

Question re: Fuel-wood supply

Mr. Kent: Last week, the Minister of Energy, Mines and Resources admitted that he is nervous about the supply of firewood in the Yukon. This comes after years of the industry, opposition parties, and members of the public who rely on firewood to heat their homes raising serious concerns with the government.

More than a year ago, the Yukon Wood Products Association raised the alarm directly with the minister in an emergency meeting. They told the minister that there was a problem with a massive lack of supply.

Why has the minister failed to take any meaningful action to address the significant shortage of commercially available firewood in the Yukon?

Hon. Mr. Streicker: First of all, I thank the member opposite for the question. This is important. We did meet with the Wood Products Association last year. Of course, we have been meeting with them in between; I just spoke with the new executive director last week. At the beginning of this week, the executive director went down with the director of the Forest Management branch, met with Liard First Nation, met with our major harvester down in Watson Lake, and was working on identifying new areas for harvesting. Normally, that harvester has been working north of BC, along the Stewart-Cassiar Highway. They expressed an interest in opening up new areas in the Yukon, and the Forest Management branch went down and met and worked with them.

I'm happy to talk about all the work that we're doing in forestry. It is an important issue. I thank the member opposite for the question and I look forward to the responses.

Mr. Kent: The Liberal government has imposed rules and red tape on commercial woodcutters that has restricted their ability to harvest, and the minister has taken very little action to address the massive supply shortage. The result has been that Yukon finds itself relying to a great degree on firewood imported from British Columbia.

This in turn has created a dramatic increase in price. We're also hearing that wait-lists for some suppliers are as long as three months, and some of those are stretching well into the new

year. The only solution the Liberal government has come up with to deal with this situation is to subsidize this imported firewood by \$50 per cord. The irony is not lost on Yukoners that the Liberals are now subsidizing a product after contributing to a supply shortage.

It doesn't take an economist to point out the problem here. Does the minister really think that a \$50-per-cord subsidy will do anything but increase the prices further?

Hon. Mr. Streicker: I hope that the \$50-a-cord relief will bring down the price of a cord by \$50. This is an inflationary relief. The inflation is largely due to the price of diesel. We've always had wood from BC, especially at the north end of the Stewart-Cassiar Highway — or not always, but this has often been the case, certainly for a long period of time. That is good wood. We work with BC to support our harvester from the Yukon who works there, to make sure they're getting permits there.

I think that it is important that we look for other ways to support the industry. I think we are looking for ways to reduce red tape. I look forward to sharing that information further. I just got a good report today from the crew who went down just this week to Watson Lake. I look forward to ways to support our harvesters to get access to wood as quickly as possible, because we know that there is a shortage and pressure on the system. We will continue. I would like to thank the forest resources branch for their work to try to support our harvesters.

Mr. Kent: It is clear to us, those operating in the commercial firewood industry, and just about every Yukoner who relies on those commercial firewood providers that the minister is out of touch with what is actually happening on the ground. Harvesters in the Quill Creek area can't access that area during the summer and they have fallen behind by hundreds of loads with their deliveries. In the southeast Yukon, we have heard that available harvest volumes are falling far short of what has been promised in certain areas. The result of all of this is that we will continue to rely heavily on firewood from British Columbia.

I am going to ask again: When will the minister start treating this issue with the urgency it deserves and start taking action to solve the firewood supply crisis that the Liberal government has created?

Hon. Mr. Streicker: I can let the member opposite know that, throughout the summer, I have indicated to the Department of Energy, Mines and Resources that this is the top priority. I have asked them to work hard and I will say that they have been working hard on it. Respectfully, the member wrote to me maybe a week or so ago and asked me about it. He talked about individuals and I said, "Hey, please get in touch with me for those individuals, because I want the forest resources branch to reach them directly." I say again: What are we doing? We are working in Quill Creek to open up a firebreak area, which would allow for access over extended periods of time, because we are going to honour the YESAB agreement or the work that was done out of YESAA. That is not red tape. That is proper, regulatory authority. We will work with the harvesters in the southeast Yukon, whether that be the Liard First Nation — our largest harvester in the area — to make sure that we provide

access for them as directly as possible. We will use all the tools at our disposal to increase the amount of firewood supply for Yukoners because we know that it is incredibly important.

Question re: Cost of living

Ms. White: Each and every day, Yukoners are struggling to make ends meet. For folks on a pension or with a low income, it has become impossible to keep up with rising costs, no matter how hard they try. Recent announcements have made it clear that this government doesn't understand what poverty feels like. In the words of one senior living downtown: "I want ministers to come and look at what is in the fridges and pantries of seniors. They would be shocked. They clearly don't realize how bad things are."

A few weeks ago, the Yukon NDP asked the government to create a \$500 direct inflation relief payment that could benefit about 10,000 Yukoners over the age of 18. It's within the government surplus and it would make a huge difference in people's lives. Will the government listen to Yukoners who are in need and give them the relief that they need through this cost-of-living crisis?

Hon. Mr. Silver: We don't have enough time in Question Period to go over all of the things that we've been doing as a government over the last six years to make life more affordable for Yukoners. We would have loved to have had our ministerial statement today, but the opposition blocked you from hearing that today — on inflation.

I will say that the government is conscientious of the effects of the rising inflation that families are going through, and we have taken action. We've taken action specifically to the inflation increases; we've taken actions when COVID reared its ugly head; and since the very beginning, when we were in a recession with the Yukon Party, in our first years, we made sure that we were putting money into the right places for families and making sure that life is more affordable.

This includes \$5 million worth of inflation-relief measures just announced last month. There is not enough time in Question Period to go over all of the items, but as the debate goes on, this legislative session will be getting into what we are doing as the Yukon Liberal government to support Yukoners in these very, very trying times.

Ms. White: I'll take that as a no, and the problem is Yukoners are saying that the government isn't doing enough. So, it's not just seniors and elders who are struggling to keep up with inflation; families across the territory are being forced to make impossible choices. Do they pay for food, or do they pay for their rent? Do they spend money on bus passes or gas, or do they pay for the Internet and phones? Do they buy school supplies, or is it healthy food for their children? These choices wouldn't be as hard if a child benefit reflected today's cost of living, but in the Yukon, the child benefit is not indexed to inflation. Worse, it hasn't seen an increase in over seven years — more than the entire term of this government.

Mr. Speaker, families need a break. Will the minister immediately increase the Yukon child tax benefit and index it to inflation?

Hon. Mr. Silver: Speaking about our most important resource, the youth of Yukon, we introduced the first universal affordable childcare program in the Yukon. This program serves Yukon families and gives them over \$700 per child per month. This is absolutely a game changer when it comes to our youth and when it comes to our families. We are recognized as a national leader, actually, in early learning childcare. The Atkinson Centre for Society and Child Development at the University of Toronto heralds us in that regard.

I will also say that, with what we are working on in this budget, Yukoners who heat their homes with wood will receive that \$50 per cord for fuel wood, which is extremely important to those who heat their homes with wood stoves. There is a six-month extension of \$500 per month for caregivers of children who are in and out of care homes. We are also extending the inflation relief rebate another three months, which gives Yukoners another \$50 credit on their power bill each month. These new affordability measures will complement those that are already in budget 2022-23 which invests in housing supply, in universal childcare, paid sick leave, and a territory-wide dental plan with no taxes or fee increases.

Thank you.

Ms. White: Sadly, it sounds like another no from this government. There is no increase to the Yukon child tax benefit, and they're definitely not tying it to inflation.

So, with winter approaching and more money spent on heat and electricity, life is only going to get more unaffordable. People are falling further and further behind. People are going hungry, and people are facing winter without a place to stay. The base amount of social assistance has not been reviewed in this territory since 2007. Successive Yukon Party and Liberal governments have repeatedly ignored and refused calls from the Yukon NDP to review these rates so low-income Yukoners could survive. Vulnerable Yukoners shouldn't be left to fall deeper and deeper into poverty. They need relief and they need it now.

Will the government immediately start a review of social assistance rates?

Hon. Mr. Silver: Everything we do is to try to make things more affordable for Yukoners. I will add, as well, that we have just fully funded and regulated the midwifery in the Yukon health care system — a new free service for all Yukoners, which will make having children more affordable for Yukon families.

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: From what I am hearing from the Leader of the Third Party, she is not in favour of midwifery.

When we come to all of the actions we have taken over the last few years, this is the best jurisdiction in Canada to live in; I really believe that. We cut the small business tax to zero percent. We have raised the minimum wage by over a dollar. We have also introduced that five-year capital plan that the Yukon Party keeps making fun of, but we have been told by local businesses that this plan has saved them millions of dollars.

Whether it is working with our business sector or working on social issues, every single minister here will spend the time

in the Legislative Assembly this fall session talking about all the hard work that they are doing to make lives more affordable for Yukoners. We will debate the necessity for these programs, including midwifery, which I think is extremely important. We know that inflation, being a global issue, is something that every government in the world is tackling right now. In the Yukon, we are doing all we can to make sure that taxpayers' money goes into the right places so that life is more affordable here in the best place to live on the planet.

Question re: Fuel and carbon taxes

Mr. Cathers: Over the past month, Yukoners have seen record high fuel prices. The price of gas and diesel affects drivers and contributes to cost increases for basic necessities, including food and home heating fuel. As winter approaches, many people are concerned about the cost of living and their ability to put food on the table or heat their homes. One of the easiest ways this government can reduce the cost of living for almost every Yukoner is to cut the fuel tax. Jurisdictions like Alberta and Ontario have done this, and the result has been a decrease in the price of fuel and lower cost increases for food and essential goods.

Will the Liberal government here in the Yukon reconsider its opposition to cutting the Yukon fuel tax and giving Yukoners millions of dollars of tax relief?

Hon. Mr. Silver: When it comes to the fuel tax in Canada, other than Alberta, which has done a complete cut of their taxes, as they are in election mode, we still have — including the deductions the member opposite is talking about in Ontario — the lowest fuel tax in Canada, outside of Alberta now cutting that to zero. So, even with other jurisdictions — not many, but a few — cutting fuel taxes across Canada, we still have an extremely low fuel tax here in Yukon.

We decided that the best thing for us to do was to have inflation relief, as we mentioned already, of \$5 million just within the last month, with money going directly to Yukoners, but also, again, in our budget, we can spend the whole legislative time this fall — we will need that time — to go through all of the issues and all of the line items that are making life more affordable for Yukoners.

We have heard the Yukon Party ask this question countless times in the spring. I am sure they are going to ask us countless times here as well. We believe that there are other ways that we can make sure that we distribute the money to people who need it the most when it comes to inflationary relief, and we will continue to do that. We will continue to listen to the opposition for ideas as well, and we respectfully will disagree that this is the most beneficial way to hit most Yukoners, when it comes to inflation.

Mr. Cathers: Mr. Speaker, this government could provide Yukoners with millions in tax relief by cutting the fuel tax, but it is choosing not to.

Another important driver of the increases people have seen in the price of gas, diesel, and home heating fuel has been the Liberal carbon tax. The carbon tax increased this year and is set to increase again this winter. The Yukon Liberals welcomed the federal carbon tax but failed to ask for an exemption for home

heating fuel. People in the Northwest Territories do not pay a carbon tax on home heating fuel. It is an essential item for many people, such as people who are unable to buy firewood. We would like to see the carbon tax removed completely, but if this government is still unwilling to ask for that, will they at least agree to try to get a carbon tax exemption for home heating fuel? Will this territorial Liberal government ask their federal counterparts to remove the carbon tax from home heating fuel in the Yukon?

Hon. Mr. Silver: I'm confused, because the individual who was trying to be the leader of the party says that we don't want a carbon tax at all, but yet the leader of the party, during the campaign, said that they were going to implement a carbon tax. So, I don't know which one it is; I don't know which leader we're supposed to be listening to from across the way — mixed messages for sure.

Mr. Speaker, we've cut the taxes across the board — no new taxes in this year. We've cut the tax for businesses; we extended the interim electrical rebates back in 2017, which reduced the amount that residents will pay on their kilowatt hours — we're making life affordable that way. We have a made-in-Yukon carbon rebate system where all of the money actually goes back to not only individuals, but also to businesses, First Nation governments, and also municipalities. That program benefits Yukoners: this year, individuals receiving more on average than they pay in carbon pricing.

Mining companies internationally and nationally say that this is the most effective way to deal with climate change and to deal with carbon. Are we hearing from the Yukon Party that climate change is not important? And if they're now saying that they wouldn't have a carbon tax, even though the leader said that they were campaigning on a carbon tax, what is their plan? We're hearing mixed messages from the two leaders of the Yukon Party on this one.

Mr. Cathers: The only mixed messages are coming from this Liberal government and the Premier, who we know is confused. The simple fact is that the NWT negotiated a better deal than the Yukon Liberals on the carbon tax. They were able to get that tax removed from home heating fuel for their citizens, because they know it's not fair to northerners — and that was even before the inflation crisis hit. That was clearly the right decision.

Here in the Yukon, people are facing a Liberal-made firewood shortage, taxes imposed by the Liberals have made food and essential goods more expensive and are skyrocketing food and home heating fuel prices. In response, this government is not willing to lift a finger to take any meaningful action.

Why is the Liberal government unwilling to take any real action to help Yukoners heat their homes this winter, and will they agree to cut the fuel tax and lobby the federal government for exemptions to the carbon tax?

Hon. Mr. Streicker: Just a minute ago, the Member for Copperbelt South stood and said you shouldn't rebate on wood, because it's a supply issue, and then I just heard the Member for Lake Laberge say we have to deal with a heating rebate, but we have just announced a heating rebate for fuelwood, and by

the way, the biggest rebate that we're giving on heating homes is with electricity, because that is what most Yukoners now heat their homes with. We have been switching over to electricity, and that is all part of this transition away from fossil fuels. I am glad for that, because the less dependence we have on fossil fuels, the better off we are. That's an amazing step for a territory here in the north.

I appreciate what Yukoners are doing in making that transition, and we are looking to support Yukoners with these inflationary rebates, and we will continue to do that work to support Yukoners.

Question re: Whistle Bend development

Ms. Clarke: Salamat. In phases 4 and 5 of Whistle Bend, the Government of Yukon sold lots that fronted onto what are called "green streets". According to the plans and the sales agreements that land buyers signed, these green streets were intended to be small, landscaped walking paths not intended for vehicle use. Over the summer, I have heard from many constituents who are concerned that, since they have purchased these lots and spent hundreds of thousands of dollars building homes on these streets, the government has now changed its plans; instead of small walking paths, the Government of Yukon is now pushing for a 20-foot-wide asphalt road. This is not what these residents paid for when they bought these lots.

Why isn't the government honouring its contractual obligations to Whistle Bend residents who purchased lots —

Speaker: Order please.

Hon. Mr. Streicker: The arrangement here in the Yukon is that our municipalities plan their communities. They take the decisions on how they would like to see that development proceed. They then ask the Land Development branch from Community Services to develop those lots. They then ask Energy, Mines and Resources to sell those lots.

This was at the request — the change of design was from the City of Whitehorse, and I believe they have reached out to many of that member's constituents from Whistle Bend to talk about why they made the decision to change things. I appreciate the question today. I am happy to loop the member opposite into the responses we will be giving to the residents, but we are taking our direction from the City of Whitehorse, which plans and designs these neighbourhoods.

Ms. Clarke: Here are the facts: The Government of Yukon sold lots saying that they would front onto a landscaped, green walking path. The builders, the realtors, and the eventual buyers all operated under the assumption that this was the case. Dozens of Whistle Bend residents spent hundreds of thousands of dollars expecting this to be the case. Then the government, without warning, changed those plans after people moved in.

Who did the government consult before making these changes?

Hon. Mr. Mostyn: It is an honour to stand here this afternoon and address the issue the member opposite has brought forward on behalf of her constituents. I do appreciate that this is an issue that the Department of Energy, Mines and Resources, the Department of Community Services, and the

City of Whitehorse are working to resolve with the residents at the moment.

To be honest, we consulted with the City of Whitehorse and set out the standards through which Community Services built those lots to those standards dictated by the City of Whitehorse. That is the process that this goes through. The city planned the neighbourhood and we built to the specifications laid out to us by the City of Whitehorse. We are now working with the City of Whitehorse, Energy, Mines and Resources, Community Services, and the residents to resolve this dispute between the City of Whitehorse and the people who bought the lots in that neighbourhood.

Ms. Clarke: Mr. Speaker, this is a big problem for many of my constituents. The Government of Yukon told people that they were buying one thing; then they changed it at the last minute. It wasn't until my constituents started raising concerns that the government went into damage control. Later today, there will be a meeting with some residents to finally tell them what is happening to their homes. The only problem is that these residents were only given a few days' notice of this meeting.

Will the minister agree to hold another consultation with adequate notice so that all of the affected residents can properly participate and have their voices heard?

Hon. Mr. Streicker: We are always happy to meet with residents to talk to them about their concerns. We are happy to seek to address them. Look, this is a little strange, because we did get letters from some of the constituents, but we didn't get a letter from the member opposite. So please, if you have concerns, I urge the member to write to us to let us know, but we are working on it.

There was a hope for this to be designed a certain way. The city has indicated that it needed to be different. I believe it's for safety reasons. We're happy to sit down and have the conversation. It's a little strange to be hearing that we're not working fast enough and to be asked if we can please give more time for meetings. The answer is sure; of course, we can.

For all those Yukoners who are concerned about this issue, I can say to you that we are working with the city, Community Services, and the Department of Energy, Mines and Resources to work with you to try to resolve it.

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

ORDERS OF THE DAY

Hon. Mr. Silver: Pursuant to Standing Order 55(2), I request the unanimous consent of the House to move second reading of Bill No. 206, entitled *Second Appropriation Act 2022-23*, at this time.

Unanimous consent re moving second reading of Bill No. 206

Speaker: The Hon. Premier has, pursuant to Standing Order 55(2), requested the unanimous consent of the House to move second reading of Bill No. 206, entitled *Second Appropriation Act 2022-23*, at this time.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

GOVERNMENT BILLS

Bill No. 206: *Second Appropriation Act 2022-23* — Second Reading

Clerk: Second reading, Bill No. 206, standing in the name of the Hon. Premier.

Hon. Mr. Silver: I move that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be now read a second time.

Speaker: It has been moved by the Hon. Premier that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be now read a second time.

Hon. Mr. Silver: I am very pleased to rise this afternoon to speak to Bill No. 206, otherwise known as the first supplementary estimates for the 2022-23 fiscal year.

Before I begin, however, I would like to again express my sympathies to all members of the royal family on the passing of Her Majesty Queen Elizabeth II. As elected officials, serving the public is at the root of everything we do inside and outside of this House. While we do this to the best of our abilities during the terms that we are given, Queen Elizabeth II served the public with poise and grace for seven decades. Her leadership, dedication, and commitment to public service will leave a lasting legacy. I believe I speak for all members of this House when I express the deep respect she commanded from all territorial governments — both current and previous. Her Majesty will continue to be honoured and remembered for decades to come. It has been an honour to serve in her name, and we will continue to serve in the name of King Charles III, going forward.

As we all know, supplementary estimates are about responding to unanticipated areas of needs and pressures. They are used to make sure government has appropriate funds to cover evolving emergencies and emerging challenges. Supplementary estimates ultimately support Yukoners. In the last several years, this has meant using supplementary estimates to ensure that programs were in place to support Yukoners throughout the pandemic, for example. We did this through a range of business supports, wage top-ups, and paid sick leave programs that became the gold standard in Canada.

We also know that both fires and floods have been especially challenging in the last few years, as the realities of climate change continue to impact our territory.

Supplementary estimates have also helped to ensure that funding was available to deal with record-level flooding and increasingly challenging forest fires. Last year, Yukon saw some of the worst flooding on record. Last fall's supplementary estimates supported the largest flood relief effort in the history of Yukon, allowing us to bring in response teams, flood specialists, supplies, and equipment from out-of-territory to assist property owners with mitigation efforts.

This year, we have continued to see the impacts of climate change and once again have had to work together with our partners to protect the health, safety, and properties of

Yukoners. The 2022-23 *Supplementary Estimates No. 1* is being used primarily to help cover the costs associated with the unprecedented fire season that we experienced this summer. We also experienced serious flooding events in some communities this summer as well.

We work closely with our partners to respond to these events, and the costs of the successful efforts will also be reflected in this bill.

One thing members will notice in these supplementary estimates, however, is that they are particularly lean. The reason for this is that our government, led by the Department of Finance, continues to improve its budgetary and forecasting abilities year after year, so much so that our government has been recognized by the not-for-profit research institute, C.D. Howe Institute, for its budgeting abilities. In fact, in its 2022 report, *The Right to Know: Grading the Fiscal Transparency of Canada's Senior Governments, 2022*, the Yukon received an A-minus grade in recognition of how easy it is to find our budgets and forecasts, the fact that they can be understood easily by non-experts, and for the reliability of our government's budgets, estimates, and financial statements. This is the highest ranking that the Yukon has ever received. Out of all the provinces and territories this year, only one — only Alberta — has a higher grade in this most recent report. This is a testament to our government's commitment to openness and transparency when it comes to our government finances.

I am also pleased to say that S&P Global Ratings recognized the Yukon's strong financial position with a double-A stable credit rating for this year. In its report, S&P highlighted the Yukon's strong fiscal management in producing solid, stable financial results for the territory. The S&P's independent assessment also shows that the Yukon's strong relationship with the federal government will allow the Yukon government to continue its robust capital plan to invest in the territory's transportation infrastructure, land development, social development, education, and health. S&P expects the territory's debt burden to remain very low, especially in comparison with other jurisdictions. Our government remains committed to sound fiscal management for the benefit of all Yukoners, and this rating assessment is another reflection of the territory's strong fiscal position.

It is important to emphasize that these supplementary estimates reflect only what's needed. Overwhelmingly, they represent higher costs being experienced for delivering existing programs, rather than new initiatives or projects.

With that, Mr. Speaker, I would like to outline the budgetary changes that we are proposing between the main estimates and the supplementary estimates. In total, the 2022-23 first supplementary estimates contain \$26.2 million in additional gross spending. This is made up entirely of O&M expenditures, as there is no new net capital spending. The result is a revised surplus of \$33 million, which is a change of \$6.5 million from the \$39.5 million forecast in the 2022-23 main estimates.

The first supplementary estimates also show a revised net debt of \$240 million, or an increase of \$6.5 million from the

mains, which coincides with the increased O&M spending and revenues. While these supplementary estimates show little change in the government's recoveries picture, it does show a notable increase in revenues of just over \$18 million. I'm pleased to say that this appropriation also contains no drawdowns or changes to the COVID-19 contingency fund.

The 2022-23 main estimates, as you recall, Mr. Speaker, included a \$10-million COVID-19 contingency, which was reserved in the government's financial framework to fund further potential supports, without affecting the surplus or the deficit position. As I said, the first supplementary estimates on the floor of the Legislative Assembly today propose no reduction to this fund.

What that means is twofold: First, this shows that our government has appropriately budgeted for COVID-19 spending in its main estimates; second, it shows that the Yukon continues to navigate and emerge from the most acute phase of the pandemic, as we proceed to decrease the amount of spending needed to keep Yukoners safe, secure, and healthy when it comes to the terms of COVID-19.

As a result, we're able to keep \$10 million of the COVID contingency line for future use to respond to any new pandemic needs or potential future waves throughout the year, which we certainly hope to avoid.

As I mentioned, the entirety of the new spending contained in the 2022-23 first supplementary estimates is in operation and maintenance spending, a total of \$26.2 million. The bulk of the spending is the Department of Community Services. As part of this bill, the department is seeking \$20.2 million to address ongoing emergency needs that we've seen in response to climate change. \$16 million of this new spending is required for wildland fire costs associated with a more active fire season seen in the territory. \$3.8 million is required for flood-related expenses, particularly in response to efforts needed in Teslin, in Carmacks, Ross River, and also Upper Liard. This includes costs associated with cleanup efforts happening this fall.

I would like to thank everyone who has assisted, and who continues to assist, in this extremely important work for Yukoners; from participating to mitigation to cleanup, this work is critical to ensuring that our communities and their residents continue to be protected from ongoing risks and challenges of climate change, including increased flooding and more challenging fire activity.

While we are not able to predict how climate change and other factors will affect the Yukon in any given season, we are now seeing extreme weather events that challenge what we have come to expect and know when it comes to floods and fires, specifically in the Yukon. These types of events will become increasingly common as we continue to see the effects of climate change first-hand here in the Yukon.

Our government declared a climate emergency in 2019, and in 2020, we released *Our Clean Future* — a 10-year, territory-wide strategy for climate change, energy, and a green economy. The priorities and goals outlined in *Our Clean Future* were developed in collaboration with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities. The strategy reflects input from Yukoners, non-governmental

and community organizations, industry and private businesses, First Nations, and municipal governments. It is truly the Yukon's strategy for tackling climate change, and it is helping to move our territory forward as we navigate the complexities and the real-world impacts of climate change. At all levels of government, we must plan for extreme weather events by creating communities resilient to wildfire and climate change and by investing in infrastructure that protects us from climate disasters.

This means increasingly managing forest fuels and creating wildfire-resilient communities through FireSmart areas and fuel breaks. This is why we are also including \$400,000 to enhance First Nation FireSmart projects with projects that have already been identified. In flood-prone communities, it will be important to consider infrastructure improvements, permanent dikes and breakwaters, and raising roads and highways to an adequate height to protect them against rising waters.

As we think about the future, we must take into account the changes of our climate landscape and environment, as we plan for our communities and our infrastructure. While our environmental landscape continues to change, so too does our economic landscape. Inflation has risen sharply in the last year throughout Canada and around the world, largely due to supply-chain disruptions associated with the pandemic and also Russia's unjust and illegal war in Ukraine, which has pushed up the prices of food and energy. As a result, the national inflation rate is near levels that have not been seen in 40 years.

While prices have risen across the country, the Yukon has not been immune to the forces driving up prices globally. Inflation in the Yukon is the result of a number of national and international forces, but our government remains focused on making life more affordable for Yukoners, and we've been doing that for the past six years.

This includes the \$150 inflation relief rebate that we announced in March and which is reflected in the first supplementary estimates under the Yukon Development Corporation's budget. This rebate was delivered as a monthly credit of \$50, applied to the electricity bills of all non-government residents and commercial customers for three consecutive months over the summer. This was on top of the existing interim electrical rebate, which saves Yukoners more than \$270 per year.

This is only one of the investments the government has made to improve affordability in the territory. As part of budget 2022-23, the government made several investments to help reduce the impacts of rising prices that are having an effect on family budgets.

This year, we built on historic investments in Yukon families by contributing more than \$40 million to early learning and childcare. This program offsets the cost of childcare by up to \$700 per month per child. It also ensures that fully qualified early childhood educators in the Yukon receive over \$30 per hour, the highest minimum wage for early childhood educators in the country. This is groundbreaking programming, and it has made the territory — and I quote: "Canada's new leader in early learning and care", according to the Atkinson Centre for

Society and Child Development at the University of Toronto. By investing in early learning and childcare, we are making life more affordable for Yukon families and ensuring that our children have the supports that they need to be successful. The universal affordable childcare program has significantly reduced the cost of living in the territory and helped close the gap between the living wage and the minimum wage.

We also continue to invest aggressively in housing and lot development. Over the past five years, housing construction has kept pace with population growth, with the number of private dwellings in the Yukon increasing by 12.9 percent. In fact, residential investment has reached record highs in the Yukon, with \$254 million in residential construction in 2021, shattering the 2020 record of nearly \$188 million.

This year's budget includes more than \$60 million for housing initiatives across the Yukon. We are also investing \$255 million in capital over the next five years to support access to stable, affordable housing that will allow for future development.

There are historic investments throughout the housing spectrum, from land development and affordable housing construction to barrier-free housing and supports — supportive, accessible housing for seniors and people with disabilities. Our government continues to make affordable and supportive housing available for Yukon families through our partnerships with the private sector. We are also working together with municipalities to make more residential lots available throughout the territory.

While I am on the subject of housing, I should add that we are happy to see the \$15-million contribution from the federal government for housing initiatives. This is also reflected in these estimates. This is a recognition both of our unique northern housing challenges and also the significant efforts that we are already making. I will speak more about this later on.

Our government also remains committed to making dental treatment available to all Yukoners. We know that dental care can be expensive and we are working to reduce the barriers to access it. In the 2022-23 budget, more than \$1.8 million will allow us to begin providing dental coverage to uninsured Yukoners. This groundbreaking work aims to save Yukoners hundreds of dollars a year by providing access to routine dental care in the territory.

Finally, Yukoners are also benefitting from the extension of the federal GST tax credit and the housing benefit top-up. As a result of the recent federal announcement, Yukoners can expect more than \$4 million in relief, as they benefit from these program extensions.

Mr. Speaker, we are well aware of the impacts that rising costs are having on Yukoners and on all Canadians. This is why our government is continuing to take action to make lives more affordable for Yukoners. Our government recently announced a number of new initiatives aimed at providing additional inflation relief for Yukoners. The largest of these is an expansion of the inflation relief rebate. This program will provide an additional \$150 rebate on ATCO Electric Yukon and Yukon Energy electric bills for Yukoners. All non-government residential and commercial electricity customers

will see a \$50 credit on their bills starting in October, and this will run through December of 2022. Again, this is an extension of those months from the summer as well.

This will ensure that Yukoners are able to save additional money on their electricity bills throughout the colder months of the year. For Yukoners who heat their homes with wood, our government is also here to help. We will provide a rebate of \$50 per cord of wood to Yukoners who purchase fuel wood from Yukon commercial fuel-wood suppliers.

Our government also recognizes budget pressures that are facing our seniors and our most vulnerable population. This is why we are announcing a one-time \$150 payment to social assistance recipients, as well as a one-time payment of \$150 to Yukon seniors income supplement recipients. We are also including a one-time 10-percent increase to pioneer utility grant recipients and a six-month extension of the \$500 per month to caregivers of children in and out of home care.

The Yukon government is also providing \$100,000 to Food Network Yukon to continue to support food security across the territory. These efforts will provide new relief for Yukoners, especially those most vulnerable to inflation, as we continue to look at every possible avenue for making life in the territory more affordable.

With respect to other changes in O&M, we will see a \$1.6-million increase in the Executive Council Office, primarily related to initiatives that help support reconciliation and continue to strengthen relationships with Yukon First Nations. We are working with First Nations to address the harms caused by a long history of inequality and discrimination and to achieve meaningful change and tangible benefits for all Yukoners through a range of environmental, economic, and social projects. This funding for the Executive Council Office is primarily to support consultation and engagement, bilateral negotiations, and implementation of final self-government agreements.

Lastly, there is an increase of \$1.4 million in the Department of Economic Development's budget to carry forward the labour market development agreement and the workforce development agreement, as well as increasing the performing musicians fund. The labour market development agreement continues to benefit Yukon workers through skills development, apprenticeship training and on-the-job experience, workplace accommodations, employment services for job seekers, and a whole lot more.

Every Yukoner deserves a fair and equal chance at success in the workplace. Through investments like the labour market development agreement, we continue to help Yukoners find opportunities that match their skills with the available opportunities, of which there are currently many in the Yukon.

The latter supports the growth and development of Yukon musicians by increasing the number of established musicians who earn most of their income from music. The result of these changes is a \$1.5-million increase to O&M recoveries.

I know my colleagues will have more to say about these important initiatives in the days and weeks to come.

I'm going to move to capital, and I'm pleased to say that, on a net basis, there are no changes in capital spending. On a

more granular level, there is a \$5-million roll forward of costs and recoveries related to the Mayo-to-McQuesten transmission line, as the project was delayed in 2021-22 and required additional expenditures in 2022-23. This is offset by a \$5-million reduction in Arctic energy fund expenditures, as funding is deferred to future years.

These are only changes in capital, and there are no associated changes in capital recoveries as a result. On the revenue side, the Government of Yukon will see a substantial increase as part of the first supplementary estimates. In total, the government will see an additional \$18.2 million, related to three different areas.

The first and most substantial item is the \$15-million payment being received as part of the federal affordable housing in the north program, which I mentioned earlier. As we are all aware, Canada's northern communities face unique housing needs due to higher construction costs, shorter construction seasons, infrastructure gaps, and the effects of climate change, which are increasing as the north has been warming at roughly three times the global warming rate.

In recognition of these challenges, the federal government is continuing to work with the territorial government in addressing housing availability and quality that disproportionately affects northerners, basically. In federal budget 2022, the Government of Canada committed to providing \$30 million to the Government of Yukon to assist with these challenges. Half of that amount is being reflected in this year's budget, and we'll be receiving another \$15 million next year.

The second item is a \$2-million increase in the Canada health transfer to the territory. This money is being received to address a backlog of surgeries as a result of the COVID-19 pandemic. Finally, \$1 million is being received from land sale agreements.

Mr. Speaker, today, we are also releasing the interim fiscal and economic update. The 2022-23 interim fiscal and economic update presents updated expectations for Yukon's finances and the economy since the March 2022 fiscal and economic outlook. The outlook for the Yukon's economy continues to evolve in line with the report that we presented in March, which details the red-hot, strong economy that we are currently seeing in the territory. Estimates of real gross domestic product — GDP — show that the territory's economy has continued to perform well in the face of recent challenges presented by the COVID-19 pandemic. Preliminary estimates show that the Yukon's real GDP grew 9.1 percent in 2021, building on an estimated expansion of 5.2 percent in 2020 and marking the second year in a row that the Yukon has led the country in growth.

Strong mineral production was a primary driver of growth in both years, but unlike 2020, growth in 2021 was broad-based, with gains reported in 17 of 20 major industry classifications — 17 of 20 private sector industry classifications. The recovery has continued into 2022 with strong rebounds and performances in key Yukon industries, like tourism and mining. The current forecast is for growth of

4.8 percent in 2022, to be followed by similar levels of growth in 2023 and 2024 at 4.9 percent and 5.4 percent respectively.

Growth in real GDP is noted in every year of the forecast. The latest report also shows that Yukon's strong economy is increasing growth and competition in the labour market. The Yukon's unemployment rate averaged 3.9 percent over the first eight months of 2022, well below the average of 6.2 percent reported for the same period in 2021. As a result, the Yukon again has the lowest unemployment rate in the country, with the August figures coming in at a record low of 1.7 percent — the lowest unemployment figure in memory. This tight labour market also means that Yukon businesses must compete for workers, which has led to high average wages across the territory at \$26.85 per hour, the third highest in the country and well above the national average of \$24.20.

While we continue to face new hurdles related to the current national and global environment, Yukon is very well-positioned to weather these challenges. Our government's dedicated leadership has helped foster the strongest economy in Canada. The Yukon is currently leading the country in both population and economic growth. This brings with it opportunities but also challenges. In particular, we need to continue to work with our partners to increase housing options, to improve our health care system, and to expand access to mental health supports throughout the territory. Nevertheless, the territory is a much stronger place than when we formed government in 2016, and it continues to move in the right direction: forward.

We will continue to do what is necessary and needed to ensure that the Yukon remains a safe, healthy, and affordable place to call home. I am pleased to present sustainable and measured first supplementary estimates, which members see before them today. I look forward to sharing my future details that members of this House may have about the supplementary estimates during Committee of the Whole.

I want to thank you, Mr. Speaker, for your attention and time today.

Motion to adjourn debate

Mr. Dixon: I move that debate be now adjourned.

Speaker: It has been moved by the Leader of the Official Opposition that debate be now adjourned.

Motion to adjourn debate on second reading of Bill No. 206 agreed to

Mr. Dixon: I move that the House do now adjourn.

Speaker: It has been moved by the Leader of the Official Opposition that the House do now adjourn.

Motion agreed to

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

The House adjourned at 2:38 p.m.

The following sessional papers were tabled October 6, 2022:

35-1-55

Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees (October 6, 2022) (Speaker Harper)

35-1-56

Report of the Auditor General of Canada to the Legislative Assembly of Yukon — Yukon Housing — Yukon Housing Corporation — Department of Health and Social Services (May 25, 2022) (Speaker Harper)

35-1-57

Third Report of the Standing Committee on Public Accounts (September 2022) (Dixon)

35-1-58

Fifth Report of the Standing Committee on Appointments to Major Government Boards and Committees (August 22, 2022) (Clarke, N.)

The following legislative returns were tabled October 6, 2022:

35-1-60

*Response to matter outstanding from discussion with Ms. Tredger related to general debate on Vote 55, Highways and Public Works, in Bill No. 204, *First Appropriation Act 2022-23* — climate risk assessments (Clarke, N.)*

35-1-61

*Response to matter outstanding from discussion with Mr. Kent related to general debate on Vote 55, Highways and Public Works, in Bill No. 204, *First Appropriation Act 2022-23* — transportation tenders (Clarke, N.)*

35-1-62

*Response to matter outstanding from discussion with Ms. Tredger related to general debate on Vote 55, Highways and Public Works, in Bill No. 204, *First Appropriation Act 2022-23* — Medevac airstrips (Clarke, N.)*

The following documents were filed October 6, 2022:

35-1-68

Inflation — Ministerial Statement — Premier Silver — October 6, 2022 (Silver)

35-1-69

Firearms legislation — Bill C-21, letter re (dated June 8, 2022) from Brad Cathers, Member for Lake Laberge, to Hon. Tracy-Anne McPhee, Minister of Justice (Cathers)



Yukon Legislative Assembly

Number 76

1st Session

35th Legislature

HANSARD

Tuesday, October 11, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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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**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, October 11, 2022 — 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

Speaker: Before proceeding with the Order Paper, the Speaker would like to remind members to address each other by their official titles in the Assembly. This should not include adjectives or modifiers that are not members' official titles. During Question Period on Thursday, the Leader of the Official Opposition used the term "the presumed future Premier" when referring to the Minister of Economic Development and the term "interim Premier" when referring to the Premier. In addition, the Premier used the term "the individual who was trying to be the leader of the party" when referring to the Member for Lake Laberge. This is not the way to refer to other members, and I would ask all members to refer to other members by their titles.

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes made to the Order Paper. Motion No. 435, notice of which was given on October 6, 2022 by the Member for Lake Laberge, and Motion No. 441, notice of which was given on October 6, 2022 by the Leader of the Third Party, were not placed on the Notice Paper as they are not in order.

As highlighted by previous Speakers — notably, on October 28, 2020 by Speaker Clarke — Standing Order 29(1) of the Standing Orders of the Yukon Legislative Assembly states: "A motion is used to propose that the Assembly (a) do something; (b) order something to be done; or (c) express an opinion on a matter."

Urging the government to recognize certain facts is neither doing something, ordering something to be done, nor having the Assembly express an opinion on a matter.

DAILY ROUTINE

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

INTRODUCTION OF VISITORS

Speaker: Under introduction of visitors, the Chair would like to introduce Jason Pedlar, Tara Martin, Jasmine Jobson, Rick Smith, Aidan Bell, Doris Marshall-Greenlaw, Janet Kalbfleisch, who is Jason's spouse, his father, Allan Pedlar, and his father's partner, Ingrid Steehouder.

Are there any further introductions of visitors?

Hon. Ms. McPhee: I would ask my colleagues to help me welcome a number of visitors we have here today for the tribute to World Mental Health Day. From the Canadian Mental Health Association, Yukon, we have Kim Solonick, a board

member and director at large; we have Coral Voss, the assistant executive director; and Tiffanie Tasane, the executive director.

We also have, from the Second Opinion Society, Vicki Durrant, who is the executive director, and I am expecting — although maybe not here yet from the Sarah Steele Building — Jason McRobb, who works as a cook supervisor there. Thank you all for being here.

Applause

Hon. Mr. Streicker: I would like to welcome a constituent and also l'éditrice de *L' Aurore boréale*, Maryne Dumaine. If we could welcome her, please.

Applause

Hon. Ms. McLean: I would ask my colleagues to help me welcome some guests here today for the tribute to the International Day of the Girl Child. We have: Charlie-Rose Pelletier, who is a community organizer for Les EssentiElles; Maryne Dumaine, president of Les EssentiElles; Krista Mooney, justice coordinator for the Council of Yukon First Nations; Mckenzie Gill, justice coordinator for the Council of Yukon First Nations; Liz Peredun, executive director for Yukon Women in Trades and Technology; and Natalie Taylor, executive director for the Whitehorse Aboriginal Women's Circle. Welcome.

Applause

Ms. Clarke: I have the pleasure of introducing Monica Batac in the gallery today, from the Yukon Women in Trades and Technology, or YWITT for short. Monica is here as a research lead. Thank you for coming today on the International Day of the Girl Child. Let us give Yukon Women in Trades and Technology and other Yukon women's organizations a round of applause for their important work.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of World Mental Health Day

Hon. Ms. McPhee: I rise in the House today on behalf of the Yukon Liberal government to recognize World Mental Health Day, held annually on October 10 to raise awareness about mental health around the world and to mobilize efforts to support those experiencing mental health issues.

Mental health is about our emotional, psychological, and social well-being, and it is an integral part of every individual. The theme this year, "Making mental health and well-being for all a global priority", is particularly resonant in the Yukon.

Worldwide estimates put the rise in both anxiety and depressive disorders at more than 25 percent during the first year of the pandemic. One of the lessons that COVID has taught us is that we must recognize mental health as a part of healthy people and communities.

Our government recognizes the importance of mental health services and is committed to increasing access to mental wellness and substance use services for all Yukoners. Today, I

would like to acknowledge the ongoing work done by Mental Wellness and Substance Use Services staff at the Department of Health and Social Services and the Council of Yukon First Nations, First Nation governments, the Yukon division of the Canadian Mental Health Association, Blood Ties Four Directions, and so many other community and health partners who all work to serve Yukoners. Whether they live in Whitehorse or in the communities, Yukoners can rely on an interconnected network of mental wellness support workers, counsellors, and mental health nurses to provide care.

In February, and again in September, our government, in partnership with the Council of Yukon First Nations, hosted a mental wellness summit that brought together leaders, partners, those with lived experience from across the territory, and national and international experts to identify collaborative solutions to support communities. Nearly 1,000 people attended these events.

A month ago, the Tr'ondëk Hwëch'in wellness department collaborated with partners, such as Mental Wellness and Substance Use and the Roots of Hope life promotion and suicide prevention initiative, to host a week of training and activities during Life Promotion/Suicide Prevention Week in Dawson City. As the Roots of Hope program and its partnerships continue to develop, suicide prevention and life promotion projects and initiatives will extend to other Yukon communities. These public events are just a few of the concrete and most visible steps taken by Yukoners to address mental health issues in the territory.

This work cannot be achieved alone, and we will continue to work in collaboration with other government branches, as well as non-governmental organizations and Yukon First Nations in each community, to ensure an effective and appropriate response. I would like to reiterate my thanks to all the people who work every day to support those in need.

Thank you.

Applause

Ms. McLeod: I rise today on behalf of the Yukon Party Official Opposition to recognize World Mental Health Day, which was yesterday, October 10.

Governments, organizations, and individuals around the world are working to help destigmatize mental illness and raise awareness about the importance of promoting whole-body health and wellness. We don't always take the time to check in with people in our lives to see how they're doing from a mental wellness perspective. Physical health is more apparent. It's easier to see when someone is physically not quite feeling well and might need a little extra support.

People around the world have been dealing with a number of challenges the last couple of years that we could never have imagined — challenges that have led to a variety of negative effects on their well-being. COVID-19 and the resulting restrictions have impacted communities in many ways. Isolation, lockdowns, health-related mandates, loss of income, and much more have been faced by individuals across the Yukon.

Add this to stress, illness, life changes, work and family commitments — all can take a toll on the way our body and mind work. According to Government of Canada data, one in three Canadians will experience some form of mental illness or substance addiction in their lifetime. COVID-19 has compounded those stats, which are already incrementally higher in the north.

Yukon is facing a staggering rise in opioid-related overdoses. We're seeing an increase in substance use and addiction, depression, anxiety, suicides, and an overwhelming list of societal problems as a result.

To all Yukoners, take care of yourself. Take the time to check in on your family, friends, children, and peers. The Yukon division of the Canadian Mental Health Association is a good resource for Yukoners looking for mental wellness programs and services. This incredible organization is committed to promoting positive mental wellness through many initiatives and engagements and offers services and supports for those who need them.

Thank you to all those who work to provide mental wellness services across the territory.

Thank you, Mr. Speaker.

Applause

Ms. Blake: I rise today on behalf of the Yukon NDP in honour of World Mental Health Day. This year's theme is "Make mental health and well-being for all a global priority."

I know that it resonated with so many Yukoners across the territory. From the ongoing suicide epidemic to the still-present opioid crisis, Yukoners are still struggling and are looking for support from this government. In the past year alone, many communities and First Nation governments have declared their own states of emergencies, including the Town of Faro, Kwanlin Dün First Nation, Carcross/Tagish First Nation, Na-Cho Nyäk Dun First Nation, and many more.

These emergencies were declared in the absence of supports from the Yukon government. While communities have worked hard through difficult times to support one another, they have called on this government to provide them with the resources, mental health care workers, and other supports that they need.

But we have heard from many communities that they feel this government is leaving them behind. Since these emergencies were declared, what work has this government done in partnership with First Nation governments, municipalities, and communities to provide mental health care supports and services to those who need it? How many counselling and mental health positions are still vacant?

This government has talked about reconciliation and indigenizing health care often in the last year. What work has Yukon government done to change the system and incorporate diverse indigenous ways of knowing and being in their programming, services, and work across the Yukon? It has been a year since many of these emergencies were called, but still communities across the Yukon are still being shaken by crisis after crisis. When these crises are ignored and Yukoners don't

get the help they need when they need it, the effects ripple out for generations.

Applause

In recognition of International Day of the Girl Child

Hon. Ms. McLean: It is my honour to rise today on behalf of our Yukon Liberal government to pay tribute to International Day of the Girl Child. 2022 marks the 10th anniversary of the United Nations recognizing October 11 as a day to celebrate the voices of girls, to advocate for their rights, and to reflect on the challenges that they experience due to their gender.

Globally, we know that women and girls were disproportionately impacted by the COVID-19 pandemic. Access to education, employment, and support services were interrupted for them. Addressing gender equality is critical to sustainable development, economic growth, and even addressing climate change. Involving women and girls in decision-making creates stronger communities and helps us address the most complex challenges that we face in our society.

It is a meaningful coincidence that, in Canada, International Day of the Girl Child falls one week after the Sisters in Spirit vigil on October 4. This vigil is a time for our community to come together to mourn the indigenous women, girls, and two-spirit people who have been lost to violence. Just like the International Day of the Girl Child, the Sisters in Spirit vigil is a call to action. For indigenous women, girls, and two-spirit people, violence is significantly more frequent and more severe. It is a systemic crisis and its urgency needs to be taken seriously.

I was honoured to attend the vigil last week alongside many community members and allies for change as we walked from the monument at Rotary Park to a ceremonial fire at the Kwanlin Dün Cultural Centre. Thank you to the Yukon Aboriginal Women's Council for organizing this event and to the Whitehorse Aboriginal Women's Circle and the Liard Aboriginal Women's Society for advocating for equality of women and girls. Creating a future in the Yukon where everyone can live their lives free of violence requires commitment and dedication.

As the Minister responsible for the Women and Gender Equity Directorate and the co-chair of the Yukon Advisory Committee on Missing and Murdered Indigenous Women and Girls, I can say, without a doubt, that we are committed to making this change.

It is in the moments of togetherness, like the important vigil that we did last week, that I can actually say, truly, that I feel the strength and resilience of this community. I can feel the momentum for addressing the rights of girls everywhere.

Applause

Ms. Clarke: Salamat, Mr. Speaker. I rise on behalf of the Yukon Party Official Opposition to recognize October 11 as International Day of the Girl Child. This day was adopted by the United Nations in 2011, then by Canada in 2012, to celebrate the voices and achievements of girls around the world and to reflect upon the challenges they continue to face because

of their gender. For 10 years, we have celebrated the positive impacts and change that girls have made in our communities, leading the way for future generations of girls and women and for all of society.

Violence against girls and women remains a concern internationally. Physical violence, bullying, sexual violence, and intimate-partner violence continue to disproportionately affect women and girls. Gender inequality is still seen in many areas of the workforce, and although much has been done to tackle the issue throughout many organizations, governments, businesses, and in the education system, girls still view themselves as disadvantaged in a number of areas.

We are so fortunate here in the Yukon to have some pretty incredible organizations that aim to help level the playing field for girls and women in so many ways. I would like to give special thanks to Yukon Women in Trades and Technology, who believe that gender should not be a barrier to pursuing career opportunities and works to increase the number of women in trades and technology jobs. Their youth programming helps to introduce and encourage young women to get into Yukon skilled trades and technology sectors — sectors primarily known to be male-dominated.

Thank you to Yukon Women in Mining for the work they do advocating for the inclusion and empowerment of women in the mineral exploration and development industry. I would also like to thank our women's organizations and equity-seeking groups who do immeasurable work in our community to assist and advocate for women and for our LGBTQ2S+ community.

Girls have the potential to be who they want to be. When we invest in girls today, we invest in future entrepreneurs, mentors, political leaders, activists, innovators, and mothers.

Salamat.

[Member spoke in Tagalog. Text unavailable.]

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to the International Day of the Girl Child.

From their communities to their places of learning, from their homes to their relationships, girls face violence, poverty, and discrimination. It's even more stark for indigenous girls and girls of colour, girls who are trans, and girls with disabilities.

Girls deserve a safe world to live in, and it is up to all of us to actively work to create that world, but I hope that we don't stop there. Girls deserve so much more than a world that just keeps them safe; they deserve a world that values them and listens to them, a world that believes their voices matter, a world that creates opportunities for them to learn and grow and thrive, a world that celebrates everything that they are.

So, today I want to celebrate each unique and incredible girl across the Yukon. They are leaders; they are activists; they are athletes and artists and scholars and community builders. To each one of you, thank you for everything that you do and everything that you are. I am so excited to see the world you create.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McPhee: I have for tabling a letter to the Member for Lake Laberge in response to the letter that he tabled on Thursday, and it is dated July 27, 2022.

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

PETITIONS

Petition No. 13

Ms. Blake: I have for tabling a petition with over 1,900 signatures that reads as follows:

THAT pharmacare coverage amounts have not increased since 1999 and are now insufficient to meet the basic health needs of Yukon seniors, and that many seniors are choosing to forgo critical services and medical treatments due to affordability;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Yukon government to implement an increase to pharmacare rates in 2022 to reflect current market prices for health care.

Speaker: Are there any further petitions to be presented?
Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 17: *Clean Energy Act* — Introduction and First Reading

Hon. Mr. Streicker: I move that Bill No. 17, entitled *Clean Energy Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 17, entitled *Clean Energy Act*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 17 agreed to

Speaker: Are there any further 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:

(1) adopt a policy of residential power rates for residential properties; and

(2) in accordance with the *Condominium Act* general regulation 5(1)(b), instruct the Yukon Utilities Board to end the practice of classifying condominiums as commercial customers.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with the City of Whitehorse to resolve the ongoing environmental and safety issues at 2 Lodgepole Lane in Whitehorse.

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

THAT this House urges the Government of Yukon to recruit and hire more qualified counsellors for permanent full-time positions to provide consistent mental health care services to rural Yukon communities by:

(1) working in partnership with local First Nation health directors to better understand the needs of each community;

(2) creating an emergency protocol to provide immediate supports when communities face crises; and

(3) training all mental wellness counsellors to provide care that is culturally appropriate to the diverse needs of all Yukon First Nations.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Faro community services building

Hon. Mr. Mostyn: When we invest in infrastructure, we invest in the success and in the future of our communities. I rise before this Assembly today to celebrate the opening of the new community services building in Faro. According to the latest Bureau of Statistics update, the Yukon's population continues to grow. This growth is not only in Whitehorse, but in many of our communities, including Faro.

The Town of Faro is growing. It's a thriving place to live, and residents need sustainable, local services, including emergency services. Our Infrastructure Development and Protective Services branches work with communities such as Faro to meet their needs and goals.

It was my pleasure to visit Faro on September 8 to announce the official opening of their new community services building. The 1,229-square-metre facility will house emergency and community services and was designed to meet and exceed minimum energy-efficiency standards by 25 percent. The building is home to Faro's municipal fire department, community emergency medical responders and public works team. It includes seven vehicle bays, staff offices, shared meeting rooms, parts and tools storage, a morgue, and decontamination areas.

This facility was jointly funded by the Yukon government and the Government of Canada. The Government of Yukon contributed nearly \$3 million to this project, and the Government of Canada invested more than \$8 million through the small communities fund of the Investing in Canada plan.

Over the past few years, this dedicated group of emergency responders and the entire community of Faro has dealt with an awful lot. The opening of the new building was a beautiful and exciting milestone.

Our government is committed to building healthy, vibrant communities, and we are working very hard with municipalities and First Nations to meet their infrastructure needs so that we can move the territory forward.

The new community services building will contribute to the safety and well-being of all Faro residents for years to come.
Thank you.

Mr. Hassard: It goes without saying that the new Faro fire hall and public works building is a very important piece of community infrastructure. The minister has outlined in his statement the valuable services that will now originate from this building to serve the Faro area.

I know that my constituents are happy to have this piece of community infrastructure now available. Such buildings are important to all Yukon communities; however, this project is particularly notable in the Yukon for an interesting reason. It was one of the few projects that was tendered and then cancelled for the bids being overbudget. The Yukon government first tendered the contract in 2019, and when those bids came in overbudget, the government pulled the contract and scaled back the project in order to cut costs. The project was then retendered and awarded at a lower cost.

So, as Yukoners know, there have been numerous projects awarded since the Faro fire hall contract was awarded, and many of those project tenders have come back with costs that are higher, sometimes significantly higher, than the allotted budget, and instead of pulling back those tenders and scaling back those projects, the government has gone ahead with projects that were far overbudget.

So, I'm wondering why the decision was made to retender this particular project. Why was the decision made to scale down and retender the Faro municipal building when there are so many overbudget projects that this government has forged ahead with?

It seems to continue a trend with this government in picking winners and losers, and we have heard many times that every community matters, but yet again, it seems that some communities matter more than others.

Ms. White: One of the many special things about the Yukon is the volunteering spirit of Yukoners. Nowhere else will you find such a high number of people working together for the well-being of their communities. First responders are one of those groups, stepping up to do dangerous work to ensure the health and safety of folks living in Yukon's rural communities. My gratitude toward these selfless volunteers is immeasurable. The least we can do is ensure that they have what they need to do the job, so I commend the hard work of the Yukon government employees who played a role in ensuring that Faro received a much-needed community services building. Housing multiple services under one roof with top-of-the-line facilities is a fantastic upgrade for those who work full time and for those who volunteer, and once housing is secured, maybe one day it will even be home to a full-time mental health counsellor or a dedicated social worker.

I look forward to a tour of this new facility on my next trip to Faro. I know that when my colleagues and I were in Faro this summer, the issue of mental health support and the need for housing came up often. One could even say that they are linked. As the minister pointed out, Faro is growing. So has the minister sat at the Cabinet table and encouraged his colleagues to look at the housing that the Yukon government currently owns in the community of Faro? I'm not talking about livable units, Mr. Speaker; I'm referencing the three multi-unit

buildings that sit vacant or the other properties that they own that are empty.

When will the Yukon government make an announcement about housing in the community of Faro, a growing community?

It does make me wonder, though, while the minister stands here today patting himself on the back, what he has said to the other citizens of Keno, Destruction Bay, and others who are, in his very words, living on the fringes of our society. Better yet, what has the minister heard from folks in beautiful rural Yukon? Because for someone who preaches consultation, we can be sure that he's also listening.

So, no one should have to go through losing their home or business in a fire, but try to imagine what it is like living in a community where you know that a fire department won't be able to make it in time if there is a fire. And as this is Fire Prevention Week, can the minister tell us where he is at in ensuring that there are adequate resources in other Yukon communities, specifically Keno, Destruction Bay, and Old Crow?

When can communities expect to see the fire prevention in a box program implemented in their community, one that has been promised by this government?

While we're talking about implementation, where is the government on implementing the 104 recommendations from last year's review of fire suppression and rescue resources distribution?

So, while I'm happy for the Town of Faro, I see that a lot more needs to be done across the territory before the celebrations truly start.

Hon. Mr. Mostyn: I thank the members opposite for the response to this ministerial statement this afternoon.

It was great seeing the MLA for the region at the barbecue opening up the Faro fire hall. He cooks a mean burger, and I thank him for his participation this summer. It was nice to see him there.

It was also nice to meet with the community and talk to them about their hopes and dreams for the future and also to celebrate the facility itself, which has, I might say, some of the most incredible piping that I have ever seen in any municipal structure in the territory.

Mr. Speaker, we know that there are many needs in the territory, and I thank the Leader of the Third Party for her attempt to expand on this ministerial statement this afternoon. We were focused on Faro, and I know that she has a lot of themes and issues she brought up from around the territory, and I'm happy to have more ministerial statements on a lot of these issues in the coming weeks and days, but right now we're talking about Faro and the community fire hall. I can say that we are committed to building strong communities across the territory no matter where they lie and investing in Yukon families and growing the local economy.

Yukon government will continue to invest in a range of infrastructure projects across the territory, Mr. Speaker. This year alone, we're investing \$70 million to continue a range of infrastructure projects across the territory as we continue to address the deficit created by the Yukon Party.

Through the Investing in Canada infrastructure program, Yukon will see \$600 million in funding over the lifespan of the program for public transit, green infrastructure, as well as recreation and social and cultural infrastructure.

Mr. Speaker, at the end of the day, we are moving forward on unprecedented investments in infrastructure projects across the territory. Shovels are in the ground and projects are being built. Through these investments, we are providing jobs for Yukoners, creating strong sustainable communities, supporting local businesses, and laying the groundwork for continued economic growth.

Through budget 2022-23, our government is investing: more than \$71 million in repairs and improvements to bridges and highways throughout the Yukon; more than \$51 million to modernize our airports and support airlines across the territory; \$27 million for the Dempster fibre project; more than \$25 million for the Dawson recreation centre; nearly \$11 million for the Resource Gateway projects; nearly \$4 million for the White River community centre; up to \$3.7 million for new boat launches and dock replacements across the territory, something the Member for Kluane has spoken about in the past; up to \$500,000 for a water plant in Burwash Landing; and up to \$26 million for a new Teslin Tlingit Council community hub.

Mr. Speaker, these are just some of the projects that are currently underway. It is unfortunate, of course, that the Yukon Party did not support the budget, nor these projects, especially after they left an infrastructure deficit in the territory following the years of failed leadership.

Our government will continue to work closely with the Government of Canada, Yukon First Nations, local contractors, businesses, and Yukoners to build projects that create jobs, enhance communities, and help grow our economy.

I want to end by thanking all of the Yukon government departments involved in these projects, along with our partners throughout the territory, including Faro, which we worked very, very closely with to bring in the new Faro fire hall for them. I know that they were very appreciative of the work that we did and the care and consideration we gave in working with our community partners in Faro, and we want to ensure that we continue to build a territory that all Yukoners can be proud of.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Department of Education student data breach

Mr. Dixon: Mr. Speaker, on September 15, more than 500 Yukon students who had applied for the Yukon grant were notified that the Department of Education had accidentally released their private information, including their names, dates of birth, and social insurance numbers. The vast majority of these students are at the beginning of their adult lives, and in the words of the Department of Education's letter to them, this breach involves a risk of significant harm to their privacy. Dozens of these students and their parents have reached out to us with significant concerns about this incident and the

department's response. One of the first questions they ask is why it took so long to notify those affected.

Can the Minister of Education explain why the department waited until September 15 to write a letter of notification when the breach occurred on August 24, more than three weeks before?

Hon. Ms. McLean: Thank you very much, Mr. Speaker, and thank you for the question and for raising this matter on the floor of the Legislative Assembly today.

I think that this was a very serious situation. The Department of Education absolutely takes protecting the privacy of Yukoners' personal information very seriously. When the breach was identified, the department followed the Yukon government privacy breach protocols, as set out by the ATIPP office. We are fortunate to have contained this breach. The recipient of the information cooperated fully and confirmed that they did not see the e-mail and deleted it without opening it. We certainly acknowledge and know that this is a very stressful situation for those who were involved.

I want to reassure students, of course, and their families that the risk of individuals' personal information being used for identify theft has been mitigated, and we have offered credit monitoring as well.

Again, Mr. Speaker, the recipient fully cooperated with the Department of Education, and the e-mail was deleted without it being opened.

Mr. Dixon: I appreciate some of the information that the minister has provided, but my question was simple: Why did the department wait more than three weeks to notify students and parents that their data had been compromised? We're talking about names, dates of birth, and social insurance numbers. Those are pretty serious pieces of personal privacy.

So, the question for the minister is simple: Does she think that the more than three-week gap between the incident occurring and these people being notified is an acceptable length of time?

Hon. Ms. McLean: As I stated off the top, the Department of Education followed the privacy breach protocol that is set out by the ATIPP office. That process identifies timelines and when folks would be notified. Again, we followed the protocol. This situation has been mitigated. The recipient did not open the e-mail and it was deleted without any breach of the young Yukoners' private information.

Again, our Department of Education takes the privacy of Yukoners very seriously, and we're very happy that we were able to mitigate this situation.

Mr. Dixon: So, the minister has said that the reason why there was a more than three-week delay between the event happening and parents and students being notified was protocol. Will the minister agree to review the protocol so that this doesn't happen again?

Hon. Ms. McLean: I have stated that this is a privacy protocol that is set out by the ATIPP office. The Department of Education followed that protocol as it is laid out.

Question re: Department of Education student data breach

Mr. Kent: I have some follow-up questions for the Minister of Education on the privacy breach. I would actually like to ask about the collection and handling of this private information. It has been reported that a departmental official accidentally sent an e-mail with an attached spreadsheet containing all of this private information. Does the minister think that collecting this type of information and storing it in an apparently easy-way-to-access Excel spreadsheet, which can apparently be accidentally e-mailed, meets the threshold of appropriate management of this type of private information?

Hon. Ms. McLean: The Department of Education takes protecting the privacy of Yukoners' personal information very seriously. As I stated a few moments ago, this situation was mitigated. A mistake happened, and it is essential that we learn from this and will improve our processes going forward. This will include working with the Office of the Information and Privacy Commissioner. The department is actively reviewing internal training and processes to prevent privacy breaches in the future.

Mr. Kent: Something else that we are hearing about from a number of families is the remedy proposed by the Department of Education and the minister.

What has been offered to these 500-plus Yukoners is one year of credit monitoring with a company called Equifax. We have heard from some students that this service isn't available for people under 18, and some of those affected are under that age. Likewise, many are having issues accessing the service at all. So, does the minister think that one year of credit monitoring with a service that the Yukon government has hand-picked is a sufficient remedy?

Hon. Ms. McLean: The Department of Education takes protecting the privacy of Yukoners' personal information very, very seriously. We have reached out to each individual.

If the member has information about folks who require more support, we are certainly willing to have that discussion with individuals, but again, the situation was mitigated, and the recipient of the e-mail did not open it, and it was deleted before it was opened. This situation, thankfully, for the young people who are involved, has been fully mitigated. We are absolutely prepared to work with individuals if they feel that they need more support around this breach.

Mr. Kent: So, as my colleague mentioned, the data breach happened on August 24, and the letters went out to those affected students and their families on September 15.

My question is a simple one: When did the minister find out about the data breach, and did she tell her Cabinet colleagues upon finding out?

Hon. Ms. McLean: I thank the member for the follow-up questions. Again, our department followed the protocol as laid out by the ATIPP office. I was notified on September 13.

Question re: Health care services

Ms. Blake: For over a year, the NDP has asked this government to open a public walk-in clinic so that Yukoners can get the health care they need, but instead of opening a

public walk-in clinic, the minister gave some start-up money to a private practice. This money was supposed to make it all better by spring of this year; it didn't. There are still thousands of Yukoners on the wait-list and there is still no walk-in clinic.

It is time for government to stop relying on private businesses to fill critical gaps in our health care system. When will this government open a publicly funded and operated walk-in clinic?

Hon. Ms. McPhee: I am very pleased to be able to speak to this matter today. Our government clearly supports walk-in clinic services, but as mentioned in the preamble to the question, these are, of course, privately run clinics at the moment. We have been working diligently with physicians and health care professionals in the last number of months to determine how we could best provide these types of services to Yukoners.

Medical professionals, doctors, and family practices are private businesses here in the territory. Short of the suggestion that a government-run Yukon clinic is not supported by our government — but getting services like this for Yukoners absolutely is. We remain committed to continuing to transform Yukon's health care system to a more holistic, collaborative, and people-centred system that will better meet the needs of Yukoners, and that has been the commitment all along with respect to our government.

We initiated the investigation and consultation that resulted in *Putting People First*, which is a key priority for us.

Ms. Blake: The minister didn't just promise a walk-in clinic; she also said that a bilingual polyclinic would be open sometime this year. This clinic is supposed to open in less than three months, but Yukoners still have so many questions. How many doctors, nurses, dieticians, counsellors, and other health professionals have been recruited? When will the support staff be hired? When will the space be ready? Will this clinic also have walk-in services?

There is no public information available, and Yukoners are starting to worry that this promise is going to be the same as the walk-in clinic. Will the minister assure Yukoners and tell them when this polyclinic will open its doors?

Hon. Ms. McPhee: Thank you again for the question. It is of key importance to our government to convey the information and the commitment that we have made with respect to shifting health care from an acute care system to the one envisioned by *Putting People First*, which, of course, is people-centred, culturally appropriate, and the transformation continues with respect to our implementation of those recommendations.

We are committed to improving the care of our Yukon's francophone population, expanding access to the primary health care services for Yukoners through the constellation health centre. We continue to make progress toward opening the new bilingual health centre in Whitehorse. It has been a recent conversation at many tables, including those involved with Highways and Public Works with respect to the physical space that is needed and being worked on. We expect it to be ready late this year or early in the spring.

The constellation health centre will be the first primary health care clinic of its kind in the Yukon and will serve as a

model of care to build upon in the future. In addition to delivering high-quality health and wellness services in both French and English, it will provide additional services as well.

Ms. Blake: Because of this government's inaction, Yukoners will continue to face health care shortages for years to come. Now is the time to plan for our future. From pharmacy to nutrition, nursing and medical school to social work, there are many youth across the Yukon who want to become health care workers but face financial barriers. This government could provide funding tied to practising in the Yukon for five years after graduation. This would create a stronger public health care system in the long run.

Will the government commit to funding all health care-related studies to address the long-term health care shortage?

Hon. Ms. McPhee: This is a relatively complex question and a simple one all at the same time.

Our government is absolutely committed to implementing the recommendations from *Putting People First* to transforming significantly the health care system here in the territory and how we manage to provide services for Yukoners in all communities. Recruitment is definitely a challenge nationally and internationally. It's certainly one of the fallouts from the pandemic, but we are absolutely committed to transforming the health care system, implementing *Putting People First*, and dealing with all of the things that are mentioned in the question — nursing staff, providing educational opportunities for physicians and other medical professionals, increasing, improving the health care system here in the territory for Yukoners.

Question re: Skagway marine services

Ms. Van Bibber: Last week, the borough of Skagway council met to discuss the fate of the port of Skagway. One of the agenda items was the ore dock and the ore-loading facility, which is an important strategic asset for the Yukon's mining industry.

According to the Municipality of Skagway council meeting package, the Government of Yukon is providing funding to cover a portion of the cost of the engineering and design of the new marine services platform for the port.

Can the minister confirm if this is true, and if so, how much funding is the Government of Yukon providing to Skagway, and what are the planned outcomes of this investment?

Hon. Mr. Pillai: I will confirm, but I believe that the number that we allocated is about \$250,000 Canadian. The outcome is potential options for the rebuild and modernization of the dock, which would be the outcome, and inevitably will then lead to design work that will be the next phase of this undertaking.

Ms. Van Bibber: As we all know, the port of Skagway is critical for the Yukon's economy. Beyond the tens of thousands of tourists who enter through Skagway, the port is also an important entry point for fuel and other goods, as well as a point of export for Yukon minerals.

Has the minister done any consultation with the industry on the design of the marine service platform that the Yukon

government is funding to ensure that it actually meets the needs of Yukon companies?

Hon. Mr. Pillai: Yes, in collaboration with the industry, there have been a number of different groups — the Yukon Chamber of Mines — and we have also talked to members from the Yukon Mining Alliance as well as from the producers group. We have hosted multiple meetings over the last two to three years where all players were in the room together. It is a balance between understanding what the industry feels is the best infrastructure to move their concentrate and balancing that with the understanding of what the folks in Skagway feel. There are definitely some historic liabilities that are there from the operation of the Faro mine. That certainly weighs heavily on the residents.

As the member opposite stated, the tourism industry continues to expand, so it is again a balance between ensuring that the tourism industry can grow in the way the community wants it to grow and, at the same time, integrate in the importance of us moving and exporting concentrate and, at the same time, moving commodities such as fuel in. So, it is a balance.

I certainly look forward to the supplementary budget debate, and we can expand on this. I would love to put in an hour or two just talking about what the challenges are and really giving Yukoners a clear understanding about the importance of this project and how we are looking to approach it.

Ms. Van Bibber: According to the Skagway Borough council documents, the funding that the Yukon government is providing to Skagway is to advance the marine services platform from 30-percent design to 60 percent.

Can the minister tell us if this is the only funding that the Yukon government is providing, or is the minister considering providing additional funding for either planning or capital development?

Hon. Mr. Pillai: At this point, we are taking a look at the data that we have pulled together. The top firm that we have found in North America, called Mercator, is essentially the key group to go to when you are looking at business models around port development in North America. That is whom we have engaged with. We have a draft report. I certainly have no problem with tabling the final report here in the Assembly. That will give us an idea of what the pathway forward is.

There is definitely going to be a capital expenditure that will be needed in Skagway. The conversation is around: What is the community of Skagway looking at, who are the business partners, what are major companies that are looking to invest in the Yukon, and could they future-proof their potential investment by coming to the table? Do we look at this like a transmission line where we build it out? But then, as people come on board and use it to move concentrate, there is a fee involved. Do we look at the model that Minto had where, at that point, Minto put substantial money into the capital?

All those ideas are on the table. We are moving this as quickly as possible but doing it with proper due diligence and making sure that Yukon taxpayer money, and how we use it, is first and foremost.

Again, I look forward to further conversations over the next two months on this very important topic.

Question re: Federal firearms buyback program implementation

Mr. Cathers: Yukon RCMP have publicly made it clear on several occasions how strained their resources are in dealing with an increase in crime. This summer, they reported that organized crime is becoming entrenched with at least five organized crime networks operating here consisting of more than 250 individuals. Their resources have not grown enough to meet the increase in population, much less this surge in organized crime. This is a serious problem.

Meanwhile, the federal Liberal government has asked provinces and territories to help it confiscate thousands of lawfully acquired firearms from licensed owners through its so-called “buyback program”. Three provinces have already refused that request.

Will the territorial government join those provinces in standing up to the federal government and telling them that they will not allow our resources for the police to be diverted from going after organized crime toward to the ill-conceived, politically motivated confiscation of firearms from licensed owners?

Hon. Ms. McPhee: The question of RCMP resources is clearly an issue — as part of that question — as is an assumption that the resources will be deferred to deal with an issue of the firearms buyback program.

I can indicate that the Department of Justice and this government work to ensure the provision of a professional, accountable, and appropriately funded territorial policing service that is responsive to the priorities of Yukoners and worthy of public trust.

I have met several times over the summer with the important members of M Division, the chief superintendent and other inspectors, and had discussions with respect to RCMP resources. It is a key priority for our government. We fund significant and ongoing investments in police resources through the *Territorial Police Service Agreement* with the RCMP, and we are continuing to have conversations about what they need to do the important work of enforcement here in our territory.

Mr. Cathers: Months ago, I wrote to the Minister of Justice with a list of specific suggestions, many based on recommendations by the National Police Federation, which is the union representing RCMP members. I have to remind the minister that it’s not just us who are saying that the Liberal gun confiscation plan diverts police resources from tackling organized crime; RCMP members said that. The National Police Federation said that the so-called “buyback program” — and I quote: “... diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.”

The territorial government has a choice to make: Will they listen to RCMP members and Yukoners calling for police resources to be used for going after organized crime and other

serious criminal activity, or will they take orders from the Trudeau Liberals and divert police resources toward confiscating licensed firearms owners’ lawfully acquired property?

Hon. Ms. McPhee: There are a lot of assumptions in that question, and I think that what Yukoners need to know is that those assumptions are just that. This year, our government approved a policing budget increase of over 20 percent compared to last year, and this increase renewed our staffing commitment to the Historical Case Unit here in M Division, while adding two officers to the crime reduction unit — conversations that continue with the RCMP about what might be needed next year to make sure that we are providing the appropriate funding for our policing service to work responsibly with the priorities of Yukoners and work with communities to increase public trust.

What I can indicate with respect to the program mentioned is that I met last week with Minister Mendicino and had a conversation about the federal approach here, and actually tomorrow, the public meetings will take place in Nova Scotia with respect to the provincial, territorial, and federal governments on justice issues. I will attend those meetings as best as possible from here, and certainly this is a topic on that agenda.

Mr. Cathers: Well, Mr. Speaker, it is interesting that the minister chooses to dismiss what RCMP members said as just “assumptions”. As the minister mentioned, provincial and territorial ministers of Justice are meeting with their federal counterpart. It is an opportunity for her to call for an evidence-based approach in dealing with crime, rather than the Trudeau government’s politically motivated approach that RCMP members say diverts resources from where they are needed most. In their year-end review, Yukon RCMP reported a 90-percent increase in drug trafficking, a 25-percent increase in robbery, and a 43-percent increase in violent and relationship offences.

RCMP report that organized crime here is becoming entrenched with at least five organized crime networks and severity including human trafficking and weapons trafficking. Diverting resources for going after organized crime will make the Yukon less safe.

Will the government listen to the RCMP and stand up for Yukoners by urging the federal government to cancel its gun confiscation plan, and will the minister finally agree to refuse to allow territorial funding to be used to go after licensed firearms owners and their lawfully acquired property?

Hon. Ms. McPhee: I am disappointed in the tone of the question because it does mislead people about —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: For the minister to accuse another member — in this case, myself — of misleading is typically understood as being contrary to Standing Order 19(h).

Speaker: Mr. Streicker, on the point of order.

Hon. Mr. Streicker: Mr. Speaker, 19(h) states that the member charges another member with uttering a deliberate falsehood. I don't think that is what the minister did; she referred to the language as misleading.

Speaker's ruling

Speaker: There is no point of order. It is a dispute between members.

Please continue.

Hon. Ms. McPhee: Thank you, Mr. Speaker. Perhaps I will just say this in a more positive way.

Our Department of Justice and our government work to ensure the provision of professional, accountable, and appropriately funded territorial police service that is responsible for the priorities of Yukoners, not the priorities of anyone else — the priorities of Yukoners — and is worthy of their public trust.

Our government funds significant and ongoing investments in police resources through a territorial police service agreement. This year, our government approved the policing budget increase of over 20 percent compared to last year. There will be no diversion to a program that is not yet in existence. This increase will help staffing and is committed to the Historical Case Unit and also adds two officers to the crime reduction unit that responds to the types of crimes that were noted in the questions here today.

I can remind Yukoners that, in response to the recommendations of the 2010 *Sharing Common Ground*, our activity with RCMP and response to this community is a top priority.

Question re: Department of Education student data breach

Mr. Kent: Mr. Speaker, I have some follow-up questions for the Minister of Education on the privacy breach that we talked about earlier in Question Period.

The minister referenced a protocol that has been followed. Is that protocol publicly available? And if so, where can we find it? If it is not publicly available, will she agree to table it on the floor of this House?

Hon. Mr. Clarke: Protecting the personal information of Yukoners is important to our government. The *Access to Information and Protection of Privacy Act* contains provisions that outline what personal information may be collected, how it is managed, who has access, and how privacy breaches must be reported.

The Department of Highways and Public Works has created privacy training, a breach-reporting process, and privacy impact assessments to foster awareness and understanding of personal information and its protection in the public service.

The department has also created corporate privacy advice and oversight resource for departments and has ensured that all government departments have a designated privacy officer.

So, Mr. Speaker, the policy and procedures are in place and I'm sure that this matter is in the process of being reviewed.

Mr. Kent: My question is about the protocol that the minister mentioned earlier in Question Period today and whether or not it's publicly available. I'm sure that those 500-plus families that were affected by this privacy breach would like to see that protocol if it's not, and if it is, we would like to find out where we can find it.

The Department of Education itself has admitted that this privacy breach represents a risk of significant harm to those young Yukoners affected. So, the minister had alluded to earlier that she had instructed the department to work with the Information and Privacy Commissioner to review its practices and offer proposals for improvements.

Can the minister detail these steps and tell us what other steps have been taken to ensure this type of breach never occurs again?

Hon. Ms. McLean: Again, the Department of Education takes protecting Yukoners' private information very seriously. We just heard from the minister responsible for that part of our government. Definitely, a mistake happened. It is essential that we learn from this and improve our processes going forward. This will include and does include working with the Office of the Information and Privacy Commissioner, and the department is actively reviewing internal training and processes to prevent privacy breaches in the future.

Mr. Kent: Mr. Speaker, I am going to ask a third time about the protocol that the minister referenced earlier on in Question Period, whether or not that protocol is publicly available and where we can find it. If it's not, will she agree to table that protocol? As I've mentioned, many of the families that we have talked to — and I'm sure all of the families affected — would like to take a look at that protocol as far as the timelines and other aspects.

So, Mr. Speaker, many of the students and parents who were affected by this data breach have asked whether or not anyone has been held accountable for the breach. Can the minister tell us if anyone has been held responsible for this breach and whether or not there has been any repercussions or discipline as a result?

Hon. Ms. McLean: Mr. Speaker, again, this was a serious situation and we have taken it very seriously. I think that the member knows quite well that matters involving human resources are not to be spoken of on the floor of the Legislative Assembly. I am not going to be doing that today.

We certainly are working with the Office of the Information and Privacy Commissioner. The department is actively reviewing our internal training and processes to prevent this type of breach in the future. I would be happy to bring back further information as requested.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

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 12, 2022. They are Motion No. 436, standing in the

name of the Member for Lake Laberge, and Motion No. 437, standing in the name of the Member for Watson Lake.

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 12, 2022. It is Bill No. 305, standing in the name of the Member for Vuntut Gwitchin.

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. 430

Hon. Mr. Streicker: Pursuant to Standing Order 14.3, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 430 regarding the appointment of the Ombudsman.

Speaker: The Government House Leader has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 430 regarding the appointment of the Ombudsman.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 430

Clerk: Motion No. 430, standing in the name of the Hon. Mr. Streicker.

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

THAT the Yukon Legislative Assembly, pursuant to sections 2 and 3 of the *Ombudsman Act*, recommends that the Commissioner in Executive Council appoint Jason Pedlar as the Ombudsman of Yukon for a term of five years, effective October 14, 2022.

Hon. Mr. Streicker: I will speak very briefly here. First of all, I would like to thank our outgoing Ombudsman for her dedication for many years to this Legislative Assembly. I would like to thank the Members' Services Board for bringing forward their recommendation for Mr. Pedlar to be appointed as our new Ombudsman, and I look forward to the vote here in the Legislature today.

Mr. Cathers: As the Official Opposition representative on the all-party committee that dealt with the replacement of the Ombudsman, I would like to speak briefly. First of all, I will begin by thanking the outgoing Ombudsman, Diane McLeod-McKay, for her service. As noted, I served as our representative in this process. It was a competitive application process with good applicants, and Mr. Pedlar, of course, was chosen as the successful candidate and our new Ombudsman. I would like to congratulate him for that, and I look forward to his continued service to Yukoners. Again, congratulations.

Ms. White: I would like to echo the thoughts of both of my colleagues. I also had the pleasure to sit on that hiring committee, and I am delighted that not only has Mr. Pedlar put his name forward after being here for a number of years, but I am sure that he will steer our Information and Privacy Commission ship in a good direction. We thank him for that, and we look forward to the next coming years.

Speaker: Before putting the question, the Chair must draw members' attention to section 2 of the *Ombudsman Act*, which says, "The Commissioner in Executive Council shall, on the recommendation of the Legislative Assembly made by at least two-thirds of the members of the Legislative Assembly, appoint as an officer of the Legislative Assembly an Ombudsman to exercise the powers and perform the duties set out in this Act."

In order to ensure that the requirements of section 2 of the *Ombudsman Act* are met, the Chair will now call for a recorded division.

Division

Speaker: The bells will ring.

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 ayes have it.

I declare the motion carried by the required support of two-thirds of the Members of the Legislative Assembly and that Jason Pedlar has now been recommended for appointment as Ombudsman by this House for a term of five years, effective October 14, 2022.

Motion No. 430 agreed to

Unanimous consent to move without one clear day's notice Motion No. 431

Hon. Mr. Streicker: Mr. Speaker, pursuant to Standing Order 14.3, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 431 regarding the appointment of the Conflict of Interest Commissioner.

Speaker: The Government House Leader has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 431 regarding the appointment of the Conflict of Interest Commissioner.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 431

Clerk: Motion No. 431, standing in the name of the Hon. Mr. Streicker.

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

THAT, pursuant to section 18 of the *Conflict of Interest (Members and Ministers) Act*, the Yukon Legislative Assembly reappoint David Phillip Jones, QC as a member of the Conflict of Interest Commission for a three-year period, effective November 1, 2022.

Hon. Mr. Streicker: This is really a reappointment for Mr. Jones, who has been doing this for many years for us as Members of the Legislative Assembly, and I thank the Members' Services Board for their motion. I know that Mr. Jones has always been diligent in his work, and I'm happy to hear this recommendation and happy that we are here for this vote today in the Legislative Assembly.

Mr. Cathers: As one of our members on Members' Services Board, I rise briefly in support of this. As the Government House Leader correctly noted, Members' Services Board has recommended the reappointment of the conflicts commissioner, who has served for many years in that capacity, and we will, of course, be supporting that motion here today.

Ms. White: We too, as the Yukon NDP, are in support of this motion. I will point out that Mr. Jones has been the conflicts commissioner for the entire duration of my time in this Chamber, so he is entering his 12th year, or more, as our conflicts commissioner, and we look forward to another three years with him.

Speaker: Before putting the question, the Chair must draw members' attention to section 18(4) of the *Conflict of Interest (Members and Ministers) Act*, which says: "In order to take effect, a resolution of the Legislative Assembly for the appointment or removal of a Member of the commission must be supported in a recorded vote by at least two-thirds of the Members present for the vote."

In order to ensure that the requirements of section 18(4) of the *Conflict of Interest (Members and Ministers) Act* are met, the Chair will now call for a recorded division.

Division

Speaker: The bells will ring.

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 by the required support of two-thirds of the Members of the Legislative Assembly present for the vote and that David Philip Jones, QC has been now reappointed as Conflict of Interest Commissioner for a three-year period, effective November 1, 2022.

Motion No. 431 agreed to

Unanimous consent to move without one clear day's notice Motion No. 427

Hon. Mr. Streicker: Mr. Speaker, pursuant to Standing Order 14.3, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 427 regarding participation by members who have COVID, or suspect that they have COVID, by video conference.

Speaker: The Government House Leader has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 427 regarding participation by members who have COVID, or suspect that they have COVID, by video conference.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 427

Clerk: Motion No. 427, standing in the name of the Hon. Mr. Streicker.

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

THAT, for the duration of the 2022 Fall Sitting, any Member of the Legislative Assembly who is unable to attend the sitting of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sitting of the House by video conference, notwithstanding Standing Order 8, or any other Standing Order, and by video conference shall:

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

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

(3) be permitted to participate in counts in Committee of the Whole, notwithstanding Standing Order 44 and Standing Order 41(1);

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

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

Hon. Mr. Streicker: Very briefly, Mr. Speaker, this motion and the next two that we're hoping to bring are the motions that we've been bringing for several sessions now of this Legislative Assembly, and so I won't debate them. I'm hoping that we can just pass them quickly and move on to other House business.

Speaker: Does any other member wish to be heard?
Motion No. 427 agreed to

Unanimous consent to move without one clear day's notice Motion No. 428

Hon. Mr. Streicker: Pursuant to Standing Order 14.3, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 428 regarding sitting by video conference.

Speaker: The Government House Leader has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 428 regarding sitting by video conference.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 428

Clerk: Motion No. 428, standing in the name of the Hon. Mr. Streicker.

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

THAT, for the duration of the 2022 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 that the Legislative Assembly meet virtually by video conference with all the Members of the Legislative Assembly being able to participate

remotely, notwithstanding any certain Standing Order regarding members' physical presence in the Chamber.

Is there any debate on the motion?

Motion No. 428 agreed to

Unanimous consent to move without one clear day's notice Motion No. 429

Hon. Mr. Streicker: Pursuant to Standing Order 14.3, I request the unanimous consent of the House to move, without one clear day's notice, Motion No. 429 regarding pairing of members.

Speaker: The Government House Leader has, pursuant to Standing Order 14.3, requested the unanimous consent of the House to move, without one clear day's notice, Motion No. 429 regarding pairing of members.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 429

Clerk: Motion No. 429, standing in the name of the Hon. Mr. Streicker.

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

THAT, for the duration of the 2022 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 name of any member entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

Is there any debate on the motion?

Motion No. 429 agreed to

GOVERNMENT BILLS

Bill No. 206: Second Appropriation Act 2022-23 — Second Reading — adjourned debate

Clerk: Second reading, Bill No. 206, standing in the name of the Hon. Premier; adjourned debate, Mr. Dixon.

Mr. Dixon: I am pleased to rise to speak to Bill No. 206 at second reading today.

Before I begin remarks specifically on the bill, I would like to briefly share some thoughts on the passing of Her Majesty Queen Elizabeth II, as this is my first opportunity to speak openly in the House in this Sitting.

I certainly enjoyed and appreciated the tribute that was paid on the opening day of this Sitting, which included remarks from the Premier, the Leader of the Third Party, and, on our side, the MLA for Porter Creek North, who, of course, happens to have a somewhat unique relationship with the Crown, given her time as Commissioner of Yukon.

I did want to add a few words of my own following that tribute. Like many, I felt a deep sense of loss with the passing

of Queen Elizabeth, who was, among many other titles, the Queen of Canada. I know that many in the public, and even in the House occasionally, often incorrectly cite her title as the Queen of England or various other titles, but her most important role for us as Canadians was as the Queen of Canada, our head of state.

The personification of the Crown sits as the very foundation of our constitutional democracy. Like the vast majority of Canadians, she had been the only Queen that I had ever known, and her presence, however distant physically, had always been a reassuring one.

In many ways, her presence represented stability and tradition. Winston Churchill, Joseph Stalin, and Dwight Eisenhower all held office when she became Queen. For someone of my age, those names are all of a different era — historic figures no doubt, but from an age that seems so very long ago. The idea that Prime Minister Trudeau served under the same Queen as Louis St. Laurent has always been quite staggering to me. But the longevity of that presence has been hugely reassuring, not just to me, but to Yukoners, Canadians, members of the Commonwealth, and citizens around the world.

I have remarked elsewhere that, of late, we have seen tremendous upheaval, change, and disruptions in our institutions. In the face of that, the Queen represented stability, safety and consistency, and a link to the past that serves as a reminder of the importance of the institution of the Crown.

As I have gotten a bit older myself, I have gone from someone who was probably lightly inclined toward monarchical reform, perhaps even quasi-republicanism, to where I sit now, which is someone who is ardently monarchist. I have arrived at this position in no small part because of Queen Elizabeth herself and her personification of the Crown.

I've certainly grown to appreciate the stability that the Crown represents in our constitutional system, and I have certainly come to develop somewhat of a conservative disposition that favours the protection of our institutions like the Crown that are the foundation of our democracy. In my view, duty and service were undoubtedly the watchwords of her historic reign. Her commitment to the values she represented set an example for generations of Canadians and citizens of the Commonwealth around the world.

She was a natural leader, and her presence was humbling to even the most iconic and gregarious political leaders. Despite this, her deep commitment to the Crown and its values, and her sincere Christian faith, made her gracious but never condescending. It made her elegant but not opulent. Without doubt, it made her stately but not overbearing. Queen Elizabeth will be greatly missed. I do wish her heir, now styled "King Charles III", the strength to carry on in those noble footsteps.

God Save the King.

All that being said, I do want to remark that despite being a fairly strong monarchist myself, I did not feel that the decision the Government of Yukon took to issue a statutory holiday was the correct one. I'm not convinced that a stat holiday almost specifically for government workers was the right course of action. I appreciate that other jurisdictions took this path as well, but I found the arguments of jurisdictions like NWT,

Saskatchewan, and Ontario more compelling. I would have preferred seeing the Yukon follow those jurisdictions.

Further, I did want to note my disappointment at the missed opportunity for Yukon to institute Platinum Jubilee medals to mark the Queen's 70 years on the Canadian throne. I won't rehash those arguments further from the previous Sitting, but I will simply point to those arguments and let those stand on this matter.

Prince Edward Island, Nova Scotia, New Brunswick, Manitoba, Alberta, and Saskatchewan all instituted medals that recognize citizens who have made a significant contribution to Canada, and I very much regret that the Yukon did not follow suit.

Now, having said all that, let me turn toward matters at hand, which, of course, is the supplementary budget before us today.

First of all, I think that it is impossible to consider this supplementary budget without first reflecting on the context within which it was tabled. The so-called elephant in the room — as one member of the media said to me last week during our pre-session interviews — was the Premier's announcement that he is resigning as Premier, pending a leadership election within the Liberal Party. This means that, within the next while, the Yukon will have a new Premier and the current Premier will step away from territorial politics.

It was a fairly significant announcement and one that has real ramifications for the business of the Legislature, the public service, and, of course, Yukoners in general.

So, I was a bit surprised, to say the least, that the Premier did not mention a word of this in his second reading speech last week. He took time to offer the royal family his sympathies, but did not mention his early-September announcement of his coming resignation. The speech that he read last week seemed to be a standard, fairly wooden supplementary budget speech that was probably written entirely by communications staff in the Department of Finance, which completely ignored the most significant political development in the territory since the last election — the Premier's pending resignation.

Unfortunately, this fits within a pattern of poor communication, which has veered from seemingly disorganized to outright irresponsible. It has been now well over a month since the Premier hastily called a press conference, the day after Queen Elizabeth died. Since then, we have not learned anything more about what Yukoners should expect through this process. We don't have the date of the Premier's resignation or when the new Premier will take over. We don't know the process by which the next leader will be chosen. Will it be by convention? Will it be a typical ballot process? We just don't know — perhaps something else.

In fact, the almost total silence from the Premier and the party on these matters is quite surprising. If this was a normal party leadership election, it would be one thing, but this is bigger than that, Mr. Speaker. This is about who is going to be the next Premier, and with that should come a higher level of responsibility and a higher level of communication with the public and the public service. Likewise, when the Premier made this announcement on the day after the Queen's death, when

many other governments were in a media communications blackout, he also failed to spell out any rules that might be imposed on his Cabinet regarding the leadership election.

This prompted the Leader of the Third Party and me to eventually issue a joint statement on the matter. We jointly took the position that sitting Cabinet ministers should step away from their portfolios to ensure that ministers cannot use their positions, or the resources of their departments, to campaign for leader. This is standard practice everywhere else in Canada.

In fact, we have two perfect examples right next door in Alberta and BC that are in one case underway and in one case is recently concluded.

Following our comments about this, the former Clerk of the Yukon Legislative Assembly offered his thoughts to the CBC in an interview on September 12, and here's what he said — and I quote: "There's a sort of an expectation in Canadian politics that, when a Cabinet minister is running for the party leadership, they resign their Cabinet portfolios for a couple of reasons — one, because you don't want the perception to be out there that they're using their Cabinet position to enhance their leadership prospects. The other thing is that once a person is involved in a leadership campaign, the time and effort that they are putting into the leadership campaign is time and effort that they are not putting into being a Cabinet minister. So, the expectation is that they would resign their Cabinet responsibilities."

Since that time, the Premier has indicated that he will not be imposing any rules of any kind on sitting Cabinet ministers who run to replace him. He said that it's not technically against the law, so he will leave it to them and hope that they all behave responsibly.

All in all, Mr. Speaker, when we consider the timing of the announcement, the failure to set a time, the failure of the party to establish rules, the failure of the Premier to communicate with Yukoners on all of this, the entirety of how this was handled by the Premier has been profoundly irresponsible.

It is within this self-generated climate of instability and uncertainty that we see this current supplementary budget tabled, which presents the next problem. At some point, we as legislators, the public service, and Yukoners in general will need to start asking questions about the future of the Yukon — how to address the health human resources crisis, how to pay for the Canada Winter Games, how to help our economy recover from the pandemic — and the reality is that the current Premier won't be able to answer those questions in any meaningful way because he won't be around to make those decisions; he already has one foot out the door.

This is why I previously described this situation as untenable. Unfortunately for us, the only way this will be resolved in any way will be for the current Premier to exercise some sort of leadership and provide Yukoners with some clarity. However, it remains to be seen whether the current Premier is capable of that.

That brings me to how we will be proceeding through this supplementary budget. As always, we will proceed through second reading and then get into general debate. However, given that there are only four departments with appropriations

in the supplementary budget, that means that we will need to ask questions of other departments during general debate. These include some significant issues and large departments — Health and Social Services, Education, and Highways and Public Works, just to name a few.

Recognizing the situation, I hope that the Premier will allow ministers of those departments without appropriations in this supplementary to stand up and answer questions directed to them over the course of general debate. I know that, in the past, this has not always been the case.

With that, I will conclude. I have a number of more specific questions and concerns that I will raise in Committee of the Whole in general debate. I certainly look forward to getting into general debate to ask those questions that I have referenced and ask some of the questions that, unfortunately, the current Premier will be unable to answer. I hope to learn more from his ministers as opposed to simply having the Premier read briefing notes for the duration of general debate. With that, I look forward to getting into Committee of the Whole.

Hon. Mr. Clarke: I am pleased to rise this afternoon to respond to Bill No. 206, also known as the first supplementary estimate for the 2022-23 fiscal year.

Before talking about our business, I would like to say a few words about the ongoing war in Ukraine. I unequivocally condemn Russia's recent brutal missile strikes on civilian targets in Kyiv, Lviv, and other areas in the country, including far from the eastern front. One of the missiles hit a playground in downtown Kyiv. These retaliatory attacks come as Ukrainian forces have had some notable successes in their counteroffensive against the Russian invaders, including attacking the Kerch bridge, which Russia used to solidify its hold on the illegally annexed Crimea.

As we begin the Fall Sitting of the Yukon Legislative Assembly, it is an important time to remind ourselves that we are so incredibly fortunate to be living in peace in Canada and in the Yukon and to be free from the wanton brutality and mass murder that Ukrainian citizens are currently suffering.

As the air raid sirens continue, I salute the bravery and resiliency of the Ukrainian people as they face this illegal and barbarous invasion. I say to them: "Slava Ukraini."

Mr. Speaker, I will move to the balance of my comments. Thank you for the House's indulgence.

The importance of camping for many Yukoners is immeasurable. Living in the Yukon, our enjoyment of our vast and beautiful wilderness constitutes a huge part of the lives of many Yukoners. I do not have the finalized data for the 2022 camping season, which closed on September 30, but I can say with pride that the 2021 season set a new record for campground use by Yukon residents at more than 36,000 campsite visits. I am, of course, hopeful — we are all hopeful — that we can set a new record this year. This was the second year of the new longer camping season that we introduced through the *Yukon Parks Strategy*.

We are also working on new park regulations. This past summer, we engaged the public, First Nation governments, indigenous groups, environmental non-governmental

organizations, and stakeholder organizations to help develop modern park and campground regulations.

The proposed park regulations are intended to achieve three major outcomes: (1) to ensure public safety and to improve the quality of visitor experiences, (2) to protect natural and heritage values, and (3) to provide efficient operation and administration.

As our park system continues to grow and evolve, we too must adapt by modernizing our legislative tools to align them with user expectations and to allow for proper management and enforcement.

I would like to specifically touch on how we have improved the Yukon government campground infrastructure this year. New playgrounds were installed at the Pine Lake, Yukon River, and Klondike River campgrounds. The boat launch at Tagish River bridge was replaced, with additional boat launch replacements currently underway at the Twin Lakes, Frenchman Lake, Nunatuk, and Ethel Lake campgrounds, which are scheduled to be completed for the spring of 2023.

For those who enjoy mountain biking, in partnership with Carcross/Tagish First Nation's notable Singletrack to Success program, a new trail at Conrad campground was completed. This initiative is boosting the local economy by way of providing the Carcross area with yet another additional high-quality mountain bike trail.

As well, a new general use trail was designated at the Twin Lakes campground, and we have also completed a new interpretive trail at the Tombstone Territorial Park and a new pedestrian bridge was installed at the Fox Lake campground in September to access walk-in tenting sites.

As well, a retaining wall is being constructed at Five Mile Lake campground just outside of Mayo along the day use area to improve beach access, scheduled to be completed in mid-October. Campground expansion and site redesign are being explored at many campgrounds, including Conrad, Wolf Creek, Pine Lake, Ethel Lake, and Little Salmon.

Speaking of the Pine Lake campground, a couple of weeks ago, I was in Kluane country, first for the announcement of the construction of a new and modern, efficient school in Burwash Landing with Chief Dickson, the Minister of Education, and elders, as well as the youth of the Kluane First Nation the following day, which was an inspiring ceremony.

The following day, Mr. Speaker, I was in Haines Junction for the ribbon-cutting on the completion of the Trans Canada Trail section from Haines Junction to Pine Lake. I was joined by Mayor Tomlin, as well as the Member for Kluane and a number of community members. What a fantastic and beautiful day that was.

Our Liberal government was pleased to have helped the Village of Haines Junction to access almost \$1 million of its allotment of the Canada community building fund to complete this multi-year project to upgrade the Pine Lake trail system. Also, this year, the Department of Environment and the Department of Highways and Public Works worked together to co-contribute the sum of approximately \$340,000 in order to

complete this project in this year. I'm certainly very glad to be able to assist to get this project across the finish line this year.

We know that this beautiful area is deeply appreciated by local residents of Haines Junction and well-used by Yukoners and visitors from around the world to the territory, whether for fishing, hiking, participating in the annual bike relay, or countless other outdoor activities. For those staying at the campground who might want to zip in to Haines Junction, they can now do that safely without even starting a vehicle. Whether it is walking, biking, e-biking, scootering, or however they choose to self-propel themselves, a fine meal at Frosty Freeze or any of the other fine establishments in Haines Junction awaits them.

Mr. Speaker, improving trail infrastructure will also help reduce carbon emissions, as fewer vehicles will be on the road during the busy camping season with this convenient and safer option. Considering varied and innovative approaches to reduce our carbon emissions is a large part of what I do in both of my portfolios on a daily basis. Climate change is a defining issue of our time, and the window for meaningful action is short.

In the Yukon, the combination of warming temperatures and higher levels of precipitation have contributed to extreme weather events over the past decade. *Our Clean Future* is the territory's roadmap to solve our portion of the climate emergency. The 10-year strategy was developed in collaboration with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities and reflects input from Yukoners, non-governmental and community organizations, industry, and private businesses.

It sets out our collective vision, goals, and values, along with our strategic objectives over the next 10 years to address our changing climate. In that regard, I am pleased to share that the Yukon Climate Leadership Council has provided its final report to the Yukon government.

This report looks at new pathways to reduce the territory's greenhouse gas emissions by 45 percent by 2030, as compared to 2010 levels. The council has also looked at areas related to education and awareness, leadership, and capacity building to support emissions reduction. We look forward to seeing how the council's recommendations fit with the *Our Clean Future* framework, as we work with our partners to make further progress in meeting the territory's 45-percent emissions reduction target.

We know that investing in renewable fuel sources, such as solar and biomass, are some of the keys to reducing our greenhouse gas emissions. We know that investing in renewable fuel sources, such as solar and biomass, are part of that path. We are excited to be moving forward this year with two biomass and two large solar offset projects, which will offset 780 tonnes of greenhouse gas emissions each year. For biomass, we are installing a new biomass heating system at Elijah Smith Elementary School in Whitehorse, and we are also expanding the biomass heating system at the Whitehorse Correctional Centre. These two systems alone will reduce emissions by 500 tonnes each year.

With respect to solar projects, we have awarded contracts to build two large solar array systems at the Klondike and the

Ogilvie grader stations on the Dempster Highway, which will offset more than 100,000 litres of diesel fuel each year and reduce emissions by 280 tonnes.

In addition, we are also moving forward with two additional solar energy projects at the Tuchtua and the Blanchard grader stations, which will be tendered soon.

This is just the start of where our government can go with renewable energy projects. Additional feasibility studies are also underway to identify future projects, and I'm excited for what the future will bring. As we heard today, we are also tabling a bill to create a clean energy act during the 2022 Fall Sitting. This bill will propose to legislate greenhouse gas emission reduction targets and public reporting mechanisms to ensure long-term climate action accountability and transparency.

The *Clean Energy Act* will ensure a continuation of work across political life cycles, focusing on achieving essential climate action to meet our greenhouse gas emission reduction targets. Our Liberal government stands on the right side of history as we face climate change, and it is imperative that we codify this for the Yukon for now and for the future. The proposed act is another tool in the Government of Yukon's efforts to reduce our emissions.

Another part of the *Clean Energy Act* are targets for the sale of zero-emission vehicles. I'm proud to say that the Department of Highways and Public Works is leading by example by adding zero-emission vehicles to the fleet and promoting sustainable and suitable vehicle options that will meet requirements while embracing new vehicle technology. One of the targets of *Our Clean Future* is to develop and implement a system to prioritize and purchase zero-emission vehicles for all new Government of Yukon fleet acquisitions where available and suitable. The department, in the future, will also be tendering for electric trucks, vans, and SUVs to replace gasoline vehicles wherever appropriate. This will significantly exceed the targets set in *Our Clean Future*. These tenders showcase our government's climate leadership by signaling the direction for emission reductions and clean transportation options.

From the roads we move to the air. Mr. Speaker, I would like to talk a bit about the work we are doing on the airports and aerodromes of the territory. The Yukon has 23 registered aerodromes and five certified airports. We all know that air service is crucial in the north. It is essential for connecting our communities, building our economy, and linking the Yukon with the rest of the world. This is why our government has invested significant resources to maintain and improve this category of infrastructure, which includes upgrades to equipment and facilities.

In the 2021-22 fiscal year, we spent \$19.4 million on aviation-related capital projects. In fiscal year 2022-23, we are forecasting to spend approximately \$56 million on aviation capital projects.

A good example in the communities is the \$2.7-million runway lighting upgrades at the Mayo airport to ensure that Yukon's newest certified airport continues to provide a

transportation link for important services such as medevac, charter, and commercial flights.

I recently had a good visit in Mayo and had some productive conversations with the First Nation of Na-Cho Nyäk Dun and the Village of Mayo where we discussed a number of the infrastructure issues of mutual concern and potential benefit.

Another example is our investment in the Watson Lake airport in fiscal year 2021-22 to resurface the runway and portions of the taxiway.

Speaking of Watson Lake, our government worked closely with Liard First Nation, the Town of Watson Lake, and the RCMP on priorities around road infrastructure in the area. It was a pleasure to be in Watson Lake in May to meet with stakeholders. This summer, new pedestrian crosswalks were added to the intersection of the Alaska Highway and Robert Campbell Highway and in front of the Watson Lake Secondary School. Lighting infrastructure is also in progress to be installed on the Robert Campbell Highway up to Two Mile Village.

Back to airports, last but certainly not least, we are investing significantly to upgrade the Erik Nielsen Whitehorse International Airport. We are currently working on the upgrade of the parallel runway, reconstruction of the apron concrete panels, and finishing the resurfacing work on select taxiways. We expect this work to be done by this fall. We will then be tendering on the main airport runway project for next year's construction season.

This Liberal government continues to make strategic investments to keep our aerodromes and airports safe and open for business. As we all know, ongoing maintenance of our airport infrastructure — all infrastructure, really — roads, bridges, culverts — is a formidable task in the Yukon, particularly as we face generally challenging Yukon winter conditions in addition to the developing impacts of climate change and its implications on our infrastructure.

We have also inherited a Yukon Party significant infrastructure deficit and a lack of major upgrades in many sectors, but particularly in the aviation sector, which we are now aggressively fixing. These past years have not been easy for many industries, and for the aviation industry, the COVID-19 pandemic caused demand to instantly plummet. Our government recognizes that air carriers provide critical and essential services, and with federal government assistance, we have distributed nearly \$12 million to support the industry through this unprecedented turbulence.

We administered this funding to ensure that essential services and medevac operations continued uninterrupted. Again, recognizing that the aviation industry plays a key role in the territory's economy and quality of life of Yukoners, we are working to promote interline agreements between the different air carriers so as to provide a smoother travel experience, convenient schedules, and seamless travel for those travelling to and from the Yukon.

We are advocating for these agreements, as they will allow airlines to operate at a higher capacity and reduce the number of empty seats on flights. This will increase profitability, support stability in the local market, and, employing a climate-change lens, has the potential to meaningfully reduce

greenhouse gas emissions per passenger. Indeed, fostering a stable and sustainable aviation sector is a high priority for our government.

Our Liberal government worked hard to build relationships to put the territory on a path of prosperity and success. In this context, I would like to share some of the work by the Department of Environment that I had the great privilege to witness this last summer on the Yukon North Slope. Our Fish and Wildlife branch has been undertaking wildlife research on the Yukon North Slope for many decades in collaboration with the Aklavik Hunters & Trappers Committee and the Wildlife Management Advisory Council (North Slope). We have forged strong relationships, working together with the Inuvialuit co-management boards and communities to maintain healthy wildlife populations and rich habitat on the Yukon North Slope — for example, habitats for the Porcupine caribou herd that are a vital subsistence food source for the Inuvialuit and other northern indigenous people.

An example of collaboration is our collective approach to the management of Qikiqtaruk, also known as Herschel Island Territorial Park. Qikiqtaruk is a world-class park receiving many visitors and researchers from around the world each summer. Our joint management of the park provides opportunities for traditional use, employment for Inuvialuit, worldwide visitation, and insight into the direct impacts of a changing climate. I had the honour and privilege of flying over Herschel Island this summer. I did not have the opportunity to land, as the landing strip was soggy; it was flooded at the time.

It was also a great privilege to be able to witness that and also to meet with the Northwest Territories' Deputy Premier, Diane Archie, Aklavik community members, members of the Inuvialuit Game Council, the mayor of Inuvik, Grand Chief Kyikavichik of the Gwich'in Tribal Council, and others.

Continuing with the Department of Environment, I have spoken a lot about capital investments today, but I would like to say a few words about the legislation that our government will be tabling this fall session.

I would like now to tell the House about the proposed animal protection and control act. We are developing this new legislation to provide broader protection and animal welfare. It will support enforcement when uncontrolled animals threaten people, property, or the environment. This new act will reflect the values of Yukoners and meet our duty to provide humane care and responsible control of companion animals and livestock. It will also address concerns identified by the Yukon Fish and Wildlife Management Board and renewable resources councils by providing tools to prevent feral animals from damaging the environment. Our government has been working toward revising this legislation for several years.

In 2018, we engaged Yukoners through a public survey, received over 900 responses, and held 10 community meetings. In the fall of 2019, we re-engaged with First Nations, communities, the agricultural industry, veterinarians, animal rescue operators, mushers, the Royal Canadian Mounted Police, and other stakeholders who work with animals. Our government believes in responsible decision-making. We have carefully considered valuable input received from Yukoners to

inform the drafting of this new legislation. I am excited to present this modern, progressive legislation in the House in the coming days.

Returning to Highways and Public Works, I would like to talk a little bit about our road infrastructure. Over the course of the summer and fall, I have had the opportunity to travel to many Yukon communities, and I have been impressed by the sheer amount of work that is going on throughout the territory, particularly on the north Klondike Highway. By the end of the fiscal year 2022-23, the construction of approximately 46 kilometres of road will be complete. Through the federal government's national trade corridors fund, the Department of Highways and Public Works is upgrading critical sections of the north Klondike Highway over a 10-year period. A total of 209 kilometres between Carmacks and the Dempster Highway intersection will be completely reconstructed during that time frame.

Speaking of Carmacks, I very recently had the pleasure to meet with Chief Tom and the Little Salmon Carmacks First Nation Council, as well as the Mayor of Carmacks, Lee Bodie. In Carmacks, we are building a new road and bridge, which will allow industrial vehicles to bypass the community of Carmacks, creating a safer flow of traffic for residents. This project will also improve access to mining activities, while enabling the Little Salmon Carmacks First Nation to benefit from contracting, education, and training associated with the project.

Construction of the road and bridge has begun. The contractor is scheduled to finish approximately 80 percent of the roadwork and 60 percent of the bridge work this construction season. The remaining work will be completed next year.

On Yukon highways, HPW has made some significant headway in brushing, improving lane markings, removing hazards in the right-of-way, and installing —

Deputy Speaker (Ms. Blake): Order, please. Out of time.

Hon. Mr. Clarke: Thank you, Madam Deputy Speaker. Thank you for the opportunity to provide my comments.

Ms. White: We have heard a bit of discussion in the Chamber so far about the cost-of-living crisis that we are in, and the Minister of Highways and Public Works just used the term “unprecedented turbulence”. Maybe he wasn't talking about the current situation, but I would say that many Yukoners right now are feeling an unprecedented turbulence.

Every day, we have people coming into our offices, and they are telling us about the impossible choices they are having to make. I've referenced before in the media the senior with mobility issues who, as we were getting ready for winter, had to make the decision as to whether or not they were going to keep their cable package or if they were going to keep that money aside for food.

The reason I bring this up is that this senior doesn't have the ability to really leave the house in the wintertime. They can't go on their own; they have to go with supports. So, although many of us will take it for granted, cable was really their access to the outside world, and that has been cut. They

are no longer going to be able to watch what is happening in the outside world, because they are so concerned about their groceries. I have to say, I can't imagine how lonely winter is going to be at this point in time.

We've had discussions today, just talking about the young people whose privacy was breached through the Department of Education. I can tell you that the same young people are saying right now that it's getting harder and harder to save for that post-secondary education — the education they are told they need in order to make it in the world.

We've heard a lot from families who are trying to make decisions right now between cutting their kids' after-school programs or not, and it is because they just don't have the money they need. They can't figure out where to get it from, and they're trying to make the most responsible decisions that they can.

Today, we saw a petition tabled, which was signed by nearly 2,000 Yukoners, talking about pharmacare and talking about the cost of pharmaceutical prescriptions. The reason why this is so important is that, on a regular basis, we hear from people who are having to ration out those critical medications, because without the additional medical insurance that we are so privileged in this House to have, they just can't figure out where to cut costs to make sure that they can cover that. Nearly 2,000 people in the territory have said that we need to look at how Yukon covers the cost of prescription medication.

These stories that I'm sure each and every one of us have heard in one way or the other — maybe the story varies or maybe the teller is different, but the point is that, right now, these are stories that are being lived right across the Yukon. Whether we talk about all the way down in Watson Lake or we talk about as far up as Old Crow, all the way toward Beaver Creek, Dawson City, Faro, and points in between, everybody has a story right now about what they are trying to do to survive this unprecedented turbulence.

When we add these stories up, we know that recently the Liberals have offered up help. There have been a whole plethora of programs announced, but we know right now that it sounds like a dime when Yukoners really need a dollar. You might now think that this budget that we're getting ready to debate would be an opportunity to discuss these programs, but that's not the case.

A budget is an opportunity to direct where you think money should go and who it should support, and a supplementary budget is an opportunity near the end of the fiscal year to course-correct, if you need to, to offer additional support if it's needed. So, we saw a flurry of commitments made prior to the release of this supplementary budget. Again, I said that we might have thought these would be included in the supplementary budget so we could have a conversation about them and maybe suggest changes or ways to strengthen them, but they aren't.

So, not up for debate is the one-time payment for social assistance recipients. It's important to point that out because this government is still refusing to review the base rate for social assistance, and they have been for the last six years. People are falling deeper and deeper into poverty. You would

have maybe thought that up for debate would be the one-time payment to seniors, but it's not. We're not going to debate that, and I bring this up because so many seniors right now need more than a one-time payment. So many of them are sitting on Yukon Housing Corporation wait-lists because rents have gone unregulated, or they're trying to figure out how the pioneer utility grant is going to change. There have been changes, but it's important to note that if you're a single person who earns \$60,000 a year, or you're a couple who earns a collective \$60,000 a year, you're treated differently. The couple receives more money toward their utilities than a single person does. It's an interesting one, because I ask you: Is my house less warm if I'm there by myself than if there are two of us there?

I guess the government can answer those questions.

You know, we don't get a chance to debate the rebate for the fuel wood that has come forward. The interesting thing is that this rebate is only good for folks who purchase their firewood from suppliers, but it doesn't help those going to collect the wood themselves, because those folks are still paying higher gas rates and they're still having to drive farther. Although this rebate came out and it sounds great, what it's really doing is failing to fix the core issue, which is access to supply. If you can't access firewood, then it's going to be really hard to heat your house. So, what we saw was the Liberals offering band-aid solutions when really what we're asking them is to be brave and bold enough to review these programs and to make sure that what we do is we take the people who are the most adversely affected right now by that cost of living — those increases — and make sure that they can survive.

So, with this budget, we know that the government is forecasting a \$33-million surplus; \$33 million could go a really long way to support the Yukoners who need it the most. I'm not saying to spend all of it — I'm not that naïve — but I am saying that some of that money could definitely be spent. Part of the surplus could — and in my mind, should — be given back to Yukoners.

Recently, as the NDP, we proposed a real inflation-relief program that could be set up to ease some of that financial pressure that Yukoners are facing. We proposed a \$500 payment with a sliding scale for households earning up to \$100,000 a year. Then what we said is that we would be committed to looking at this program in six months, and if the situation wasn't better for people, then we would do it again. So, between \$500 and \$250, depending on the household income. We believe that this money could go a long way in helping people who are struggling to pay the bills right now.

Another measure that we proposed is to immediately increase the base amount of the child benefit to reflect today's cost of living and then to index it to inflation because, in the Yukon, the child benefit is not indexed to inflation, and worse, it hasn't been increased since 2015. Although this is a federal program, Yukon has the ability to make these changes, but we aren't. We're not making those changes. So, this means that families have been receiving the same amount for years while the cost of everything continues to rise. In this Assembly, we often hear about how kids are the future of the territory, and of course we agree, but if we truly believe that kids are the future

of the territory, then we should make sure that they have the best possible start in life.

If increasing the child benefit by \$172 helps that, then why hasn't the government done that? Why haven't they made changes since 2015? Keeping in mind, of course, that the government has been the government since 2016.

We also believe that our most vulnerable Yukoners should also not just get a one-time payout, but they should have an adjustment to social assistance that reflects the cost of living. I have been in this Chamber, I would say, for 11 years today, but I didn't come in on the day I was elected, but I'm going into my 12th year. Today — I don't know if I say that I boldly enter the 12th year, but I was elected 11 years ago today, and there hasn't been one single legislative Sitting where the NDP has not called for a review of social assistance rates — 11 years.

My colleague, Jan Stick, when she was the Health and Social Services critic, she asked for that. In 2016, I became the Health and Social Services critic, and I asked for that. Now, of course, the Member for Vuntut Gwitchin, as the Health and Social Services critic, is asking for a review of social assistance rates. It has not been done since 2007. So, the base amount of social assistance has not been reviewed since 2007, and I have been here since 2011, and I have asked two separate majority governments to do it. Now I'm asking a minority to do it, because we know that social assistance rates are falling far from capturing the financial reality of living in the Yukon today.

It would be fantastic if I could say that things have changed and changed so much that people on social assistance are living large and maybe we should roll it back, but that's not the case. So, since 2007, there have been no changes.

The total cost of these supportive programs would be well within the projected surplus of this government's budget, and I hope — I mean, I'm looking forward to someone coming back and saying that I was wrong with my \$7.2-million calculations. That will be fine. I'm looking forward to it being costed; that would be great. I mean, an office of six compared to the entire public service — it would be really good to have that come back. I'm hoping that when it comes back, it comes back with the understanding that what we're asking is on behalf of Yukoners.

It was really interesting. There was the first-day scrum, and there was the question about what changes you have seen with inflation. What have you had to do? What have you had to change? I kind of veered off course there, and then I really gave my head a shake, and I was like, actually, I'm really fortunate. The privilege of my position dictates that I am very fortunate. I am so incredibly fortunate, but not every Yukoner is in this position.

Not everybody has their salary tied to inflation automatically. Not everybody has access to private health insurance. Not everybody has the same programs or access that we do. Not everybody earns the money that we do. My privilege is that I have to worry less than my neighbours, but it doesn't mean that I don't worry for my neighbours.

When we brought forward these programs, it was with these stories that we have heard from people coming in and telling us these stories. That's why we brought forward these programs. We are not talking about band-aid measures or about

improving public images; what we are really talking about is helping Yukoners get by this winter and do better in the future.

A government that can't be bothered to help people in their time of need is a government that has lost its way.

While we do get to debate a previous announcement of an electricity rebate — not the most recent announcement, but the previous announcement for the same program — we still question the government's refusal to make a private corporation, which has over-earned millions of dollars from Yukoners, give all of that money back to those same Yukoners. More than that, why do they not insist that the problem be fixed that allowed it to happen in the first place? It's called a "general rate application". It's a full review.

Today, we had a ministerial statement on a new community services building in Faro, which is fantastic, but there was no mention of the government's plan to support unincorporated communities without fire departments. What happened to this government's commitment to implementing recommendations from last year's review of fire suppression and rescue resources distribution? As a matter of fact, which of those 104 recommendations does this government support? One hundred and four recommendations: we don't know where we are going with them right now. I shouldn't say that. I'm sure someone in the department knows, but as the general population, we're not sure where we are going with those 104 recommendations, so that would be good to know. I look forward to knowing.

What about the fire suppression in a box that has been highlighted by this government as a solution? You know, for those on the fringes of society? I would say that any solution right now would be great, but when will communities see these solutions on the ground?

Keno was so desperate for something to happen that they bought themselves a fire truck. That is a lot. They pooled their money together to buy a fire truck. People can have opinions as to whether it is good or bad, but that's not the point. The point is that, out of desperation, the community of Keno, which lost two important buildings to them, bought a fire truck in response to the lack of government support. They were willing to go with the fire suppression in a box, but they were waiting, and nothing was happening.

You know, the Minister of Highways and Public Works talked about his visit to Carmacks, and I am sure that he would have heard from the First Nation then about the importance of a swimming pool, how important it is for kids to learn how to swim in a community by a river, how it is not just about recreation, but it is actually life-saving. You know, when we were at that meeting with representatives of the Little Salmon Carmacks First Nation and they were telling us stories about being on the swimming team and what that meant, there is the reality that swimming is more than something that should just happen in Whitehorse and it is more than something that should just happen seasonally.

It is interesting, because when we went to the community of Ross River — I was there at just about the end of summer, and at that point in time, they had been promised — they had been promised — that the pool was just about going to be open,

just about going to be open. By that point in time, they had already missed most of the season. I can tell you that, in my personal experience, I went to Ross River to do a bike instruction with kids, and you know, it just so happens that, when it's plus-28 out, you can't really compete with a swimming pool, and I could see kids until the pool opened, but then they would switch; they would go back to the pool.

You know, one of the things that we heard when we were in Faro is the importance of having an all-season outhouse. I think in 2012 was the first time I talked about an outhouse publicly, and I thought that was going to be the weirdest thing ever, but it turns out that, you know, talking about bathroom facilities as an elected person is pretty normal.

So, the community of Faro and the community of Ross River — when you leave those communities, there is not access to a public bathroom until you get to Carmacks. And they said, "What about elders? What about older folks? What about people who really need a safe place to go? They can't just go beside the vehicle in a snow bank. So, what about an all-season outhouse?" They had some ideas about where it could go — not going into the campground, because obviously the campground is closed and inaccessible, but like one at a pullout. They would really like to see an all-season outhouse. It seems like that would definitely fit within the \$33 million that we're talking about having as a surplus.

I talk about — I have talked — because despite the fact that I ride bicycles all the time, I only started riding my bike to work last year. So, I refer to myself as a "born-again commuter", but I can say that, for example, the Minister of Highways and Public Works was just up, and he was talking about active transportation and his opportunity with the environment file. It is interesting, because the most unsafe part of the Millennium Trail — which is like, I would say, the superhighway of active transportation in the City of Whitehorse — the most unsafe part of the Millennium Trail actually is owned by the Yukon government. If anyone wants to know, they can go take a look at the wooden deck outside of the tourism information building, and they can see the non-slip paint that was painted — and I really appreciate that it got painted this year in summertime, but it is almost gone.

The non-slip paint that is actually very slippery in the wintertime got applied earlier in the season, which is fantastic, but it is still slippery. It is still really slippery. The safest way to deal with that problem — I send a letter every season — is actually replacing the decking — getting rid of the wooden decking that is very slippery and putting in bitumen, just like the rest of the trail. That would be fantastic.

There are interesting things. We could talk about the reconstruction of the Alaska Highway. People in my neighbourhood in Takhini North would like to see an underpass between the neighbourhood and the ski trails. One was put in, in a neighbourhood that was far less close to activity things than my neighbourhood, but I'm hopeful. They would like to see sound suppression, because despite what anyone says, when the house was built in the 1950s by the army and despite that the highway was always going to be there, there are issues. There

are issues now. The highway in the 1950s is substantially different from the highway in the 2020s.

There is a condo complex in my neighbourhood just off the highway. It gets flooded out every spring. Every single spring it gets flooded out, and it's an easy solution. The Yukon government could work on the drainage around that building; they could do it, and then they wouldn't get flooded again. That would be fantastic, but it hasn't happened yet. It hasn't happened yet, but we have seen a forestry building that has allowed water to flood out neighbours in behind. A really big congratulations and thank you to the folks at Property Management who have been making sure that they have been suctioning that water away from the back of that lot and not flooding out their neighbours. I really appreciate that.

So, there are all sorts of things across the territory where there are examples of things that government can do to make lives better for people. What I really want to do is see those actions being taken. Whether we are talking about reviewing social assistance rates or removing slippery decking, there is an opportunity — building outhouses between Carmacks and Faro — to make lives better for Yukoners, and that is what I would like to see.

Hon. Mr. Mostyn: It is a pleasure to be on my feet this afternoon responding to the supplementary estimates for 2022-23, Bill No. 206. I have been around the communities a lot this summer talking to people in Whitehorse West and throughout the Yukon. This afternoon, for a few minutes, I will talk about my riding and constituents and perhaps eggs, but as I moved around the territory this summer, I've been thinking a lot about the conversation I had with Peter Jenkins in Anchorage a few years ago. Actually, it really wasn't a few years ago; on reflection, it was actually decades ago. Let's be honest, Mr. Speaker, when I was talking to Peter, many of the opposition — not all, but some of them — hadn't even entered high school yet.

I was at Anchorage for a tourism launch — direct flights from Whitehorse. And on this evening, Peter, Karen, and I were in a restaurant overlooking the city. Peter turned to me and said, "Richard, do you know what Alaska's state bird is?" I admitted I did not; I was a young man who didn't know where he was going. But he turned around in his seat, gestured to the skyline the restaurant overlooked, and said, "It's the crane." Peter then went on to express his admiration for the amount of building construction happening in the state at the time.

Travelling around the territory this summer, Mr. Speaker, I wonder if Peter might be thinking the same thing if he was driving, as I was. There's a lot going on in the territory these days, and there are cranes on our skyline as we move the territory forward. We have almost full employment. Wages are up. Contractors have told me they can take employees through a full apprenticeship based on the work in progress and chronicled in our five-year capital plan. Through the pandemic and beyond it, we saw incredible economic growth, in no small part due to my colleagues' nation-leading business supports during COVID.

I can tell you things are a lot different in Ontario. I was there for the opening of the Canada Summer Games this summer. I can tell you stores and restaurants are permanently closed and papered-over windows are common on downtown main streets. We'll talk about housing and lot development this afternoon, but much of the pressure we're seeing there is caused by our population growing at unprecedented levels. Now, a problem is a problem, to be sure, but issues caused by white-hot economic and population growth are far better than those that come with an economy that's in recession, as we saw less than 10 years ago under the Yukon Party.

All right. So, where are we with this supplementary budget? We're proposing to spend about \$26 million more than what we first thought we would a few months ago. This is all to run the government, not to build new capital projects. As the Premier noted last week, that spending will draw down the predicted surplus \$6.5 million to \$33 million.

So, how can we spend \$26 million more than predicted and only draw down the surplus \$6.5 million? Well, because we saw revenue increase \$18 million more than we predicted in the spring. Where is the lion's share of this spending going? Most of it has fallen on the shoulders of Community Services. A huge chunk of the spending this summer is coming as a result of man-made climate change.

As I have said before in my previous role of Minister of Highways and Public Works, climate change is real, it is expensive, and I have the receipts to prove it. As part of this bill, the department is seeking \$20.2 million to address ongoing emergency needs that we have seen in response to climate change. We're now seeing extreme weather events that challenge what we have come to know and expect when it comes to fires and flooding in the Yukon. These events have become more common.

Unfortunately, it has been an intense summer for Community Services. It will come as no surprise that many resources were put into another record year of flooding, as well as dealing with forest fires during the early part of the summer. I'll start with flooding.

It was a worse year than the Southern Lakes flood of 2021, although few people on the streets would probably think that, and here's why: Many of the flood defences remained in place from the previous year in Marsh Lake, so that, coupled with the moderately lower levels of water, we had less severe high-water events in that region. Unfortunately, this year, the rest of the territory saw record levels of snowpack and water levels, which led to flooding in nine communities in 2022, many of them record floods. Particularly hard hit were Upper Liard, Teslin, and Carmacks. For our relatively small team in Community Services, getting supplies and support to communities throughout the Yukon was an incredible logistical challenge. Thankfully, our civil servants were well-prepared with materials being pre-positioned earlier in the spring for the expected flooding events. Protective Services also invested in two sandbag machines, and these were used continually throughout the Yukon in June and July.

We also saw some municipalities, like Teslin, really handle their flood response extremely well, and that actually freed up

resources for Community Services to go to some other communities that had even more struggles.

I also want to put on the record that we're grateful to Yukon First Nations Wildfire for their significant contributions to the flood and fire responses this past spring and summer. We have a great partnership with them, and it's only getting stronger over time.

At the moment in the supplementary budget, \$3.8 million is earmarked for flood-related expenses, particularly for response efforts needed in Teslin, Carmacks, Ross River, and Upper Liard. There may be some financial assistance from the federal government, but how much and when remains to be seen.

Now, no sooner had the team at Community Services achieved some respite from the flood emergency throughout the territory than an unprecedented weather event led to more than 21,000 lightning strikes across the territory. The lightning caused 20 new fires a day at its peak, and there were 136 fire starts in late June and early July. This wasn't a record fire year — it was certainly higher than average — but the thing that was most challenging for Community Services was that many of the fires occurred near communities, infrastructure, and other high-value targets.

I applaud the handling of evacuation alerts. Road and bridge closures and other events this summer were extremely challenging for the team. We had support from BC and Alberta as well. I applaud the residents, firefighters and first responders, communities, and public servants across the territory who navigated this difficult season so well.

From preparation to mitigation to cleanup, this work is critical to ensuring that our communities and their residents continue to be protected from the ongoing risks and challenges of climate change, including increased flooding and this more challenging fire activity.

What we are seeing is a change in our summers. I encourage all travellers moving through this incredible territory to be self-sufficient, as many are in the winter. Carry food, water, and gear that may be helpful if you are stranded while travelling to your destination. As I said, we do this in the winter routinely, but now we have to start looking at this in the summertime. I encouraged this during the summer this year, and I am doing it again. Keep a kit at home, and when you are travelling, make sure you have the gear you need to be self-sufficient for a few days.

Now, as I said, the fires were close to our communities and infrastructure this summer. Fighting these fires was costly.

So, \$16 million of the new spending that we are asking for in this supplementary budget is required to cover wildland fire costs associated with this more active fire season this summer. This includes costs associated with clean-up efforts happening this fall.

Now, as I've said, climate change is contributing to these events.

Our government declared a climate emergency in 2019 and released *Our Clean Future* in 2020. It's a nation-leading, 10-year strategy to deal with climate change, energy, and building a green economy. The priorities and goals of the incredible plan

were developed in collaboration with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities. The strategy reflects input from Yukoners, non-governmental and community organizations, industry and private businesses, and First Nations and municipal governments. It is truly a Yukon strategy for tackling climate change, and it is helping to move our territory forward as we navigate the complexities and real-world impacts of climate change.

At all levels of government, we must plan for extreme weather events by creating communities resilient to wildfire and climate change and by investing in infrastructure that protects us from climate disasters.

This means increasingly managing forest fuels and creating wildfire-resilient communities through firesmarted areas and fuel breaks. This is why we are also including \$400,000 to enhance First Nation FireSmart projects with areas that have already been identified. In flood-prone communities, it will be important to consider infrastructure improvements, permanent dikes and breakwaters, and raising roads and highways to an adequate height to protect them against rising water. Some of that work has already been started by Highways and Community Services, but more work needs to be done. We are going to continue to do that work over the coming months and years.

As we think about the future, we must take into account the changes to our climate, landscape, and environment as we plan for our communities and our infrastructure. This is why we continue to move the ball forward on tackling climate change, reducing greenhouse gas emissions, and building resilient communities. Two of these major efforts include: regionalization of landfills and the Better Buildings program. Regionalization includes the closure of unregulated transfer stations. That is moving forward in concert with our municipal partners. As you all know, many people feel very strongly about this and we have heard them, but at the end of the day, we need to protect our environment and better manage the waste that we are producing. As my good colleague from the beautiful Mount Lorne-Southern Lakes and I have often said, we are creating more garbage than ever before, and we really do need to manage it better.

We have heard that the Yukon Party is vehemently against closing rural unregulated dumping stations. The environment has never been on their list of priorities. They have demonstrated this through their efforts to mine the Peel and, more recently, undermine carbon pricing, even though they campaigned for it during their last election. The New Democratic Party is also opposed to the closure of transfer stations. I am a little bit more surprised about that since they generally are climate and environmental champions. For them to demand continued unregulated dumping of all sorts of nasty substances in these unregulated dump sites is, to me, frankly surprising.

The Better Buildings program is also moving ahead. As stated before, this program will enable homeowners and commercial property owners to access low-interest financing to undertake energy retrofits. The program is in its final stages of development as we work to establish municipal and client

agreements. I have been speaking with municipalities across the territory on my community tour. Those are proceeding and we hope to have news on that in the coming weeks. As I understand it, the Climate Change and Energy Solutions Centre is excited in gearing up to deliver this program to Yukoners very soon.

As I said, people want to move to the territory. There is a lot of pressure to create more housing — of course, we have heard that, and we're continuing to advance that file, particularly in Whistle Bend, which has about another five to seven years' worth of development. We made a promise to get out 1,000 lots over our term in office, and this remains our target. This fall and coming winter, we're working toward tendering at least two new phases, a lift station, landscaping projects, and stormwater work, which will be completed next year.

We are moving into high gear on this file. I recently undertook a tour of Whitehorse. I know the city council also took a tour recently. It's amazing how many new developments are happening across Whitehorse and throughout rural Yukon as well. Just this year, we're confident we'll see 200 lots developed in Whistle Bend by the end of the year, and in the meeting that I had with city and First Nation officials this morning, with my good colleague, the housing minister, we learned that more than 288 building permits have been issued this fall, up from 187 last year and 150 the previous year. So, we are making progress on this file.

It's also important to note that the shift does not happen on a whim. It has taken a herculean effort on the part of Community Services, the Yukon Housing Corporation, and Energy, Mines and Resources to advance this file, and it has been consistent over many years. These things don't happen overnight. We have been working on these issues, on these files, for years now, and we're starting to see the fruits of that labour.

I know that the Minister of Energy, Mines and Resources would agree that we owe our teams a ton of gratitude, and that hard work has not gone unnoticed.

Mr. Speaker, I had the pleasure of going to the Summer Games this summer and participate in the opening ceremonies. It was incredible to see our athletes and the enthusiasm of the teams across the country, but I think that there is particular enthusiasm in Yukon, which literally glowed under the lights of that opening ceremony in Niagara. It's important that we went, because we wanted to see and gear up for our bid to host the 2027 Canada Winter Games.

This story continues to be written, as we work with Ottawa, but I remain hopeful that the games will be hosted here in Whitehorse in 2027. This will be a huge benefit for the Yukon, for Yukon youth, the City of Whitehorse, the Yukon's business community, Yukon University, and the territory as a whole — our First Nations. The benefits from hosting this event will be extraordinary for the territory, much as they were in 2007, when we became the first jurisdiction north of 60 to host the event.

We are going to see not only new infrastructure, but new housing, as well, tied to this bid — an unprecedented housing investment. So, it is going to be great for the city and the territory, and I want to thank the City of Whitehorse for recently

voting this move forward with near-unanimous consent. I was pleasantly surprised to learn that most of the council is united in support of this event, which garners national recognition and provides so many spinoff benefits to our community.

I also want to thank the many, many people who have worked to get the bid that we submitted together, especially Piers McDonald, head of the Canada Games bid committee. There has been a ton of people working on this file for more than a year, and Piers has led that team, and I really can't thank them all enough. They have done just an incredible job.

I have two files, Mr. Speaker, including the Yukon Workers' Compensation Health and Safety Board. I want to highlight the new *Workers' Compensation Act*, which came into force on July 1. To ensure successful implementation, the board updated policies, held stakeholder information sessions, and updated forms and information on its website. I will also note that this new act came forward without raising rates on a whole swath of businesses, which could have happened had votes in the House last spring gone differently.

I want to thank our civil servants out there for all that they do, day in and day out, to make these things happen.

Yesterday was Thanksgiving, and I was out walking in my neighbourhood in Whitehorse West, talking to constituents and sharing some eggs, because I have backyard chickens, and the new team is producing exceptionally well these days — producing so many eggs that I can't actually eat them all. As I walked the neighbourhood, I spoke to folks about heat pumps, solar power, and fast-arriving new grandchildren. They spoke about housing affordability with me and the rental market. They spoke about the wind and the weird weather that we have been having in the last couple of weeks, and prepping our yards for winter. Over the summer, they spoke to me about minority government, mental health, supply chain issues, the environment, firesmaring and the Arctic framework, midwifery, equality, and many, many other issues besides.

I'm honoured to represent that constituency, and I thank my constituents for their continued support, ideas, and frequently, more often than not, inspiration. They're an incredible group of people, and I am — this has been a highlight of a career I've had — my life's career, and this is a highlight of my working life.

So, I want to assure everybody today — as I do in my neighbourhood and on my community tours — that this side of the House is firmly focused on building a strong future for Yukoners, and we're going to continue that work as long as we possibly can. I thank you, Mr. Speaker, for the time of the House this afternoon, and I will conclude my remarks.

Hon. Ms. McLean: It is my pleasure to speak to our government's 2022-23 supplementary budget.

I rise today as the MLA for Mountainview, as well as Minister of Education and the Minister responsible for the Women and Gender Equity Directorate. As I stand here on the traditional territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council, I'm filled with gratitude but also focus and commitment to continuing to move the territory forward.

Mr. Speaker, a tremendous amount of work has taken place since we were here in the Assembly last spring. Before I share the details of that work and what it means to Yukoners, I'll take some time to reflect on a ceremony that took place recently with me and department officials and our spiritual leader, Phil Gatensby. This ceremony was to set the intention for beautiful glass feathers that will be gifted to each of the eight schools transitioning to the Yukon First Nation School Board. We took the time to come together and share with one another the intentions we wanted these feathers to represent. The ceremony was personal; it was emotional and directed to Yukon children who will come up through the school system and those who will support them. Mr. Speaker, I share this story to acknowledge the spirit and human connection of the work that is done within these walls and throughout the territory. It was an honour for me to connect in that way and know the intention that was set with these feathers will be felt for generations to come.

Together with our partners, we are reimagining Yukon's school system. It took many decades for Yukon's education system to become what it is today, and our government is committed to doing the hard work and the right work to undertake the system transformation that is needed to continue to work and move things forward for the benefit of all students in the Yukon. The department is making system-wide changes that advance reconciliation and decolonization of education.

We are focused on the important work of recovering from the pandemic and responding to the Auditor General of Canada's report — the review of kindergarten to grade 12 education in the Yukon and the 2021 review of inclusive and special education. We cannot undertake this transformational work without our partners and their trust — the trust of educators, students, and families who are at the heart of the work we are doing. We need to strike a balance of between taking actionable progress and taking the time needed to build trusting relationships.

We must do things differently if we want to see different results. We are managing all of this important work within our existing budget resources.

We recognize that the impacts of the COVID-19 pandemic have not been the same for all students. We are committed to providing supports for recovery, because the health and well-being of Yukoners is the foundation of a bright future for our territory.

We have developed and shared a two-year pandemic recovery plan that educators are using to support their learners. The plan focuses on key priorities, including inclusive and special education, mental health and wellness, numeracy, literacy, and core competencies. We continue to assess student learning and are closely monitoring the impacts of the pandemic on learners' outcomes. Our budget includes \$400,000 for mental health supports in schools for the 2022-23 budget in recognition of these increased mental health and wellness needs for students.

We will continue to work with the school councils, First Nation governments, and partners to determine how best to coordinate student supports and access to service, provide

additional training for school counsellors, enhance student outreach and awareness, and offer training and supports to school staff in developmentally responsive approaches to mental health and awareness of mental wellness needs.

Together with the Chiefs Committee on Education, on February 14 of this year, we established the new First Nation School Board. The Government of Yukon, Chiefs Committee on Education, and the Yukon First Nation Education Directorate share the common goal of providing high-quality and culturally appropriate education based on an indigenous worldview for all Yukon students.

The First Nation School Board now governs eight schools across the Yukon, with 655 students enrolled in these schools. This is a historic step for Yukon First Nations and their citizens. The First Nation School Board trustee election will occur in November 2022. Yukon residents with an ancestral Yukon First Nation language, along with parents of children attending a First Nation School Board-governed school, are eligible to run and vote. The First Nation School Board is enabling Yukon First Nations to reclaim greater responsibility for the administration and management of education programs for students in their communities.

On September 20, I joined the community of Haines Junction, Dakwakada, in coming together to mark a new era of education for the St. Elias Community School and First Nation School Board. This was the first of many ceremonies, as a number of schools begin the transition to the First Nation School Board. It was an incredibly moving day that included a feast, dancing, and singing. It was done in the way of a potlatch. Students told stories in the language of Southern Tutchone, and there was a smudge around the entire school. This is where the first of the eight glass feathers were gifted as a symbol of that transition to the First Nation School Board.

As part of our ongoing commitment to advancement of meaningful reconciliation through action, we recently announced funding for a new public school in Burwash Landing. Through these investments, we aim to honour the long-standing request of Kluane First Nation and the school community and to demonstrate our government's commitment to move in this new way through their house of learning in Burwash Landing, where most of the school-aged children live.

It was a privilege for me to be in the community of Burwash to make this announcement alongside my colleague, the Minister of Highways and Public Works. We heard from elders, and we heard from schoolchildren dressed in their regalia, who sang songs with us. After the announcement, Chief Bob Dickson took time to tour us around and show us where the building will be built, and it is right along beautiful Kluane Lake.

The Kluane First Nation requested a school to be built in Burwash Landing more than 100 years ago. Our government is proud to respond to this long-standing request, and it was an honour for me to stand alongside Chief Dickson in his community to announce that it is finally coming to fruition.

We are working with our partners and stakeholders to reimagine and create schools that are safe, inclusive, and to build on students' strengths and ensure that every child feels

connected and supported to thrive. A key initiative that I recently announced, which is launching this fall, is ready-to-learn schools, based on the groundbreaking work of Dr. Bruce Perry's Neurosequential Model. Ready-to-learn schools is a program that supports schools effecting positive change and well-being for all students and staff. The program is grounded in the understanding that children can only learn when they feel safe and calm. This model trains teachers and staff to be developmentally responsive, to recognize that a child's chronological age may not match their emotional, cognitive, or social age. Most importantly, it helps educators to understand how trauma and toxic stress impacts brain development, functioning, and learning.

This initiative empowers our teachers and school staff to understand, honour, support, and guide our children so that they are ready to learn as they travel along their own unique path through education.

A key priority and a continuing key driver of our budget is early learning and child care. Investing in children is a priority for our government — a key way to improve learners' outcomes and a core element of our work to make life more affordable for Yukon families. This program saves Yukon families up to \$700 per child per month. This is an absolute game changer for Yukon families.

We heard loudly in various engagements on universal childcare that, in addition to affordability and accessibility for families, we needed to address quality. We have made great strides to address the quality by: increasing wages for educators to some of the highest wages now in Canada; introducing funding for operators to access comprehensive benefits; investing in continuing education of educators; and increasing our funding for program and cultural supports to enhance early learning programs.

We are investing heavily in professional learning and development opportunities. We know the importance of children's early years and the effect those early years have on the rest of their lives. It is in these early years that our youngest learners develop vital physical, cognitive, and social skills needed to set them on a path to future health and success. I want to thank all of the people who have been involved in this important work. The Yukon is now recognized as a national leader in early learning and childcare. That is great news for Yukon families and is something that all Yukoners can be proud of.

There is nothing more important than the well-being, safety, and protection of students when they are in our care. The Department of Education has developed a student protection policy preventing and responding to harm by adults, and related procedures, in response to action 6 of the safer schools action plan and its commitment to safeguard students while in the care of adults while engaged in school activities. The policy and related procedures outline how staff are to fulfill their responsibility to prevent, respond, and report alleged or suspected harm or inappropriate behaviour by adults in order to foster safe and caring school environments. Implementation of the policy and related procedures took place with all school-based staff at the end of September.

I am also pleased to reflect on the supplementary budget from my role as the Minister responsible for the Women and Gender Equity Directorate. The work of the directorate keeps equity at the heart of what we do. The work continues to strengthen the depth of our work to reflect equity of all genders and sexual orientation. The government continues to move the Yukon forward with the implementation of the LGBTQ2S+ action plan.

With over 100 action items, the action plan paves a path forward to end discrimination and improve inclusivity, both within Government of Yukon services and within the territory as a whole. The themes of the action plan are health care, education, youth, community and culture, inclusive governance, Yukon government as a workplace, public facilities, gender data, and tourism and culture. As well, it is notable that we released our plan last July. Canada has now released a LGBTQ2S+ action plan. Again, a Yukon that leads, I think, is really evident in so much of the work that we have the pleasure of being involved in.

I would also like to highlight the important work that is happening at the directorate to implement Yukon's missing and murdered indigenous women and girls and two-spirit-plus strategy. The Yukon was the first jurisdiction in Canada to release our response to the National Inquiry into Missing and Murdered Indigenous Women and Girls, and we continue to work hard to make the necessary changes. The strategy contains 31 actions in four main paths: strengthening connections and supports; education and economic empowerment; community safety and justice; and community dialogue and action. I have pledged our commitment to end violence against indigenous women and to work together to implement *Changing the Story to Upholding Dignity and Justice: Yukon's Missing and Murdered Indigenous Women, Girls and Two-spirit+ Strategy*.

Since the strategy was released, I have worked hard with the advisory committee to create an implementation plan — the path that will provide guidance to the strategy. We have worked really hard together to also identify priority areas. In May, we had our first accountability forum. We released at that time the priorities that we think that our partners need to focus on first. There will be much more to come on this in the next short time over this fall. I really want to thank all of the partners for continuing to show up and do the hard work, because there have been times when it has been very difficult and very triggering for us as indigenous women to continue to forge this path forward. We know that many victims of gender-based violence experience barriers to accessing services.

The sexualized assault response team has broken down some of these barriers. We are now actively planning approaches to expand the SART services to communities beyond Whitehorse. The expansion of SART services into the communities and enhanced training for support workers for indigenous culture and values were two key priorities identified at the Yukon Forum, which my colleagues and I participated in last week. The Minister of Health and Social Services and of Justice and I are leading this work together. We are working in partnership with Yukon First Nations to advance important work around reconciliation.

As I wrap up my address today on Bill No. 206, the supplementary estimates, I reflect upon the time I took this past summer to connect with constituents at various events and meetings. It was great to again be able to gather in large groups. A notable event for me this summer was a Kwanlin Dün First Nation community fun day. It was such a nice opportunity to come together. Hundreds of citizens came together alongside the RCMP and Kwanlin Dün First Nation. I was able to connect with people there, listen to the stories, share meals, and take in some performances by Yukon artists. It was really great to hear the children laughing again and enjoying our beautiful Yukon summer that we had.

Recently, I hosted another MLA event — this time a pancake breakfast at Elijah Smith school, with musical performances by Matthew Lien and Bria Rose McLean. With over 100 people in attendance, it was another great way to connect with constituents and hear how people are doing, find out what's important to them, and share the good work that our government is doing on their behalf and how we are building a strong future for Yukoners.

We know that safety is an important issue in my riding. I continue to work with the Mountainview community safety and wellness committee, which is a working group. This group has held meetings over the summer, with participation from the Kwanlin Dün First Nation, the RCMP, our community associations and the City of Whitehorse. The working group will continue to prioritize community safety, and I look forward to more of these important discussions.

Finally, all of what I spoke about today has been made possible with the dedicated support of many groups and individuals. I would like to thank all of our school staff and all the folks doing the really good work behind the scenes. I thank all my colleagues for the support that they continue to give and, of course, my family for standing by me and supporting me in this important role. Thank you.

Ms. Tredger: I am pleased to be rising to respond to the budget today. Of course, as other people have mentioned, there are many, many things that we would like to discuss in the Yukon Territory's broader budget, and most of those aren't being appropriated in this supplementary budget, so this is my opportunity to speak to some of the broader issues that I see in this budget.

I want to start by talking about housing, because we say it over and over and over again — we say we're in a housing crisis; we talk about the number of people who are homeless; we talk about the number of people struggling to pay their rent; we talk about the number of people who can't find homes.

We talk a lot about numbers, so I want to start by telling a story. I think it's really important that, as we sit here in the Legislature, we remember what's actually happening for people outside of this room. So, I want you to imagine that you're a senior — that you're in your 80s and you just got out of hospital. It has been a scary time and you're feeling pretty happy to go home. You're really excited to be sleeping in your own bed for a change.

In that bed — that bed that's your home, that's your place of safety — you start to feel bugs crawling on you. You start to feel them biting you. You start to find them in the sheets, on your couch, in your baseboards. Imagining that makes my skin crawl. Standing here in the light, I cannot imagine being awake at two in the morning, wondering if every twitch of every breath of air — has something come to bite me or is it just a puff of air? So, now imagine that you call your landlord for help, and you're optimistic because your landlord isn't just a commercial landlord; it's the Yukon government. Their mandate is to provide housing for you as a senior — to protect you — and they give you a list of things to do. They tell you: "Yes, we'll fumigate. But first you need to clean your baseboards. You need to vacuum your house. You need to wash everything in your house." Imagine being an 86-year-old who has just come out of the hospital and trying to imagine vacuuming your baseboard and hauling your couch away from the wall. It's a pretty daunting task. It's a pretty daunting task for someone in a precarious medical situation.

Then imagine being told, "Well, we can get someone to help you, but you're going to have to pay for it." You're going to have to pay to get that extra help to go back to a basic level of safety in your home.

Imagine, when you talk to people in that department, them telling you, "It is just like mosquitoes. It is annoying; it is a nuisance." I find that pretty hard to imagine, but that is what is happening. Those are the stories I am hearing. Those are stories that I have heard recently. Those are stories that I have heard today; that is what is happening.

I was really interested to see a ruling that came out of Ottawa about bedbugs and landlords and landlord obligations. A quote from the ruling — and I quote: "There is no level of bedbug infestation that is acceptable and can be allowed to continue indefinitely ... while the landlord pursues only the cheapest available treatment and does nothing to prevent the spread of bedbugs to and from other units." "It is also simply logical: when one method or approach is not working, it is time to try another method."

How long have we been talking about bedbugs in this Legislature? I have been talking about it since my first day here. I am pretty sure that it has been talked about for a long time, and I certainly hope so because it has been going on for a very, very long time. I know that it is not an easy problem to solve, but it is time for new methods and new approaches.

Where is the money for that in this budget? I don't see it.

It is also — I know that it has been talked about for a long time, but Safe at Home included it as one of their 10 calls to action on homelessness. Those were 10 actions that could happen now. They came out — I think that it has been a couple of months now. They could happen before winter hits. We are lucky that we are having a long fall, but winter is coming, and for anyone who is facing homelessness, it is getting scarier and scarier.

So, I was really disappointed in this budget not to see new money that is going to help implement those 10 calls to action. I think that we often hear the idea from this government that: "We are doing our best; we are doing our best with the housing

crisis." But we know that they are not because these are 10 calls to action from experts — people on the ground, people who are experts in this material — and those haven't happened.

Speaking of their calls to action, let's talk about evictions. We have talked a lot about evictions without cause, so I won't take up more time talking about it now, although that is, I think, number one on their list. Let's talk about evictions in Yukon Housing Corporation units. Imagine, again, being someone who has faced housing insecurity for a long time, and you are finally in a unit, you are finally stable — you think this is it. Maybe you have gotten a little behind — maybe it has been \$30 or \$50 that you missed on your rent last month — and you get a notice of eviction on your door. Now, my understanding is that the department is pretty willing to work with people on these. They don't want to evict people; they want to be flexible. But my question is: Is that told to the tenants?

Do they get that in their notice of eviction? Are they told: We want to work with you? We want to provide housing for you? I would have liked to ask the minister, but I know I won't get that opportunity in the Budget Address, so I will mention it here.

I want to talk a little bit more about housing supply. In the last Sitting, we were told that the Yukon Housing units on Jeckell would be open in the spring, which it turned out meant late July. I have been driving back and forth, watching the progress and seeing the lights come on. I am not actually sure if there are people in there now. I hope that is the case. I hope that people are there and, if not, that it is very soon. We need people in those units.

I wonder what the next big project is. I, of course, have been disappointed to see that Macaulay Lodge is being sold off, rather than used for Yukon Housing units. I know that there was an expression of interest in May, I believe. I would love to hear an update on that. That's a really essential piece of land that could provide a lot of housing. I was very disappointed when I read the expression of interest and how affordability was not mentioned once.

I have been talking about housing, because it is so important. We all know that. It is the basis of everything. If you don't have a home, how can you be healthy? How can you be engaged in your community? How can you make your life better if you don't have a place to live? I also want to talk about our broader home — our collective earth — the Earth. As we have said so many times, we are in a climate crisis. We saw that this summer. In case anyone was doubting, I think that the fires, the floods, and the landslides would be enough to convince everyone — I really hope.

I was incredibly excited about when the Climate Leadership Council came out with their report not too long ago. This is a commitment that was made in the CASA to the NDP, because we looked at *Our Clean Future* and we said, that gets us about halfway to 30 percent. How are we going to get ourselves to 45-percent reductions? There is clearly not a plan, and we need one. I was so proud of the Yukoners who came together, the experts — and when I say "experts", I mean that in a very broad way. There were people with expertise from lived experience, with technical knowledge, and with social

knowledge, and they all came together and came out with this report.

I was so excited and proud of this report. Reports aren't always easy to read. We do a lot of it, and I think we forget sometimes just how complicated they can be. This was a pretty readable report, in my opinion, and it had so many great ideas. I heard the Minister of Environment talk about his excitement about this report, but what's the next step? We need an implementation plan.

Now, I didn't expect to see funding to implement those recommendations in this supplementary budget, because it did just come out recently. I think that's fair enough, but is there funding for the creation of an implementation plan? That's something we would have seen coming. Or can it be managed within the department's resources? Do we have a deadline for when we expect an implementation plan or a formal response to the report? I think there's two really important pieces to responding to that report. One, they actually provided recommendations to get us further than 45-percent reductions. So, we need to pick some of those. Which ones are we going to do? Which ones are we going to prioritize?

They also included a number of recommendations that don't have specific greenhouse gas reductions associated with them, but are broader concepts, like leadership and capacity. I am hoping that this government will create a formal response to those recommendations. Are they going to implement them? If not, why not? If they are, then how?

Speaking of responses to panels on climate change — because I think the reports are starting to pile up and what we need is action — the Youth Panel on Climate Change — in the spring, the Minister of Environment told me that there's a commitment to work through these recommendations and to respond. In that conversation, I had said, "Well, I've already seen a letter from the Premier to the Youth Panel, but is there going to be a further response?" He said yes. I haven't heard about it. Is it coming? I hope so, because those youth worked incredibly hard, and they haven't had — their recommendations have not yet had their fair consideration in response. So, I look forward to that.

What about the wetlands policy? It's supposed to be out in 2022 — was the plan. So, the clock is ticking. I've talked a lot with various ministers in this House about the degradation of carbon sinks. So, when we're talking about climate change, there's the greenhouse gases we produce, but every time we dig up a wetland, for example, or disturb peat, we get carbon released into the atmosphere, and that counts too. That also contributes to climate change. Generally, I've been told that estimating the effects of that — like how much carbon is released — is really hard. So, is there money to do it? Where is the money to figure that out and to figure out how it's being released, how much is being released? And most importantly of all, how are we going to stop it? How are we going to take the steps to make sure that carbon stays in the ground, instead of pushing climate change forward faster and faster and faster?

I was looking through the capital plan today. The money for green energy starts to drop off after — I think it's 2025 — mostly because of the number of major energy projects wrap up

— we hope. The Atlin hydro and the grid-scale battery projects are due to wrap up at that time. I hope that will be the case.

Something that the Climate Leadership Council said really stuck with me. They talked about a wartime effort, because we are in a crisis, as if we were in a war. More recently, what comes to mind is a pandemic-time effort. The amount of effort — we move mountains to protect people at a time of crisis. We are still in a time of crisis. We still need to move mountains to make it happen, and I don't see it in this budget. In every budget and supplementary budget that comes, I hope we start seeing that wartime effort, that recognition of "We're in a crisis". We can't just say it; we have to act like we're in a crisis. I don't see it in this budget.

I posed a number of questions today. I hope, during this Sitting, we will have time to discuss some of them, but most of all, I hope for a shift to move the mountains we need to move to fight climate change.

Hon. Mr. Streicker: It's a pleasure to be back in the Legislature. I wanted to begin just by saying welcome to all MLAs to the House. As we stand collectively to speak about the supplementary budget, I think the main theme is: How are we moving the Yukon forward? Forward out of COVID, forward in response to the climate crisis, forward dealing with housing, forward dealing with inflation? — all those incredibly important questions.

I am always challenged by the Legislature, because the way this House works — we're set up to be a government and opposition. In that role, of course, there is criticism. I believe in how that is, but I also recognize that it's very important that we find ways to disagree with each other respectfully, because frankly, when I work with other governments, or the public for that matter, there is always way more respect in those places. So, how do we find a way here in the Legislature to work with different perspectives, different visions, for where the Yukon should go and to still be respectful?

So, let me start, just for a moment, with acknowledging some of the colleagues across the way. I saw the Leader of the Official Opposition up at the Discovery Days ball tournament, sporting a very impressive mustache for the games.

I spent a lot of my summer with the Member for Lake Laberge and the Leader of the Third Party, talking to Yukoners about electoral reform and travelling around the territory and working side-by-side — again, with different perspectives often, but at all times working for the better of the Yukon — how do we move the Yukon forward?

I saw my colleague, the Member for Copperbelt South, just last week at the Golden Horn School for the school council annual general meeting. It is good to see colleagues doing their work around the territory.

On my own side of the Assembly, I worked this summer with my colleague, the Minister of Health and Social Services, around issues like the bilingual health centre, and I appreciated getting that opportunity. I worked very closely with the Minister of Environment around the Climate Leadership Council, and I will speak to that a bit more, but just really about: How we do move even more assertively on addressing climate

change? I worked with my colleagues, the Minister of Yukon Housing and the Minister of Community Services, looking at land development around the territory and really trying to support the development of housing. I have worked — of course, we have crossed paths often — but just last week with the Minister responsible for the Women and Gender Equity Directorate — I saw her at National Truth and Reconciliation Day, spending the full day at Kwanlin Dün. It was a really great day; it was quite an impressive day.

So, what my impression is, is that we are working to improve life for Yukoners and move things forward. Let me, just for a moment, Mr. Speaker, turn and talk about work within my own riding. I always call it “beautiful Mount Lorne-Southern Lakes”. I am sure that every one of our ridings is beautiful to each of us. One of my favourite volunteer things that I do every couple of years is to get together with the community of Tagish to clean up the brush and fallen trees in the little Tagish cemetery. There were 15 or 20 of us there. Most of the folks are north of 60, if I can say that politely, and running chainsaws and equipment. They are all doing this work. It’s just a very nice time to connect.

There are so many things that happened this past summer. Of course, I can’t list them all, but what I felt this past summer was us opening up again. I remember, even at the Special Olympics gala dinner, feeling a little nervous with all the people who were there in the room. It felt like — well, okay, because it has been COVID for a long time, we had to get used to being around each other. I had a couple of celebrations of life — a few of them, actually — because they didn’t happen during COVID and this was a chance for people to gather.

Of course, I did a lot of travelling as minister in and out of the territory. Just generally, it was great to see people, to talk to them, to go to their homes, and to talk about the issues that they are facing. It was really nice to be together again. Not that all of those conversations are easy. For example, the Southern Lakes hit its third-highest level ever, but that was low compared to many of the other communities around the Yukon where floods were experienced. We were lucky, because the defenses that so many — including the residents of Mount Lorne-Southern Lakes and Yukoners who came out and volunteered — put up last year in 2021 helped so that the third-highest flood wasn’t as bad as it could have been any other year. Now what has happened is that we were on our way down and our lake levels were dropping, but suddenly they are back up. It makes people nervous, because there is a lot of groundwater out there.

This past weekend, I am sure that everyone experienced the crazy winds around southern Yukon. Thank you to all of the folks who went to get power back on and to our volunteer firefighters who dealt with burning trees on power lines. It was a lot of work. I think this all — the floods and the fires — are climate-related.

I think that with the conversations that I have had with Yukoners around the territory and in my own riding, there have been several issues that are incredibly important, including recovering from COVID, the cost of living and affordability, housing, climate change — these are all incredibly important

questions. Let me try to get to a few of these in my conversation today.

First of all, with respect to firewood, I want to say that I know there are many Yukoners who are concerned about getting firewood this winter, and I know that the Department of Energy, Mines and Resources has been working to address this firewood shortage, and it is a top priority for them. I thank them for that work. I also want to thank harvesters and suppliers who are working overtime to make sure Yukoners get their wood. This is very hard work, and I appreciate all that’s being done by the industry to fill firewood orders as quickly as possible.

I can say that the Forest Management branch has been working closely with operators to ensure that more local firewood will start moving into the Yukon market soon. I am glad to see operations like Quill Creek back up and active again. I know that, despite having a significant volume of fuel wood under active permits, we still have heard from industry that some of that wood is not economically viable. So, we are working, doing quite a few things, to get more supply in place, as well as trying to bring down the cost for Yukoners — homeowners — who heat with firewood because of the inflationary cost, but we are working at finding more alternative areas to license for harvesters. We are working with them to pick those areas. We are building and upgrading roads into firewood permit areas. We are connecting harvesters with suppliers. We are also identifying suppliers who are taking new wood orders and connecting them with Yukoners who are looking. We have been meeting with the Government of British Columbia to support operators in accessing permits.

Again, as I have said in the past, typically, there are areas along the north end of the Stewart-Cassiar Highway that some of our harvesters use, which is in BC, so we are working with BC to try to support those permits.

We are working on a Haines Junction firebreak for the Quill Creek area, which will allow for harvesting beyond the time of year that is there now. We are identifying sources of previously harvested wood that could be moved to market, so there are a lot of things that the branch is doing. I’m happy to talk more about that over the course of this Sitting.

I also want to talk about electricity. We have put in place a rebate for Yukoners. We talked about that this past spring, and we’ve decided to extend that. I will say that, throughout this time, I have worked with ATCO energy, as well, because they have earned more money than was anticipated, and we will continue to work with them. They have something in front of the Yukon Utilities Board right now, but I have been in dialogue and correspondence with them to encourage them to go much further.

Other things that I can talk about — I do want to talk a little bit about the recent slides that we’ve seen. I want to thank the folks in Highways and Public Works. I know that the Yukon Geological Survey has been working with them to try to identify risk areas and how to assess that risk and to ensure that people are safe. So, just a shout-out to all of that work.

There is a lot that has been happening, and again, it’s because we have been getting very extreme weather. We had a heavy, heavy snow year around the whole of the territory,

which saturates the soils. We then had a lot of rain. It's not everywhere in the Yukon, but certainly up in the Dawson region, there was a lot of rain. We had slides here in Whitehorse. We had slides up in Dawson. Along the Alaska Highway, we've been seeing permafrost slumping. So, there are all sorts of issues that are at work, and I think it's important that we work to stay on top of that.

Now, one of the ways that we're doing that is at the root cause, which is around climate change. Now, even though we will work very hard to reduce our emissions, the thing to understand is that, especially here in the north, change is already going to happen, because the climate is slow to warm; it is slow to cool. So, no matter whether we take a wartime footing or not — and I think we are taking an aggressive stance here in the Yukon — it will still take time to reduce those emissions, and in the meantime, we will see many impacts and we will have to adapt, which is why I think that it is great that the Department of Environment came out with its major adaptation strategy — again, a piece of *Our Clean Future*.

I too would like to thank the Yukon Climate Leadership Council for their amazing work. It really is great. They did a lot of hard work, and they have given us some great suggestions. However, those suggestions — the first thing that we do with them is we put them through the modelling process that we have already done with all of the other actions. That is the first step that is required. We spoke about this with the council themselves and asked them if they could work with us on that. It is really important to understand that, when you put forward an action over here and another one over here, if they overlap, then you don't get the same emissions reduction, and you have to do that analysis.

I have asked our departments that are looking at these to look for which of the actions they would think are what I would call “no regrets” actions, so that no matter whether you do them, they are a smart investment and that we should get going on those right away, but that they do this diligence work on the modelling and that we work with the Climate Leadership Council. So, I think that there is work underway right now to try to assess those actions and to see their viability and which ones are going to give us the best bang for the buck.

Of course, we would also need to do some costing on some of them, or on many of them, because it is the diligence that is required. I have asked the department to do that, and I do think that there should be a strategy around what steps to take as a result of the recommendations. And as far as I am aware, that was already budgeted and anticipated within this budget, so it is not coming here on the supplementary budget, but it is work that is underway.

I will make one comment. Yesterday in Question Period, a question arose around the growth of the public service. I checked back to the Yukon Bureau of Statistics to see which number they had published. The Premier was correct. Unfortunately, the Leader of the Official Opposition was not current. The number that the Bureau of Statistics put out is not Yukon government public servants; it is all public servants within the Yukon. The number that was published was 11,000. I think that roughly half of that, or less, would be our permanent

and term employees here in the Yukon government, but it includes, for example, federal government workers here in the Yukon. It includes First Nation governments; it includes municipal governments; it includes the hospitals; it includes the university — all of those people who are employed in the public service.

So, I disagree with the characterization. Within our budgets, we always talk about the growth in the public service. We publish that information, and I am always wanting, as the Premier asked Thursday, that if the opposition suggests that we should stop growing government, I would like them to point out which areas they think we should reduce the staffing in. It's important to note that, whether it's our highways or whether it is our mental wellness workers — what is that area that they believe we should have fewer people in? Because you can't have it both ways.

Before I leave that subject, I will note that I think it was this past spring when the Leader of the Official Opposition talked about growth of the Yukon's public service and noted that it began under Premier Fentie and continued under his term with Premier Pasloski. He was expressing concerns about that growth, but he noted that it goes back a long way. At the same time, we should acknowledge that the Yukon is growing. While it grows, and if it grows as a territory, we will need more teachers for our schools. We will need more nurses for our health care centres. It is just natural that there is growth within the public service, but how much is the right amount?

I want to talk a little bit about a few numbers. I listened to some of the suggestions. Actually, I would like to say thank you to the NDP, because today they have decided to talk about budget issues. I have not heard the Official Opposition, the Yukon Party, talk about budget issues at all yet today. I don't think that they are going to, but okay, that is their prerogative. When I listened, for example, to the Third Party official House Leader, she talked about how we need to be investing in climate change and we need to be serious about it, and I just want to note that —

Speaker: Twenty seconds.

Hon. Mr. Streicker: Oh, thank you, Mr. Speaker. I will wrap up my comments just to say that I think it's very important that we invest in *Our Clean Future*, and we are investing \$80 million this year.

So, while the Leader of the Official Opposition talked about the Queen and talked about —

Speaker: Order, please.

Hon. Mr. Streicker: Thank you, Mr. Speaker.

Ms. Blake: When the budget was tabled this past spring, I spoke about the many Yukoners who have come to me to share their concerns about gaps in government services and the barriers they are facing. I continued to hear these experiences and stories, especially during my visits across the territory this summer. I spoke with citizens, as well as representatives of Teslin Tlingit Council, Ross River Dena Council, Na-Cho Nyäk Dun First Nation, Selkirk First Nation, Carcross/Tagish First Nation, and more.

I also continued my visits to Old Crow, connecting with residents of the community and members of Vuntut Gwitchin. As well, I had the opportunity to learn about what is working and how government can help people by attending the Gwich'in Tribal Council's general assembly in Fort McPherson, NWT. All of these conversations made one thing very clear to me: From Faro to Teslin, Ross River to Mayo, Whitehorse and Old Crow, and so many more places, Yukoners are struggling. It's getting more difficult to put food in the fridge and wood in the stove. In Old Crow, we've continued to see challenges with the water delivery and septic pump-out services.

Many families and communities are grieving losses from the opioid and mental health crisis, as we've witnessed the number of young people whom we've lost. Rural communities are experiencing and living with compound grief. Many are not able to access the mental and primary health care they need when they need it, especially in times of crisis. Youth are feeling left behind by this government, with no support to get the training they want and no help to process the losses in their communities, while struggling to keep their attendance in school and managing the responsibilities these youth carry in their young lives.

Unfortunately, this supplementary budget does not adequately reflect any of these experiences and needs. There is no new funding for mental health or substance use, even though the minister has declared a mental health and substance use emergency.

Many communities across the territory have declared states of emergency before the Yukon government, and they are still experiencing these crises with little government support.

Yes, there were two mental wellness summits, and the ideas shared at both mental wellness summits were valuable and innovative, but this budget shows us that this government is not committed to enacting those ideas anytime soon, yet Yukoners will continue to fall through the gaps of government systems. Each community has its own unique needs, and they have expressed them to this government multiple times, but this supplementary budget is ignoring them. This government speaks often about the importance of preventive health care, but they haven't made it a reality for Yukoners. Right now, very few Yukoners have access to primary and non-urgent health care.

The *Putting People First* report said that primary care should follow Yukoners from birth until death, but without any plans in place from this government, they are telling Yukoners that they should give up on ever getting primary care. The only dedicated health care money is to address the surgery backlog. Acute care needs to be addressed, but where are the funds applied to preventive care?

The thousands of Yukoners on the family doctor wait-lists aren't getting any solutions or relief in this budget. There is no commitment to a public walk-in clinic, which could easily provide much-needed holistic care to many Yukoners.

There is still no clear strategy on recruiting health care workers, including physicians, nurse practitioners, paramedics, and other health care practitioners.

Right now, Yukoners are relying on emergency services to fill the gaps in nursing in communities, leaving the system and workers stretched thin and burnt out with no support.

In my riding of Vuntut Gwitchin, we rely heavily on the medevac system to get access to emergency care. There are solutions out there. The NWT has committed to training paramedics so that their emergency services are stronger for citizens who need urgent help.

On top of lack of health care services, many Yukoners are struggling to keep up with the rising costs. The most impacted are those who are living in poverty already. I have spoken many times on the need to increase supports for folks who are on social assistance. Right now, the system continues to trap people in poverty. People are going hungry and cold because they don't have the support they need. A one-time payment is not even close to enough to help people.

Elders have reached out to me to tell me that they are having to choose between medication and access to food. Families in extended family care agreements are struggling to care for the children they have committed to raising and supporting. Children are our future, and this government is leaving them behind. Many youth have come to me expressing that they want support to further their education and get the right training to work full time in a career that they find fulfilling, but they aren't getting the help they need. Part of the help includes education. Investment in language and culture has been highlighted as a priority by Yukon First Nations. There is a definite need for secure, long-term funding for language programs to be developed and expanded into the homes of families and caregivers. Our elders have always said that language and culture go hand in hand, as this is what shapes who we are as Yukon First Nation people, but there is no money dedicated to that in this budget.

We are seeing a shift in the way that education is being delivered in the territory with the creation of the Yukon First Nation School Board. This is an exciting change, as we know how the history and trauma of the Yukon's education system has impacted many Yukoners through residential schools. Investment in this change to our education system is critical — not just to our children today, but for their families and their children in the decades to come. This is a long-term investment in the Yukon's future, but it isn't present in this budget.

Justice services have also been overlooked by this government. I continue to hear from people who are justice-involved who are not getting the support they need, both while they are incarcerated and when they leave corrections. There is a lack of programming, parole support, and transition support.

Yukoners who struggle with alcohol abuse are still being placed in the Correctional Centre instead of in an appropriate sobering space with health supports.

Essential infrastructure is also missing from this budget. Communities have highlighted that safe, accessible roads — like repairing the Dempster Highway — are not just about transport, but a critical part of the missing and murdered indigenous women and girls calls to action.

We only need to take a look to the NWT and their strong commitment to fulfilling the calls to action and every aspect of

government, including their roads, but repairs to the Dempster are not in this budget.

It is not just roads. Water and sewage services are also major needs that are not being supported by this government. Communities like Old Crow are working hard to innovate and provide these critical services to residents. They need support, but this budget does not include any funding to train folks so that these services can continue. This infrastructure also needs to be invested in as our climate worsens.

Many Yukon First Nations have highlighted the current state of salmon as a priority. Salmon not only feeds us, it is an important element of our cultural teachings and traditional practices across generations. Salmon is critical to our wellness and so many parts of lives, but this government hasn't devoted any funds to addressing the low salmon population.

The protection of the Arctic National Wildlife Refuge continues to be a priority for the Gwich'in Nation. The lifeline of our nation and who we are as a people is dependent on the survival of the Porcupine caribou herd. We are witnessing the fast and devastating effects of climate change on the changing cycles of our lands, our fish, our birds, and migrating animals. As First Nation people, our livelihood follows the natural cycles of the seasons and all the natural resources that our lands provide. I spend much of my time in this role learning, reading, and listening to those who came before me. This includes reading reports that were published one, five, 10, and even 20 years ago. It is disappointing to learn how many of these important reports, recommendations, and calls to action have been repeatedly ignored and left to collect dust by this government.

There are so many more issues that Yukoners continue to share with me. I often say that I don't just represent Old Crow; I represent all Yukoners across the territory in this role. That is why I am sharing the concerns from people and communities from the north to the south of our territory. No matter where I have visited, I have heard about gaps in support and people who need the help. It is the government's responsibility to fill those gaps and meet people where they are at. The solutions are in front of us. They are being enacted by First Nation governments, municipalities, community organizations, advocates, parents, nurses, counsellors, and so many others. This government can make life better for people — not just now, but for generations to come. It only takes willpower.

Mahsi'.

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

Hon. Ms. McPhee: I am happy to rise today. I'm sorry that members opposite — most of the members of the Official Opposition are not speaking to Bill No. 206 today. It contains millions of dollars of previously unplanned expenditures to respond to the needs of Yukoners. This is certainly their opportunity to talk to Yukoners about what they think is important.

I also note that many of the comments today are about how nothing is being done. I guess that's a narrative that the

opposition is trying to write. It is simply not accurate. We too have visited every community and sat with individuals who support us and individuals who don't necessarily vote for us, but they are keen to come to a table to talk about what they see as the needs for their community. We have met in every community since May — the last part of the Sitting. I urge members opposite to share information about the Yukoners who they say are talking to them and have concerns about certain things, because we answer requests like that every single day. We are keen to make sure we have access to and support for Yukoners who are having concerns.

I really appreciate the opportunity to note some of the priorities of our government, some of which are contained in this supplementary budget. My two departments — the ones that I have the honour of representing — do not have funds in this supplementary budget, but that doesn't mean that there aren't millions of dollars allocated to the two budgets for Health and Social Services and for Justice that are being spent and focused on the priorities.

Mr. Speaker, as Deputy Premier, Minister of Justice, the Attorney General, and Minister of Health and Social Services here in the Yukon Territory, I am so very proud of the continued work that our government is doing to provide ongoing support for all those in this wonderful territory and to move it forward.

I would also like to take a moment to thank my family and friends for their endless support and understanding. Being a member of the government is demanding. It is unrelenting, and it is a challenging role that takes a toll on many relationships. Friends and family, thank you. I appreciate your endless support, and it is truly impossible to repay you, so I work to pay it forward and to respond to the needs of Yukoners every day.

I am honoured to be here and also to be the MLA for Riverdale South. Thank you to the people of Riverdale South who put their faith in me to continue to represent them and to bring forward their concerns and help to resolve those issues and bring forward those issues that are of greatest interest and importance to them.

I also want to thank all of our neighbours and friends — hundreds of them — who showed up at the block party we held in September on the beautiful grass next to Mercier school. It was a joint event with the MLA for Riverdale North. We had a great time, a great barbecue, and we were entertained by Cows Go Moo, which is a fantastic, young rock and roll band of Yukoners who formed during COVID and will continue, we hope. One of them is 11 years old; the others are 12 and 13, supported by their schools, different schools they go to, and supported by their parents. It was just a fantastic afternoon, and I know that we will hear more from Cows Go Moo.

Although the Department of Health and Social Services and the Department of Justice, as I have said, don't have any items in this year's supplementary budget, I am honoured to take the opportunity to highlight some of the great work that the departments are doing and continue to do to serve Yukoners.

We must remember that we all serve Yukoners. We must focus the work of departments and remember that every decision should be characterized by how can we best serve Yukoners. To achieve that shift in thinking, we have changed

our senior management at the Department of Health and Social Services and, in particular, have two new deputy ministers: Michael Hale and Ed van Randen. While both Deputy Minister Hale and Deputy Minister van Randen are new to this role in the Department of Health and Social Services, both bring extraordinary experience from their private sector and public sector careers, and they are using that every day to help make the lives of Yukoners better.

Health and Social Services is a department that reaches each and every individual and family across the territory. Each and every person in the territory, at some point, deals with the department and its many services. Our deputy minister is working with a talented senior management team, and Health and Social Services is always turning their minds to what is in the best interest of Yukoners so that everyone has a positive experience with the services they need. Do we hit the mark every time? No. Do we need to fix things and respond? Absolutely. Is this team doing that? Absolutely. I would like to thank that amazing team for their continued dedication and hard work.

The past few years have been challenging, especially for those who work in Health and Social Services, as the COVID pandemic has challenged Yukoners' physical, mental, and emotional well-being. From working on the front lines to developing policy work, the work that the department does is so diverse, but everything they do on a daily basis is connected and is deeply important to keeping Yukoners healthy and well. I can't truly even begin to understand what front-line workers have been through these last few years, but I can tell you that we know just a little bit about it, having been on a different front line. I must thank every one of them for the work that they have done and are still doing to keep Yukoners healthy.

The actions we are taking to make Health and Social Services better for all Yukoners include those who work within the system, and it's a priority for me and for this government to make sure that they too are healthy individuals. We are committed to moving forward with the recommendations in *Putting People First*, and I had the opportunity to say that a little bit earlier today when answering some questions. As Yukoners may remember, a comprehensive review was done in 2018 to share the experiences of Yukoners in the current health and social system. I want everyone to know that we have heard what has been shared. We are working to create a culture of client-centred care and have an appetite for innovation. We have heard about the challenges that Yukoners and their families have faced in the current siloed system and the systemic racism that has occurred. It is something that we have addressed in the new Yukon Medical Association agreement.

It is recognized and named there as something that must be addressed. The health and social services system could be so much better for Yukoners, and it needs to be transformed, and we have a path forward to improve the quality of care. Putting people first means we are putting the needs of Yukoners front and centre.

Imagine a future where every single Yukoner is linked to a primary care team so they can get high-quality care where and when they need it. Imagine a system where an in-home

assessment could be done for a senior or an elderly parent with a geriatric issue. Imagine a system where there would be digital access to a patient's medical appointments, and imagine creating a health authority to set this process in place.

The health authority is the next foundational step of *Putting People First*, and we are working diligently for that next step. It will be the beginning stages to establish health and wellness Yukon.

In January of 2022, our government declared a substance use health emergency, following an increase in the overdose-related deaths in the territory. The success of the work in the name of the substance use health emergency, the way in which we can change the experiences of our addicted and most vulnerable people, is through partnerships. We are working closely with partners and with Yukon First Nation governments to advance a range of harm-reduction initiative. To focus on harm reduction in response to the public health emergency, there will be a focus on care, a focus on treatment, and a focus on after-care.

The Department of Health and Social Services has started several initiatives, including the creation of a substance use health emergency project executive committee. Some of the initiatives that committee is working on include a new territory-wide public awareness education campaign, focusing on toxic drug supply present in the Yukon, expanding drug testing and safe supply to rural communities and increasing availability in Whitehorse, increasing on-the-land treatment options in the territory, providing training for all mental wellness, substance use, social workers, counsellors, and nurses in acceptance and commitment therapy — an evidence-based model to support clients facing mental wellness and substance use issues. This is a partnership with Health Canada's substance use and addictions program.

We are launching the Car867 program, which is a partnership between the mental wellness/substance use and the RCMP, where a mental health nurse and a trained RCMP officer will respond to appropriate mental health and wellness 911 check calls and many more. Some of the initiatives that have already been actioned include extending the hours of the outreach van and changed hours of the supervised consumption site. We have completed the inhalation room in the supervised consumption site in May 2022.

Blood Ties Four Directions has moved all of their core programming to the supervised consumption site, so that now it is a truly integrated supervised consumption site with harm reduction, counselling, nursing, and other drop-in programs. Blood Ties Four Directions, the CTFN, and Mental Wellness and Substance Use Services partnered to provide door-to-door harm reduction supplies, Naloxone, and opioid information in Carcross and Tagish. In July, Mental Wellness and Substance Use Services started the opioid overdose response unit, which is an outreach service where a support worker and/or an LPN can provide outreach services, including harm-reduction services or a referral to opioid treatment services, to individuals recently having experienced an overdose. These are all strong partnerships.

I would like to mention that the supervised consumption site has now been opened and operating in Whitehorse for a full year, and we have, since the end of the Sitting in May, also had outreach on a number of projects and/or meetings. Of course, in February, we had the first mental wellness summit. In September, we had the second one, phase 2. Presenters at both the summits discussed a variety of topics, including mental wellness for youth and in First Nation communities, alcohol harm-reduction models, health care services in rural communities, supports and housing services, prevention and treatment, suicide prevention, harm reduction, opioids and safe supply projects, and after-care and harm-reduction models. We have also instituted a ministerial advisory committee for the substance use health emergency, which met over this summer. I met personally with Minister Bennett and we spoke about a number of these concerns with respect to the substance use health emergency, decriminalization of certain drugs and, in particular, safer supply.

We met with the nurses association on May 2. We worked diligently on a new Yukon Medical Association agreement. The new three-year agreement with the Yukon Medical Association will work to increase Yukoners' access to primary care, while supporting dedicated health care providers. It includes incentives for physicians to take on more patients.

The Yukon Medical Association is an integral partner in providing health services to Yukoners, and I look forward to our work together to continue to improve the experiences of patients and providers by addressing problematic and systemic challenges and building an innovative, collaborative health care system.

Dr. Ryan Warshawski, the president of the Yukon Medical Association, said when speaking about this new agreement — and I quote: “I believe that this will make Yukon one of the most competitive and desirable places to practice medicine in Canada. The agreement recognizes both the unique and integral role of physicians in both health care delivery and leadership. The Yukon Medical Association is committed to working with the Yukon government as a partner in health care moving forwards.”

I would like to thank all of those individuals who dedicated their time and their energy and their skills to negotiating this agreement.

I have also met on more than several occasions with the northern health ministers pan-territorial meetings. We have had discussions on issues of concern to all three northern territories and how we might address them together.

On July 6, the midwifery clinic opened in Whitehorse, and registered midwives are highly trained members of the health care team, and they specialize in caring for people during all stages of pregnancy, labour, birth, and postpartum. We know that the new Yukon midwifery program will provide safe, integrated, free midwifery care to pregnant people and their babies during their pregnancy, birth, and up to eight weeks after the baby's birth. As of September 23, I am proud to say that the Yukon midwifery program is providing their services to Yukoners living in rural communities across the territory. Families now have integrated midwifery.

I think that it is important that I take a moment to address the social assistance rate review that has been mentioned a few times. I am not sure how this is not really getting through to members of the opposition, but I truly hope that Yukoners have heard that our government is committed to reviewing social assistance rates here in the territory, as part of the *Putting People First* recommendations outlined in chapter 5. It is there, and we have committed to doing that, and we have committed to doing that generally, and more specifically, with respect to what is in chapter 5.

The Yukon social assistance rates are among the highest in Canada at the moment and are indexed to inflation, but we know that they may not be meeting all the needs of Yukoners. We continually monitor the program and the rates.

We have started engagement with social assistance delivery agents. Of course, this is a conversation that has to be had with other levels of government, and we are finalizing a plan to respond to the recommendations in *Putting People First* with respect to social assistance rates. This includes action toward recommendation 5.11 to increase the Yukon's supplementary allowance for those excluded from the workforce due to a disability or age to reflect inflation and to continue to index Yukon's supplementary allowance to inflation going forward — 5.7-percent increase of this year. Is that perfect? Absolutely not. Is it addressing everything we need to do? No. But our commitment is there. We will live up to that commitment of a phased-in approach for review, which is, I believe, sitting on my desk.

The transfer of 405 Alexander — yet another Liberal Government of Yukon commitment — that we would transfer the responsibility and operations of 405 Alexander Street to a non-governmental organization. That, I am pleased to say, has been done. These services have been transferred to Connective, which will work in partnership with the Council of Yukon First Nations. This marks the final phase of the Yukon government's commitment to do that and to have those services monitored and run by a non-governmental organization. Also, there is the management of the Housing First residence on Wood Street and the shelter in Whitehorse to a non-governmental partner as well, and that is a strong success. I am looking forward to a strong and successful partnership where the approach of Connective and the Council of Yukon First Nations is to achieve person-centred and culturally appropriate enhanced care.

We spent a bit of time this summer at Cornerstone for their grand opening in July. I was happy to see that Cornerstone multi-use building. The Yukon government is extremely supportive of this project, and we thank Jillian Hardy for her commitment and dedication. I am sure that there would not have been this achievement without her drive.

We are all acutely aware of Yukoners' concerns with respect to the state of inflation and its effect. We have taken decisions to provide assistance to the most vulnerable and to seniors.

I appreciate the opportunity to address this House today. There are a number of issues that I would love to continue to speak about, but I will take my chance to do so later in the session.

Thank you.

Mr. Cathers: I am pleased to rise today in speaking to the supplementary budget. I would note that a few of the issues that I will touch on today — that we will, of course, on behalf of Yukoners, be raising during this Fall Sitting as my colleagues and I in the Yukon Party Official Opposition bring forward the priorities, issues, and concerns that we hear from Yukoners.

I want to start with talking about the doctor shortage. Of course, we have seen this government be incredibly slow to act on the fact that over one-fifth of Yukoners don't have a family doctor — with a report by the Canadian Institute for Health Information, as we previously discussed in this Assembly, showing that the Yukon's rate of physicians per capital is the lowest in Canada and the only jurisdiction to get worse over a five-year period. That is the record of this Liberal government.

We see inflation leading to a cost-of-living crisis with an increasing number of Yukoners having trouble making ends meet. That is contributed to by this Liberal government. Health care wait times in the Yukon for many procedures are beyond what is considered medically acceptable. Does this government have a wait-time reduction strategy? No, they do not, Mr. Speaker.

We have seen specific commitments made by this government, such as opening a publicly funded walk-in clinic and a bilingual health care centre, slip from the timelines the government indicated. The bottom line is that Yukoners who need access to a doctor — unfortunately far too many of them, thousands of them — do not have the ability to get that.

We have seen the government on the issue of the education system pay lip service to priorities in the area of Hidden Valley school. The response in the wake of the very serious situation that happened there has resulted in the Minister of Education making commitments to my constituents to provide them with whatever they needed and failing to meet those commitments.

The Yukon has a firewood shortage. The Yukon, which is a territory that is larger in land mass than almost every country in Europe, surrounded by boreal forest, is importing wood from British Columbia yet again this winter due to this Liberal government's lack of action on providing access to a wood supply for Yukon companies.

In the area of the inflation response, it is interesting that we see that the government has talked about an inflation response but has been very slow to act on it.

Similarly, earlier this year, they declared a substance use emergency related to the opioid crisis, and yet, in the spring, we saw no new positions or services for addictions, and there is not a single dime of new money in this fall budget to provide increased addictions services. While, as we have noted before, we do support effective harm-reduction programs, there is much more that needs to be done, and a real plan to address the opioid crisis needs to be much more than a list of actions focused mainly on harm reduction. In fact, I believe that the number one goal of any substance abuse action plan should be to help as many people as possible break from their addictions and live free from the risk of overdose. It is important that, in

addition to prevention and treatment, appropriate resources are there to help the RCMP go after illicit drug dealers and to arrest and prosecute the people who are selling these toxic drugs. Mr. Speaker, that is something that the RCMP themselves have said.

Moving specifically to the issue of inflation, I want to note that what we see in terms of the recent rollout of initiatives by government with some small measures to try to claim that they are addressing the inflation problem is: First of all, these measures are not in the supplementary budget that we are debating. According to the government's own handouts, the only money that is in the supplementary budget for inflation rebates is reflecting the announcements that they made in the spring. So, in the spring, they made the announcements and the budget was out of date when it was tabled. In the fall, I have in my hand a series of press releases from ministers of this government issued on September 27, 2022 about new measures to support Yukoners most affected by inflation — and the second one, also issued on September 27 of this year, and the third one issued on September 28.

Now, a casual bystander might assume that this rollout of new inflation measures would be reflected and central to the supplementary budget, especially since the Premier's own comments at second reading said that these measures were included in the budget. But the reality is that the budget and the handouts that we have been given by departments show that they are not. They remain unbudgeted — to be picked up at a future date. So, those include the \$50 for firewood cords purchased, and, of course, it does little good to have a rebate for purchasing firewood if you can't find the supply. That is something that we have heard repeatedly from Yukoners.

It includes the carry-forward of the electrical subsidy, which we see reflected in the budget here — the amounts that they announced in the spring totalling just under \$3.2 million in total cost for that initiative.

We had it confirmed to us today by officials at the briefing for the Yukon Development Corporation that the funding in there that is showing up in the budget is reflective only of the commitment that rolled out this summer. It does not include the new measures that the Premier and the Minister of Energy, Mines and Resources announced in September.

Additionally, the measures announced by the Minister of Health and Social Services, both the one-time payout to social assistance recipients, the one-time payment for recipients of the Yukon seniors income supplement, and, additionally, the one-time 10-percent payment to pioneer utility grant recipients, the extension of funding for caregivers, and the funding for Food Network Yukon — none of that, Mr. Speaker, is actually included in the supplementary budget. So, again, it is important to note that this supplementary budget, like the budget in the spring, is not actually reflective of the current fiscal position nor commitments the government has made or its announcements. It's out of date before it is tabled, and it is failing to account for millions of dollars in increased spending that this government has committed to.

It also shows that their actions on inflation have been cobbled together in response to criticism and rushed out at the

last minute, rather than with a thoughtful approach. We have repeatedly called for the government to take some direct measures, such as a number of other jurisdictions have done, in cutting the territorial fuel tax. Provinces have cut their fuel taxes. Unfortunately, both the Premier and one of his ministers have been very dismissive of that idea, but I have to remind members that, in fact, cutting the territorial fuel tax alone would provide approximately \$9.7 million in tax relief to Yukoners, according to the numbers that the government itself indicates in their own budget as the revenue received from that fuel tax. If one looks south to the Province of Alberta, fuel prices are lower. That has also been reflected in lower increases in the cost of food.

Now, in response to this, we have heard a very dismissive response from the outgoing Premier and ministers, but I would note that the handout they provided us — the interim fiscal and economic update of October 2022 — prepared by the Department of Finance —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Mount Lorne Southern Lakes, on a point of order.

Hon. Mr. Streicker: Earlier today, Mr. Speaker, you directed us not to use adjectives around titles. The member opposite just used one of those adjectives again in his reference to the Premier.

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

Mr. Cathers: On the point of order, I will acknowledge that I did refer to the Premier as the “outgoing Premier”. I will retract that and rephrase it and say, “The Premier has one foot out the door.”

Speaker’s ruling

Speaker: On the point of order, please refrain from using remarks that are not the title of the member. Members do not have the opportunity to edit their own mistakes.

Please continue.

Mr. Cathers: Thank you, Mr. Speaker.

I’m going to quote from the document prepared by the Department of Finance and provided to members, the interim fiscal and economic update of October 2022. It says that higher fuel prices have been the biggest driver of inflation. The document also notes that the inflation rate in Whitehorse rose to 7.7 percent in July — the highest rate since the early 1990s. Inflation was little changed in August at 7.6 percent, with prices in Whitehorse up in all major categories of the consumer price index. It also notes that the price of gasoline and fuel oil were up significantly from 12 months earlier. I should note, just for Hansard, that this is from page 10 of the interim fiscal and economic update.

Again, our concern is that, unfortunately, the government does not seem to be taking this issue seriously. Ministers were very slow to act on this issue. They are very dismissive of any ideas coming from the Official Opposition, even when the

measures we point to have actually been successful in other jurisdictions at keeping the cost of fuel lower and in reducing —

Speaker: Order, please.

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

Debate on second reading of Bill No. 206 accordingly adjourned

The House adjourned at 5:30 p.m.

The following document was filed October 11, 2022:

35-1-70

Firearms Legislation — Bill C-21, letter re (dated July 27, 2022) from Hon. Tracy-Anne McPhee, Minister of Justice, to Brad Cathers, Member for Lake Laberge (McPhee)

The following written question was tabled October 11, 2022:

Written Question No. 28

Re: *Education Act* requirements for initiatives that promote equality and non-discrimination (Tredger)



Yukon Legislative Assembly

Number 77

1st Session

35th Legislature

HANSARD

Wednesday, October 12, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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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Hansard Administrator	Deana Lemke

Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, October 12, 2022 — 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

Speaker: Under introduction of visitors, the Chair would like to introduce Annette King, the Child and Youth Advocate; Julia Milnes, the acting deputy advocate; Selena Kaytor, the client service administrator; Anya Braeuner, the advocate case worker; and Christopher Tse, the systems analyst.

Please join me in welcoming them to the Assembly today.
Applause

Speaker: Are there any further visitors to be introduced?

Hon. Mr. Pillai: I would like to welcome a group of individuals here for a tribute today. They are very well-known in our community and admired by all members here in the Assembly. I would like to welcome Joe Sparling, the president and chief executive officer of Air North; Deb Ryan, strategic planning and alliances manager; Rick Nielsen, chief operating officer; Allison Camenzuli, director of marketing and communications; Amy Ryder, marketing communications specialist; Garry Njootli, Air North Board of Directors; David Atkins, director of business development and regulatory affairs; as well as Carina Poirier, senior business analyst.

Thank you so much for coming in today.
Applause

Hon. Ms. McPhee: I would like my colleagues to help me welcome the Run for Mom organizing committee who are here in attendance with us today. We have Vicky Stallabrass, we have Marianne Thompson, and we have Pat Living and Val = Pike. Thank you so much for being here.

Applause

Mr. Kent: I would like the House to join me in welcoming a constituent of mine, Dan Cornett, who is here in his capacity with the Golden Horn zoning committee.

Applause

Hon. Ms. McLean: I ask my colleagues to help me welcome a special guest here today, Tosh Southwick, a Kluane First Nation citizen and Yukon First Nation education advocate. She is here for the ministerial statement regarding the Kluane Kêts'ádañ Kù.

Applause

Ms. Tredger: I would like to invite my colleagues to help me welcome Audrey Provan, who we will remember as a former page of the Legislative Assembly.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Air North's three-millionth jet passenger

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to Air North, Yukon's airline, on its impressive achievement of hosting its three-millionth jet passenger on September 21. Over the last 45 years in business and 20 years of jet service, Air North has provided Yukoners with incredible travel options and unmatched customer service.

Our northern airline prides itself on providing passengers with a travel experience that is uniquely Yukon and has been a hospitable gateway to the north for travellers from all over the globe. With an ever-growing fleet of aircraft, including five Boeing 737 jets, Air North connects travellers with flights to Whitehorse, Vancouver, Kelowna, Victoria, Calgary, Edmonton, Yellowknife, Ottawa, Dawson City, Old Crow, and Inuvik. This spring, Air North expanded its travel network yet again with a new direct service to Toronto.

The expansion not only connects the capital cities of Yukon and Ontario, but further demonstrates the growth of the travel opportunities that Air North continues to provide for Yukoners and visitors to our beautiful territory. It is because of their incredible reputation and unbeatable customer service that it came as no surprise when Air North announced that Anton M. had become the three-millionth passenger of Yukon's airline as he boarded his flight from Kelowna to Vancouver and Whitehorse.

What makes this milestone more remarkable is the pace of growth in passengers. In the first 10 years of jet service, Air North welcomed its 1 millionth passenger and, just 10 years later, that number tripled.

I am truly excited and grateful for all that Air North has done and continues to do for Yukoners.

Mr. Speaker, I want to take this moment to congratulate Yukon's airline on the hosting of its three-millionth jet passenger, and I know that the future of this beloved institution is bright and Yukoners will continue to benefit from the high-quality service that Air North, Yukon's airline, provides.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Air North. This is one of my favourite companies to tribute, and I have done so several times since becoming MLA, but this tribute is for an event that was wonderful for a passenger.

Anton M. became Air North's three-millionth passenger. He is a Yukon resident who boarded flight 540 from Kelowna to Vancouver to Whitehorse, and he was made aware of the

milestone ticket when he checked in at the airport. For this, he was gifted two complementary round-trip airfare tickets.

In the 20 years since the company began their Boeing service, they have succeeded in growing and are truly Yukon's airline. Kudos to Joe Sparling, Deb Ryan and family, and all of Air North's family.

Their down-home care is outstanding, and we continue to hear stories of their good deeds and assistance for many different scenarios. Whether it's a medical story, compassionate travel, or making sure a puppy gets on board, they try to accommodate all requests.

If you haven't checked lately, check out their fly and stay packages, whether for here or outside of Yukon. Air North offers a wide range of options for someone looking for a change and at very reasonable rates.

Vuntut Gwitchin and Air North are partners and, along with many shareholders, continue to be a major driving force in Yukon's economy. We know that Air North supports many local events, and the kindness and generosity shown to everyone is renowned. We see the amazing customer service throughout the company, Yukon spirit through and through, plus warm cookies. They embody the best little airline in the world.

Again, congratulations to Anton M. for being the lucky three-millionth passenger.

Thank you, Mr. Speaker.

Applause

Ms. Blake: Thank you, Mr. Speaker. I rise today on behalf of the Yukon NDP to celebrate the work of Air North and to congratulate them on their three-millionth passenger.

Air North has, and continues to be, a leader both in business and community support and in reconciliation. As a citizen of Vuntut Gwitchin, I am grateful for the ongoing partnership between the Vuntut Gwitchin First Nation and Air North. The Yukon's airline is a critical support for my community of Old Crow. Thanks to this partnership, services that are otherwise costly and almost impossible to coordinate are provided quickly and reliably through Air North, including cargo and food delivery to our co-op, as well as chartered flights for large gatherings like the annual general assembly. Thanks to Air North, people in the communities from the farthest north to the southern cities stay connected.

Air North represents the best of the Yukon. The hospitality, warmth, and comfortable services, not to mention the delicious food from the flight kitchen, are all reasons to celebrate their work.

As Air North marks this major milestone and continues to support Yukoners, we can also do more to support them. Let's make sure that all government transit is booked through Air North, where we know that money is invested back into our communities and workers can enjoy the services we all know and love.

Let's also support connectivity between all communities across Canada by working with the federal government to take a "Canada first" approach to COVID recovery policies for domestic air carriers. With that support, more Canadians will

get to book and fly Air North as they travel across the country. Once again, congratulations to Air North on this major achievement in booking their three-millionth passenger.

In recognition of Breast Cancer Awareness Month

Hon. Ms. McPhee: I rise today on behalf of the Yukon Liberal government to recognize October as Breast Cancer Awareness Month. According to the Canadian Cancer Society, every day last year, an estimated 75 Canadians were told that they have breast cancer. On average, 15 Canadian women die from breast cancer each day. Breast cancer is the most common type of cancer, and it is the second-leading cause of cancer death among Canadian women, but the impacts of breast cancer cannot be understood through statistics alone.

Many of us know someone, or perhaps are someone, who has been diagnosed with breast cancer, so we know that the impacts of breast cancer are also intensely felt by family, friends, and loved ones. I want to take the opportunity today to highlight the amazing programs and initiatives that are working to raise awareness for breast cancer and support breast health in our home territory.

Run for Mom is an incredible initiative that has single-handedly made significant financial contributions and worked for many years to raise awareness for breast health. Thank you to the organizers, volunteers, and participants, whether you're running, walking, or cheering, for your dedication and support.

I can clearly remember the first Run for Mom, and I note that the Run for Mom that will take place next Mother's Day will be the 25th anniversary — what a milestone for our community.

Karen's Fund, which was named after a Yukon woman who died of breast cancer at the age of 37, provides support for people diagnosed with breast cancer. Thank you to everyone involved with fundraising and to those who are working to preserve her memory.

The cancer care program at the Yukon Hospital Corporation is dedicated to supporting Yukoners through their unique cancer journey. Thank you to the staff for your compassion and care. The Yukon Women's MidLife Health Clinic provides women with easy access to important information that supports their health.

I am so proud to live in a place that has so many diverse programs, supports, and initiatives dedicated to raising awareness, reducing the impact, and supporting Yukoners who are dealing with breast cancer. I encourage Yukoners to be vigilant, to be aware and practise the ways that you can detect breast cancer early when it is easier to treat and interventions can be taken. Monthly self-exams are one of the ways that you can detect breast cancer early.

I also encourage Yukoners to get screened with your health care provider and have routine mammogram appointments. In some cases, you can self-refer for a mammogram. Please don't put it off.

Thank you, Mr. Speaker.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to recognize October as Breast Cancer Awareness Month in Canada. Breast cancer represents a quarter of all new cancer cases diagnosed in women. It is estimated that 29,000 women will be diagnosed in this year alone. That number increases each year, Mr. Speaker. It may be that a shocking number that might resonate more is that one in eight women are expected to be diagnosed with breast cancer in their lifetime in Canada. Based on the current population of the Yukon, that would represent over 2,600 Yukon women being diagnosed at some point in their lives.

We have an incredible team of professionals here in the Yukon to help support and treat those faced with cancer. Our thanks to our health professionals and to those who work directly to provide support to families and patients and to help them navigate their cancer journey.

I would like to recognize the staff of Karen's Room in particular, who work to provide a comfortable space to help Yukoners through their chemotherapy treatments. I would also like to thank those who help organize and distribute financial gifts from Karen's Fund to Yukoners undergoing treatment for breast cancer to help them cover out-of-pocket expenses incurred during the course of their treatment. This fund was created in honour of Karen Wiederkehr, who passed away from breast cancer at age 37. Karen's Fund and Karen's Room continue in her memory. Yukoners are able to donate and are encouraged to donate to the fund to help continue Karen's legacy.

Thank you, Mr. Speaker.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to Breast Cancer Awareness Month.

I don't imagine there's a single person in this room who has not been touched by breast cancer, whether it be a mother, a sister, a co-worker, a friend, or a brother. We are all connected to someone who has been diagnosed with breast cancer.

When we talk about breast cancer, we need to talk about a full spectrum of supports. We need to talk about prevention. Breast cancer can affect even very young people. There is a spectrum of tools for detecting breast cancer, and everyone should work with their health professionals to make sure they are getting the screening they need.

For people being treated for breast cancer, there are many health care providers who come together to help them. I want to thank all the doctors, nurses, pharmacists, hospital staff, and more who do this work every day. I'm thankful that in the Yukon, with one phone call, we can schedule our own mammograms through the Whitehorse General Hospital.

I want to thank the community members who come together to provide support and care. I think of all the people and groups who have raised funds for the Yukoners cancer care fund and Karen's Room. I think of Run for Mom, Mardi Bras, Stix Together, Paddlers Abreast, and many more. Thank you to everyone who supports your fellow Yukoners living with cancer.

Cancer changes your life. For the survivors of breast cancer, our community care can't end when they are discharged. Thank you to everyone who provides ongoing support to their neighbours, families, and friends.

Finally, I want to honour the Yukoners we have lost to breast cancer. They are missed, they are mourned, and they are celebrated. Thank you.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McLean: I have for tabling a report and an executive summary completed by the Yukon Child and Youth Advocate Office. It's titled *Responding to Sexualized Abuse in Yukon Schools — Review of Policies and Governmental Response*.

Ms. McLeod: Mr. Speaker, I have for tabling two letters. The first one is a letter dated December 14, 2021 from the Town of Watson Lake regarding COVID-19 relief funding.

The second is dated July 4, 2022 from Ted Laking regarding COVID-19 relief funding.

Hon. Mr. Clarke: I have for tabling two legislative returns.

Ms. Van Bibber: I have for tabling the October 6 agenda for the Municipality of Skagway meeting that deals with the Government of Yukon's investment in the port.

Ms. Blake: I have for tabling, as requested by the Vuntut Gwitchin First Nation, a letter from the Vuntut Gwitchin Government regarding accountability for failure to protect indigenous women and girls from violence, which I was forwarding.

Speaker: Are there any reports of committees? Petitions.

PETITIONS

Petition No. 13 — received

Clerk: Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 13 of the First Session of the 35th Legislative Assembly, as presented by the Member for Vuntut Gwitchin on October 11, 2022.

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. 13 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. 13 shall be provided on or before October 25, 2022.

Are there any petitions to be presented?

Petition No. 14

Mr. Kent: In October 2020, the Golden Horn zoning committee undertook a questionnaire regarding a review of the Golden Horn development area regulations. Recommendations were provided to the Yukon government's Land Planning branch and residents were provided survey results by mail in May 2021.

Due to the pandemic and lack of community consultation, the zoning committee undertook further community consultation with the following petition in September of this year.

The petition reads as follows:

To the Yukon Legislative Assembly:

This petition of the undersigned shows:

THAT titleholders residing within the Golden Horn Subdivision on RR1 and RR2 zoning want to amend the Golden Horn Local Area Plan and the Golden Horn Development Area Regulation to reduce the minimum lot size to two hectares, as has been done with local area plans in the Whitehorse periphery such as the Mount Lorne Local Area Plan, Hotsprings Road Local area plan and the Ibex Valley Local Area Plan and Regulations;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to:

(1) reduce the minimum lot size to two hectares for rural residential properties within the Golden Horn Local Area Plan; and

(2) amend the Golden Horn Area Development Regulation, to allow for a two hectare minimum lot size for rural residential properties within our area.

Mr. Speaker, the committee believes that amending the regulations will support land and housing challenges that exist within the Whitehorse area, and the 90 signatures collected between both sides of the Golden Horn area in my riding, as well as the riding of Mount Lorne-Southern Lakes, show that 67 percent of title holders are in favour of a two-hectare minimum lot size.

Speaker: Are there any further petitions to be presented? Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 16 — Second Act to amend the Legal Profession Act, 2017 (2022) — Introduction and First Reading

Hon. Ms. McPhee: I move that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Justice that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 16 agreed to

Bill No. 19 — Technical Amendments Act (2022) — Introduction and First Reading

Hon. Ms. McPhee: I move that Bill No. 19, entitled *Technical Amendments Act (2022)*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Justice that Bill No. 19, entitled *Technical Amendments Act (2022)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 19 agreed to

Bill No. 21: Carbon Price Rebate Amendments Act (2022) — Introduction and First Reading

Hon. Mr. Silver: I move that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Premier that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 21 agreed to

NOTICES OF MOTIONS

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

THAT it is the opinion of this House that reproductive health care is essential to the health, freedom, and the social and economic futures of women and girls and that the right to an abortion in Yukon and access to abortion services in the territory need to be protected.

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

THAT this House urges the Yukon government to not charge camping fees for Yukon senior citizens.

I also give notice of the following motion:

THAT this House urges the Minister of Environment to cancel the Yukon government's planned campground fee increases for Yukoners.

I also give notice of the following motion:

THAT this House urges the Minister of Community Services to provide communities with nearby garbage-disposal options by taking the following actions:

- (1) keeping the Silver City solid-waste transfer facility open;
- (2) pausing plans to close other solid-waste facilities; and
- (3) consulting with affected businesses and communities and First Nations before making a decision to implement fees or other changes at solid-waste transfer stations.

Ms. White: I rise to give notice of the following motion:
THAT this House expresses its support for all Yukon employees striking for better working conditions.

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

THAT this House urges the Government of Yukon to redress the harm and trauma that has been inflicted by the Yukon territorial release order of a Vuntut Gwitchin citizen by implementing the following actions, called for by Vuntut Gwitchin First Nation:

(1) offer a public apology to Vuntut Gwitchin First Nation citizens and the community of Old Crow on their traditional territory;

(2) conduct a public inquiry into the factors that contributed to and resulted in the release order made by a Justice of the Peace of the Territorial Court and the role of the Royal Canadian Mounted Police in the Vuntut Gwitchin First Nation traditional territory historically and today in the ongoing crisis of violence against women and girls;

(3) provide community wellness supports, counselling, and aftercare on a permanent and ongoing basis for any Vuntut Gwitchin First Nation citizen affected by the release order;

(4) maintain commitments to opportunities for the well-being of citizens equal to those of other Canadians and to provide essential public services of reasonable quality to all;

(5) end discrimination against children, women, girls, and LGBTQ+ people of the Vuntut Gwitchin First Nation and their families, including full implementation of Jordan's Principle and the orders of the Canadian Human Rights Tribunal in guaranteeing a level of essential services for all Vuntut Gwitchin First Nation citizens that is at least equal to those available to other Canadians; and

(6) commit to fairness and respect for Vuntut Gwitchin First Nation law and self-determination including the Vuntut Gwitchin First Nation's responsibilities for maintaining peace, safety, and security and administering justice in the Vuntut Gwitchin First Nation traditional territory.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Kêts'ádañ Kù project

Hon. Ms. McLean: I would like to start by acknowledging Chief Bob Dickson and members of his community who are listening in to this ministerial statement today.

I rise today to provide an update on the Kêts'ádañ Kù project in Burwash Landing. Kêts'ádañ Kù, which means "House of Learning", is the Southern Tutchone phrase for the word "school". To support indigenous language revitalization, our government is choosing to also use Southern Tutchone when we talk about the Kêts'ádañ Kù project, honouring the wishes of the Kluane First Nation.

In September, I was honoured to join the Burwash Landing community at a celebration to recognize some of the steps made to replace the aging Kluane Lake School in Destruction Bay with the new Kêts'ádañ Kù in Burwash Landing. While I recognize that we still have much work to do, some steps that we have taken so far include: a memorandum of understanding signed in June 2020; a commitment of between \$20 million to

\$28 million in funding under the 2022-23 five-year capital plan; a Yukon asset construction agreement signed this year; and a joint funding commitment announced last month of more than \$22.5 million from the Government of Yukon and the Government of Canada, with support through the Investing in Canada infrastructure program.

When I was in Burwash last month celebrating this milestone with the community, it was so special to hear the voice of the Kluane First Nation citizens, including Chief Bob Dickson and Elder "Gramma" Lena Johnson. I saw first-hand the joy and excitement of the students of the Kluane Lake School as they danced and sang songs in Southern Tutchone and how the children spent the afternoon playing and laughing while we all gathered in the community hall.

Gramma Lena spoke about the community's history with colonial education and residential schools, but also emphasized how "we are all built the same" and she doesn't "see colours". Gramma Lena said that "our skin may make us look different but, in our hearts, we are the same." She said that this new Kêts'ádañ Kù, to be built closer to home and in the heart of their community, is an opportunity for us to work together to — and I quote: "... teach children to do our best, to help each other out, and about community — both sides."

I am humbled and honoured to play a part in helping Kluane First Nation and the Burwash Landing community move their decades-long advocacy for the Kêts'ádañ Kù, which will ensure students in Burwash have access to a modern learning facility for years to come.

Shaw nithän. Thank you.

Mr. Istchenko: It seems like this government likes to talk about projects that are delayed and behind schedule. Yesterday, it was the Faro fire hall and public works building; today, it's the Burwash school. I would be remiss if I didn't acknowledge the official name of the new school, the Kêts'ádañ Kù, which, as the minister mentioned, means "House of Learning" in Southern Tutchone. In my opinion, it is the perfect name.

A bit of a history lesson for the members on the other side of the House — the previous Yukon Party government first got the ball rolling on this in 2015. As we all know, the Kluane First Nation has been asking for a school in Burwash for generations, and I was pleased to start this process. As MLA for Kluane, I originated a meeting with the then-minister and the local First Nation, and we signed an MOU. When the current government took office in 2016, this project was put on the back burner. Year after year, I saw money for the Burwash school planning in the budget, but sadly, that money wasn't spent and no work was done on this important project on behalf of the Kluane First Nation.

It wasn't until 2021 that the planning process really got started. I do have to mention that it was an honour for me, as the MLA for Kluane, to sit in on the planning session via Zoom with the First Nation and the community. It was great to hear the vision for the school from the community and especially from the kids who participated.

This new school in Burwash will be a boon for the community and will finally fulfill the long-lasting request from the Kluane First Nation. Now the real work needs to get shovels in the ground and it needs to begin, but there are some outstanding questions. First off, we haven't heard much in the way of timelines for this project — both at the funding announcement and the ministerial statement. So, can the minister tell us how the design and construction will play out?

Is the design work underway? What are the tendering and construction timelines? I know this is a question for Highways and Public Works, but the Minister of Education probably has a pretty good idea about the timelines for this project. So, will the government meet with the residents of Destruction Bay to gather input about the future of the old Kluane Lake School? Does the government already have plans on what the old school should be used for? Does the government plan on tearing down this school, or will they renovate and repurpose the old school? Has money been set aside to deal with the old Kluane Lake School?

The Burwash school should have been dealt with a long time ago, Mr. Speaker; however, I am personally pleased that this project is finally moving forward, thanks to lobbying from the local First Nation, Kluane First Nation, and myself as the MLA. I'm very happy for the Kluane First Nation Chief and Council that finally, after decades of asking for a new school in Burwash, their request is finally being fulfilled.

I look forward to the day when the kids from Burwash and the surrounding area can attend this school in their community. Thank you. Günilshish.

Ms. White: I'm delighted to stand in celebration of the long-awaited school construction in Burwash Landing, Kets'ádañ Kù.

This has been a long wait and it has taken more than 100 years to get us to this point. So, congratulations to the Kluane First Nation who will soon have back what they have fought so hard to have: the ability for their children to learn in their own community. The NDP, long before my time, have long championed a school in Burwash Landing because that's what we were told was needed by the Kluane First Nation. I remember my first visit to Burwash Landing after being elected and there were signs on all of the government buildings highlighting the century-plus long wait for a school. This is a topic that has been raised by leadership on each and every visit I've had in the community.

The school is a result of decades of unwavering dedication from the Kluane First Nation. When I think about those years of work, I reflect back on a CBC interview in 2004 when Mary Easterson, a Kluane First Nation elder, was talking about a petition that was tabled in this very Assembly for a school to be built in Burwash Landing. She talked about the many petitions over the years that asked for a school. She said — and I quote: “The community wants input into the education of their children. We want elders involved with the teachings of values and language with our children.”

Finally, that day is getting closer, and for that, we thank the citizens, the elders, and the leadership of the Kluane First

Nation who never wavered in their desire to bring education back to their community where it belonged.

Hon. Ms. McLean: Thank you very much, Mr. Speaker, and I thank my colleagues, particularly the Leader of the Third Party, for the comments here today. I think that the member for the Yukon conservative party needs some history lessons as well here today, which I am going to endeavour to give.

Our government is investing in schools to support the Yukon's growing population and to provide modern learning spaces for every Yukon student. After years of inaction by the Yukon conservative party and their lack of investment in Yukon's education system, we are now just beginning to create a modern, inclusive education system. That has been one of my primary focuses as minister and the previous minister before me.

Last year, I was pleased to be at a land blessing at the site of the new Whistle Bend elementary school with the Member for Riverdale North, First Nation members, and local contracting company Ketz Construction. Truly, we put our tent into the building of that school as well.

More than \$25 million is included in this year's budget for the construction of the school, which will be the first new elementary school in Whitehorse in more than 25 years. The Whistle Bend school will be able to accommodate 425 students and is expected to be completed in 2023-24.

I take note of the questions that the member asked here today, and I will work with the Highways and Public Works minister to bring back those details to the House.

In addition, over the next five years, we are investing in a number of school projects, including over \$45 million for the replacement of the École Whitehorse Elementary School, over \$6 million for structural upgrades to the Ross River School, more than \$2 million for the Robert Service School modular addition, and \$1.6 million for experiential learning spaces across the territory.

Mr. Speaker, for 14 years, the Yukon Party ignored the problems in our education system and resisted change. They ignored the more than 100-year-old request by Kluane First Nation for a new school in Burwash Landing, even while the community had an MLA in Cabinet. The Yukon conservative party's approach to school infrastructure was a failure; it just simply was a failure. They built an elementary school to replace a high school. They alienated the local contracting industry in the process. They ignored the Yukon's francophone population and wasted millions of dollars fighting the francophone school board. It took years for our Liberal government to repair relationships with the contracting industry and the francophone community and to get things back on track.

That is why I am so pleased to see the Kets'ádañ Kù project move ahead. Earlier this year, the community was consulted on the conceptual design and the best options for moving forward. The building is now in the design phase. We will continue to work with the Kluane First Nation to discuss a design and construction of the school. The tender and the completion date will be confirmed, as I said earlier, once additional project planning is complete.

I want to thank our partners in this project, including the Kluane First Nation and the century-long dedication to ensuring Yukon learners in their community can receive high-quality education.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Health care services

Mr. Cathers: Earlier this year, the Minister of Health and Social Services promised Yukoners that a new walk-in clinic would be opened in Whitehorse.

A CBC article from April 8 said, “Her department is looking for space for the first government-run clinic in the territory, which she said will be staffed with local doctors and nurses.”

The minister told media that the new walk-in clinic would be opened in the spring of 2022. This was welcome news to the thousands of Yukoners without a family doctor who currently have no other choice but to seek care from the emergency room. Unfortunately, Mr. Speaker, it is October now and there is no walk-in clinic in sight.

Can the minister explain why she didn’t follow through on her promise to open a new government-run walk-in clinic in Whitehorse?

Hon. Ms. McPhee: I am happy to rise to speak to this issue. I spoke at length to media yesterday. The member opposite may have availed himself of that information or not, but I am happy to repeat it here on the floor of the Legislative Assembly today.

The Government of Yukon is committed to working with our partners to increase Yukoners’ access to primary health care providers. Just one way in which that could be happening is having services provided at a walk-in clinic. It is just one of the many projects that we are working on to meet the recommendations in *Putting People First* and moving and transforming Yukon’s health care system.

We are working with physicians, nurse practitioners, and other health care providers to think creatively and to seek their guidance with respect to how we might meet the challenge that we face on how to best take action to meet the need. As I have said, one of the needs might be the services of a walk-in clinic to alleviate some of the patients having to go to the emergency room for particular —

Speaker: Ten seconds.

Hon. Ms. McPhee: — health care concerns, and I certainly look forward to future questions.

Mr. Cathers: Well, Mr. Speaker, the minister may try to dismiss the question, but yesterday, she was asked about a commitment that she had made. When she was asked by local media why she failed to live up to her own commitment to open a new walk-in clinic in the spring of this year, the minister seemed to blame local doctors. She said that the department had offered to help with set-up costs and some administration costs, but local doctors turned her down. She said — and I quote: “Those doctors ultimately chose not to pursue that business model.”

Instead of seeming to blame local doctors for her broken promise, why doesn’t the minister try to actually engage them in a meaningful way to deliver on her promise to open a walk-in clinic in Whitehorse?

Hon. Ms. McPhee: The member opposite does know what I said yesterday about the explanation for the walk-in clinic. There was no blame. We have continued. The issue here is access for Yukoners to medical services. We have continued to work with the Yukon Medical Association and the members of the Yukon Medical Association and our nurse practitioners here in town to come up with creative ways that we might offer the walk-in type of services or a walk-in clinic. That work is ongoing. It is a top priority and it continues and has continued, though somewhat delayed over the summer months by the negotiations that were happening with the Yukon Medical Association, which resulted, of course, in a new Yukon Medical Association agreement between the Government of Yukon and the Yukon Medical Association for three years that will take us through to 2025. That includes a new attachment and attraction program. It is just one of the ways that we hope to work together to help Yukoners access primary care needs. It does include in that attachment and attraction program incentives, financial and otherwise, for Yukon doctors to increase —

Speaker: Ten seconds.

Hon. Ms. McPhee: — their patient care load. We look forward to the implementation.

Mr. Cathers: Mr. Speaker, the minister can attempt to sidestep this question all she wants, but the government has been very slow to act on the health care needs of Yukoners, and despite the minister herself making a specific promise in the spring that a walk-in clinic would be open very soon — she said that it would be open in the spring — the Minister of Health and Social Services has changed her position. Yesterday, when asked by media for a date when a walk-in clinic would be open, she couldn’t provide an answer. Many Yukoners who are without a family doctor had been holding out hope that a walk-in clinic opening in the spring would mean that they would no longer have to seek health care from the emergency room.

When can Yukoners expect the Minister of Health and Social Services to live up to the promise that she made earlier this year to have a walk-in clinic opened in Whitehorse?

Hon. Ms. McPhee: The discussions regarding the process of opening a walk-in clinic, or walk-in-clinic type of services, are ongoing on a daily basis with respect to how we might find a solution. It is a top priority, as I have noted.

Dr. Ryan Warshawski, the current president — or I guess maybe not, maybe now the past president — of the Yukon Medical Association said, in relation to our negotiations and the agreement ultimately designed, is — and I quote: “... a robust and well-functioning health care system is integral to the health of Yukoners. The Yukon Medical Association is optimistic that this new agreement will promote access to primary, speciality, and hospital-based care ... It has dedicated funding to promote equity and diversity at the individual, office, and organizational level. I believe that this will make Yukon one of the most competitive and desirable places to practice medicine in Canada ... The agreement recognizes both the unique and

integral role of physicians in both health care delivery and leadership ... The Yukon Medical Association is committed to working with the Yukon government as a partner in health care moving forwards.”

Question re: Support for seniors

Ms. McLeod: Seniors on fixed incomes are finding the inflation crisis difficult to deal with. Last spring, the Yukon Party asked for action to help seniors this year, but the government could not provide a single item in the budget specifically introduced with seniors in mind. Now we are hearing from some seniors that their pioneer utility grant, or PUG, will be used up on just the first delivery of home heating fuel.

Will the government commit to doing more for our Yukon seniors who are going to struggle financially this winter?

Hon. Ms. McPhee: Thank you very much, Mr. Speaker.

Making seniors a top priority with respect to how they receive support here in the Yukon Territory is a priority for our government. We have worked very closely with seniors organizations, met with them over several years — the last few years in particular with respect to how COVID is affecting seniors and seniors organizations.

With respect to the utilities grant situation, you may well know and members of this Legislative Assembly may well know that we have determined that one of our inflationary measures will be to provide a 10-percent payment to each individual who receives the pioneer utility grant of 10 percent. That will come in the new year once the individual amounts that people receive can be calculated — I think in late November. Thank you.

Ms. McLeod: Thank you, Mr. Speaker.

Now the minister has stated, or at least strongly suggested, that a one-time 10-percent payment to PUG recipients is sufficient, but it doesn't help seniors address rising costs and, even worse, they won't receive it until next year.

This falls far short of the Yukon Party suggestion to double the PUG last spring so that seniors could receive it this year. That would mean an extra \$1,173 if you live within the City of Whitehorse and \$1,257 if you live outside of the Whitehorse city limits.

Will the minister commit to double the amount of the pioneer utility grant and get it out of the door immediately?

Hon. Ms. McPhee: As I've noted in the previous answer, Mr. Speaker, assisting seniors and supporting them through this difficult time of high inflation across the world is a top priority for our government. We're helping low-income Yukoners and seniors — in particular, those on social assistance and caregivers of children in out-of-home care — and introduced a range of measures to help those in need, including a one-time payment to social assistance recipients of \$150. In addition to the note that I made earlier here regarding the pioneer utility grant of a one-time 10-percent additional payment to those recipients, a one-time payment of \$150 is also going to Yukon seniors — those who receive Yukon seniors income supplement and those recipients.

In addition, a six-month extension of our \$500 per month to caregivers of children in out-of-home care has been done. Also, \$100,000 has been provided to the Food Network Yukon to continue its support for food security across the territory.

Yukoners — seniors, in particular, and those on social assistance and caregivers of children — are of concern and likely our —

Speaker: Order.

Hon. Ms. McPhee: Thank you.

Ms. McLeod: The Liberal government is leaving many seniors out in the cold this winter, and they need more support. One of the programs that could make it more affordable to live in their own homes is the homeowners grant. The homeowners grant reduces the amount of property tax you pay for your principal residence. Eligible individuals 65 and older can receive up to 75 percent of the property taxes owing on their residence to a maximum of \$500.

Would the Liberals consider increasing this amount to a maximum of \$1,000 for eligible seniors until the inflation crisis is over?

Hon. Mr. Silver: Mr. Speaker, as we have said a few times as we have risen to our feet here in the Legislative Assembly, our budget is always designed to making life more affordable for Yukoners. We will continue to monitor international crises and also local issues when it comes to making life more affordable for Yukoners.

We have heard the opposition with some of their suggestions as far as what we could do in the short term and the long term, when it comes to inflation. With the release of the interim fiscal and economic outlook, there are some bright days ahead, as far as inflation, and as far as that goes, we will continue to monitor the situation with inflationary short-term relief. We'll also continue to monitor the situation with COVID and provide businesses and individuals with relief when it comes to fighting the pandemic.

Outside of these extraordinary situations, everything we do is to make sure that we make life more affordable for Yukoners. We will continue to listen to some good advice from the members opposite as well, as we do believe that good ideas come from all political stripes, and we'll continue to monitor the inflationary situation, as we have with the over \$5 million that we committed a month ago and also the announcements that my colleague, the Deputy Premier, just mentioned, when it comes to specific relief for our seniors.

Question re: Hospital staffing

Ms. White: After hearing repeatedly from Yukon nurses about chronic understaffing at the Yukon Hospital Corporation, our office inquired with the corporation to find out just how short they are, and the answer was shocking. The Yukon Hospital Corporation does not know how often or exactly how short-staffed its departments are on an ongoing basis. Being short-staffed means that patients are not getting the care that they need when they need it, and it means that nurses who are on shift have to work harder and for longer to fill the gaps. It means that Yukon nurses are burning out faster and faster.

Will the minister commit to tracking staff shortages at the Yukon Hospital Corporation and ensure that nurses have the support that they need to do their jobs?

Hon. Ms. McPhee: What the issue here that is being asked about is our support for medical professionals — nurses in particular, but medical professionals across the territory — and absolutely, the support of those individuals and the world pandemic that they have just led us through on the very front lines is a top priority for our government.

I noted yesterday in my response to the budget speech that it is almost unimaginable to determine how many and how those professionals in particular led us through the pandemic on a daily basis. They were there night and day, particularly the nurses at the Yukon Hospital Corporation, but the nurses at our community health centres were also required to be on call and at the response to community issues almost 24/7. They all deserve support. They all deserve relief, which is why we have seen some shortages, because we insisted that they take some time off. They all deserve our respect and the honour that —

Speaker: Ten seconds.

Hon. Ms. McPhee: — we hold them in high esteem for the work that they do to keep and protect us.

Ms. White: So, my question was particularly about tracking staff shortages at Yukon hospitals. We got lots of words but very few answers to that one.

Emergency medical service shortages have also been a chronic problem under this government, both in Whitehorse and in rural Yukon. These shortages can be the difference between life and death. Whether it is a car crash, a heart attack, or a child swallowing something they shouldn't have, Yukoners expect that there is always an ambulance at the ready.

According to standard procedures, the department is supposed to document how often there is a shortage of paramedics and the duration so that they can adjust staffing levels appropriately. A recent access-to-information request shows that this is not the case. The government has no idea how often or for how long emergency medical care is not available for Yukoners. For a government that says that they make evidence-based decisions, it seems that the actual evidence has been —

Speaker: Ten seconds.

Ms. White: — missing all along.

Will the minister commit to tracking and publicly reporting on ambulance shortages?

Hon. Ms. McPhee: I am very pleased to rise again to speak about looking after the individuals who look after us. In particular, there is a wide range of those individuals. They are nurses, they are nurse practitioners, they are physicians, they are EMS staff, and they are nurses and the support workers who work in our community health centres. We have worked extremely hard to make sure that those individuals are looked after.

The issue noted in the question involves keeping track of the kinds of shortages that we have and when we are not able to provide the full breadth of care — or a full shift, for instance. The member opposite might be asking about some very rare situations where we have had to have additional support

brought into community health centres, et cetera, or into hospitals where we regularly use travel or staffing nurses to meet those models.

Speaker: Ten seconds.

Hon. Ms. McPhee: Thank you, Mr. Speaker. I look forward to the third question because there is much more information to provide to Yukoners.

Ms. White: I would have preferred to hear a commitment from the Minister of Community Services, the person responsible for EMS. Health care workers, after two and a half years of giving everything they have, are struggling to bear the workload put upon them by this government. A nurse working in long-term care recently said that it was a good day because they were only short a few nurses. E-mails from hospital staffing managers urging nurses to come in to work have called it a “crisis”.

We know that there is a shortage of health care workers in this territory. The nurses on the floor know it, the paramedics at the station know it, and the Yukoners who wait for hours to access care and critical life-saving services know it. We also know the old saying that you can't manage what you don't measure.

So, this minister needs more than words to show her respect for the health care professionals. She must commit to ensuring that they are not working short shift after shift. Will the minister tell Yukoners what she is doing to retain health care professionals and prevent further burnout?

Hon. Ms. McPhee: I don't agree with everything in the preamble to that question, but I actually agree with quite a bit of it. There are shortages in some places on some days, and we must know the details of those — which we do. We must be able to support the individuals who are required to work under those conditions.

In particular, Yukon hospitals are working hard to employ innovative solutions, as we are in community health centres, to ensure that staffing models are well-planned and sustainable.

There is currently a national and global shortage of health care providers, which I think bears repeating. Contingency plans have been developed to deal with staffing shortages at all three hospitals here in the territory, including moving staff when needed. Long-term recruitment strategies are underway to address shortages, both at the Yukon Hospital Corporation and at Yukon Health and Social Services, because we have different professionals working in each place, and we are continuing to work with the Yukon Hospital Corporation to develop a joint recruitment strategy. Short-term recruitment strategies have been implemented, such as the use of agency nurses, as I mentioned, incentive programs, accommodation, et cetera.

Question re: Whistle Bend development

Ms. Clarke: Last week, I highlighted how the Government of Yukon sold lots that fronted onto what are called “green streets” in Whistle Bend. Despite contractual commitments made by the Government of Yukon through the sales agreements, they broke the contract and did not provide what was promised to these homeowners. Instead of

apologizing to these homeowners, the minister pointed fingers and tried to blame the City of Whitehorse, but documents show something different. The Yukon government's own contract registry shows a contract for almost \$1 million that was awarded by the Liberals for a job titled "Green street paving, Whistle Bend subdivision 2022".

Why did the Government of Yukon start paving the green streets without talking to residents first?

Hon. Mr. Streicker: What I said last week and what I'll say again this week is that we work with the city. So, whatever we have, our municipalities, we ask the municipalities what they would like to see designed, and we will continue to work with the city.

I believe that last week there was a meeting with residents, and it included the city and, I believe, our officials. So, we take the direction about what should be designed based on our partnership with municipalities. It is Community Services that does the development work, and then it is Energy, Mines and Resources that sells those lots. We're happy to keep working with the city, and we're happy to sit down and talk with residents.

I understand that there are further meetings set up. I reached out to the mayor right after the question was raised. There's an ongoing dialogue with us. We have letters going out to respond to the neighbours, the residents.

Again, I make the offer that if the member opposite has other concerns and questions, that she raise them to us directly so we can follow up with those residents.

Thank you very much, Mr. Speaker.

Ms. Clarke: Here are the facts: The Government of Yukon sold lots saying that they would front on landscaped green walking paths. In April, the Government of Yukon awarded a million-dollar contract to put a 20-foot-wide road over top of these green walking paths without consulting the homeowners they sold the lots to.

Last week, months after the paving already started, the Liberals agreed to finally talk to homeowners. The problem is that the government is not acting in good faith. Less than one day after the so-called "consultation", crews from the Government of Yukon contractor were back on the green streets conducting more work.

Will the minister agree to immediately halt work on the green streets and start working in good faith with residents?

Hon. Mr. Streicker: Listen, it's unfortunate to hear the remarks from the member opposite. I believe that our public servants are acting at all times responsibly. I have not been led to believe anything different. There are concerns being raised by some residents. We're meeting with the residents to talk to them about those concerns. We have work which is ongoing at all times in the development — for example, of Whistle Bend, but across all of Yukon communities — to do work. There are times when there are concerns and they are raised. I just never think that we should sit here and cast aspersions toward those public servants who are doing what I think is a really great job.

So, I am saying here on this issue that it has been raised to our attention and that we will work with the residents; we are working with the residents. We are working with the City of

Whitehorse. The normal course of action here is that the city does the planning work and designs what they wish to see developed. It is Community Services that executes on that development work. It is then Energy, Mines and Resources that sells those lots. That is the appropriate working arrangement, and we will work with residents.

Ms. Clarke: So, here is what has occurred so far. The government sold lots promising walking paths. The government then awarded a massive contract to put a road over top of the walking paths. Once paving started, homeowners were rightfully concerned and flagged this issue to the government. The Liberals halted work to have a pretend consultation. Then, to add insult to injury, less than one day after the consultation began, the Government of Yukon sent their contractor who is tasked with paving the green streets back to start doing more work.

Is the minister at all concerned that his government is not living up to its legal commitments made in the sale agreements to my constituents?

Hon. Mr. Streicker: Mr. Speaker, what I will say is that each time that I have ever — and it is not exclusive to this specific issue — but that I have ever talked with the department about the integrity of the work that they bring in support of Yukoners in helping to develop and sell land and to follow the wishes of the municipalities in the planning and design, it has always been of the highest quality. I have no questions about their integrity and the work that they are doing.

I will check back in again with the department. I will work with the city. I will work with Community Services. I will make sure that we are taking the time to hear from residents and I will say to the members opposite that, of course, we are investing in these expensive contracts because we are developing lots, which is so critical for housing here in the territory. We will continue to invest in the development of lots and land across all of our Yukon communities because it is incredibly important for all Yukoners.

Question re: Yukon Water Board role and responsibilities

Mr. Kent: Mr. Speaker, last month, Victoria Gold brought the Yukon Water Board to court, alleging that the board's decision regarding their required security payment was unfair. As a result, the Yukon Supreme Court has paused part of the security payment. However, the judge also made a number of concerning comments about the Yukon Water Board. According to an article from CBC Yukon, she said — and I quote: "Although the water board claimed to take no position, its submissions amounted to clear opposition to the application. It sought to take on the role it believed Yukon or Na-Cho Nyäk Dun should have played.

"In doing so, it overstepped its mark and became too partisan. The water board must be careful: it is not an adversarial party and should not act like one."

These are extremely strong words from the judge.

What is the government doing to keep the Water Board from overstepping its mark?

Hon. Mr. Streicker: Mr. Speaker, a few things. First of all, I am not going to comment on the specific case that is in front of the courts at this very moment. I can say that we have done ongoing work with the Yukon Water Board around security assessment, just making sure that we are aware of each other's work and trying to see if there are ways to streamline the process. I can say, for example, that I was in conversation with Eagle Gold today. I talked to the president of the company not on this issue, but on other issues. We have an ongoing dialogue with Eagle Gold. When it comes to the Water Board, I respect their jurisdiction and their responsibility to assess securities. There are times, of course, when we have come up with different numbers. What we will always do is try to find out how to make sure that the process works as well as possible. I won't be speaking about the specific issue in front of the court right now.

Mr. Kent: Mr. Speaker, I can appreciate that the minister doesn't want to speak about the specific court case; however, these were very strong words from the Yukon Supreme Court Judge. According to the CBC Yukon article, she says clearly that the Water Board has been overstepping its mark and, in her words, "became too partisan." She goes on to say that she will consider the board's submissions going forward with caution because its approach has been "overly adversarial."

This is very concerning to the mining industry as the Yukon Water Board is a very important part of the process of developing and operating a mine in the Yukon. So, what is the Yukon government doing to rein in the Water Board and ensure that it is not behaving in an overly adversarial way?

Hon. Mr. Streicker: Mr. Speaker, again, I will not comment about the specific case that is in front of the court; it is not appropriate for me to do so. I have said and will say again that we continue to work with the mining industry about issues like security and we always will. We will continue to do so. I and the Minister of Economic Development met recently with the Chamber of Mines this morning. I spoke with the president of the Chamber of Mines. There is always dialogue that is ongoing.

What I can say is that we have assessed the securities for Eagle Gold mine to go up by \$30.8 million. My understanding is that is security that is being paid. We will continue to work with the Water Board. We have had ongoing conversations with the Water Board about how to do that work with them. It's not specific to their ability to assess on a specific instance, because we respect the authority that they have to carry out that work. It's about process and how to streamline it.

Mr. Kent: I'm not asking for the minister to comment on the case itself. My concern is with what the judge has said about the Yukon Water Board. In 2018, the Government of Yukon entered into an MOU with the Water Board, which was meant to support a constructive working relationship and clarify roles and responsibilities between the Yukon Water Board and the Yukon government.

Now, in the words of a Yukon Supreme Court Judge, the Water Board is trying to take on the role that it believes the Yukon government should play. It's clear that the view of the

Yukon Supreme Court Judge is that the Water Board is overstepping. The judge said, according to these local media reports, "Although the Water Board claimed to take no position, its submissions amounted to clear opposition to the application."

So, will the Government of Yukon use the powers available to it in the MOU to rein in the Water Board and ensure that this confusion about roles and responsibilities does not negatively affect other mining projects in the territory?

Hon. Mr. Streicker: Mr. Speaker, the member opposite just talked about how we are working with the Water Board to address these situations. That is exactly what is happening. By the way, why listen to the media reports? Why not just go get the judgment directly? I have read the judgment; fine. It just seems incredible to me that the member is talking about a specific case which is in front of the courts and I will not comment on it.

What I will say, and will continue to say, is that both the Yukon Water Board and the Government of Yukon have the responsibility to assess and set securities for our mines. That is what is happening, and we will continue to work with the Water Board to make sure that process is efficient and streamlined.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 436

Clerk: Motion No. 436, standing in the name of Mr. Cathers.

Speaker: It has been moved by the Member for Lake Laberge:

THAT this House urges the Yukon government to ensure that territorial policing resources are not diverted to assist in the implementation of the Government of Canada's gun buyback program.

Mr. Cathers: Thank you, Mr. Speaker. I'm pleased to rise today to introduce this motion on behalf of the Yukon Party Official Opposition caucus. The motion is, of course:

THAT this House urges the Yukon government to ensure that territorial policing resources are not diverted to assist in the implementation of the Government of Canada's gun buyback program.

Now, Mr. Speaker, first of all, I want to emphasize four things. It is important to take an evidence-based approach rather than one guided by emotion. Public policy based on fear is not the right approach to take.

Second, the so-called gun "buyback" program is actually the proposed confiscation of lawfully acquired property from Canadian citizens.

Third, it is clear that diverting public money and police resources away from dealing with serious issues, including

organized crime, would actually make the Yukon and other parts of Canada less safe.

Fourth, the National Police Federation, which is the union representing RCMP members, agrees that the federal Liberal approach diverts police resources away from where they are needed most.

The National Police Federation issued a position statement about the matter of the Trudeau government's firearm legislation and the so-called "buyback" program in which they clearly and specifically stated that those measures actually — I quote: "... diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms."

Mr. Speaker, it is clear to anyone who looks closer at the evidence that the Trudeau government is proposing to divert police resources away from where they are needed most and instead would target licensed firearms owners and forcibly confiscate their lawfully acquired property. The Liberals' actions are politically motivated and are also contrary to the advice of RCMP members and other experts on public safety.

Here at home, the Yukon RCMP have publicly made it clear on several occasions how strained their resources are in dealing with an increase in crime. This summer, they reported that organized crime is becoming entrenched with at least five organized crime networks operating here in the Yukon, consisting of more than 250 individuals. Their resources have not grown enough to meet the increase in the Yukon population, much less this surge in organized crime.

This is a serious problem. When the Yukon RCMP announced that information this summer, they also told the public that the severity of organized crime in our territory includes not just drug trafficking, but also human trafficking and weapons trafficking. Diverting police resources from going after organized crime would not make Yukon safer; it would make the Yukon less safe — and make no mistake, Mr. Speaker, that is what the federal government is asking this government to do through supporting the implementation of gun confiscation.

The federal Liberal government has asked provinces and territories to help it confiscate thousands of lawfully acquired firearms from licensed owners through its so-called "buyback" program. Three provinces have already refused that request. The Justice ministers of Alberta, Saskatchewan, and Manitoba have all publicly come out in opposition to the federal government's gun confiscation plan. They have also made it clear that when provincial and territorial ministers of Justice meet with their federal counterpart, Minister Mendicino, they will be delivering a strong message on behalf of their governments, urging the federal government to cancel the gun confiscation plan. This territorial Liberal government has a choice to make: They can listen to RCMP members — and again, I encourage all members of the government to read the position statement issued by the National Police Federation, the union representing the RCMP. They can listen to RCMP members and Yukon firearms owners and join those three provinces in opposing the federal gun confiscation plan, or they can side with the federal Liberals.

In my letter to the Minister of Justice earlier this year, as the Yukon Party Official Opposition Justice critic, we urged the government to oppose the federal gun confiscation plan and proposed a list of alternate actions focused on actually improving public safety while also respecting licensed firearms owners, and many of those measures are based on the suggestions of RCMP members through the position statement of the National Police Federation.

I tabled the letter previously — my letter dated June 8, 2022 — but I also just want to quote from part of it here for the purposes of debate and so that it's clearly reflected in Hansard what we have suggested.

In my letter to the Minister of Justice, I said the following: "On behalf of the Yukon Party Official Opposition, I urge you to contact your federal colleague Minister Mendicino to oppose Bill C-21.

"While more action is needed to address gun violence in Canada, it is important to take an evidence-based approach to this problem rather than one guided by emotion. Public policy based on fear is not the approach to take.

"We strongly encourage you to read the position statement by the National Police Federation (which is the union representing RCMP members) on the matter of gun control legislation. While their position statement on the current state of gun violence in Canada was issued in November 2020, it is directly relevant to this new legislation, as it addresses matters including the so-called 'buy-back' program proposed by Mr. Trudeau, and the federation's own priorities.

"As stated by the National Police Federation, '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.'

"The union representing RCMP members goes on to state: 'Costly and current legislation, such as the Order in Council prohibiting various firearms and the proposed "buy-back" program by the federal government targeting at legal firearms owners, does not address these current and emerging themes or urgent threats to public safety.'"

I went on to note in the letter: "We urge you to listen to the expert advice the National Police Federation provided in that position statement, and recognize that most of the gun control measures currently proposed would actually divert important personnel and resources from where they are needed most.

"Last year, the Toronto Police Service indicated 86% of the guns seized in connection with crime were illegally obtained from the U.S. black market and across the country, most gun violence is connected to organized crime. The focus of any serious, responsible plan to address gun violence in Canada must target organized crime, and guns smuggled across the border from the United States. It is also important to tackle the causes of crime, including diverting at-risk youth from becoming involved in gangs.

"I would note that we do see value in the proposed 'red flag' and 'yellow flag' provisions aimed at individuals who may pose a risk for others. While we encourage you to seek expert advice and consult with Yukoners on how these

proposed new measures compare to provisions already in the Criminal Code for this purpose, we support in principle strengthening the ability to take proactive action to prevent crimes such as domestic violence and homicide.

“The Yukon Party Official Opposition suggests the following specific actions:

“1. Appoint a Chief Firearms Officer for the territory, reporting to the territorial government. This would make the position more accountable, speed up the process of PAL renewals for law-abiding citizens, and also allow for faster suspension of a licence if required.

“2. Lobby the federal Liberals to cancel the proposed ‘buy-back’ program, repeal the May 2020 Order-in-Council, and allow law-abiding firearms owners to keep their legally acquired property. As stated by the National Police Federation, the ‘buy-back’ program actually ‘diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms.’

“3. Prioritize crime reduction, gang diversion, safe communities, secure borders, Canadian enforcement agency integration, and cross-border safety of the public and all police officers. This was called for by the National Police Federation.

“4. Lobby for increased funding to the RCMP Border Integrity Program, to enable dedicated proactive RCMP investigative weapons enforcement activity and the dismantling of gang and organized crime firearms smuggling. This was called for by the National Police Federation.

“5. Help law enforcement properly address crime prevention rather than focusing funding and resources towards the ongoing monitoring of unrelated restrictions on licensed and regulated firearms owners. This was called for by the National Police Federation.

“6. Prioritize and lobby for increased resources for the federal policing program of the RCMP. In 2018, the Yukon — like other jurisdictions — actually lost police positions used for investigations into matters such as drug trafficking and organized crime due to federal cuts to this funding. That funding should be restored, and enhanced.

“7. Lobby for Gun and Gang Violence Action funding from the federal government to be able to be used by provinces and territories for policing.

“8. Work with all orders of government to address the root causes of organized crime, including early identification of at-risk youth, diversion programs, and job-skills training to help at-risk people find opportunities and productive alternatives to becoming involved with a gang.

“We believe these alternative measures would be a more effective approach to dealing with the real issues facing Canadians, and improve public safety while respecting the rights of law-abiding firearms owners.”

So, Mr. Speaker, as I noted, we have called on the territorial government to oppose Bill C-21 and the gun confiscation plan, deceptively referred to by the federal Liberals as a “buyback” program.

In her response to my letter as well as in Question Period yesterday, the Minister of Justice appeared to try to sit on the

fence and claimed to both support licensed firearms owners in the Yukon while simultaneously avoiding saying anything that might even slightly offend the federal Liberal government.

But, Mr. Speaker, Yukoners don’t want to hear non-answers or see a non-position from the government. This is a very important issue to many Yukoners who own firearms.

Like with the former federal long-gun registry, they expect the Yukon government and the Yukon Legislative Assembly to be willing to take a position on it on their behalf. I do want to remind this House that, during the days of the long-gun registry, this Legislative Assembly twice passed motions unanimously opposing the long-gun registry. The first motion was tabled by the then-Member for Vuntut Gwitchin, the late Johnny Abel, and the second by myself.

The long-gun registry was eventually scrapped after going massively over its original budget and wasting billions of dollars, according to the Auditor General’s report. Likewise, the Liberal government gun confiscation plan is already predicted by independent experts, including the Parliamentary Budget Officer, to cost vastly more than the Liberals originally said it would. Estimates by the Fraser Institute predict the cost may actually balloon to several billion dollars. That money would be better spent on actually targeting organized crime, and that is the heart of the motion here today.

As members may be aware, we have seen three provinces come out in opposition to this plan and giving similar direction to that which this motion seeks. Mr. Speaker, I want to just briefly quote from what those Justice ministers said, and I will quote from national news coverage. For Hansard, I will provide them with links to those articles after I have concluded my speech here this afternoon.

The *National Post* noted that Alberta was the first to oppose the federal buyback program, with the province’s Justice minister calling the program wasteful and unnecessary: “It’s important to remember that Alberta taxpayers pay over \$750 million per year for the RCMP and we will not tolerate taking officers off the streets in order to confiscate the property of law-abiding firearms owners.” This was said by Tyler Shandro, the minister in Alberta.

Moving on to Manitoba, the Hon. Kelvin Goertzen, Minister of Justice and Attorney General, noted and was quoted by the *National Post* as saying this in a statement: “Manitoba has consistently stated that our approach to gun violence is to focus on those who use weapons in crime, not law abiding gun owners.”

“On September 13th, I wrote the federal Minister of Public Safety, The Honourable Marco Mendicino, regarding the ‘buy-back’ program for guns that federal Liberal government is enacting. In that letter, I stated the following: ‘We feel many aspects of the federal approach to gun crimes unnecessarily target lawful gun owners while having little impact on criminals, who are unlikely to follow gun regulations in any event. In Manitoba’s view, any buy-back program cannot further erode precious provincial police resources, already suffering from large vacancy rates, from focusing on investigation of violent crime.’

“We will be bringing those concerns, along with the shared concern of Saskatchewan and Alberta, directly to the federal government next month in meetings of Ministers of Justice and Ministers of Public Safety.”

I would note as well that those meetings, of course, are something that the Yukon’s Minister of Justice will be part of and has the opportunity — if the government does the right thing — to take a similar position to that of those three provinces and oppose the federal government’s plan in this area.

Moving on to Saskatchewan — as quoted by CTV: “The Sask. government doesn’t want the RCMP in the province participating in that program in any way. ‘These firearms that we are talking about in Saskatchewan belong to legal firearms owners and they’re licensed, they’re heavily vetted and monitored by the firearms office,’ said Christine Tell, Minister of Policing and Public Safety.

“Minister Tell has sent a letter to the head of the Saskatchewan RCMP. In the letter she stated that the government will not ‘authorize the use of provincially funded resources of any type for the federal government’s buyback program.’”

Further, the *Regina Leader Post* quoted that same minister as saying the following:

“‘As the federal government continues to plan for their confiscation program, it is important to make clear to you, the Commanding Officer of our provincial police service, that the Government of Saskatchewan does not support and will not authorize the use of provincially funded resources for any process that is connected to the federal government’s proposed ‘buy back’ of these fire arms,’ she stated.”

Again, to summarize, what we are calling on the government to do is very similar to what three provinces have already done.

I would note, as well, that, in the Yukon context, as I mentioned yesterday, in the most recent year-end review that the RCMP released, they reported a 90-percent increase in drug-trafficking offences, a 25-percent increase in robbery offences, and a 43-percent increase in violence in relationship offences.

RCMP report that organized crime here is becoming entrenched, with at least five organized crime networks and severity here, including human trafficking and weapons trafficking, in addition of course to drug trafficking. So, it is important to emphasize once again that diverting police resources from going after organized crime will not make the Yukon safer; it would, in fact, make it less safe.

So, we again urge the government and indeed all members of the Assembly, including the Third Party, to join us in urging the federal government to cancel the gun confiscation program and to join in our call urging the minister to carry that message loud and clear to the federal minister at the meetings that they’re having this month.

Mr. Speaker, I also just want to briefly talk about the principles of the matter at hand. For the health of our society, it’s important for people to feel that, while they may not agree with the government of the day, generally speaking, the

government is trying to protect their rights and is looking out for them. It’s important for everyone to remember that we need to respect what our fellow Canadians value, even if it is not important to us.

In this particular area, the right to own firearms for purposes including hunting is very important to a great many Canadians, including Yukoners. It’s important to people across the Yukon who use firearms for hunting, including subsistence hunting, as well as for self-defence and defence of animals and livestock. For an urban voter in downtown Toronto, the possibility that you might have to defend your animals from a predator, if you live in rural Yukon, is not something that is well-understood, but I know that many people in the Yukon have had to do that. If you have a bear on the prowl near your home, having a firearm is one way of keeping yourself and your family safe.

It’s important, when talking about the issue of the federal government’s proposed confiscation program, for people who are not aware of it, to keep in mind that the past practice in Canada for many decades has been that if firearms laws were changed, previously legal firearms that were no longer legal to sell were in a situation where the owners of those firearms could keep them but simply not resell them. The change and the step across the line into what has been called a “buyback” program is, in fact, confiscation and is a major change that is deeply disturbing to many Canadians who value property rights. It’s a gentle-sounding term for what it really is: the forced confiscation of private property.

For many Canadians and many Yukoners, the principle of that is not acceptable. For people who live in urban areas, or even for some in the Yukon who have not grown up with firearms or had them involved in their life, if they have not — if firearms use for hunting, target shooting, and those types of usages had not been part of their lives, they may not fully understand why other Canadians value firearms in their lives and why some depend on them as part of feeding their family. But as I noted, it is important, if our society is to be truly healthy and our democracy to be healthy, to try to respect what our fellow Canadians value and the things that are important to them.

Mr. Speaker, I want to just — in summarizing here, the approach that’s being proposed by the federal government is costly. It is not an effective use of resources, and again, as I noted, it is not just us but, in fact, also the union representing RCMP members who have said that it diverts police resources from where they are needed most.

Again, just in conclusion, I want to note that the National Police Federation said that the so-called “buyback” program — and I quote: “diverts extremely important personnel, resources, and funding away from addressing the more immediate and growing threat of criminal use of illegal firearms”.

Yesterday, the minister chose to dismiss what RCMP members said as assumptions, but I hope the minister will understand that, when it comes to making predictions about what this program will do, we have a lot more confidence in RCMP members than we do in the minister herself.

It is an opportunity, when the minister meets with provincial and territorial counterparts and the federal minister, to carry the message to the federal government that the federal government is down the wrong track and to urge them to cancel this planned confiscation of firearms program, which is, as I noted, a politically motivated approach that RCMP members say diverts resources from where they are needed most.

So, Mr. Speaker, the territorial Liberal government has a choice to make: whether they will listen to RCMP members and Yukoners calling for police resources to be used for going after organized crime and other serious criminal activity, or whether they will take their lead from the federal Liberal government and divert some of those resources toward confiscating licensed firearms owners lawfully acquired property.

With that, I will conclude my remarks, and I would urge all members of the Assembly to support this motion. As I mentioned before regarding the long-gun registry, this Legislative Assembly on two occasions unanimously sent a message to the federal government with a united position in support of the rights of Yukon firearms owners. I'm hoping that we will see that united message again today.

Hon. Ms. McPhee: I am pleased to rise today to address the topic of this particular motion brought by the member opposite. It must be said that it can't go without saying that I do not agree or appreciate the snide remarks and the comments of his characterization of things I have said here in the Legislative Assembly or positions taken with respect to this particular issue. I will rise to the occasion and speak directly to the motion, as the member opposite didn't do many times in their submission, but I am happy to do that.

The federal, provincial, and territorial ministers responsible for justice and public safety are, in fact, meeting today through until Friday in Dartmouth, Nova Scotia. There are almost 40 agenda items on that agenda. They include RCMP and contract policing. They include First Nation and indigenous policing programs and discussions about RCMP staffing issues. Of course, they include the topic of firearms and Bill C-21. They also include gun and gang violence initiatives — initiatives to combat gun and gang violence — and indigenous policing legislation, to name just a few of the many topics on that agenda for the purpose of collaborating and coming together as ministers responsible for justice and public safety and having a true conversation with my counterparts across the country. I joined that call from here at 5:00 a.m. this morning and was able to participate in almost all of what was this morning's agenda. It will be a packed agenda tomorrow, as well, beginning at about 4:00 a.m. our time, and then again a further full agenda on Friday.

These meetings are incredibly important. I think that the member opposite maybe even noted that in their comments about the importance of, firstly, having federal and provincial ministers meet and then, secondly, the federal team of two ministers — both Justice and Public Safety, Minister Mendicino and Minister Lametti — join. A large part of today's agenda — which would have been the afternoon in Nova Scotia and the morning here for me — involved

unbelievable input, conversations led by national indigenous organizations who are invited to that meeting as well.

These are extremely live issues for all provinces and territories — Bill C-21 and the potential buyback program of concern to all provinces, it's safe to say — all provinces and territories. We heard some of the details of that from the submission that was made earlier here in the House in speaking to this motion.

I'm really pleased to hear that the member opposite is supportive of our policing programs here in the territory. I personally, and with the very talented team at Justice, work very closely with the M Division leadership. M Division is the name of our Yukon Territory team of RCMP officers. We work very closely with the leadership, as well as work hard to build relationships at the community detachment level when we are out in communities, because I think it's incredibly important for officers on the front line, many of whom — certainly, the detachment process I worked with for years through my career and work in the courts — but I think it's incredibly important for them to know that, at the ministerial level, we are concerned about what concerns them. We have those conversations and then I follow up with the issues that are brought to my attention, because I think doing any of the jobs that we are required to do in these roles — it's all about relationships and those relationships and the workers that we have on the front line.

I was asked earlier today about nurses and doctors and other people I have the honour of working with on the front line. They need to know that we are listening to them and they need to know that we hear their concerns. Of course, there are official channels to do that, but I think building relationships with the communities — and we have all visited communities throughout the last months since May when the House adjourned, and building those relationships is absolutely key for us.

The motion that is before this Legislative Assembly is:

THAT this House urges the Yukon government to ensure that territorial policing resources are not diverted to assist in the implementation of the Government of Canada's gun buyback program.

In the Yukon, I have spoken to Minister Mendicino. I think I said that earlier, maybe last Thursday in the House. I spoke to Minister Mendicino about this issue back last Wednesday, I think, and the details of that conversation were in preparation for the fact that I could not be in Nova Scotia this week because I have responsibilities here. I indicated to him, much as I had indicated in a written response to a letter that I had sent to him earlier in the summer, and I conveyed the same message in the letter of response that I tabled yesterday that I had written to the MLA for Lake Laberge — I am just reading off of the letter — in response to a letter that he had written me earlier in the summer as well. That is that we do not have the resources — and I will get to what kind of resources might be discussed in this motion; it is not clear to me what they are — but that we do not have the administrative resources, the personnel resources, or the financial resources at M Division to participate in what might be conceived of as a buyback program. I say "might be" because the scope of that program and the details of

that program have not yet been designed and not yet been released — certainly not to the ministers' table. That will be a conversation that will happen no doubt tomorrow about what it is we are looking at. But I can tell you that my conversation this morning with respect to provincial ministers was that the scope, the details, and the concepts of that program would need to be available to us before decisions can be made about how that might be implemented.

That said, I have taken the opportunity to speak to the federal minister about implementation should such a program be designed and brought forward to us. I expect it to be the case, but any implementation would require the Yukon Territory to be provided with additional financial and/or other resources depending on how we might be required to implement that.

Important to remember is that federal legislation is federal legislation, so it is paramount to our territorial legislation, depending on the issues tackled. Of course, federal government has jurisdiction with respect to crime, crime prevention, public safety, and issues such as the ones dealt with in Bill C-21.

What I spoke about in my correspondence — the one I'm referring to and to the MLA of Lake Laberge — are details about our current situation here in the territory. I expressed that, despite our small population here in the territory, we have seen an increase in violent crime and homicides, with many of these crimes involving firearms and many of them being connected to organized crime activity and domestic violence.

Everyone in the Legislative Assembly will know that very recently we had an RCMP member of M Division shot in the City of Whitehorse. There was a suspect also shot during that incident. We know about the tragedies in Nova Scotia back in 2020, and as we approach the one-year anniversary of the tragic events of Faro last year and the ongoing gun violence across the country, it really has highlighted the need to limit access to handguns and assault weapons while not impeding the lawful use of firearms.

I think that often what occurs is that answers or comments that I might provide are only half-quoted, because what is absolutely critical to Yukoners is that there is no impediment to the lawful use of firearms.

The Yukon continues to be a jurisdiction where lawful gun owners are respected and lawful gun owners must be respected. We have never, ever changed the position with respect to providing that information of that position to the federal government, whichever federal government it may have been, to deal with any concepts affecting the rights of lawful gun owners in the Yukon Territory, that they must be done in conjunction with consultation with this government and Yukoners.

It may come as a surprise to some, but the Yukon has the highest per capita rate of possession and acquisition licences for both prohibited and restricted firearms in the country. That is an incredible statistic. There is a disproportionate impact of crimes affecting indigenous communities, in terms of homicides involving firearms and firearms-related violent crimes. Our government remains committed to finding a balance that counters the adverse impacts of illegal firearms, while recognizing that legal firearm ownership and use are

important parts of subsistence hunting and traditional lifestyles here in the Yukon Territory. It absolutely must be respected.

We remain supportive of the implementation of legislation that will help make our communities safer, while we continue to support the lawful use of firearms by Yukon homesteaders, Yukon hunters, and Yukon farmers. Now, the member opposite will characterize that as some sort of fence-sitting. I characterize that as a real balance with respect to addressing what has been described here so far in debate with respect to this particular motion as a community that is being impacted adversely by crime — by serious crime, by gangs, and by violence that includes firearms. We must try to address that, but we also must respect Yukon homesteaders, Yukon hunters, Yukon farmers, and all Yukoners who have and lawfully use firearms to support their lifestyle and their families.

We continue with our intergovernmental conversations about the logistics of the federal buyback program and the specific needs of the Yukon. That conversation has been happening at my tables and in my phone calls with both Minister Mendicino and Minister Lametti. It has been happening at the officials level, at the deputy ministers' tables, for many months, and it will continue to happen.

We continue to convey the absolute same message: that the Yukon is unique. And we anticipate that a partnership with the federal government for any resources to administer a new program — which is, may I say, not around the corner, perhaps months off — the member opposite and certainly conversations we had this morning convey that some provinces are not supportive of the legislation itself and then ultimately, therefore, not supportive of the buyback program, as part of that Bill C-21. But I think it's fair to say that, as I've mentioned, this is a live issue with respect to each and every jurisdiction. I can say there's probably some consensus that how we might get to implementing this — if we get to implementing this program — has to come with federal government resources to support that way in doing so.

One of the points I made this morning in relation to speaking to my counterparts was that the Yukon does not have — for instance — other public safety officers here in the territory. We don't have an office with respect to public safety — in particular, border crossings. I'm not sure what other areas or administrators might be available to implement such a program. I'm going to say, although I appreciate that there will be some criticism — well, there's just always criticism — but some criticism from the member opposite, whose motion has been brought to the floor, that this is somehow not taking a real position, but I am not in the habit, nor am I in the habit of asking my Cabinet to support decisions with respect to something that has not yet been designed. So, I think that's just the way we're going to have to proceed, and criticism come what may.

I can note that, back in May 2020, the Government of Canada, of course, banned assault-style firearms and introduced the proposed — the concept of a proposed — buyback program to ensure that the firearms that were being banned are safely removed from Canadian communities.

I appreciate that, in the Yukon, this comes with much concern, and I have the same concerns as Yukoners about this,

but I also have the ability — I wish it wasn't just to conceive of places like Toronto or Montréal or Vancouver where the streets and these kinds of firearms are much more prevalent, because I don't have to just imagine that. We have them here in the territory. We have way too many of them here in the territory, and we have to strike that balance.

The Government of Yukon is continuing to explore the logistics, waiting for the logistics, of the buyback program. As I have said, it has been on all federal deputy ministers' tables and ministers' tables and provincial and territorial ministers' tables. The government truly remains committed to finding a balance that counters the adverse impacts of illegal firearms with recognizing that legal firearms ownership and use are very important parts of subsistence hunting and traditional lifestyles here in the territory and other lifestyles here in the territory.

We have discussed at the federal ministers' tables, and particularly today at the federal and provincial table, about how this might go forward and how, in the event that it does, everyone is agreed that current — I mean, let's just go here for a second. Current police resources, despite the fact that we are working very closely with the RCMP, are always a topic of conversation. So, the idea of entering into some sort of program that would divert those resources from the work that is done on behalf of Yukoners by M Division is not something that I would support, and I know it's not something that our local RCMP would support.

I would like to note that the Canadian Association of Chiefs of Police, back in June of this year, issued a statement regarding Bill C-21 and firearms. I won't read all of it, other than to convey the idea — it's certainly available online from their annual review — that the Canadian Chiefs of Police believe the proposed legislation recognizes that stopping gun violence requires a lot of different responses.

This motion is specific, and I appreciate that. But in introducing this motion, and in debating this motion, there has been a lot of conversation so far about how it won't achieve the goals of making communities safer. I'm not going to debate that here today because it has been debated and will continue to be debated in a lot of arenas. What I think is important to note is that the discussions here today act as if this particular bill, Bill C-21, is the only possible response to try to achieve better safety in communities and in cities of this country with respect to the use of handguns and assault weapons that have been determined to be inappropriate for the streets of our cities. It is not — and as the Canadian Association of Chiefs of Police notes, they do support the implementation of the new firearms-related offences and intensified border controls and strengthened penalties to be part of a program that helps with respect to how we can make communities in the Yukon safer.

The Canadian Association of Chiefs of Police supports — and I will quote here: "... improving safety for the public and front-line police officers. Reasonable requirements on responsible firearm owners need to be balanced with protective measures to help mitigate the impact of the worst outcomes of firearms. While we agree with the proposed changes of Bill C-21 in principle, we must now focus on what these mean

in practice and clarify the role police services are expected to play in enforcing these new regulations."

I think that really sums up the situation. Conceptually, maybe this will work. Do we know yet? No. We don't know what the program will look like, we don't know what resources mean, but the message has been clearly delivered that our M Division resources must be currently allocated under the operational plan under the guidance of the policing priorities that are given through me to the RCMP annually, but those policing priorities don't come necessarily only from me or from the Department of Justice. They are woven together with priorities of the government and the Department of Justice, but they come from Yukoners through the Yukon Police Council, which travels every year around the territory. During COVID, they did so by way of community outreach at communities through virtual options — Zoom and other types of meetings. Other ways they did it was a survey during one of the years of COVID to make sure that they had input from Yukoners. Because you, Madam Deputy Speaker, and all Members of the Legislative Assembly should remember that there has been guidance provided to us as a result of the Silverfox inquiry that led us to strike a unique Police Council here in the territory to connect with Yukon communities to find out what their policing priorities are for their own communities and to integrate those into recommendations that they provide to me annually as the minister.

I annually have the Department of Justice work with my office to determine if those priorities are the only ones or whether we are going to add to them, but I can tell you, Madam Deputy Speaker, that they almost always align and that Yukoners are telling us what we have thought about might be the priorities — of course, that decision is not made until we hear from the Police Council — and we go forward with those policing priorities to M Division. M Division is responsible for implementing the work and operationalizing the work to make sure that we are responding to Yukon communities.

I assure you that Yukon communities have access to the chief superintendent, Scott Sheppard. Yukon communities have access to the inspectors who are in charge of the communities as well as the City of Whitehorse and all of M Division. They make sure that the M Division is responsive to those police priorities, because they ask about them and they come back to them. The next year, when the Police Council is out and about, those questions are conveyed to the RCMP or they are brought through my office, and we have questions that we respond to all the time about making sure that the tough questions are asked and the tough questions are answered.

The policing priorities are unique in the Yukon, as far as I know. The Police Council setting those community priorities and making sure that those are conveyed to our police services here in the territory — they are incredibly important, in my experience, and incredibly important and supported by our government — and, I know, by leadership at M Division and leadership by the officials of the Department of Justice.

I've noted that there's a disproportionate impact of crimes that impact indigenous communities, in terms of homicide and involving firearms and firearms-related offences here in the

territory and violent crime. Back in 2018 — this is another topic on the agenda that we haven't yet addressed — addressed partly, but not yet with the federal government — through the gun and gang violence action fund, the Government of Yukon received five years of funding to support projects that contribute to enhancing efforts to prevent, disrupt, and combat gun and gang violence and the increased awareness and understanding of those related issues. That's incredibly important, as we've had communities seriously impacted by such gun violence and gang violence.

Amendments to the Government of Yukon's *Safer Communities and Neighbourhoods Act* was passed back in the fall of 2021, adding illegal possession of restricted and prohibited firearms and explosives and firearms trafficking, as special use, in the definition of "special use" under the act. It's my recollection that those amendments to what's known as the "SCAN act" — *Safer Communities and Neighbourhoods Act* — were not supported by the Official Opposition, the Yukon Party.

I can note that in May 2020, we were talking here about the regulations — reclassifying certain types of firearms as prohibited — and certain prohibited devices came into effect. At that time, as well, an amnesty order also came into force on the same date as part of the regulations.

That amnesty order has now been amended to be in place until October 30, 2023 to protect lawful owners of what would be now prohibited firearms from criminal liability, while they take necessary steps to comply with the law. So, time to do that. Although it will need to be extended, if the scope and details of a buyback program are not known to Yukoners or to individuals, and they may — they will be able to make a decision about how they want to proceed themselves.

I also can indicate that we currently, at the RCMP, have a — just find the details of that, if I can — certainly something I believe I spoke to in the letter to the MLA for Lake Laberge about, but I certainly did speak to Minister Mendicino about. We indicated, as much of what I've already said here, but I indicated that the Yukon does not have very much of an in-territory infrastructure that exists, as it does in most provinces, to receive firearms. On occasion, individuals want to turn in firearms to the RCMP, and we have a very small response to that. There are individuals who are permitted to do so under federal law. While we may do that on one or two, maybe three, occasions a year, certainly there is no ability for that particular skill or position to be a place where surrender and storage of firearms — and storage is an issue, as well — would be available at M Division here or at the Whitehorse detachment here.

We noted that Yukon will require additional support to acquire and maintain sufficient storage space so that surrendered firearms could be securely stored until they can be transported elsewhere for disposal, because we don't have access to that ability, either. I noted for the minister that currently Yukon sort of funds these activities, if individuals want to turn in a firearm on an ad hoc or an as-needed basis, and that is currently sufficient to deal with the sort of handful of individuals who might come to do this, to the RCMP, but

certainly we anticipate that any required work outside of that current service — a partnership — would have to be funded properly, would have to be brought forward with details of the scope and the way in which a program is perceived.

I note that I received a letter prior to that one from Minister Mendicino. He noted — this was in June of this year, I believe — that the federal government is — and I quote: "... finalizing the development of a buyback program to ensure these prohibited firearms are safely removed from our communities." He went on to note that an amnesty is in place until October 30, 2023.

He also indicated that he would — and the question to me — it is always important in the correspondence to find out what is the ask, what is being asked. He indicated that he would appreciate the opportunity to discuss further and explore opportunities for partnership and collaboration that support a safe rollout of this program in our jurisdiction. I certainly take that to mean that input is not only suggested but required in order for us to have a partnership that will work in this jurisdiction.

I think it is important to note that ultimately we will not be supporting this motion. It is, at this stage — while I support much of what the concept is here, I think that it is simply speculative at this point and it seeks that the Yukon government will ensure that territorial policing resources are not — and it's in quotations — "diverted" to assist with the Government of Canada's buyback program. What it doesn't say, for me, which is an issue, is what sort of resources are contemplated. I don't know if it's financial resources; personnel resources could be also an issue, administrative resources.

We have a program that is not yet designed. I have spoken very clearly in this Legislative Assembly to all the members who are here and through the members who are here to the Yukon public. I have spoken and widely reported, presumably — or widely sent out into the community through that — that Yukon RCMP resources are a topic of discussion that I have on a regular basis. It's the top priority to make sure that the RCMP here in the territory are properly resourced. We do that through a territorial police servicing agreement. We have a 20-year agreement. It was written in 2012, and it goes to 2032 as a result, but as all members of this Legislature should know — and anyone who looks at our Yukon budgeting — we have increased amounts that are given to the RCMP to achieve those policing priorities I spoke about.

We have raised funding, or increased funding, to the RCMP M Division. We have worked diligently with them on the beginning plan that was stagnant for almost seven years — six or seven years — before I came into this job, to replace and repair and remodel detachments across the territory. I have spent more than 30 years of my own personal career working closely with the RCMP in other roles. I respect the work they do. I support the work they do, and I know that they provide Yukon with a safe community. I know that, on a daily basis, I could speak to the chief superintendent about what new resources — financial and personnel — that he would like to have or could have. I don't expect that to change anytime soon, because as the responsibilities grow, as the policing priorities

grow, as the demands of our Yukoners grow, they rest on the shoulders of that chief superintendent and his team of officials and senior leadership at M Division.

They have our unwavering support, and we work closely with them to achieve new funding arrangements, new programming, new options that serve Yukoners.

That being said, should, if, and when a buyback program comes forward as a result of the Bill C-21 amendments, then we will require additional resources if and when the RCMP is chosen or agrees, through our *Territorial Police Service Agreement*, and there are dispute resolution provisions in both the territorial policing agreement and the provincial policing services agreements, so clearly, the conversations around these important issues will continue.

They will continue tomorrow and the next day with federal ministers — with my counterparts across the country and the federal ministers — and I look forward to those ongoing discussions. I truly look forward to figuring out how this will be resolved at those tables and how ultimately everyone who is at those tables is interested in protecting Canadians and finding the balance necessary for this particular issue.

That said, I think and I hope my message is clear that I won't be supporting this particular motion, because I think that it is asking for something without clear definitions, but I certainly have expressed to the federal minister, who, by virtue of the comments made earlier, seemed to be imposing this. I think that I have made it clear that they have asked for partnership and collaboration. We have asked for partnership and collaboration. We have asked for the RCMP to be involved in those conversations, should that be the mechanism for this programming, but I think that is truly still all up in the air. As a result of the knowledge that I have being at those tables, I support both the Yukon RCMP not having any less resources than they currently have and, in fact, having more, which my Cabinet colleagues will hear from me about shortly — about how we might be increasing the services and the resources that our M Division has to operationalize on behalf of Yukoners and their safety. I appreciate the opportunity to be able to speak to this today.

Mr. Istchenko: I'm happy to speak to the motion of my colleague, the Member for Lake Laberge, here today, which reads that this House urges the Yukon government to ensure that territorial policing resources are not diverted to assist in the implementation of the federal Liberal government's flawed gun buyback program. It's so important for all Yukoners. Crime is on the rise, and we need our RCMP resources fighting it.

The federal Liberal government's buyback program is just a politically motivated confiscation — that's pure and simple — and one that will do nothing to make the Yukon a safer place or to reduce the criminal misuse of firearms. I do not, and will not, support the initiatives of the Liberal government that only impact those who acquired the targeted firearms legally — the law-abiding, RCMP-vetted hunters, sport shooters, ranchers, farmers, trappers, and others who use firearms for lawful and good reason.

Although the RCMP is a national police service coming under the direction of the ministry of the Solicitor General of Canada, the agency may also provide police services at the provincial, territorial, and local levels, pursuant to the police service agreement negotiated between the federal government and Yukon. I believe the funding is a 70/30 split.

In the Yukon, for example, RCMP M Division currently provides policing services based on the *Territorial Police Service Agreement*. Under such agreements, the territory sets the policing priorities.

So, is the buyback program one of the priorities set out in the agreement? No, it is not. There are many more areas of concern that RCMP and communities have identified that are important to Yukoners. In my riding of Kluane, I have two Canada Customs agents who work with local RCMP. This is an integral part of public safety — interrupting the flow of illegal firearms crossing the border and many other issues that the RCMP deal with when they work with Canada Customs.

Our RCMP in rural Yukon have a vast area to cover and resources are spread thin. In my riding and in many other ridings, there are many out-of-territory travellers who often need RCMP resources — highway accidents being the number one reason in my riding.

Our vast area often has — we have a UNESCO World Heritage Site in Kluane National Park, and the surrounding area often has search and rescues. Of course, the RCMP are the initial contact for search and rescues.

As I said earlier, crime is up. There will be thefts and drug dealings that they will deal with. These are where our policing policies need to be.

Right now, my community is grieving, and I say this because the RCMP is working so diligently, trying to solve a crime so that our community and family members in our community can have some closure. So, the RCMP do not need to be putting resources toward politically motivated priorities of the federal Liberal government. This House needs to support the RCMP putting their resources toward the priorities of Yukoners and fighting rising crime in our territory.

I didn't have a lot to say today, but I wanted to get something on the record, so thank you, Mr. Speaker.

Hon. Ms. McLean: Mr. Speaker, I would like to thank the Member for Lake Laberge for bringing forward this motion today.

I first want to speak more from a personal perspective in terms of how I was raised, and as an indigenous person, hunting and firearms were a part of everyday life almost, in terms of the way that we were raised and how important hunting was to sustain our family, and I think that is true for many northerners and Yukoners specifically. I have to mention, of course, that my husband spent a great deal of his life as a guide, outfitter, and running guide outfits in northern BC — and definitely a priority for him.

From an indigenous perspective, I think that it's definitely — the safe use of legal firearms is part of our life. I just wanted to make that statement first off. The issue of gun violence, though, and its impact on our territory is very important and a

very serious issue. In my role as the Minister responsible for the Women and Gender Equity Directorate, I am acutely aware — always — of the impacts of violence on women and girls in the territory, along with the many organizations and initiatives underway to address these impacts.

I would like to speak to these for a moment. We know that gun violence disproportionately affects women and girls, and our territory is not immune to that. The Yukon has rates of gender-based violence that are three times greater than the national average. I say this often. For an indigenous woman — it's three times higher yet, if you're an indigenous woman living in the north.

To prevent and respond to violence, the Women and Gender Equity Directorate supports community organizations through the prevention of violence against aboriginal women fund, and we also have funding for indigenous women's groups. Our government created a new indigenous women's equality fund. That's \$600,000 in operational capacity development funding for the three women's indigenous organizations of the Liard Aboriginal Women's Society, the Whitehorse Aboriginal Women's Circle, and the Yukon Aboriginal Women's Council.

Further, in this year's budget, the Women and Gender Equity Directorate has allocated \$2,075,000 for equality-seeking organizations, each working in their own way to prevent and respond to violence.

We appreciate, absolutely, all of these organizations and how important their work is to our territory. Many types of gender-based violence are vastly under-reported to police — especially sexualized assault. I will talk a little bit about sexualized assault expansion in a second, but I wanted to speak about some of the work that has happened nationally. We all know that violence against indigenous women and girls is a huge issue, and it has been one of the main focuses of my department since I became the minister in 2016. The result of a national inquiry resulted in a report entitled *Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls*.

It's notable that 2,386 people across our country participated in this; 1,484 family members participated in this, and it resulted in 231 calls to action or to justice. I did a search just when I was getting ready to do this — to speak to this particular motion today — and just put in “gun violence”. So many stories came up. I listened to a lot of the stories personally across the country and, for sure, in our territory. I spent a little bit of time reading some of those stories and the relation to gun violence. It was impacting. I really encourage the members opposite, particularly from the Yukon Party, to take some time — if you haven't — to put some time into reading even the summary of this report — but to read some of those stories. I think you'll be very impacted by them. If you're not, then I have other comments that I'll withhold about that right now.

The national inquiry resulted in — we were the first jurisdiction in Canada to respond, and members of this Legislative Assembly, including all of our Cabinet ministers and all levels of government in the Yukon, signed a declaration in December 2020 to implement this important strategy. We're

close to finishing, completing the implementation plan, but we have released some initial priority areas that we think our partners, as the advisory committee for missing and murdered indigenous women and girls, would feel that would be priority areas that they could work on immediately to address the violence against indigenous women and girls.

Ultimately, what I know is that, as we address and implement this strategy, it will have deep impacts for all women and girls and two-spirit-plus people and that the strategy, when implemented, will change the lives of all women and girls, and I think that is important and notable. I know that, as we went through the development of this strategy and as we go through the development of the implementation plan, we test every single action with: How does this address, or end, violence against indigenous women and girls and two-spirit-plus people? That is something that we ask ourselves repeatedly, so I know that every action and implementation action has that test, and I think that's really important.

There are a number of actions — all actions, as I've stated — to work toward ending violence against indigenous women and girls. Notably, 2.2 in the strategy is the evaluation of *Sharing Common Ground — Review of Yukon's Police Force — Final Report*, which happened over 10 years ago now and is an actionable item within the strategy to actually go back and see how we've done in terms of the implementation of that.

Under the pathway for community safety and justice, 2.1 speaks to working with all Yukon communities to conduct a community safety assessment and develop a plan for each community. Our government has invested in a program that is being administered by Justice to support communities to do that work. A lot of good work is underway within the strategy.

In May of this year, we hosted our first accountability forum. As I've stated, we released our first priority areas, and we will have the full implementation plan available for our partners and for families and Yukoners soon.

I want to take a moment and just talk about some of the national plans that have also been developed, because I think the point I'm making here is that we need to address the systemic issues that cause this type of violence against — particularly from my view from the position that I am in right now — women and girls and those who are vulnerable.

So, I want to just make that point clear in my submission here today around this important issue and our support for really addressing the systemic issues that are underlying the violence that, I believe, as a country, as a territory, and as communities, we need to address in different ways. I definitely, 100 percent, support the police and the work that they do on our behalf each and every day. I worked very closely with the RCMP for much of my career in working on the front line, particularly with First Nation communities, developing innovative approaches and helping to negotiate the implementation of the *Sharing Common Ground* and so many other initiatives — and also worked hard to negotiate the justice agreements that are within the *Umbrella Final Agreement* and final agreements for First Nations.

As a result of the National Inquiry into Missing and Murdered Indigenous Women and Girls, the Government of

Canada released a national action plan on addressing the issues that were pointed out in the final report. This national action plan was released in June 2021. When you look at the plan and strategy, it resembles the Yukon's strategy, so I really believe that Canada saw a lot of value in how we structured our strategy and brought all partners into it.

I will just make a couple of notes about this, but I think it's worthwhile for folks to really look at it to ensure that they are aware of these types of key strategies that we are working with in Canada. The four main themes are: justice, human security, health and wellness, and culture. They are very much connected also to the national gender-based violence action plan and we are definitely working closely with Canada.

We have a strong partnership with the Government of Canada to address the needs of organizations and our territories and provinces in addressing this national action plan on ending gender-based violence. Bilateral negotiations will begin this fall to determine territorial priorities, especially those that align with the Yukon's missing and murdered indigenous women and girls and two-spirit-plus strategy and the related funding needs. We look forward to working with our partners in Canada and our partners across the country in preventing and responding to gender-based violence.

In the national action plan, there are five pillars: support to survivors and their families; prevention; promotion of responsive legal and justice systems; support for indigenous-led approaches and informed responses; and social infrastructure and ending enabling environments.

Unfortunately, I am not going to be able to be in person at the federal/provincial/territorial ministers' meetings on women and gender equality that is happening early in November, but we are definitely following the work and have been a strong ally and supporter of the national action plan.

The sexualized assault response team was established in Whitehorse in March 2020, and we are now engaging in conversations with partners to expand services to communities. I think that this is, again, a very important initiative for the Yukon, and we had some very good discussions just last week with our indigenous partners to talk about what the consultation could look like, as we work to expand. This was one of the initiatives that we — when we first took these positions — worked very collaboratively together with the Women's Directorate, at the time, and Health and Social Services and Justice to bring a one-government and a one-Yukon approach, really, to addressing sexualized violence and assaults in our communities and to address them in a different way.

In closing, we know that gun violence disproportionately affects women and girls, and our territory is not immune to that. The Yukon has rates of gender-based violence three to four times higher than the national average. Violence against indigenous women is more common and more severe. To prevent and respond to violence, the Women and Gender Equity Directorate will continue to support community organizations. I support the comments of my colleague, the Minister of Justice, as she went through very carefully in her submissions about the state and the stage of the program that is being discussed today. I agree with her comments. That's her

submission. My submission is that I will not be supporting this motion today.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Mr. Cathers: To begin with, it is disappointing, but not entirely shocking, that two Liberal ministers rose to indicate that they won't support this motion. The Minister of Justice tried to suggest, in her comments, that it's unclear what the impacts will be — or whether there will be impacts — on policing from the so-called "buyback" program.

Again, I just want to reiterate in closing that it is not just the Yukon Party saying this, nor is it just three provinces that are also saying it through their ministers of Justice, but it is, as I have noted repeatedly, something that the union representing RCMP members have said.

While the government members are unlikely to change their views on this, I would note in closing that the heart of this issue comes down to not whether you personally own a firearm, or your views on firearms ownership, but in fact, based on the evidence and the fact that the union representing the RCMP, the National Police Federation, has been very clear about the fact that the order-in-council by the Trudeau Liberal government and the proposed buyback program will divert police resources from where they are needed most.

The issues that the last speaker, the Minister responsible for the Women and Gender Equity Directorate, spoke to about the rates of violence within the Yukon are directly relevant to this point. The issues around existing crime — whether it is domestic partner violence or organized crime here in the territory — is precisely where the Yukon RCMP should be focusing their resources. If they are forced to focus on going after licensed firearms owners to enforce the federal Liberal government's gun confiscation program, that will take them away from more urgent areas that they should be focused on — that, even for those who may not share our views on the importance of property rights and not being deprived of that property without due cause for such action, it's important for people to recognize that the advice of the National Police Federation, on behalf of RCMP members, stating that the Trudeau government's approach is diverting resources from where they're needed most is something everyone should be concerned about.

I'm just again going to very briefly quote, since I've read parts of it earlier, but I do want to summarize and point out that the National Police Federation's position statement that was issued in November 2020 is directly relevant to the new legislation, as it specifically refers to matters including the so-called "buyback" program that was proposed. The National Police Federation stated — and again, I quote: "Effectively addressing the threat of Canada's growing illicit firearms market and related increased gun violence requires the urgent, efficient, and effective deployment of law enforcement expertise, personnel, and financial resources."

The union representing RCMP members then went on to state: “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.”

Again, I urge all members of this House to listen to the expert advice the National Police Federation provided in that position statement.

I do have to comment on two things just briefly. The minister repeatedly refers to an increase in the budget that they provided to the RCMP. What she failed to note today is what the budget itself showed earlier: that almost all of the increase in funding from this territorial government to the RCMP is directly due to an increase in the collective bargaining agreement with the RCMP, whose members, for the first time ever, negotiated an agreement collectively after being allowed to form a union.

So, to suggest that they have increased resources for the police when, in fact, they have simply provided the funding necessary to meet the obligations of the pay increase to unionized RCMP members — it is quite misleading by the Minister of Justice to make those comments.

The minister also, while attempting to be on both sides of this issue, said at one point that she has asked the federal government for partnership on this program. Mr. Speaker, it appears that the bottom line is, after all the dancing around on this issue, that the territorial Liberal government supports the federal government’s buyback program, which, in fact, is gun confiscation by a friendlier name. It is the confiscation of lawfully acquired private property from owners who have done absolutely nothing wrong by a friendlier name. I would remind members that even territorial Liberal MLAs in the past have joined other parties in voting unanimously against the long-gun registry and standing up on behalf of Yukoners.

Finally, in conclusion, as I sit down, the question also comes down to Liberal ministers who are running for the leadership of their party and what position they wish to take on this issue — whether they will stand up for Yukoners or whether they are more focused on being very, very sure that they give absolutely not even the slightest offence to the federal Liberal government.

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 yeas, seven nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion No. 436 agreed to

Motion No. 437

Clerk: Motion No. 437, standing in the name of the Member for Watson Lake.

Speaker: It has been moved by the Member for Watson Lake:

THAT this House urges the Government of Yukon to provide funding to Yukon municipalities to help them address the financial impacts of the public health restrictions during the COVID-19 pandemic which included loss of municipal revenue and increased operational expenses.

Ms. McLeod: Mr. Speaker, throughout the pandemic, municipalities in our territory have done a lot of the hard work to keep our communities safe. This included undertaking the work to implement the public health orders imposed by the Government of Yukon. These public health orders included things like requirements for social distancing all the way to the outright shutting down of recreational activities. While municipalities were happy to do their part to keep the community safe, it did come with many unanticipated financial impacts. These unanticipated impacts include additional operational expenses and also loss of revenues as a result of enforcing and supporting the COVID-19 restrictions imposed by the Yukon government.

Without a doubt, throughout the pandemic, many organizations were impacted by these public health restrictions, in particular, the private sector. While these sectors have received several rounds of relief and support, municipalities have only received one round of support, and that was well over a year ago. As you know, Mr. Speaker, the government-imposed public health restrictions on municipalities continued for long after the last round of relief, and this brings us to my motion today.

While the main point of this motion is to gain relief for municipalities, it is also a question of fairness. When industry and the private sector continue to receive supports for their losses due to Government of Yukon-imposed orders, so too should municipal governments receive supports. Perhaps, at

this time, it is important for me to highlight examples of how municipalities had increased costs and lost revenues.

In the area of revenue losses, municipalities experienced revenue losses particularly in the following categories: recreation facilities and fees were either prevented or reduced; a reduction or outright prevention of the ability to rent halls and meeting spaces; a reduction to the number of people using or able to use transit; and property tax and utility defaults due to the economic downturn.

In the area of unanticipated increased operational expenses due to the Government of Yukon-imposed orders, additional costs include: increased costs due to the provision of bylaw enforcement; additional sick and special leave; overtime paid for employees who were required to cover for other employees who were forced to isolate or were sick; extra staff being required to be hired for the disinfecting and cleaning of spaces; extra fuel and wages for staff, as social distancing requirements required that not as many staff could share the same vehicle; janitorial and personal protective equipment supply costs; increased mental health supports for staff; new infrastructure and recreation equipment to provide safe outdoor options in our communities; supply chain interruptions, delays, and increased costs related to infrastructure projects; and increased costs to support working from home.

These are just a few of the many ways in which municipalities saw an increased financial burden as a result of the Government of Yukon's imposed orders.

Mr. Speaker, you may ask why it's important to provide relief to municipalities. The reason is simple. Municipalities are not allowed to run deficits. Municipalities really have only one way to make up for the shortfall, and that is by increasing revenues through taxes and fees. Obviously, at this point in time, that is extremely undesirable, as residents are already struggling due to economic and inflationary concerns.

In my view, if the Government of Yukon does not come through and provide relief, they are effectively downloading these costs onto taxpayers and forcing municipalities to increase those taxes and fees. This is a very concerning and important issue to address. While municipalities have submitted many requests on this topic to the Government of Yukon, so far these requests have fallen on deaf ears. Requests for another round of support for Yukon municipalities date back to December of last year, when the Mayor of Watson Lake wrote the minister to request further financial relief for municipalities.

To quote from the December 14 letter from the Mayor of Watson Lake — and I quote: "It is our understanding that Yukon government's relief programs such as the Vaccine Verification Rebate and the Yukon Emergency Relief programs do not support municipalities. Although we are very much in support of these programs, we feel that there should also be financial support available to municipalities to offset additional operational expenses. Our council does not feel that it is fair nor acceptable to rely on our taxpayers to recover these expenses."

Just for the members' information, I did table that letter earlier today.

On March 1, 2022, the former president of the Association of Yukon Communities wrote to the minister with the same request. Then in May, the current Mayor of Whitehorse wrote to the minister with the same request, with further details on the losses experienced, which they estimated at over \$5 million. In July of this year, the new president of the AYC wrote the minister again with further details and repeated the request of these other community leaders.

To date, the minister has not provided any details or even assurances that the money is coming. So, with the passage of this motion, I think we can help move the minister along and get toward making communities whole to make sure that they are not forced to increase taxes or fees to cover the costs of the Government of Yukon's public health restrictions.

So, in conclusion, Mr. Speaker, this is about doing the right thing. This is about respecting our municipalities and recognizing the important role they played in responding to the pandemic.

Hon. Mr. Streicker: I would like to begin by thanking the Member for Watson Lake for bringing forward this motion. I appreciate it. I think it's incredibly important that — I think she began her remarks today by talking about how hard municipalities work. I completely support what she has to say about that — and not just during COVID, but especially during COVID. I think it was tough on all orders of government. I recall when COVID first hit, we started off — I think it was three-times-a-week meetings with municipalities and First Nation governments and local advisory councils to try to talk through what was happening. It was, of course, a very challenging and turbulent time. I had the responsibility and the opportunity to witness the hard work that municipalities did. First of all, my kudos to all of the municipal governments.

I would also like to say that the Member for Watson Lake — when she was talking about the motion, one of the things that she mentioned was that there was a one-time infusion for municipalities, but that for businesses, there were multiple programs. I'm going to try to talk about those a little bit, because the letter that she tabled today from the Mayor of Watson Lake references some of those programs.

So, just in round numbers, the municipal dollars that we did that one time — I recall writing to municipalities — I think at the end of 2020, and I think that the money flowed in early 2021 — but it was over \$4 million — it was \$4.35 million, I think. I can sort of break that out a little bit, because some of it was specifically for transit, but we worked with municipalities, with the Association of Yukon Communities, to come up with the formula for that, and it was really based on the comprehensive municipal grant apportioning, and those dollars flowed. That was the one time that happened.

I know that there has been correspondence back and forth with the Minister of Community Services, and my understanding of that correspondence is there are still questions going back and forth to try to ascertain what the net cost is to communities — to try to learn what it is. I will talk a little bit more about that in a few minutes, but just to begin with, in the letter from Mayor Irvin, the Mayor of Watson Lake — as he

wrote, he talked about — he gave examples of the vaccine verification rebate that was a program that I think went to businesses to assist with verifying vaccinations, should there be a requirement to be vaccinated during that period when we were requiring that for some settings, and that support was up to \$500. So, that was per business. Maybe the municipality would have a few outlets where they were trying to verify vaccinations possibly, but you know, the relief was up to \$500. So, it is not really comparable to that one-time relief of over \$4 million.

As well, the other reference that Mayor Irvin put in his letter was talking about the Yukon emergency relief program, which was really about event cancellation and which did happen to municipalities, where they were putting on events and where they were cancelled. Again, the dollars that are in that program are, I think, up to \$10,000 per event and a total of \$30,000. Those are real numbers and meaningful relief for smaller organizations, but I think for municipalities, we are talking about bigger things.

So, I don't think that those are particularly good examples about where we could get support, so I don't think that it is about counting the number of times. I think that it is totally about looking at the impact of COVID on the municipalities and trying to make sure that they are supported to do the hard work that they do.

The member opposite listed off quite a few possible areas. Just to go over some of those, there were recreation fees, hall rentals, property tax defaults, bylaw enforcement, people being sick from COVID or to support people who were sick — even if they were sick during COVID, we asked that people stay home, because maybe it is a flu, but you want to be careful. We even have the same sort of motion here. There was cleaning municipal buildings and infrastructure — disinfecting. She mentioned, as well, about the additional costs of fuel. She mentioned working from home. Actually, there is a good example to start with — working from home.

The costs around working from home usually was right at the very beginning, where you had to put in place systems for how to do reporting, staying in touch with your staff, and supervision — those sorts of things — but once that was in place, then usually the costs were in the positive sense. Now, it depends on the size of your municipality, of course, because you may not be able to free up any other spaces, but if you have people working from home often, from a business perspective, that can be advantageous for the employer. So, it's one of those things that, following out of COVID, we are still looking at as a potential tool. I think that municipalities will make their discretionary call about it, but it gives an indication that we have to try to get to that net balance about what the costs are.

As an example, if we talk about recreation facilities and that there are fewer people there, but you need the same number of staff, then yes, if you are charging at the door, it depends, because some of our recreation across the territory is free to residents, and some of it is charged on a per-use basis. It really depends, but if there is a charge and you are getting fewer people, and if the number of staff that you have there to manage that is the same, then yes, you are going to lose on it, but if, on the other hand, you are losing revenue for the rental of your

halls, but you didn't have to provide the staff for that, because you have closed the facility, then that may be different. Then it gets complicated, of course, because if you haven't been able to reallocate people, depending on the situation, it may be fixed, so you just really have to look at it in the aggregate and try to look at the net costs.

I can say, for example, within my own community of Marsh Lake where we saw a lot less revenue in our recreation facilities — but our costs went down quite a bit as well. So, that's the balance that I think it's important to look for.

During the pandemic, one of the things that I will talk about is that we put in several orders to try to support on the municipal front. For example, we had an order around supporting electronic meetings. We had an order that we put in saying that there could be a deferment to property tax, and we also said to municipalities that, if there's a cash-flow issue, we'll support you. So, those were things that we did.

I want to point out that, during COVID and in all that time when we were here in the Legislature, I heard criticism from the Official Opposition about putting in those orders, and yet those were ones that were there to support municipalities. I have always said to please let us know which orders you didn't like and we could try to talk about those. But that's an example of where I think we were supporting municipalities during that time.

Earlier today — I'll just reference — the Member for Porter Creek Centre was saying that, hey, you should listen to residents. What I kept saying is that, yes, we should be listening as well to the municipality because we take direction on the design of the development of lots from municipalities. So, I think it's important to note that we should be listening to municipalities. I think we need to hear the whole story.

Part of the motion — I'll just bring it up again here, Mr. Speaker. I think that public health restrictions cover some of what happened, but the member, in her submission to us — the Member for Watson Lake — was talking about people home with COVID and that it was a cost. Well, that's not a public health restriction; that's someone being sick. So, I think she actually may be thinking that this should be broader, and again, that's fine. I think those are costs we can try to consider.

The member talked about the ways in which municipalities generate revenue and, except for Whitehorse, she missed the biggest revenue source for our municipalities and that is the comprehensive municipal grant.

When we think about the comprehensive municipal grant, this is a way in which the territorial government transfers dollars to our municipalities to try to support them so that they don't have to increase their tax base. It's a way to help them offset that tax base.

In some of our communities, the comprehensive municipal grant — for example, in Carmacks — is very significant. I would have to look up the actual numbers to be sure, but it is sort of going to be in the 70 percent or 80 percent of the revenue range — or plus — for our smallest communities. For our medium-sized communities like Watson Lake and Dawson City, it is less, but I still believe it is more than half, and in the City of Whitehorse, it's much less than half. If we are talking

about the communities, we need to think about the comprehensive municipal grant.

I know, from my time in the role of Minister of Community Services, that we renegotiated the comprehensive municipal grant. That grant originally, in my time on city council here in Whitehorse, had been somewhat stagnant. It wasn't stagnant everywhere, but it really was not increasing. When we renegotiated that municipal grant with municipalities, we formed a working group and we took their direction again, trying to listen to municipalities about how we can be supportive of them. One of the points was that we needed to get it unstuck. We needed to get it increasing. I think we were even trying to move it more than inflation, for that matter, again acknowledging the very hard work that our municipalities do.

I just looked back to try to see what the comprehensive municipal grant is projected to be for this year. I think it's just over \$21 million. When I started in the role of Community Services in late 2016, the 2017 grant was just over \$18 million, so effectively it has seen about a 15-percent increase over the past five years. I know that it was a big jump at the beginning and then a little bit less, but it is definitely increasing each year.

That is a significant amount. I am not suggesting for a moment that this was intended to cover off the costs of COVID, but I am suggesting that we do need to look at how we support our communities and to understand where their revenues are coming from.

There are just a few more things that I would like to talk about.

First of all, I have mentioned the money that we gave. It was in the order of \$4.3 million; I think it was \$4.35 million. The distribution, as directed by municipalities, was as per the comprehensive municipal grant. There was a little bit of money that went toward transit. That was one of the items on the member's list of suggested concerns — it was around transit — and, as I was trying to research for today's debate, I looked up some national investigations around the issues of transit and, in general, impacts on municipalities. What I read was that there was a big hit in the first year and that it has been diminishing. Really, the only municipality where we have public transit that we are talking about here is Whitehorse, but I think that there has been an impact and it's important to track it.

The member also talked about property tax and not wanting to raise property tax, but I think that it is interesting because my quick read on property tax is that revenue has been increasing not because municipalities have raised the mill rate for properties but rather because there has been development in our municipalities. I didn't have enough time since we were alerted about this motion yesterday to look up what has been happening with respect to property taxes across each of our communities, but I do know that there is a lot of new housing going in across the territory. Generally speaking, that leads to an increase. I don't think that we could count that as COVID and I'm not suggesting that we should, but on the other hand, I think it is fair to say that there are some elements of revenue that have been increasing for municipalities.

So, my suggestion around this motion is that I support the intent of it. I would look for a little bit more clarity, but it isn't

just looking at what the costs are. I think we need to be broader than just thinking about the public health restrictions, because I think that there were other issues around COVID that could have led to cost. But I also think it's important and fair for our municipalities that we look at the net — that we work with them to try to understand what the bottom-line impact has been. I will say that back when I was in the role as minister and we were first coming up with those numbers — the \$4.35 million — and I wrote to the municipalities — sorry, I'm just trying to pull it up, Mr. Speaker; I'll get it here.

Well, I'm just looking for it, but what I will say, Mr. Speaker, is that when I wrote to municipalities, I first of all said to them: You should try to do some assessment after this to try to see what the actual impacts were from COVID-19 — to your costs. So, hopefully, there was some of that work done and there could be some analysis based on that.

Second, I said to them that this is the amount of money that we're getting from the federal government. We were cost-matching it, so there was over \$2 million from the federal government and \$2 million from the Yukon government. What I heard from municipalities at that time was that they thought that it was very generous — that the amount was more than they saw as their initial cost. Of course, there will be a lot of work done between then and now over the past couple of years to try to look at what those actual costs were. I look forward to that.

What I saw with the letter that the Member for Watson Lake tabled from the president of the Association of Yukon Communities is that it presents what are costs, but not where there were any potential cost-savings. So, I think it's important to try to get a little further in.

Again, I really appreciate the motion being brought forward today from the Member for Watson Lake. I look forward to more debate on the motion today and to see where we get to, but in principle, I think the point is correct that, if our municipalities had a net-negative impact by COVID beyond the \$4.35 million that was already given to them, then we should work to try to support them because we appreciate the hard work that they are doing.

Thank you very much, Mr. Speaker.

Ms. White: Thank you, Mr. Speaker. Today I am rising to speak to the motion that was brought forward by my colleague, the Member for Watson Lake.

Just to put things in context, there are numerous letters that came from the Association of Yukon Communities. One was sent to the Minister of Community Services on March 1, 2022 that I think highlights what was going to be forecast in the future, and it says — and I quote: “While we support the Government of Yukon's emergency relief programs, the programs do not support municipalities and there needs to be financial support available to offset the additional operational expenses and revenue loss that all Yukon municipalities have incurred. Yukon municipalities have experienced significant revenue loss in the following categories: recreation, hall and meeting space rentals, transit, bylaw, property tax and utility defaults, interest earned.”

It goes on to say some other concerns that the municipalities had, and that was sent by the then-AYC President Gord Curran, again, on March 1, 2022.

Then, again, the newly elected president of the AYC sent a letter to the Minister of Community Services on July 4, 2022, acknowledging a response that they received on April 27, and it says — and I quote: “The Association of Yukon Communities is pleased to provide more detail on the significant financial impacts from the COVID-19 pandemic on Yukon municipalities.”

Attached to that is actually the projected losses from Yukon municipalities. The highest amount is from the City of Whitehorse at \$2,452,348, and it goes down from there — the lowest being from Teslin for \$441,572.83. So, when we take the addition of all the shortfalls that have been identified by municipalities, it comes out to \$6,452,362.39.

Mr. Speaker, as you may recall, the government has told us that they have kept \$10 million aside for COVID-specific reasons, and so this \$6.5 million really falls well within that established amount. So, we think that it is important actually that the Government of Yukon makes sure that there are no shortfalls. I would hesitate to say, as has been suggested by other members here at different times, that Yukon municipalities actually made money during COVID. I don't think that this is accurate at all.

Although I do have concerns with the wording of the motion — and by that, I think it's really important to say that the public health measures that were put in place during the pandemic, they were important. They are important. They have been important, and I would hate for there to be a misunderstanding about that.

We know that, as the motion reads right now, it says that this House urges the Government of Yukon to provide funding to Yukon municipalities to help them address the financial impacts of — and this is where it says “the public health restrictions”. Well, you know, I support the motion. The only part I have concern about is the line there: “public health restrictions during”.

Amendment proposed

Ms. White: I move:

THAT Motion No. 437 be amended by deleting the phrase “the public health restrictions during”.

Speaker: It has been moved by the Member for Takhini-Kopper King:

THAT Motion No. 437 be amended by deleting the phrase “the public health restrictions during”.

The amendment is in order.

The motion, if amended, would then read:

THAT this House urges the Government of Yukon to provide funding to Yukon municipalities to help them address the financial impacts of the COVID-19 pandemic which included losses of municipal revenue and increased operational expenses.

Ms. White: My actions today go to prove that you can really learn things over time, and unlike the times I have tried to move an amendment 33 seconds before I have to wrap up my debate, I have moved it with 15 minutes to go, which I will not take.

One of the reasons I brought this forward — we know in this current political — where we are politically in the world right now, the division continues to grow. I don't think anyone would say that folks aren't leaning further out than they ever have before on all spectrums of the political continuum. For that reason, I actually really want to get the support to the municipalities that I believe they deserve. One way I see us doing that is by removing any of that language that can be construed as pushing us further one way or the other.

I want to remove the partisanship. I want to remove the politization of — it's a good thing Hansard can correct that word — I want to remove that part from this debate. I just want to talk about the support for municipalities. So, I believe, by removing the line “the public health restrictions during”, that what we're really doing is getting to the heart of the problem, which is, due to the COVID-19 pandemic, municipalities have shortfalls. Again, I reference a letter sent on July 4, 2022, from the president of AYC to the Minister of Community Services. What I would really like to see is those municipalities get that money that they've identified that they're short. I believe by removing that, we're going to get us closer on all sides to getting to the real core of the issue, which is making sure that municipalities are supported.

Ms. McLeod: I want to thank the Member for Takhini-Kopper King for bringing forward this amendment. I have no problem at all with this amendment. I and my colleagues will certainly support it. I'm looking forward to moving the discussion along further.

Hon. Mr. Streicker: I'm standing up in support of the amendment, as well. As I had identified the motion, I think that this actually broadens it, because I think that there are things beyond just what we could construe under “public health restrictions”. We get away from the arguments about what was a restriction and what was not, but I think we just focus on the issue of COVID. I still have some other concerns around — like, for example, I appreciate the letter from the Association of Yukon Communities, but there are things in there that I think aren't yet assessed, and I think we need to assess them all. I think it's important that we do that diligence work.

I look forward to trying to get the support for municipalities. I think that this amendment, as proposed by the NDP, helps broaden the motion, as it's in front of us.

Speaker: Is there any further debate on the amendment to Motion No. 437?

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: I think the yeas have it.

I declare the amendment carried.

Amendment to Motion No. 437 agreed to

Speaker: Is there any debate on the main motion, as amended?

Hon. Mr. Clarke: I am pleased to rise this afternoon to respond to Motion No. 437, as amended, standing in the name of the Member for Watson Lake.

In this discussion, I will touch upon several themes. First, I will discuss briefly a survey of some academic literature pertaining to revenue impacts and the increases in operational expenses for municipalities stemming from the COVID-19 pandemic. Secondly, I will elaborate on some of the services the Department of Highways and Public Works provided during the COVID-19 pandemic.

As Pagano and McFarland have demonstrated in their article for Brookings Institution entitled “When will your city feel the fiscal impact of COVID-19?” They cite who will rely on revenue sources that have been more stable in the last year, such as property taxes and utility fees, which have been at least partially insulated from the economic damage of the COVID-19 pandemic so far. In stark contrast, local governments that are highly dependent on tourism, direct state aid, or volatile sales taxes have had their revenue particularly negatively impacted.

Determining the full scope of COVID-19 losses is challenging and hinges on subjective decisions around what constitutes a COVID-19-related loss and how it should be prioritized.

A growing number of studies examine revenue forecasting during the COVID-19 pandemic at varying levels of government. For example, a survey of county and municipal

governments in North Carolina at the beginning of the pandemic found that most local governments anticipated budget shortfalls, and more than 20 percent expected a shortfall of greater than 10 percent. However, Chernick, Copeland, and Reschovsky in 2020 demonstrated a wide variation of revenue shortfalls across cities and towns, depending on differences in revenue structures and the respective states’ fiscal conditions going into the COVID-induced recession. In other words, the timing and the sum of the coronavirus pandemic’s impact on revenues depended on a municipality’s relative dependence on specific revenue sources for funding their services.

Some studies also indicated that large cities had less tolerance for forecasting errors, which aligns with the concerns that small cities and municipalities lack the capacity to conduct revenue forecasting under such uncertainty due to the COVID-19 pandemic. The Larson and McDonald report in 2020 examined the fiscal impact on county governments in Florida with different and varied scenarios and pointed out the importance of fiscal health conditions prior to the pandemic and diversified revenue structures. It is clear that the COVID-19 pandemic presented an immediate crisis that challenged all levels of government, and municipal governments were, of course, no exception. Most of the body of literature currently available discusses large municipalities, but there is also a developing body of evidence regarding the revenue impact results by the size of municipality. In the fiscal year 2021, the percent decline in revenues was positively related to population size with, generally speaking, small cities experiencing lesser revenue shortfalls, while larger cities suffered the greatest impacts.

According to Guo and Chen, cities with fewer than 5,000 residents were anticipated to experience a 3.81-percent reduction in revenues, but for cities with populations greater than 100,000, the reduction of revenues was forecast to be approximately 7.19 percent. Indeed, the average decline is smallest in municipal governments, as I said, with populations of less than 5,000, but there is admittedly a great deal of variation. Given that revenue forecasts for municipalities are quite sensitive to assumptions about their unique economic conditions, researchers Guo and Chen applied different scenarios to analyze the trends that municipalities were facing. They demonstrated that the impact was forecasted to be the most severe in fiscal 2022, with an average revenue decline of 4.02 percent, where half of municipalities were forecasted to experience revenue declines of 3.68 percent or more.

That being said, Guo and Chen added the caveat that forecasting future revenues is a daunting task in the midst of a crisis, has tremendous uncertainty, and rapid fluctuations in public- and private-sector activity render conventional revenue forecasting modelling almost irrelevant.

As indicated by my colleague in his comments earlier this afternoon, I am not opposed to the concept of considering providing funding to Yukon municipalities to address the impacts of public health restrictions, although that is not what the motion says anymore — “the financial impacts of the COVID-19 pandemic” — but our government is led by evidence-based decision-making. In line with this and with the

comments of the Minister of Energy, Mines and Resources, demonstrable losses of revenue are crucial to making informed and responsible decisions. The right approach to this needs to be evidence-based, which will identify municipalities that have been the most impacted and thus inform intergovernmental interventions accordingly.

The opposition might attempt to spin this that the Yukon Liberal government does not care about rural Yukon communities. This could not be further from the truth. The motion proposed by the Yukon Party and the Member for Watson Lake, as it is currently drafted, is the opposite of responsible decision-making and carries the risk of disbursing funds with little or no support for the proposition.

Admittedly, the COVID-19 pandemic has brought on extremely difficult and challenging times for many industries and specifically the aviation industry. The COVID-19 pandemic caused demand to instantly plummet, but I will not go into the support that was provided to that, as it is not particularly germane to this discussion today.

Our government worked hard during the COVID-19 pandemic. Programs through Economic Development and the Tourism and Culture departments kept businesses afloat and, in turn, contributed to supporting municipal revenues. There is no doubt in my mind that the COVID-19 pandemic brought significant hardships and challenges. I would like to reiterate my support in principle to continuing the dialogue with Yukon municipalities to receive — to consider the possibility of receiving documented support for documented losses. I understand that those discussions continue with my colleague, the Minister of Community Services.

I was listening to the Member for Watson Lake, and certainly there was quite a comprehensive list of potential areas that one could fruitfully look at to determine whether additional losses had been incurred, and they included increased support for work from home; a loss of recreation fees; a loss of revenue resulting from a lack of rental meeting spaces; transit — although, as indicated by my colleague, the Minister of Energy, Mines and Resources, transit is really only a meaningful factor in the City of Whitehorse; the possibility that there were material property tax defaults resulting in a loss of revenues for various Yukon municipalities; additional costs that were potentially borne by bylaw enforcement officials asked to step in, in consequence of the global pandemic and some of the restrictions that were put in place by the territorial government; issues surrounding overtime and sick leave; the concept that perhaps there were some extra fuel expenses; as well as additional expenses that may indeed have been incurred by various Yukon municipalities related to janitorial services; and the purchase, acquisition, and deployment of protective equipment.

So, aligning myself with comments made from this side of the House so far, we are open to the possibility of this discussion — well, my understanding, in my discussion with my colleagues, is that this discussion is ongoing and that it needs to be more fulsome with respect to the documentation of losses in areas that I outlined and that the Member for Watson

Lake outlined, and I believe that she had even more categories that one could investigate in exploring possible compensation.

In closing my comments this afternoon, in light of that the fact that we did have a public health emergency that lasted in excess of, well, around two years, I would certainly like to thank all public servants at all levels of government — whether they are territorial public servants, federal, municipal, or First Nation employees — for their valued and immeasurable support to all Yukoners and their fellow citizens in unprecedented times.

I look forward to hearing the additional comments that will arise from debate on Motion No. 437, as amended, this afternoon.

Mr. Hassard: I hadn't intended to speak today, but I have a couple of things that I just wanted to — I am assuming that the Minister of Community Services will be talking to this motion, as amended, so I wanted to get a couple of questions out there before he did, just in regard to things that the Minister of Energy, Mines and Resources said in his comments.

At one point, he was talking about revenue being down and therefore costs were down. I know that the Minister of Community Services has said in the past similar things or that, in fact, municipalities made money or something to that effect. So, I am just curious, when the minister gets up, if he could explain the difference between municipal governments and the Yukon government. If he thinks — or the government thinks — that the municipalities may have saved money, did in fact the Yukon government save money as well? And if so, maybe he could explain how.

The Minister of Energy, Mines and Resources talked about the CMG. Maybe it's my misunderstanding, but if the Minister of Community Services agrees with what the previous minister talked about, maybe he could explain or expand a little bit on how the CMG is relevant to the discussion today when we're talking about specific costs related to COVID. They really have nothing to do with the CMG, in my opinion, I guess, unless I could stand to be corrected.

The other thing that I think was concerning to me was that the Minister of Energy, Mines and Resources talked about — and I believe the Minister of Environment also touched on this — not knowing all of the costs. The Minister of Energy, Mines and Resources actually said that he thought it would be best if municipalities could do that assessment and determine what those extra costs were. I don't think that this is fair to put onto municipalities either, because we all know that municipalities are stressed to the max. Their workforce is stretched beyond what it's capable of being stretched already. So, to burden the municipalities with the excuse of — hey, we can't give you any more money until you do a bunch more work and prove to us that you need that money — I think that's a little disingenuous. I think that the government needs to understand that when those municipalities are working on those stressed or stretched resources already, they are going to have to trust them to a certain degree — that if they say they needed X thousands of dollars, it probably is a reasonable ask. I think to ask them to

go back and do that extra work really is rather disingenuous of them.

But those were the items in particular that I thought of while listening to the minister who used to be the Community Services minister. Maybe if we could get some — or if I at least could get some — expansion on those particular items, I would certainly appreciate it.

Hon. Mr. Pillai: I would like to thank colleagues who had an opportunity to speak to this today. I would like to thank the Third Party for the friendly amendment. I think it has been a thorough conversation today concerning the impacts that municipalities felt over the last number of years. I think it's important to put on the record a few things that I hope supported municipalities in either a primary way or an ancillary way through the programs that were delivered. I think that all members of the Assembly commented proudly on the work that was done by public servants on a number of different programs. I think our programs were nation-leading in many ways. It has put us in good stead — not to say that there is not some vulnerability right now with municipalities based on the opening comments from the Member for Watson Lake identifying those different revenue sources that certainly were constricted compared to normal years.

As we said in March 2020, the Yukon faced its first major decision point with the cancellation of the Arctic Winter Games as the global COVID-19 pandemic loomed. The decision, of course, was not made easily. Our government recognized that the impacts of the cancellation would be far-reaching. As the Minister of Economic Development, I knew that we needed to step up in support of our community and quickly met with impacted members of the business community to hear from them.

Our team at the Department of Economic Development quickly went to work, taking what we learned from those conversations to build out policies and programs to ensure that we were supporting those facing the financial burden of the cancellation. This was all within a matter of just a few short weeks. These were the things we were contemplating. We were contemplating that a number of organizations had booked time in different public venues — whether it be arenas or halls — but also, not only what the impact would be to those organizations that were hosting their annual event or a national event, but what would that mean to the organizations that own those venues? How would that lack of revenue affect them? So, it was really taking into consideration, very quickly, the magnitude of this domino effect that was about to happen within our community.

So, our team, which I have to say I'm so lucky to be working with — I can't say that enough — through this second mandate, worked incredibly hard throughout the entire pandemic using the approach of monitoring continuously, adapting responsively, and responding locally. I think that's the sense that I'm getting from my colleague, the Minister of Community Services — is continuing to monitor and then adapt responsively to what we're seeing.

I just want to highlight a bit of some of that early timeline for the record. On March 7, the Arctic Winter Games cancellation was announced. I think it was a Saturday morning. On March 9, which would have been Monday — and I could be off — we met with members of the business community, 48 hours later. On March 16, the Premier announced the economic stimulus package. So, as you can see, that timeline — that's not how public policy gets built. That's not the normal timeline for the architecture of this type of pop-up policy, but it was — just a week after meeting with the business community. A stimulus package that was announced was to support Yukon workers through COVID-19-related, 14-day isolation to reduce the negative impacts of COVID-19 by establishing a grant program to: address certain expenses related to cancelled events; stimulate business in the tourism industry by waiving, reimbursing, or delaying government fee collection, such as airport landing fees; relieve financial pressures by deferring Workers' Compensation Health and Safety premium payments and reimburse those paid up front; waive penalties and interest with approval from their board; support the tourism industry with enhanced local advertising efforts; support the cultural industry by honouring transfer payment agreements considered to be COVID-19-related impacts; and continue to monitor the economic impacts of COVID-19 by establishing a business advisory council to gather information and share with the government.

On March 25, we established the Business Advisory Council. On March 26, financial supports announced — paid sick leave and changes, again, to the nominee program that gave us some more flexibility and gave those individuals who were here a better sense of comfort in that we knew they wouldn't be negatively affected in those early periods. We knew that there would be a stall in some of that, essentially, paperwork moving through or response that they were waiting from the federal government on certain issues. So, again, we made that change.

On April 1, we launched a temporary support for events funding program in response to the resulting economic downturn. Yukon was one of the first governments in Canada to launch broad-based programs to support individuals and businesses impacted by COVID-19.

We responded quickly and deployed supports and investments to protect businesses and jobs. Broadly across the Yukon government, we implemented over 40 programs providing direct, indirect, regulatory, and infrastructure programs. These responses were informed by local expertise from industry organizations, including the Business Advisory Council comprised of experts from multiple sectors, including mining, tourism, hospitality, and auxiliary service sectors.

Our Yukon Liberal ministers and MLAs were in regular contact and shared information with municipal governments and First Nation governments about Yukoners' needs and concerns. We coordinated our programs with Government of Canada initiatives to maximize the financial resources available to Yukoners. Through the Department of Economic Development, we delivered nine programs: the Yukon business relief program, the Yukon emergency relief program, the

Yukon Essential Workers Income Support Program, the paid sick leave rebate, the regional relief and recovery fund, the tourism accommodation and sector supplement, the tourism non-accommodation and sector supplement, temporary support for event funds, and the vaccine verification rebate. So, these programs supported businesses and organizations in every community across the Yukon. Since March 2020, over \$32 million has been allocated to ensure that our economy is well-positioned to rebound and emerge stronger than ever.

Just going through a couple of other data points — again, when we take a look at our overall funding by community — I will just touch on a few municipalities and then I will wrap up. I know that there are probably others who want to speak.

Just taking a look at what was delivered, I want to make sure that we put on the record that, when we think about our municipalities, over \$2 million across those programs was delivered to Dawson City. When we think about Faro — again, over \$100,000 to some of their businesses. Of course, this matters in the sense that we wanted to make sure that people were sustainable so that they could pay their taxes to the municipality.

I mean, really, when you think about it, it is fees and taxes that are really the revenue sources for any municipal government, primarily. There are transfer payments from other levels of government, but really, when we think about ensuring that people weren't delinquent on their taxes — that they were whole and that their fixed costs could be covered — that is one of the things that we really looked at, how they were dealing with debt financing from a financial institution that they were dealing with or how they dealt with the relationship with their municipal government.

Haines Junction — about \$1.8 million was delivered to that community. Mayo — about \$60,000. Teslin — almost \$230,000. Watson Lake had over \$1 million, and then Whitehorse had the bulk of that. I just want to put on the record that all along, collectively, all of our colleagues have worked to make sure that, in a timely manner, we identified pressures that any government or business had. We took it very seriously — about building out the proper programs and agile policies that could alleviate those pressures. I think that we have done a good job. Actually, the public servants who do the bulk of the work — basically all of the work on those files — have done an incredible job of building programs that have been very effective.

There is nothing more gratifying — not only that you see the results play out within the overall financial health of many organizations in the private sector and government, but nothing is more satisfying than having a big jurisdiction, such as one in one of the western Canadian provinces, call a year later and ask if they can copy a program. So, a year later, getting it out — and they want to copy it, and you know that maybe five or 10 different public servants in the Yukon in a small department did that great work and now some of these big jurisdictions are just catching on. I think that we have been very receptive to being agile and innovative in our programs. I think that what we are seeing in some of the information that has been shared at the national level by my colleague, the Minister of Community

Services, is that, broadly speaking, there hasn't been the same impact at the municipal levels, and some of the documentation and studies that he has been reviewing and using to advise his decision-making and sharing with me — it shows that, really, in most cases, those revenue sources continued and there was no shortage.

I think what folks are looking at committing to today is having their eyes wide open to what our municipalities are undertaking and going through. It is difficult, even in the Yukon government with all the capacity we have. Having been part of the governing structure in a municipal government, I think the comments from across the way are correct. We are in a position where we ask a lot from many different public servants at that municipal level. I know that my colleagues — and specifically the minister — are looking at the most supportive way to be able to get the accurate information. We need accurate information. We have to be able to do that, but how do we do that in a way that doesn't put too much pressure on folks while they have their normal day-to-day tasks but, at the same time, understanding that all the folks in opposition would be asking us to be accountable? We have to be accountable. In order to do that, we have to have the right data when we make the decisions that we have to make.

With that, Mr. Speaker, thanks to all members of the Assembly for having a chance to speak to this important topic. It is always good for all of us to be supporting our municipal governments and the very, very important work that they undertake for many Yukoners each and every day.

Hon. Ms. McLean: It is my pleasure to stand and say a few words in regard to Motion No. 437. I am happy that my colleagues have all had a chance to bring their perspectives regarding the good work that we did for Yukoners during what was a very trying time for our territory.

The Department of Education took many steps to support the health and safety of Yukon learners in response to the COVID-19 pandemic.

Educators demonstrated adaptive leadership since the onset of the pandemic. The collaboration, professional learning, along with the skills and strategies used, were key to the psychological safety of educators and students.

The assessment of what was needed in various situations, and the innovative actions implemented, were evident and appreciated. In developing our supports, we worked with the chief medical officer of health, school administrators, staff, students and their families, Yukon First Nations, Yukon University, and other education partners.

Our priorities during the pandemic were to ensure the health and safety of students, ensure that learning continued for all students, provide supports for students with diverse learning needs and those in need of additional supports, and provide supports for students, teachers, and support staff for flexible learning.

Over the course of the pandemic, we provided the following specific program supports for K to 12 students and their families. The Department of Education partnered with Sport Yukon to provide \$250 per each K to 12 student to

families to support additional costs of dealing with COVID-19, including online learning, for a total of \$1.28 million. The initiative supported 4,595 K to 12 students to continue learning at home. The Department of Education partnered with Yukon First Nations — COVID-19 foundation — to provide mobile computing devices to Yukon First Nation students. Both parties committed to contribute up to \$478,000 to this initiative — a total of 712 devices went to First Nation students in the territory. In addition, students who did not have access to personal devices were able to access support through their school, whether in-person study halls or borrowing a school device, if needed, to continue their learning.

A key initiative was the safe return to school funding from the federal government, which provided \$4 million for the health and safety of students, staff, schools and school buses, and continued learning, including program adaptation and adapting field trips, and additional supports to students including student support services, tutoring, and providing additional technology infrastructure specialists to support flexible student learning. A top-up of \$607,000 from Canada under the indoor air top-up of the safe return to class fund was used for the HEPA filter units. By the start of the 2022-23 school year, 559 HEPA air purifiers and replacement filters had been deployed to schools.

We recently released a two-year COVID recovery plan that is notable and something that folks should become familiar with. We worked really closely with all of our partners to support post-secondary learners. We had emphasis, as well, on early learning and childcare supports for families. In terms of these initiatives, I will be happy to speak about them at another time. I note that I would like to give my colleague an opportunity to say a few words as this is directly related to his department.

Hon. Mr. Mostyn: I am really happy to speak to this important issue on the floor of the Legislature this afternoon. I want to be clear that I support the motion's intent to make the municipalities whole. I always have.

Over the last several months, and certainly in the year and a bit or so that I've been in this portfolio, I have been incredibly impressed with the professionalism, with the care, and with the public service of our municipal leaders and our municipalities. It has been incredible to work with them over this last little while and to see how incredibly dedicated they are to their citizens.

I have said many times on the floor of the House that municipalities are responsible for running their affairs. When it came to ATIPP or any number of things, I have been very clear about making sure that municipalities are masters of their own futures and that the municipal leaders that we elect represent their constituents and make the decisions in the best interests of their constituents. They are elected governments and they will make the best decisions that they can for their citizens.

I will also say that I have been very clear with municipalities that I support their work and will do everything I can to make sure that they have the tools and resources to do that job. Before I was a politician, I was a municipal affairs

reporter in the territory. I covered the Association of Yukon Communities as a reporter. I have always had a great deal of respect and have a great deal of historic context about what municipalities do and what they have done in the territory. I have never seen anything like the last couple of years.

I want to thank the Member for Takhini-Kopper King this afternoon for rewording the motion, which contained a thinly veiled criticism of the successful and life-saving public health measures the Yukon employed during the pandemic — the successful, life-saving public health measures we employed.

The pandemic was a generational event. As I said, none of us have gone through anything like it, thankfully. It affected every person, family, business, NGO, municipality, province, territory, and nation in the world. Nobody was spared from this illness that, prior to 2020, had not been seen on the planet. It was a new organism.

We worked hard and fast to save lives and shore up businesses through the public health measures we deployed. Despite this, dozens of Yukoners lost their lives. I empathize with those who lost friends and family, with those who lost their business or their livelihood, and those who struggled — or continue to struggle — with mental illness and physical illness from the pandemic, from COVID-19.

We heard this afternoon that the Yukon reacted quickly to the pandemic. My colleagues deployed nation-leading supports for educators, for businesses — things that had not been seen anywhere else in the country. Our Premier led this effort, and we led the country in our supports. As a result, as I have said on the floor of this House in this session already — it wasn't that we emerged unscathed — we did not see the level of disruption, of death, of the failure of businesses, of restaurants that we saw in other places in the country. That was because of the public health measures and supports we put in place and the quick action. We weren't the only government to do this. We worked really well federally and territorially and provincially across the country. We worked like I have never seen governments work together before. We did it in the best interest of Yukoners and in the best interest of Canadians to save lives and livelihoods.

As the Member for Mount Lorne-Southern Lakes noted, this government, through Community Services, handed out millions to municipalities to help with costs. We are not averse to doing this. This summer, I spoke at length with communities about their desire for extra relief funding, and I have told them that I support this in principle. I absolutely support it. There is no question.

I have also had several meetings with the Association of Yukon Communities and its presidents on this topic. Former President Gord Curran — I greatly admire all the work he did holding his community together through the worst of the pandemic and how he guided AYC. Now, with the new president of the Association of Yukon Communities, Ted Laking, we have had conversations about it, we have corresponded by mail, and I have responded to those e-mails and letters. I have responded to him in personal requests. We met on the wharf down on Main Street, and this issue came up there as well. We have spoken about this, and I continue to

speak about it. I know that they have had issues at AYC hiring staff. I think that has slowed down some of the process here. I am more than happy to help in whatever way I can to get the capacity up so that we can actually resolve this issue.

Yes, the current Association of Yukon Communities president pressed this as his organization's number one issue, and I appreciate how important it is and the time and energy he and others have put into it. Again, I agree with the support in principle. I have asked the AYC and the municipalities to work with us on this issue. We know municipalities have claimed costs through COVID, but we also want to see the net savings that they may have seen through the pandemic, as well. We want a full cost accounting of what happened during the pandemic so that we know what we are dealing with. This will also help with the review of the comprehensive municipal grant, which is currently underway.

The grant, as my colleague has noted this afternoon, increases every year and has since 2018, when he refurbished it — when he bolstered it and made it better — another thing that we dealt with that had been neglected for many, many years. It is certainly playing a role in the overall health of Yukon municipalities.

As part of our collective review of the COVID costs, Community Services is also gathering national data on how the pandemic affected municipalities. Recently, with my provincial counterparts from across the country, the national working group examined the effects on municipalities and concluded that federal and provincial grants and cost savings had blunted the economic effects of the pandemic on municipalities. The exception, of course, were municipalities with transit. There, some municipalities experienced some great financial losses.

As I have gone through the territory on my municipal tour this year — I have been to Teslin, Haines Junction, Mayo, Faro, and going to LAC meetings — I'll be at one tonight —

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. 437, as amended, accordingly adjourned

The House adjourned at 5:30 p.m.

The following document was filed October 12, 2022:

35-1-71

Responding to Sexualized Abuse in Yukon Schools: Review of Policies and Governmental Response Completed by the Yukon Child & Youth Advocate Office (McLean)

The following legislative returns were tabled October 12, 2022:

35-1-63

Response to Written Question No. 18 re: request for bids to supply and deliver calcium chloride (Clarke, N.)

35-1-64

Response to Written Question No. 21 re: bid value reductions associated with the First Nation Procurement Policy (Clarke, N.)



Yukon Legislative Assembly

Number 78

1st Session

35th Legislature

HANSARD

Thursday, October 13, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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

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Yukon Party

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

THIRD PARTY

New Democratic Party

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

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**Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, October 13, 2022 — 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

Speaker: Prior to proceeding with the Order Paper, the Chair will make a brief statement. Yesterday during the ministerial statement, the Member for Mountainview, in her reply to the comments made by the Member for Kluane and the Leader of the Third Party, referred to the Member for Kluane as “the member for the Yukon conservative party”. This goes directly against my instructions from Tuesday to refer to members by their proper titles.

In addition, members from each political party register their party names with the Yukon Elections Office. Those are the party names that are recognized for the purposes of this Assembly. All members, if they are making a reference to a party, should use the party's proper name or accepted short form.

Thank you for your attention to this matter.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: I think that our standard protocol within the House — and we have been informed — is to make sure that people in the gallery — I think that our challenge is — right now, there is a group of people on the other side of that door who are about to be in the gallery.

So, with that being said, I would like my colleagues in the Assembly today to welcome a number of individuals who are here for a tribute — really talking about individuals who are coming to the territory from Ukraine, but also the Ukrainian diaspora and others who have supported the diaspora to ensure that folks who are coming to the Yukon have been well-supported.

So, the organizer, Jeff Sloychuk, is here with us today, as well as Anastasiya Matlashevskaya, Taras Yurkiv — I think that we're waiting on Eileen Melnychuk — Elena Kozhevnikova, Lesia Hnatiw, Grant Zazula, Violetta Umanes, Mason Beaulieu, Nikolay Potapenko, Halyna Derevianchuk, Mikhail Ponomarev, and Josh Robinson. I am trying my best, but I know — thank you for coming.

Applause

Ms. Tredger: Thank you, Mr. Speaker. Today we have some guests who are visiting our chief of staff and are visiting from Germany, and I wanted to welcome them here today.

Applause

TRIBUTES

In recognition of Yukon Ukrainian community

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to our Ukrainian arrivals and the incredible work that has been undertaken to provide support and a warm and welcoming environment for those fleeing the conflict.

Yukon strongly condemns the unprovoked Russian invasion of Ukraine. The unjustified invasion has created a humanitarian crisis with more than 7.6 million people having fled Ukraine to other countries around the world, with many millions more displaced internally or in urgent need of humanitarian assistance. Providing support to Ukrainians has been, and continues to be, a priority for both our territorial government and Yukoners alike.

The Erik Nielsen Whitehorse International Airport has welcomed many Ukrainians on arriving flights, and working alongside the Multicultural Centre of the Yukon, government employees and countless volunteers have provided essential services for Ukrainians arriving in and travelling through our territory.

Local Ukrainian-speaking volunteers have provided translation services and arranged homestays for those arriving in Whitehorse who found themselves requiring a temporary place to stay.

Snacks and drinks have been provided at designated rest areas in the airport, activity packages for kids, and one-night hotel rooms, including transportation, and food vouchers have also been made available for those in need.

I would like to recognize the inspiring dedication that Jeff Sloychuk has shown over the last few months as he continues to help Ukrainians affected by the Russian invasion. Jeff, the president of the Yukon Building Trades Council, opened up his home to welcome Ukrainians. He travelled to Warsaw to assist civilians along evacuation routes and has provided multiple donation opportunities for Yukoners to contribute to the relief efforts for Ukrainians.

Jeff also organized the raising of the Ukrainian flag in honour of Ukrainian Independence Day on August 24, 2022. I know all parties were represented at that event.

Ukrainians are finding sanctuary in our nation through various immigration programs, and I would like to thank our local Ukrainian diaspora for everything you are doing to support those in need.

The Ukrainian family support desk remains available for a means of assisting Ukrainians arriving to the territory with helpful guidance and resources. Assisting with this cause is important to Canadians, and I am proud that our country is working hard to provide aid where it is most needed.

Thank you.

Applause

Mr. Dixon: I rise today on behalf of the Yukon Party Official Opposition in support of our resilient, multi-generational Ukrainian community here in the Yukon and in support of those who remain in their torn yet beautiful homeland. The Ukrainian community has been part of the

fabric of Canada throughout our history since the arrival of the first Ukrainian immigrants at the end of the 19th Century. The community has helped to advance Canadian society and contributed to our economy and culture ever since.

The Yukon is home to a strong and resilient community of Ukrainian Canadians. It has been touching to see the strong support and solidarity that we have seen, not only from this group but from their friends and allies across the territory. The Yukon-to-Ukraine project was created by the Yukon Support Ukraine group. This project is aimed at collecting goods to support those facing hardship in Ukraine.

Currently, they are preparing another shipment of goods to depart Whitehorse in mid-November. Donations are being accepted at the carpenters union hall, at 106 Strickland Street, every Saturday from 1:00 p.m. to 3:00 p.m., and every Tuesday from 5:00 p.m. to 7:00 p.m. Among those items requested are new thermal underwear and shirts for men and women, used and wiped iPhones and Androids, used laptops and tablets, GoPros and older digital cameras, winter sleeping bags and rolls, military and hunting boots of all sizes, anti-flu medications, GPS units, binoculars, and power banks for charging phones.

Thank you to all those who are helping to organize and collect these items and to those of you who have donated so far. I would like to join the minister in giving a special mention to Jeff Sloychuk for his dedication to the relief effort in Ukraine. Jeff has been working to help raise funds, collect donations, and organize events since the beginning and has also opened his home to a young man from the Ukraine who is eager to hone his skills as a carpenter. Best of luck to him and to you, Jeff.

I would also like to give a warm welcome to others who have newly arrived in the Yukon from Ukraine. It is not easy to leave your home and your family and friends, but we hope that you have found a warm welcome here in the Yukon. It is wonderful to have you here. I have heard how quickly some of you are connecting with the community and sharing your knowledge, experience, passions, and culture with us.

We would like to recognize the unparalleled determination and bravery of Ukraine Armed Forces and the resiliency of the Ukrainian people. Please consider donating, if you can, to this important effort, and help to embrace those who have chosen our beautiful territory to call home, whether it is for a short or a long time. Show some of the Yukon hospitality that we are known for.

Thank you very much and slava Ukraini.

Applause

Ms. White: It's an honour to stand on behalf of the Yukon NDP to welcome some of our newest residents to the Yukon and to celebrate those who are making that transition so much easier. To those Ukrainians who have newly arrived in the Yukon, we are so glad to have you, but are so sorry for the circumstances that brought you here. No one should be forced to leave their home due to war. In this day and age, war should be something that is read about in books, not something that should be a lived experience.

We know that each of you will add to the culture and the fabric of the Yukon. You bring with you skills and experience, and more than anything, you bring yourselves. You are so very valuable.

We know that the Yukon Ukrainian community and its friends are mighty and that they'll be here to support you, but we want you to also know that the Yukon, and those of us in this Assembly, are also here to support you. Thank you to Jeff, Anastasiya, Taras, Eileen, Elena, Lesia, Grant, Violetta, Mason, and so many others living and working in the Yukon for providing amazing support and solidarity to new arrivals and to each other.

Slava Ukraini.

Applause

In recognition of Fire Prevention Week

Hon. Mr. Mostyn: Fire Prevention Week kicked off on October 9 and I rise today to talk about fire safety. Fire Prevention Week draws our attention every year to the essential steps that each of us must take to protect ourselves and our families from fires that are easily preventable. I want to thank Yukoners who are making fire safety and prevention activities a priority. This year's Fire Prevention Week theme is: "Fires won't wait. Plan your escape." Lives depend on preventing fires from starting, hearing smoke alarms on time, and knowing how to get out fast. If you haven't already, make sure that you install smoke alarms and carbon monoxide alarms outside all sleeping areas and on every level of your home, including the basement. If you are a tenant, make sure your landlord installs them. It's the law.

Test your smoke alarms once a month and replace them after 10 years. Next, create a home escape plan and go over it with your family. Here are some safety tips to help you plan your escape: Make sure everyone in the home understands how to get out of the house from any room; learn two ways out of each room; make sure all doors and windows leading outside easily open and are free of clutter; make sure your escape plan meets the needs of your family members, including those with sensory or physical disabilities; and don't forget to include your pets. Once you have an escape plan, practise it regularly.

In the event of a fire, Mr. Speaker, listen for the sound of the smoke alarm. Everyone should know that when they hear the alarm, it is time to get out. Leave calmly but quickly. You could have only minutes to escape safely once the alarm sounds. Go to your outside meeting place, which should be a safe distance from the home. Everyone in the house should know to meet there. Once you get out, call 911.

I want to take a moment to commend and thank all of Yukon's firefighters. They work tirelessly to protect our lives and property from fire. Together, we are contributing to healthy and safe communities. More information about fire safety and prevention is available online at preparedyukon.ca.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize October 9 to 15 this year as Fire Prevention Week. Fire Prevention Week is the perfect

opportunity for families to talk about fire safety, make escape plans for their homes, and check fire and carbon monoxide detectors as well as fire extinguishers to make sure that they are located in the right places and in working order.

The Fire Marshal's Office and Yukon fire departments do a great job each year providing important messaging to families and communities around the importance of fire safety and planning to bring attention to a number of important aspects of fire safety, including ensuring that your family has a plan in case of a fire and is aware of the risks associated with different activities around the home, such as cooking, fire alarm maintenance, and charging electronics.

I would like to take a moment to recognize our municipal and volunteer fire departments throughout the territory for the work they do in fire prevention and firefighting. Thanks to the Fire Marshal's Office, Wildland Fire Management, and our Yukon First Nations Wildfire crews for the support that you do to keep our territory safe.

I would be remiss if I didn't also give a heartfelt thanks to all of those dedicated Yukoners who do not have access to standard fire equipment or trained professionals to deal with potential outbreaks of fire in their communities. We have seen how community members rally together to face emergencies with creativity and ingenuity. They deserve our thanks, recognition, and full support.

There are a number of planned activities this year, including informative school visits by the local departments and the Fire Marshal's Office and a colouring contest being held by the Whitehorse Fire Department. Forms can be picked up until October 15 at either the Canada Games Centre or Angellina's Toy Boutique.

Please take the time to brush up this week on your fire safety and prevention, check your smoke detectors, and review your own household safety plans. Thank you.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to recognize national Fire Prevention Week. It is actually the 100th anniversary of Fire Prevention Week this year, and it is held every year on the anniversary of the Great Chicago Fire, which burned for three days in 1871. Society's response to that enormous tragedy is a beautiful example of how we can take individual and collective action to create safer homes and cities.

I will start with the things that individuals can and should do to prevent fires. My colleagues have already spoken about the importance of having working, up-to-date fire alarms. Did you know that fire alarms need to be replaced every 10 years? We have also talked about the importance of having an exit plan, because I learned from a City of Whitehorse post this week that the time you have to exit your home after hearing your smoke alarm can be as little as two minutes. This highlights the importance of knowing to get out of your house in a hurry and making sure that your exits are easy to access.

I also want to talk about our collective response to fire safety. In the last century, we have changed the ways we plan cities, changed the ways we manufacture building materials and the way we design and build our homes. Every time a fire starts

and doesn't spread, there are many behind-the-scenes people to thank — from city planners, to policy experts, to architects, to construction workers — and, of course, last but not most certainly not least, firefighters. I can't think of a better example of service to community than firefighters, for both our paid and volunteer firefighters. It is a tremendous privilege to know that if a fire starts, there will be people on the way to help.

So, today I want to say a tremendous thank you to all the folks who help with that response — dispatchers, administrative staff, and, of course, the firefighters. We are all safer because of the work that you do.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Mostyn: I have for tabling the 2021 annual report for the Yukon Workers' Compensation Health and Safety Board.

Hon. Mr. Streicker: Pursuant to section 22 of the *Yukon Development Corporation Act*, I have for tabling the 2021 annual reports for the Yukon Development Corporation and Yukon Energy.

Speaker: Are there any reports of committees? Petitions.

PETITIONS

Petition No. 14 — received

Clerk: Mr. Speaker and honourable members of the Assembly: I have had the honour to review a petition, being Petition No. 14 of the First Session of the 35th Legislative Assembly, as presented by the Member for Copperbelt South on October 12, 2022.

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

Speaker: Accordingly, I declare Petition No. 14 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. 14 shall be provided on or before October 26, 2022.

Are there any petitions to be presented?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 20: *Animal Protection and Control Act* — Introduction and First Reading

Hon. Mr. Clarke: I move that Bill No. 20, entitled *Animal Protection and Control Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Environment that Bill No. 20, entitled *Animal Protection and Control Act*, be now introduced and read a first time.

Motion for the introduction and first reading of Bill No. 20 agreed to

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

NOTICES OF MOTIONS

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

THAT this House supports the Government of Yukon and the City of Whitehorse's bid to co-host the 2027 Canada Winter Games in Whitehorse.

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

THAT this House urges the Government of Yukon to fulfill its legal responsibility to abide by and adhere to the articles expressly stated in the United Nations *Convention on the Rights of the Child*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to confirm best practices for responding to any incident in education where a child is, or is likely to have been, physically, sexually, or emotionally harmed and design and implement an inter-agency response process that includes:

- (1) competent investigations;
- (2) child- and family-centred approaches to information sharing;
- (3) protection of privacy;
- (4) communication with families; and
- (5) coordination of services, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide clear information to educators and families about their mandatory duty to report any incident where a child is, or is likely to have been, physically, sexually, or emotionally harmed and to provide clear steps on how and who to report incidents to and how to follow up, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to implement best practices to ensure developmentally and culturally appropriate interviews and victim support services for students who have been physically, sexually, or emotionally harmed, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to:

- (1) provide developmentally appropriate sexual health information throughout the school year to all Yukon students;

- (2) make sexual health programming mandatory and accessible for all students, including those with individualized learning plans; and

- (3) provide additional guidance to families about how to talk to children about sexual health, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to determine therapeutic needs of students and families impacted by alleged abuse and ensure low-barrier access to appropriate supports identified by students, families, and professionals, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide accessible, therapeutic supports to educators impacted by alleged abuse in schools, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to develop a plan to create and fill clinical counsellor positions in all Yukon schools, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide specialized educational support programs for children with special needs that include input and oversight by learning assistance teachers, Student Support Services, and external specialists, as recommended by the Yukon Child and Youth Advocate.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide a public report outlining the planned response to the Yukon Child and Youth Advocate Office's report *Responding to Sexualized Abuse in Yukon Schools: Review of Policies and Government Response* by November 22, 2022.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Darius Elias Community Centre

Hon. Mr. Mostyn: I rise today to celebrate the opening of the Darius Elias Community Centre in Old Crow.

Some time ago, the Vuntut Gwitchin First Nation identified a new community centre as a priority project for Old Crow. Our Infrastructure Development branch worked with the Vuntut Gwitchin to make their ideas and plans for a community centre become a reality. After years of work, I was pleased to see the new community centre officially open its doors this past May as part of Caribou Days.

Caribou Days is a weekend filled with fun activities and celebrations that honour the connection between the Vuntut Gwitchin people and the Porcupine caribou herd, bringing the

whole community together to celebrate the importance of this animal to their culture and their way of life. I truly couldn't think of a better event to open this new centre with.

In addition, this space was also recently used as the venue for the first Yukon Forum ever held in Old Crow, and that took place just this past June.

It was great to be able to meet in this new, beautiful building with indigenous leaders from across the territory. The Yukon government invested more than \$3.6 million in this project and received more than \$10.8 million for this centre through the rural and northern community infrastructure and the community cultural and recreation streams of the Investing in Canada infrastructure plan.

The new centre features multiple meeting rooms, a games room, an elders lounge, a gym, and a full commercial kitchen that will serve the community for years to come.

The Darius Elias Community Centre replaces the previous aging community centre, the Chief Peter Moses Centennial Hall, which has been repurposed as the new home for a children's play centre in Old Crow.

The new community centre is more energy efficient and built to withstand possible issues due to climate change, such as permafrost thawing or flooding. We have mitigated these risks by building the new community centre at an elevation that will protect it from floods. We have also hired an engineer with expertise in permafrost foundation to help with the design, taking into account the expected subsurface warming over a 30-year time scale.

I want to end by thanking our partners who helped to design and build this project, including the federal government and the Vuntut Gwitchin themselves. I look forward to continuing to build projects like this in communities across the territory to help build a stronger, healthier, and more inclusive society.

Thank you, Mr. Speaker.

Ms. McLeod: I am very pleased to stand in this Assembly today to talk about the new community centre in Old Crow — aptly named the “Darius Elias Community Centre”. Of course, the centre is named after the late Darius Elias. Many members of this Assembly can recall how the former Member for Vuntut Gwitchin stood in this House and talked about — quote: “... my community of Old Crow”.

One of the items that Darius made his priority was the need for a community centre in his community of Old Crow. In this House, he often spoke about the importance of youth and how sport could make their lives better. I'm sure those who were here remember his tributes and speeches about coaching the Old Crow youth during hockey tournaments. Thanks to the Vuntut Gwitchin First Nation, the community, and the builders, Darius' vision is now a reality, and that's why I'm pleased to stand and talk a little bit about this facility that officially opened in time for Caribou Days in late May.

It contains features that Darius would have wanted: a games room, an elders lounge, meeting rooms, a training and exercise room, and one very important item, a commercial kitchen to cook up the traditional foods of the people of Old

Crow. Darius was always aware of the impacts of our changing climate on his community and the Porcupine caribou herd, so it's great that this new community centre is energy efficient and built to withstand flooding and changes to the permafrost.

As we know, Darius championed the power of sport. He was, of course, an avid hockey player, but he tried to get all youth involved in many other activities as well. That's why this community centre is so important.

I'm going to wrap up by thanking the Vuntut Gwitchin First Nation and those involved in making the Darius Elias Community Centre a project that we can all be proud of.

Ms. Blake: I am thankful for the opportunity to respond to this ministerial statement on the Darius Elias Community Centre. This centre was named in Darius' honour in May 2022 where family gathered to share a meal with the community for the naming ceremony.

Darius Elias is remembered as a leader who deeply cared for the well-being of the young people and kept the youth at the forefront of all that he did in his career.

It was only fitting for the community to name this new facility in Darius' honour. This new recreation facility is an important addition to the community of Old Crow as it provides a modernized space that supports the community in their gatherings. Since the opening of this new facility, the community has been able to host their annual Caribou Days celebration, the biennial Gwich'in Gathering, the annual general assembly, and a wedding, as well as many dances that bring the community together. Some citizens refer to this new centre as “Moccasin Square Gardens”, as it has the best flooring for jiggging.

The Darius Elias Community Centre sits along the banks of the Porcupine River, is central to the downtown area of the community, and is accessible for all people. Like the Chief Peter Moses Community Hall, I am sure that the Darius Elias Community Centre will hold meaningful space and capture many memories for the Vuntut Gwitchin government and its citizens as they continue to host celebrations, government meetings, and other initiatives that will utilize this space.

There are questions that I have heard from the community since the opening of this space. This beautiful space was built with a non-commercial septic and water tank system, so when big events are being held at the Darius Elias Community Centre, it requires the Yukon government's water delivery and septic pump-out services to come to the centre multiple times a day to fill the water tank and pump out the septic tank. Are there any plans to replace the current septic system with industrial-sized tanks?

It was also noted that there has been no training provided to the community in terms of how to run and maintain the boiler system and to operate the air conditioning system. These are important elements that keep this beautiful facility functioning and accessible. What is the government doing to ensure that this problem is addressed?

What training has been given to the community to operate the engineered glass partition wall? This has proven problematic since the centre's opening.

When the keys were handed over to the Vuntut Gwitchin government, they were only provided one key. Because the centre is utilized so frequently, they are not able to send a key out to Whitehorse to get extra keys cut and wait for the keys to be sent back to the community. So, when will the Yukon government ensure that additional sets of keys are supplied to the community?

I look forward to dancing and celebrating with my community in this beautiful space. I know that Darius would be so honoured to know that he is celebrated in such a beautiful way.

Hon. Mr. Mostyn: I appreciate the kind words from the members opposite, both about the centre and about Darius Elias. He was truly a champion for his community and an amazing ambassador for the Yukon. In my interactions with him as a reporter, he was always a very fair and very strong champion, so I really do appreciate the words of the members opposite.

To the questions posed by the member opposite, the Member for Vuntut Gwitchin, I will look into her concerns today.

I want to take a moment to highlight some of the work being done in Old Crow through a partnership with the Vuntut Gwitchin First Nation and the Government of Canada. A new 940-kilowatt solar array has been installed in the community. This allows Old Crow to turn off the diesel generators in the summer. I was recently up there and I can tell you that the community is very, very proud of this solar array facility. The community is a lot more quiet now that it has been installed. It is also saving the community up to 189,000 litres of diesel fuel per year.

In addition to the innovative solar array project, we are investing in a new health and wellness centre and a tenplex housing project in the community. Following a 2018 review of all Yukon health centres, the Old Crow health centre is identified as a top priority for replacement. The mixed-use housing project will provide safe, healthy housing for Yukoners in Old Crow, and the new health and wellness centre will include a collaborative care model that will better meet the needs of residents.

The tenplex is scheduled to be completed this year, and the health and wellness centre is anticipated to be completed in 2023. I am anxious to see that completed. I have toured that facility as well. I saw the concerns there, and I think the new facility will certainly serve the community well.

In addition to these important projects, our government is also providing more than \$4 million for the new Vuntut Gwitchin First Nation elders complex. The complex will provide eight one-bedroom assisted living units for elders and a one-bedroom unit for a live-in caregiver. These are just some of the projects underway, in addition to the new Darius Elias Community Centre. Our government will continue to work with the Vuntut Gwitchin government and the people of Old Crow to ensure that our northernmost community is resilient and thriving for future generations.

Thank you very much, Mr. Speaker.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Sexual abuse within elementary school, government accountability

Mr. Dixon: Yesterday, the Child and Youth Advocate Office delivered an absolutely scathing report on this government's response to incidents of sexualized abuse in a Yukon school. The report covers the massive inadequacy of this government's response following the incident. One of the key findings was that the Department of Education's communications in the aftermath of these incidents demonstrated an alarming lack of attention to upholding children's rights.

In particular, the advocate found it unacceptable that communications following the 2019 incident were, in her words, "ostensibly self-serving" and that the department was more concerned with the legalities and HR implications of the incident than the well-being of impacted students. Specifically, the advocate highlighted the decision not to send a letter drafted by the then-principal to the school community in December 2019, calling this a "gross oversight".

Will the Liberal government now acknowledge what the advocate calls a "gross oversight" in their handling of communications following this incident?

Hon. Ms. McLean: I thank members opposite for the question today and an opportunity to speak, at the first opportunity, to the report that I tabled yesterday on behalf of the Child and Youth Advocate. We are reviewing that report and will respond to its recommendations by the requested date of November 22.

I wanted to take a moment to reflect on the tabling of that document yesterday. I had a quick glance — Annette King and I made eye contact, and I could see a deep relief in her eyes, and I really appreciate that her staff worked really hard to get this report completed. Again, at the heart of this is the well-being and safety of our children. I know it is something that Annette and I both share. This was a difficult report to write. Anytime you have to write about harm to children, I think it's difficult, and I wanted to publicly thank her for the report.

We will continue to undertake system change, as I have committed to all the way through.

Mr. Dixon: Among others, the Child and Youth Advocate's report tabled yesterday outlines how the government's communications failure represented a violation of children's rights. Here's what she said — and I quote: "There were many opportunities between November 2019 and July 2021 where many people employed by..." — Education — "... could have easily revisited their decision not to communicate with families — when the incident first occurred, after termination of employment, after WAB's conviction, after his sentencing, after the civil suit was launched, or at any point of transition between superintendents, Assistant Deputy Ministers, or Ministers of Education."

Does the government acknowledge that the failure of the former minister to inform the current Minister of Education

about this in 2021 contributed to what the advocate called hurt, confusion, and outrage of those affected?

Hon. Ms. McLean: Again, this is my first opportunity to speak to the report tabled yesterday. We are continuing to review that report, and we will have official responses to the recommendations and the findings of this report within the time frame that has been requested of us.

It sounds like the member opposite has read potentially even just the executive summary or maybe the whole report; I'm not sure, but I wonder — the Yukon Child and Youth Advocate, as well as the Hidden Valley independent review, found that there were prior incidents that happened in 2014-15, and they were not properly documented or reported. Now we have the Child and Youth Advocate who has found the same finding.

Can the members opposite explain why the incident was mishandled by their government? I think that the Yukon Party's inaction in 2016 really led to further harm of children. I think that is something that Yukoners deserve to hear about as well.

Mr. Dixon: I think that answer from the minister speaks for itself.

The Child and Youth Advocate found that the lack of communication from Education led to expressions of outrage, confusion and hurt among those affected.

I will quote from the report again: "The first formal communication to families from..." — Education — "... came over 1.5 years after the 2019 sexual assault was reported. Additionally, families of students who had moved schools report not being included in communication from..." — Education — "... even if their children had been in close contact with WAB. Internal communications records obtained from..." — Education — "... demonstrate a lack of action to address the impact of sexualized abuse on students and the broader school community. With sufficient exploration and targeted communication with families following the 2019 charge, additional victims could have been identified."

Does the government now accept that their inadequate communications contributed to the fact that — and I quote: "Delays in accessing justice and therapeutic supports could have been prevented."

Hon. Ms. McLean: Again, at the heart of this is the well-being, safety, and protection of our children. This is certainly an issue that I have taken very seriously and one that I have been committed to addressing. We launched the first review of the matter. We had an independent review done. We now have a report from the Child and Youth Advocate.

Since the spring — the safer schools action plan was released in February, less than a month after the Hidden Valley Elementary independent review report was completed. We are implementing all of the report's recommendations to ensure that what happened at Hidden Valley Elementary School does not happen again. We have completed 13 of the 23 commitments to the safer schools action plan, representing significant progress to address policy gaps and enhance safety and oversight across all Yukon schools and government departments.

This includes the establishment of a Hidden Valley parent advisory committee. I have met with them three times now. The completion of training in post-incident guidance procedures, prevention, detection, reporting, and communication — the list goes on and I will continue to build on my answer as we go forward. Thank you very much, Mr. Speaker.

Speaker: Order.

Question re: Support services for Hidden Valley Elementary School victims of abuse

Mr. Cathers: Over the course of the past year and a half, the school community, directly affected families, and both opposition parties have consistently raised concerns about the lack of therapeutic support for students in the school community in the wake of the serious incidents involving the former EA. The Child and Youth Advocate's report tabled yesterday laid bare this exact issue. It found — and I quote: "One of the major flaws in this entire situation is the lack of a coordinated response between departments that ultimately resulted in the untimely and inadequate provision of therapeutic supports and healing to impacted members of the school community."

Now the Child and Youth Advocate is making the point that parents, the Hidden Valley school council, my caucus colleagues, the Third Party, and I have been making consistently over the past year and a half. Will the minister finally admit that the supports offered by the government to children and other impacted members of the school community have been inadequate?

Hon. Ms. McLean: Again, the well-being, safety, and protection of students, when they are in our care, is our highest priority. We are focused on taking the needed steps to rebuild trust and provide the best targeted supports to the school community. I continue to hold up the dedicated staff of Hidden Valley, who are ensuring that children feel connected, supported, and safe at school. I have heard first-hand from families that the Hidden Valley school community has had a good start to the school year. No family will be left behind. A range of free-of-charge supports have been and continue to be available, and the school community consultant continues to work individually with families to find options that work for them.

I will continue to ask members in the Legislative Assembly to always refer their constituents needing supports — or any information that they may have — to our community consultant. I believe that this is their responsibility. As reports from reviews and investigations are received we will be mindful of the supports that students, staff, parents, and guardians may need.

Mr. Cathers: For over a year now, the Hidden Valley school council and the school community have been pleading for more supports. They have told the minister how disheartened and disappointed they are with the lack of support from her department and her refusal to listen to them. Among other things, they requested a full-time vice-principal and a clinical counsellor. We have also made this request repeatedly to the minister. Now the advocate's report has shown the

consequences, and I quote: “From July 2021 and throughout the subsequent school year, the Advocate observed a severely stressed and over-capacity school community and administration trying to do their best to fill services gaps for students, families, and school personnel.”

Will the Minister of Education now admit that her unwillingness to grant the request put forward by the school community has caused harm?

Hon. Ms. McLean: I continue to provide consistent messaging that the school community is my absolute highest priority. You know what? Members across the way can laugh, but these are serious issues and I take my responsibility as a minister very seriously.

The Department of Education’s school staffing committee considers all formal requests for increased staffing and supports from schools to deploy staff appropriately and equitably across all schools. We will continue to assess the needs and assignment of teaching and administrative staff at the school in a data-driven, evidence-based way. The 2022-23 staffing allotment provided for a full-time principal and vice-principal who are assigned to the Hidden Valley school. A learning assistance teacher with a specific focus on autism is in place and working with the school. An interim principal is acting while the hiring panel continues to fill the vacancy for the principal.

Again, I have heard directly from parents who have been directly impacted by this situation that the school year has had a good start. I would thank members to respect that as well.

Mr. Cathers: Mr. Speaker, the Child and Youth Advocate’s report makes two very clear findings: (1) access to services has not been effectively coordinated; and (2) without adequate support from Education and Health and Social Services, Hidden Valley school staff have struggled to provide resources and supports to students and their families. These findings are stark but not the least bit surprising. They are exactly what parents have been telling the minister over and over for the past year and a half.

The advocate’s report said this — and I quote: “This should not have been the responsibility of the educators and school administration but of...” — Education — “... central administration that purports to serve these schools.”

Does the minister finally agree that these findings show exactly what the school community, individuals, and ourselves have been telling her for over a year and a half now?

Hon. Ms. McLean: I will remind the member opposite again that I launched an independent review into these matters in October of last year. We had the findings by January 31. We had an action plan in place by February 24.

We have taken real action, Mr. Speaker. We have in place a safer schools action plan that is working to address the issues. The independent review made clear — the information that we received from our independent review guided us in developing a very comprehensive government-wide action plan, and now we have the report from the Child and Youth Advocate. I have made that commitment to respond to her recommendations within the time frame given, and we will be addressing the recommendations that she has put forward.

We are acknowledging, of course, the findings of this report. As I said, I respect the work of the Child and Youth Advocate, and I’ll continue to build on my answer as I go forward.

Question re: Mental health services in schools

Ms. White: One of the recommendations from the 2021 review on special and inclusive education, in response to the 2019 Auditor General’s report, was to — and I quote: “Provide culturally-appropriate mental health counselling services, directly to students and families, and in support of teachers’ instructional efforts.”

Yesterday, the minister tabled the report from the Yukon Child and Youth Advocate, which included the statement — and I quote: “If a ... clinical counselor or social worker had been...” — provided to — “... the school before the beginning of the 2021-22 school year, students, families and educators could have accessed the necessary support to manage these stressors and begin the recovery from harm.”

While this was specific to one school, it rings true for all. Can the minister tell Yukoners how many Yukon schools currently have full-time clinical counsellors?

Hon. Ms. McLean: Again, I absolutely respect the report that was provided to us by the Child and Youth Advocate, and I take the mental health of our youngest Yukoners very seriously. We have been working very hard to respond to the Auditor General’s report, which includes a lot of action. We are truly in an historic time in education in the Yukon. We are reimagining our Yukon school system with partners in education. It has taken decades, honestly, to get to where we are, and it is going to take a lot of hard work and right work to create new system structures and to ensure that students are supported in the way that they need to be.

We have an initiative underway that we call “RISE” — it’s “reimagining Inclusive and Special Education”. We have a number of groups that are working to address the specific needs. Again, I will continue to build on my answer as we go forward.

Ms. White: I will remind this minister that this isn’t the first time that I have asked about clinical counsellors in schools, and this isn’t even the first Minister of Education I have asked the question of.

It has been brought to our attention that school employees who already have clinical counselling degrees aren’t allowed to practise to their full scope in schools. So, let’s review the situation. Experts have identified a need — and students, parents, and teachers, a demand — and a lucky few schools that have clinical counsellors on staff cannot actually use them to their full scope of practice.

Will the minister tell us what steps she is taking to ensure that clinical counsellors are able to practise to their full scope of training within Yukon schools?

Hon. Ms. McLean: I thank the member opposite for the question. Again, we take the supports of students very seriously. For sure, one of our focuses this year is the mental health of our children. It is really well-defined. I talked about it

a little bit yesterday in one of our debates around our recovery plan for post-pandemic — and as we go through recovery.

I will be happy to bring back further information for the member opposite if I am missing something.

Ms. White: One thing that will definitely help the mental health of children is clinical counsellors in their schools.

Yukon schools are in crisis. Yukon students are in crisis and the government is not offering them the full support that they need. We talk about mental illness. We talk about the opioid crisis and a suicide epidemic, yet we talk very little about the root causes of many of these problems. Children are not being given the support that they need from a young age, yet they are still expected to succeed in life. We need to meet children where they are at, and supporting them in schools is about much more than their learning goals; it's about their mental well-being and their future as healthy individuals.

Will the minister commit to working with her colleagues and to opening up full-time clinical counselling and social work positions in all Yukon schools?

Hon. Ms. McLean: Thank you for the question. I absolutely take the health, safety, and well-being of our children in our schools very seriously. As I have stated, we are reimagining the whole entire education system. It has taken a very long time to get to where we are. Our work is really guided by the principle that no family be left behind and that every child matters. We are working with our partners to reimagine inclusive and special education in our school system. We have had a number of steps already. There is probably not enough time to go through all of them — the early universal childcare model, launching enhanced early full-time kindergarten in most rural communities, working with the Chiefs Committee on Education on the action plan there, finalizing collaborative work on the framework with Yukon First Nations, the review of inclusive and special education in the Yukon and advancing RISE and we have launched the ready-to-learn schools initiative based on groundbreaking work from Dr. Bruce Perry, and the list goes on.

Question re: Inclusive and special education

Mr. Kent: The Child and Youth Advocate's report tabled yesterday made a number of findings about the current state of support for students with special needs. It stated — and I quote: "There is an urgent need to address gaps in the education system for students with special needs, as has been emphasized by multiple other reports."

It goes on to say — and I will quote again: "Frankly put..." — the Department of Education — "... consistently states that they are dedicated to helping all students reach their full potential, yet does not provide the necessary resources to schools in order to achieve this goal."

Will the minister accept that the Liberal government is not currently doing enough and provide the necessary resources to help students with special needs reach their full potential?

Hon. Ms. McLean: I think I have spoken quite extensively already here today regarding the work that our department has been doing to reimagine the education system and to really respond fully to the Auditor General's report,

which included the review of inclusive and special education, which we did during a global pandemic. It resulted in a very extensive report by Nikki Yee that really gave us a road map to addressing the needs of the children overall in our education system. We are working very closely to implement that plan now, and we're working with all of our partners in specific areas under the reimagining inclusive and special education to really define the right actions to be taking to address the issues that have taken a considerable number of years to get to.

I appreciate the question from the member opposite, but he was previously a Minister of Education and had an opportunity to address these same issues.

Mr. Kent: Another area of concern identified in the report is with respect to the recruitment, assignment, and training of educational assistants, or EAs. We have heard from several school communities that there is a shortage of EAs in their school and that their children are suffering as a result. Of course, this has been exacerbated by the challenges experienced through the pandemic.

Will the minister ensure that each school has an adequate number of EAs to meet the demands of their students who require support?

Hon. Ms. McLean: Again, through a reimagining of inclusive and special education, we're examining how we allocate educational assistants and other resources. There is a community of inquiry working on understanding better ways to align budget allocation, funding models, and staffing allocation with students' needs.

We also need to review the increase of allocation requests from schools in order to better understand the needs of students and how to best support their educational programming. Again, the way that EAs are allocated is a direct result of a 2015 decision by the Yukon Party then-government lead. The allocation model was based on their decision. We are re-looking at all of that and how it's done so that we are assigning educational assistants based on a needs model. There are a lot of other supports in school systems that the members opposite do not speak about. They include school counsellors, learning assistant teachers, and central student support services. There are a number of other supports that are in place in schools, and EAs are one of them.

Mr. Kent: So, when it comes to the lack of training for EAs so that they are equipped to do their jobs, the advocate's report is very blunt. It says — and I will quote again: "To be clear, the blame for this lack of training should not be pointed towards individual EAs themselves, but rather an education system that continually fails to equip its employees with the requisite preparation, resources, and skills necessary to deliver special education programming."

So, will the minister instruct the department to deliver this training and will she ensure that the necessary resources are in place to do so?

Hon. Ms. McLean: Thank you very much for the question. I will continue to build on my answer. Educational assistants are one of several resources that are in schools to support students' learning. There are others — inclusive classroom practices implemented by classroom teachers to

provide learning activities that support students with diverse or exceptional needs, and school counsellors and learning assistant teachers are one — the central Student Support Services unit, the Curriculum and Assessment unit, First Nation Initiatives branch, First Nation education support workers and community education liaison consultants, and community-based supports such as those provided by Health and Social Services.

So, there is a long list of other supports that are in schools. Again, I will just go back to the work that we are doing on reimagining and inclusive special education. We now have the report from the Child and Youth Advocate, as well, to consider, and I have always been committed to responding to any recommendations that the child advocate brings forward. I am committed to that. I have stated many times today that I will be responding officially within the time frame allotted.

Question re: Sexual abuse within elementary school, government accountability

Mr. Hassard: The report of the Child and Youth Advocate tabled yesterday found across the board that the government's response to this has been more than just inadequate. The report found that the initial harm inflicted was "... compounded by inadequate government response..." Further, "Investigations, communications, and supports to families and the public were poorly managed and highly inadequate, and ultimately impacted access to therapeutic supports for students and their families."

This is scathing but not surprising. We have heard this over and over from the school community, from opposition members, and from individuals. What we haven't heard is about the accountability. The report states: "For many, it means personal responsibility for those in charge of the situation..."

When can we expect to see personal responsibility from those in charge?

Hon. Ms. McLean: Mr. Speaker, again, I am happy to rise to speak to this report that we have just received. I tabled it yesterday. There are a number of findings. There are a number of recommendations. We are in the process now of assessing the findings and recommendations brought forward by the Child and Youth Advocate. I have committed several times on the floor of the Legislature today that I will be working to respond within the time that has been allotted.

We are also very committed to working with our partners on this. We have a number of educational partners that we will be working with. I will continue to build on my answer or to give the same answer if the questions continue to be similar.

I speak, of course, first and foremost to Yukoners. This is something that I have not taken lightly as the minister responsible for Education. I started out talking about this from a woman's perspective, from a mother's perspective, and I take my responsibility very seriously.

Mr. Hassard: The advocate's report found that — quote: "Following the incident, communications to family and the public were poorly managed and mostly non-existent. This ultimately impacted access to therapeutic supports for students and their families..."

The report is critical of senior decision-makers. It says — and I quote again: "... there were numerous distractions at the decision-making level that took the focus further away from children."

Mr. Speaker, it's very simple: When can Yukoners expect to see personal responsibility from those decision-makers?

Hon. Ms. McLean: I have stated a few times here that our department and our government overall has taken this situation very seriously. I launched a review myself in October of last year, and I received the final report by January 31. We had a government-wide action plan by February 24. This is an extensive plan that has been put in place around the safer schools action plan that directly addresses the findings of the first review. We now have in our hands the Child and Youth Advocate review, which I have stated many times that I take very seriously. I respect the work that she has done and I will be responding appropriately — we will, as a government — to the findings and recommendations that she has brought forward. I remain committed to that. Again, I say these things directly to Yukoners.

Mr. Hassard: We have seen report after report on this. We have seen the school community pleading for help. Both opposition parties have spent hours debating with the minister and explaining that people weren't getting the support that they needed. We have even seen an unprecedented motion calling on the former minister to resign, yet despite all of this, the current minister has failed to take sufficient action. It's getting hard to imagine what more it will take to bring about some change.

The advocate's report says the following about accountability — and I quote: "For many, it means personal responsibility from those in charge of this situation..."

So, again, when can Yukoners expect to see accountability for this failure?

Hon. Mr. Silver: Mr. Speaker, I think that my minister has done an exceptional job today explaining actions taken to date and commitments to responding to the Child and Youth Advocate.

We also know that the Yukon Party leader has repeatedly made unfounded allegations about the Deputy Premier in this House. Now we have a report from the Child and Youth Advocate saying that the Hidden Valley independent review found that there was a prior incident with this educational assistant in 2014 and 2015 and it was not properly documented or reported.

Can the members opposite explain why that incident was mishandled? They don't talk about that in the report today, do they? The Child and Youth Advocate has found that — and I quote: "In 2015-16, EDU did not uphold their obligation to report abuse..." and that — quote: "Consequently, the EA was able to continue to work with vulnerable students..."

Mr. Speaker, talking about being accountable, the Yukon Party's inactions in 2016 led to further harm of children. Will the Yukon Party apologize for that?

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. 17: *Clean Energy Act* — Second Reading

Clerk: Second reading, Bill No. 17, standing in the name of the Hon. Mr. Streicker.

Hon. Mr. Streicker: Mr. Speaker, I move that Bill No. 17, entitled *Clean Energy Act*, be now read a second time.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 17, entitled *Clean Energy Act*, be now read a second time.

Hon. Mr. Streicker: Mr. Speaker, today, I am honoured and it is my privilege to rise to introduce Bill No. 17, *Clean Energy Act*, 2022, for the Yukon Legislative Assembly's consideration. The *Clean Energy Act* sets and legislates the Government of Yukon's targets for reducing greenhouse gas emissions in the Yukon and for reaching net zero emissions in the territory by 2050. The bill also promotes and ensures action, transparency, and accountability in meeting those targets by requiring the government and future governments to track and publicly report on progress. This new legislation also creates the regulatory authority needed to make additional greenhouse gas emissions targets.

Madam Deputy Speaker, the *Clean Energy Act* is one of the Government of Yukon's commitments under *Our Clean Future*. The Yukon is warming disproportionately compared to the rest of Canada. In recent years, the Government of Yukon, several Yukon First Nations, the Council of Yukon First Nations, the Assembly of First Nations Yukon Region, and the City of Whitehorse have each declared a climate change emergency.

Our climate action strategy came from the need to address and adapt to the climate crisis that we are all experiencing in the Yukon. *Our Clean Future* is an ambitious and important document with critical implications for our territory over the next 10 years. We are pushing to make significant shifts and changes in response to the climate emergency. It is the Government of Yukon's comprehensive and forward-thinking approach to addressing the impacts of climate change and reducing our greenhouse gas emissions.

The proposed *Clean Energy Act* before us today is critical for delivering on and achieving our shared ambitious climate commitments. Key elements of the act include: a 45-percent reduction in greenhouse gases by 2030; net zero emissions across all sectors of the Yukon by 2050; 10 percent of new vehicles leased or sold in the Yukon will be zero emission by 2025; 30 percent of new vehicles leased or sold in the Yukon will be zero emission by 2030; and 50 percent of heating for buildings will come from renewable sources by 2030.

The act requires the Government of Yukon to publicly report on progress made toward reducing greenhouse gas emissions annually. The act also provides the regulatory authority to set additional sector-specific targets and other economy-wide targets. These will support the overall objective of reaching and maintaining net zero emissions in the Yukon by 2050.

The *Clean Energy Act* directs the Government of Yukon to take action to achieve those targets and ensure long-term and ongoing accountability and transparency. That is why this bill and the act, which I hope that we pass, is critical.

While the *Clean Energy Act* falls under the joint responsibilities of the Minister of Environment and the Minister of Energy, Mines and Resources, it sets a standard for the entire Government of Yukon to progress toward our clean climate change objectives. Upon coming into effect, the *Clean Energy Act* ensures long-term government accountability and sets a benchmark for developing measures to reach the legislated targets.

The *Clean Energy Act* will legislate a pathway to reducing our greenhouse gas emissions and will inform future decision-making to achieve these targets.

I'll just acknowledge that we currently are engaging on mining intensity targets, and I hope to bring those back to this Legislative Assembly. They are not part of the act that we have before us, but I look forward to bringing those forward, as well as other renewable electricity generation requirements and renewable fuel content standards that we have identified under *Our Clean Future*.

We are completing additional policy and legal work and will be separately legislating these commitments through subsequent initiatives.

The *Clean Energy Act* will bring the Yukon in line with the most progressive greenhouse gas emission reduction legislation in North America, and I just want to take a minute to comment on that. Through my professional career, I have looked at this type of legislation here in Canada and internationally, and this is a very strong piece of legislation. It's clear, it sets out our goals, and it's going to help to ensure that any government — all future governments — has to live up to these goals. It helps us to build thriving, resilient communities powered by renewable energy and supported by a sustainable green economy. It's a legislative tool that supports us to move toward a sustainable future that benefits Yukoners and the environment while laying the foundation for a net zero economy by 2050.

I look forward to hearing from colleagues of the House on second reading, and look forward to voting on this bill before us.

Mr. Kent: I rise on behalf of the Official Opposition, the Yukon Party caucus, to speak to the *Clean Energy Act* at second reading. I would like to first of all thank the minister's officials, as well as officials from the Department of Environment who participated in the briefing yesterday, and for the quick response in getting back to us with questions posed by me and members of the New Democratic Party. We appreciate that so we can move into second reading, and potentially Committee of the Whole, later on today.

The Yukon Party, the Official Opposition, will be supporting this bill at second reading. There are a few things that I will identify during my time on the floor here now that we'll be looking to discuss further in Committee of the Whole.

Of course, this act, as the minister said, is relatively straightforward. It is not a very long act. There are not very

many clauses or chapters in it or that type of thing, but, again, it rests on the shoulders of a number of other documents that will help to feed into how we reach these emission targets.

A net zero-emission target by 2050 is something that we have heard from a number of other governments, national or subnational governments at various levels throughout not only Canada, but throughout the world. We will be interested in getting a better idea from the minister during Committee on what the plans are to reach that net zero-emission target by 2050.

The 2030 target as described in *Our Clean Future* initially was set at 30 percent. Of course, since the signing of the confidence and supply agreement between the Liberals and the Third Party has come into place, that has been bumped up to 45 percent, so we will be exploring some of the ways that the minister feels that this 2030 target can be reached, given that it is has gone up 15 percent since the *Our Clean Future* document was initially released.

Some of the sector-specific greenhouse gas emission reduction targets that we will be talking about — the minister did mention that mining intensity targets are being worked on now, so perhaps during general debate in Committee of the Whole, we will be able to get a little bit more detail and update on progress on those specific targets.

Renewable heating resource targets, assuming that this would be either generated from electricity or biomass — we will be wanting to get a sense from the minister on what the targeted breakdown is between electricity and biomass heating and how he envisions us getting there between now and specifically 2030.

With the zero-emission vehicle targets as well, there is information available online on the *Our Clean Future* webpage that the Yukon government hosts. I would like to get some more details around some of the Yukon government actions when it comes to that and heating sources and the transportation sector.

Of course, there was recently a report released by the Yukon Climate Leadership Council to the Minister of Energy, Mines and Resources as well as the Minister of Environment. It is entitled *Climate Shot 2030: Recommendations on how to reduce Yukon's greenhouse gas emissions by 45% by 2030*. So, there are a number of recommendations in this document as well that I won't get into here during second reading, but when we get into Committee, I will want to walk through some of the specific recommendations around leadership and capacity building and education and awareness. I think that those are the top themes that the Climate Leadership Council identified as ways to get to the target that we will be enshrining in legislation, should this go through.

So, with that, Mr. Speaker, I will conclude my remarks and again thank the minister and his staff in the department, as well as the Minister of Environment's staff, for the briefing and reiterate that we will be supporting this at second reading and look forward to getting into details when it comes to Committee of the Whole later on in this Sitting or perhaps later today.

Ms. Tredger: I am pleased to be speaking at second reading of this bill. There are a number of things that I would

like to discuss before we get into Committee of the Whole — some of the broad strokes. I want to start by talking about the 45-percent reduction goal — our commitment by 2030 that we will have a 45-percent reduction in greenhouse gas levels over 2010 levels. I might just say a “45-percent reduction” from here out as shorthand.

I am so proud of that number, and that number wasn't pulled out of thin air. That was the number that, according to the United Nations, we need to do in order to keep our global warming to no more than 1.5 degrees. We need to reduce our emissions 45 percent by 2030. So, I am just really proud that this is the number that we have brought forward and, of course, that came about as a result of the confidence and supply agreement with the Yukon NDP and the Yukon Liberal caucus. We looked at the original target of 30 percent and said that it's not going to cut it. It is not going to cut it. We need to do better. I am really, really proud that, through negotiation and collaboration, this number is what we have landed on — this 45 percent.

I am, of course, disappointed that, when we talk about that 45-percent reduction, it doesn't include the mining sector. We have gone back and forth about this before — about the need for intensity-based targets versus absolute targets — and I just keep coming back to — at the end of the day, what matters is how much carbon we put in the atmosphere. I keep having these visions of there being landslides, floods, and forest fires and us saying: “But our emissions were so efficient, and it just doesn't matter.” That's a missed opportunity, for sure.

I'm also disappointed that even within the decision to go with intensity-based targets, those aren't in here either, though I do understand that there's the possibility of including them later, and I certainly expect that to happen in short order, as the consultations have wrapped up now.

I'm also really interested in the ability in this bill to create interim targets. I do hope that happens, because there is a big gap between our emissions — which I think have gone down slightly in the last year — and a 45-percent reduction by 2030. What I don't want is that, in 2029, for us to say, “We haven't done it. How are we going get it done in the next year?” We need a careful plan that is going to take us through those years with benchmarks along the way so that we can see if we are making it or not. That has to happen soon, so I do really hope that we will see interim targets set, as is contemplated by this legislation.

One of the other big gaps in this legislation is when we talk about the release of carbon through the destruction of carbon sinks. By that, I'm talking about things like wetlands and forests that contain huge amounts of carbon, and every time we disturb them or destroy them, or tear them up in whatever way, we are releasing a large amount of carbon into the atmosphere. That's just not captured in anything that we are talking about yet.

Again, I have these visions of us saying, “But we got our emissions down, and it doesn't matter if we are still putting out carbon in all these other ways.” I know it won't be in this legislation, but I do hope that we can start having that conversation in a more serious way with some actual plans to

try to account for that and then change it and stop it and make sure that we aren't releasing carbon in that way — or are releasing as little as possible.

This piece of legislation, which we will be supporting at second reading and I am happy that it's coming forward — the thing about it is that it's only worth the paper it's written on unless we breathe life into it. We have set the goals, but the goals don't matter unless we do the work to get there.

We have been talking a lot about *Our Clean Future* lately. When I look at the progress on *Our Clean Future*, I have to say that I am really impressed with the way the departments have worked toward the goals that have been set out in *Our Clean Future*. I see a lot of really hard, careful work. I think progress toward that plan is moving along at a pretty good rate. The problem is that plan only gets us one-third of the way to a 45-percent reduction. As much work as we do on that plan, it won't get us there until we come up with a new and improved plan. That's why I am so excited about the Yukon Climate Leadership Council's report, *Climate Shot 2030*, which has their recommendations on how to get to that 45-percent reduction.

It's really a path forward, and I want to talk about this report for a little bit, because it's such a great report and it does a number of really interesting things. One of my favourite parts about it is that it talks about what some of the side effects are of these actions that we could put into place. There is more than one way that we can go about getting our emissions down, but they will all have societal consequences, and I think we need to consider which are the consequences that we want.

For example, in this report, every time they include a suggestion that reduces greenhouse gases, they also look at how that suggestion will improve social equity, whether it increases system resilience and diversity, whether it increases self-sufficiency or security, and whether it fosters community health and vitality. I love that way of looking at these actions so that, as we make this enormous shift in our society, we're not just reducing emissions, but we're doing it in a way that also makes us stronger and healthier as a society.

Last week, I was profiling a different one of the actions each week on my social media, because I really wanted people to hear about these, and I want to mention a few of them now because there are such great ideas in this report.

We talk a lot about labour shortages and staffing shortages in all kinds of areas, and that's a major barrier to doing a lot of the work that we need to do for *Our Clean Future* — the building retrofits. I really loved one of the suggestions in this report to develop a labour force strategy specific to building retrofits. I just love the idea of having local training to get people to do the jobs that we need done at the same time as we're building our skill base here in the Yukon.

I thought there was a really interesting recommendation about tying active and transit-specific transportation budgets to automobile transportation budgets. Let me break that down a little. The council recommends we start at 15 percent, so, however much money we spend on roads for cars, we're spending 15 percent of that on active and public transportation infrastructure. Imagine what we could do if our budgets were

15 percent. That's amazing. We could have incredible safe bike lanes where people don't have to worry about getting hit by cars; we could have public transit that runs on a schedule that works for people; we could have inter-community transit. There are just so many things that we could do with that, and I think it's a really exciting way to think about it, to make sure that we're really committing to putting equal effort into these different streams of transportation.

I thought another really interesting one that the leadership council recommended was that, for government decisions, we include carbon budgeting as part of that. So, when someone goes to their supervisor and says, "Hey, I have this proposal and it's going to cost X amount of money", they are also saying that it is going to cost X amount of carbon. We need to be thinking about that with every decision that we make. Climate change isn't something that can just stay in the Climate Change Secretariat; it has to be everywhere in the government. I know that this is happening already. I know that there are lots of people in every department doing this work. I just think that it is so important that it becomes part of every decision and calculation that we make.

I don't want to go through every recommendation in here because it is easier for people to read the report anyway. I just want to finish by thanking the council for their work. I know that it was so, so many hours, so much effort, and so much work for the group of people to come together to do on a volunteer basis. I just thank them so much for their work.

I want to finish with that. I hope that, as we move forward with this legislation, it becomes so much more than a piece of legislation and that it becomes a guiding document, a guiding principle for everything that we're doing, and everything this government is doing, so that we really can meet those targets and create ourselves a safe, healthy, and beautiful world to live in.

Hon. Mr. Clarke: As Minister of Highways and Public Works and Minister of Environment, I am also honoured to be presenting the *Clean Energy Act, 2022*, today, with my colleague, the Minister of Energy, Mines and Resources, for the Yukon Legislative Assembly's consideration.

As we have heard from the speakers so far, climate is indeed changing in the Yukon and throughout the world. In the Yukon, average temperatures are increasing at twice the rate of the rest of the world. We are seeing shifting precipitation patterns, severe floods, wildfires, shrinking glaciers, and thawing permafrost. The thawing permafrost was evident as recently as two weeks ago south of the Dempster cut-off on the north Klondike Highway and west of Henderson Corner approaching Dawson City as well as on the north Klondike Highway as we had unprecedented slumping and permafrost that was detaching or delaminating from the rest of the hillside.

These changes are impacting our communities, ecosystems, transportation networks, infrastructure, and individuals. Further, 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.

Mr. Speaker, globally we are increasingly seeing the impact of greenhouse gas emissions that are occurring all over the world. Flooding sea levels, sea level rise, wildfires, extreme heat, and other changes are becoming more commonplace, leading to global destabilization, supply chain issues, and food and water insecurity. As we saw most recently, up to one-third of the country of Pakistan was under water by unprecedented flooding, and we know the number of the countries that are most impacted by climate change are those countries that have contributed the least to the problem.

In order to reduce the impacts of climate change both at home and for the rest of the world, collective and coordinated action to reduce greenhouse gas emissions is essential. As a government, we have a responsibility to lead climate action in our territory. We are already seeing that the Yukon's climate is changing, affecting the landscape we live in and the places we call home. We are seeing the impact that this has on Yukoners from challenging and significant snowpack and additional flood risks to wildfires and escarpment slides in our communities.

The risks that climate change pose in the Yukon affect the values that Yukoners hold close — the culture and heritage of our territory, our very health and well-being, our food and energy security — all of which are inextricably linked to a healthy environment. Taking action on climate change supports reconciliation with Yukon First Nations by showing that we are serious when it comes to protecting our environment, our history, and our culture. We treat the threat of climate change seriously. We know that we need to mitigate and reduce the impact of climate change.

In September 2020, we released the 10-year strategy called *Our Clean Future* to guide our response to the climate emergency. In the *Our Clean Future* strategy, we set out four goals to address climate change. These include: reducing Yukon's greenhouse gas emissions; ensuring that Yukoners have access to reliable, affordable, and renewable energy; adapting to the impacts of climate change; and building a greener economy.

As part of our commitments under *Our Clean Future* and our goal to reduce greenhouse gas emissions, we have set an ambitious target to reduce emissions by 45 percent below 2010 levels. This is not wishful thinking, but it is incredibly ambitious. But the Yukon is ambitious, as it is ambitious, if not more, when compared to climate action strategies from across other jurisdictions in Canada.

You may be wondering how legislation plays a role in reaching our ambitious target. The *Clean Energy Act* enshrines into legislation the Government of Yukon's commitment to take ambitious action on climate change and provides a framework for climate change reporting, accountability, and transparency.

The *Clean Energy Act* is the first climate change legislation in the Yukon and sets the strategic direction for action on climate change for the next 30 years and beyond.

The purpose of the *Clean Energy Act* is to: (1) set targets for the reduction of greenhouse gas emissions in the Yukon and for reaching net zero emissions in the Yukon by 2050; (2)

promote transparency and accountability in relation to meeting those targets; and (3) require the government to track and report on the progress in meeting those targets each year.

The *Clean Energy Act's* framework was developed to incorporate provisions found in British Columbia's *Clean Energy Act* and *Climate Change Accountability Act* and aligns with the federal government's commitment to achieving net zero emissions by 2050 under the *Canadian Net-Zero Emissions Accountability Act*.

Mr. Speaker, the *Clean Energy Act* will ensure that we are on a path to meet our climate goals. The act fulfills commitments made under *Our Clean Future* and the 2021 confidence and supply agreement to legislate greenhouse gas emission reduction targets. We will support long-term climate change accountability by legislating greenhouse gas emissions reduction targets in the Yukon.

In addition to greenhouse gas emissions targets, the act contains a 2030 renewable heating target, annual reporting requirements for the Government of Yukon, and regulatory authority to set interim economy-wide and sector-specific greenhouse gas targets.

The *Clean Energy Act* provides clear direction to the Government of Yukon to reduce greenhouse gas emissions across the territory, using energy more efficiently for heating and transportation, and to invest in renewable, non-emitting energy resources while laying the foundation for a net zero economy by 2050.

It is not easy work, but it is the right work. It will take a collaborative effort to reach our goal and to protect our northern way of life. Yukon First Nations and transboundary indigenous governments and groups, municipalities, climate advocates in the territory, and many Yukoners are already taking significant action to address climate change.

Our government is doing our part through the actions under the *Our Clean Future* strategy, and now we are taking additional steps to show Yukoners that we are serious about our commitments.

Not only does the act legislate our greenhouse emission reduction targets, it also holds the Government of Yukon to account by including comprehensive annual reporting requirements. The act will foster government transparency and accountability through public reporting, because Yukoners deserve to know if we are making progress toward our climate goals. As these reports will be released annually, leading up to and including the target years, the public will be aware of the status and trajectory of meeting greenhouse gas emission reduction targets in the Yukon.

While we are starting to see progress toward our climate goals, we know that there is more work to do, including significant action to meet our 45-percent emission reduction targets by 2030. During the COVID-19 pandemic, we did see our 2020 greenhouse gas emissions drop by 12 percent — below 2010 levels. However, as noted a number of times in debate and discussions, these emissions are at least in part due to the impacts of the pandemic. However, the data is also proof that we can change our behaviour, our patterns of consumption,

our transportation and travel choices, and that we can, in fact, decrease our emissions.

I would also note, from the most recent report, that there was an indication that, on a per capita basis, the consumption of Yukoners has in fact dropped and not insignificantly. We do certainly anticipate that the per capita consumption will continue on this downward trend.

The *Clean Energy Act* is a key piece of the puzzle in reaching our emission reduction targets. Thank you to all Yukon First Nation and transboundary indigenous governments and groups, municipalities, climate advocates in the territory, and, for the most recent report, the Climate Leadership Council and, in fact, to every Yukoner who is taking action in your and our everyday lives to reduce our emissions and the impacts of climate change. It is our northern way of life that will continue to support our efforts to respond to the threat of climate change.

Before I close, I would just like to provide perhaps just a few comments in response to the comments from the Member for Whitehorse Centre, which were, I would say, generally supportive, but I certainly accept that there are challenges ahead. Certainly, in our discussions, we do recognize that we are now in 2022 and there are eight years now to reach our targets. There has to be a solid foundation in order for government or Yukoners to meet the targets set for 2030. You have to make incremental progress in 2023, 2024, 2025 and so on to get to where you want to be in 2030. What I would say is that the teeter-totter of green energy systems and relatively green transportation options — that tsunami appears to be coming so that, although the road map may not be immediately apparent in 2022, there are very influential persons around the world who are metaphorically pushing in the chips and saying that this is where we are going.

As recently as perhaps four or five weeks ago, the CEO of Chrysler Corporation, Christine Feuell, indicated that Chrysler, which is perhaps the number two or number three automaker in North America, has committed to being completely electric by 2029. So, if the third or perhaps the fourth largest automaker in North America has made that commitment for 2029, you can see the road map forward, that there will be an acceleration — or that there's an anticipation from persons who are investing billions and billions of dollars on transportation infrastructure — whether it's for light-duty vehicles, light-duty trucks, medium-duty trucks, delivery vans, and ultimately full-on tractor trailers — for them to be electric in the near future.

We know that, in the Yukon, approximately 75 percent of our greenhouse gas emissions come from either transportation or heating. So, I am more than guardedly optimistic on the transportation front that a revolution is coming in a very positive way. On the heating side, I'm sure that my colleague, the Minister of Energy, Mines and Resources, will get into this in anticipated Committee of the Whole debate, whether it's today or later in the Sitting, but we have certainly started that process of identifying grid-scale battery storage, other storage capacity, and identifying assets for the Yukon government that are islanded grids. Putting on my Minister of Highways and Public Works hat, we have identified eight islanded-grid grader

stations that have very inefficient diesel power units that use hundreds of thousands of litres of diesel every year. I have just signed off on two contracts to create significant solar arrays at both the Klondike and Ogilvie grader stations on the Dempster, and we will do more.

So, this snowball of green energy and green transportation and accessing as much renewable energy as we can possibly identify — and I know I'm looking on a daily basis, and I know the Minister of Energy, Mines and Resources is looking for opportunities on a daily basis to find those sources.

The Member for Whitehorse Centre and I have had conversations over the course of the last 18 months on this topic. I certainly applaud that she is pushing for an aggressive agenda and is impatient in a good way, as I am, to move as strongly as we can.

In my portfolio at Highways and Public Works, Highways and Public Works is responsible for the repair, oversight, and maintenance of between 500 and 600 buildings, as well as approximately 500 to 600 vehicles. Those are both incredibly fruitful areas to start with respect to having Yukon government do its part to provide the foundation in 2022-23 and 2023-24 on both the building heating side and on the transportation side. As I indicated in my second reading speech, I have directed — with respect to Fleet Vehicle Agency acquisitions — that every vehicle purchase should be reviewed as to its suitability to consider either a hybrid, a plug-in electric, or a full electric vehicle. We know that, in the next year, year and a half, or two years, there will be significantly sized vehicles that would otherwise be emitting a lot of carbon — will be fit for the purpose as we completely defeat range anxiety. If I had to look into the future, range anxiety will not be an issue because smart people are figuring out cold technology — dealing with the cold, so dealing with a lot of the Yukon climate or the Canadian climate — and battery technology will just get better and better.

I certainly understand that there are challenges, but as I said, there are very influential people on a Canadian basis, in America, and in western Europe who are, as I said, pushing in the chips and making multi-billion-dollar investments, and the Yukon is there to embrace all evolving and emerging technologies.

So, I am excited for the *Clean Energy Act*. I am excited for the ongoing work to reduce greenhouse gas emissions in the territory for a brighter and cleaner future.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Streicker: Thank you, Mr. Speaker. I will just reply to some of the comments that came out during second reading.

First of all, I would like to thank everybody who spoke for their comments. It sounds like there is general support, although with many questions to come. In particular, I will begin by thanking the Member for Copperbelt South for thanking the department. I will make sure to pass on that acknowledgement. I got a note super late last night from the

department talking about getting a response to the members opposite, so I was glad to see that happen.

I look forward to conversations around mining intensity targets to how we are working to address heating and transportation. I think that there is a lot in there. Of course, whenever we deal with these big issues like heating or transportation, it isn't just how people shift off of fossil fuels and onto, for example, electricity; it is also how we make sure that we are supplying renewable energy to match that as we go along. That is why, within the act, we talk not only about the need to make the targets for that transition, but also to be sure that we are supplying renewable energy. Without having both of those in place, we can't make the targets that we are setting for ourselves. I look forward to having specific conversations and questions here in Committee of the Whole about those.

In general, I will say that heating will be much more toward electricity than it will be toward biomass, but it really depends. If there are bigger buildings, it can be biomass; if it's a new build, it's almost all generally now toward electricity because the homes are just so much more efficient, and even when we do the retrofitting, typically it is to things like heat pumps and baseboards. Again, that modelling is in there in projecting what the impact will be on the need for renewables.

In responding to the Member for Whitehorse Centre and her comments around the overall target of 45 percent, I completely agree with her that, when we set out the original target, it was for 30 percent by 2030, but the real target is 2050. That is our target; it's net zero. By the way, it doesn't matter whether you are talking absolute emissions or relative emissions or intensity emissions; when you are saying "net zero", it's net zero, so they all come back to the same place at that point. That is the real target.

In order to achieve that target, we need interim targets. In order to achieve the interim targets, we are going to need interim work in between. I think it's all important.

I had two conversations recently. One was over the long weekend with someone from the media, and one — maybe it's now a couple of months ago — was with someone from the environmental community. Both of them said, "You know, the Yukon doesn't have a lot of emissions. Do we really need to get our emissions down?" The answer is yes. Absolutely, it is yes.

Here's the reason why. You can always start out by saying, "I might live in a big country, but I live in a small place within that big country, so why don't we just let the country deal with it?" If we do that, we create what is called "the tragedy of the commons", because everyone will say, "I'm small; I'm not contributing much." Even Canada could say it's not contributing much or Canada is not contributing much. We absolutely — all of us — need to do it. I argue that here, in the Yukon and in Canada, we have been very fortunate in the sense that we have had this advantage of access to resources and an energy economy that has really helped us, and I think it is our responsibility as citizens to even move forward more quickly than other parts of the world. That is exactly what the *United Nations Framework Convention on Climate Change* said — that it should be those countries that have benefited from those

industrial processes to take the lead. I take it very seriously, and I think it's really important for us.

There are another couple of reasons why. The first one is that, as we look at what the future of our economy looks like, it definitely is not what the past looks like. I was thinking about other times when we have had disruptive technologies. Think back 20 years ago. Smartphones had keyboards on them — well, you didn't even have smartphones 20 years ago, but when they first came out, they had keyboards on them. Maybe 10 or 15 years ago, there were just a few smartphones, but by now, it would be surprising if someone didn't have one. That's how quickly those things will shift when they shift.

I think that is something that the Minister of Environment — but probably with his Highways and Public Works hat on — was talking about when he talked about zero-emission vehicles, or ZEVs. That transition can come quickly, so you don't want to be sitting with your old energy economy when things move because you will be behind. You actually need to go.

The third reason that we have this incredible responsibility is that we know that, because of the impacts of climate change, we are going to be feeling a bunch of those, and even when we make this transition, there will be a long period of time when we still get many of those impacts because they are still built into the system and baked in. What we're doing now, as we make this transition, is avoiding even worse impacts in the future.

The ones we have now — last night, I was at a meeting in Marsh Lake and we were looking at the Southern Lakes. I don't know — the Member for Lake Laberge, I'm sure, when he looks at his lake — but all of the Southern Lakes and the lakes around Whitehorse right now were all coming down as they always do, and then something happened about two or three weeks ago and they just started shooting up again. Today, Marsh Lake, Tagish, Bennett, Atlin, and Laberge are all higher than they have ever been at this time of year. It is completely disconcerting.

I am heading back out to another community meeting tonight in Tagish to try to talk this through with residents. It is unprecedented. We have not seen it before, and we are not sure what will happen if the lake levels stay high and get freeze-up with incredibly high groundwater. It is really problematic. We have a moral authority to move.

I want to talk a little bit about these intermediate pieces just for a second. The whole purpose of this act is to create — or, as the Minister of Environment framed it, to "enshrine" — the responsibility for this Yukon government and future Yukon governments that we have to meet these targets. We, of course, will work to try to build in more to it. When we first established this, we knew that there was much more work to do.

I would like to echo the words of the Member for Whitehorse Centre in her compliments to the Yukon Climate Leadership Council. That council really did work very hard. I appreciate the work that they have. They have put a lot of estimates into what they are doing. What we now need to do is to model that work, because I have been around long enough to see previous Yukon strategies on climate change, and we never did the modelling.

When we didn't do the modelling, then we really didn't have that ability to project where we were going to head, what we anticipated, and there are going to be complications along the way — like COVID and things like that — but the modelling will help us to understand which of the suite of solutions we need. Sometimes people look for, in climate change solutions, a silver bullet. What we need to look for is silver buckshot. That is the way that this needs to work. We need a whole bunch of initiatives that are going to work in concert with each other and across many, many sectors in order to achieve our goals.

Again, I look forward to Committee of the Whole to answer questions. One of the ones that came up was: How are we going to build capacity around retrofits? I happen to know that the Energy Solutions Centre has a program in place right now to build capacity for retrofits — both on the energy audit side and the energy retrofit side — so that we get more capacity across our communities to address it, so I think that these are all important questions.

One of the things that the Member for Whitehorse Centre talked about was breathing life into this act. Well, I want to sort of say yes and no. I am hopeful, of course, that the act passes, and there is a lot of work that must be undertaken in order to achieve the goals that we are talking about, but the goal itself then becomes set in this House and, by extension then, the Yukon government. If we pass this act, the simple fact is that it is then the responsibility to achieve the goals set out in the act and, if not, to be held accountable by Yukoners. There is no fine if you don't make it. What is there is a commitment to Yukoners through the act, and I hope that we all make that commitment together.

In the end, I come back to where I started, Mr. Speaker. I feel a tremendous privilege to stand here in this Legislature to present this bill for us to consider. I believe that it has been one of my goals in life to try to see us make this shift — this huge, huge shift of our energy economy and including, as the Member for Whitehorse Centre noted, to try to make sure that as we do that, we consider those changes and how they can have other important impacts on things like reconciliation. But it's my belief that shifts happen, so I am here to advocate for that shift.

I thank all members for their attention to Bill No. 17 today, and I look forward to Committee of the Whole and the hopeful passage of this bill here in the Legislative Assembly.

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 for second reading of Bill No. 17 agreed to

Bill No. 206: Second Appropriation Act 2022-23 — Second Reading — adjourned debate

Clerk: Second reading, Bill No. 206, standing in the name of the Hon. Premier; adjourned debate, Mr. Cathers.

Mr. Cathers: I am pleased to rise today to continue my remarks on the supplementary budget. In resuming where I left off in speaking to this earlier, I do also just want to begin by acknowledging the report of the Child and Youth Advocate that came out regarding the serious and criminal incidents that occurred at Hidden Valley school, as well as the government's failures in response to it.

I'm not going to spend a lot of time talking about it here today. We did raise it in Question Period, but I would begin by encouraging everyone who is listening or reading this to take the opportunity to read the report by the Yukon Child and Youth Advocate regarding this situation, as well as the ongoing lack of support by the Yukon government for children, families, and the school community.

I want to move on to some other areas in addition to the ones that I touched on previously. What we have seen in terms of some of the measures that the government has announced in response to inflation is that, despite claiming these measures were contained within the budget, we have seen very clearly — and learned from officials during the briefings — that all of the measures which the government rolled out in September are not actually in the supplementary budget, so there are millions of dollars of unbudgeted spending.

It's also very clear that we are seeing the government reacting to criticism with last-minute, cobbled-together measures rather than actually having a plan to assist with inflation. Again, also as I noted, we see as well that the government has consistently refused to cut the territorial fuel tax which we suggested in the spring and which would provide approximately \$9.7 million in tax relief to Yukoners. As well, the government itself indicated in their own report that they issued — the interim fiscal and economic report — that it notes

that higher fuel prices have been the biggest driver of inflation; yet, despite that, the government continues to be out of touch on this issue and refused to take any reasonable suggestions. Unfortunately, that is affecting the lives of Yukoners.

I want to note as well that today we saw the debate on green energy legislation that was proposed by the government, but we have a situation here where the Yukon has, amazingly, a firewood shortage. It is not because there is a lack of trees that would be suitable for firewood here in the territory, but it is because of the government's failures to make those available. In a territory that is larger in area than almost every country in Europe, surrounded by boreal forest — a territory where, in fact, experts have raised concerns about the wildfire risk near communities because of the amount of boreal forest there — we see a situation where, surely because of government failures and inaction, wood suppliers are forced to import wood up the highway, burning more diesel fuel in the process, from British Columbia.

This government talks a good line in a number of areas, including reducing emissions, but the facts are actually very clear. Under this Liberal government, more diesel and LNG is being consumed to power Yukon homes and produce the electrical baseload. We have seen that the percentage of power on the electrical grid from renewables has dropped under the Liberals from over 98 percent under the Yukon Party to just 93 percent under the current government, and they have no realistic plan to change that. We currently have Yukoners who are now burning fossil fuels to replace the firewood they were previously using to heat their homes because, thanks to this Liberal government's inaction and failures on that important area, people can't get locally produced firewood — or, I should say, many people can't get locally produced firewood.

This has become an issue that many constituents and others are raising with me as a concern, and it has also contributed to the shipping of firewood into the territory, which has led to an increased price per cord, which is making it harder for Yukon families and is again another area where emissions are actually increasing because of the mistakes and the lack of action of the current government, and that needs to change.

Mr. Speaker, how many minutes do I have remaining?

Speaker: (Inaudible)

Mr. Cathers: Okay, thank you. I am going to have to say some of the things that I wanted to say later in general debate, but I want to again touch on a couple of issues that I raised previously and have raised consistently.

We have seen a situation where, under this government for years, over one-fifth of Yukoners have not had a family doctor. We have seen a situation where the government has consistently, for most of the years that it has been in office, chronically underfunded the Yukon Hospital Corporation. We have heard the Third Party raising issues earlier this week, which are, in fact, the direct result of the government's chronic underfunding of our hospital system. One need only look at the hospital's own annual reports to see the number of years under this current government where the expenses were millions higher than revenue, and that was an unsustainable situation even before the pandemic occurred; yet, unfortunately, this

government has failed to listen and, as a result, we are seeing the impacts within our health care system, including gaps in services.

The pandemic, as well — I should note, across the country, of course — has placed many health care systems under strain — all health care systems, I should say, under strain — but some of the impacts here are worse because of the chronic underfunding of our health care system, which existed prior to that point, and the fact — as shown by reports that the government itself has even made reference to — that during the five-year period, the Yukon was the only jurisdiction in the country that saw the ratio of doctors to patients get worse during that time period and that we have, in fact, the worst ratio of family doctors to patients in the country.

We have proposed solutions and will continue to do so, including our repeated encouragement of the government to work with health care stakeholders and the health care community on developing a modernized, comprehensive health human resource strategy that includes an appropriate suite of incentives for health professionals to move to the territory and remain here, as well as bursary programs that meet the needs of Yukon students who are interested in being educated in health professions.

Mr. Speaker, I am being signalled by the Clerk that my allotted time is running to an end, so I will just again thank my constituents for the continued opportunity to work with them and on their behalf and thank my caucus colleagues and our staff for their help and support in doing the work that I do — and also thank all Yukoners, indeed, who come to us with their concerns and priorities.

Thank you, Mr. Speaker.

Hon. Mr. Pillai: I appreciate the opportunity to speak to the supplementary budget and have an opportunity to share with the Legislative Assembly some of the activities that have been underway by the departments that I am responsible for since concluding our work here in the spring and passing the 2022-23 budget. Again, it is always an honour to have the opportunity to be in the Legislative Assembly. It is always an honour to be able to carry forward the thoughts, hopes, and concerns of the people of Porter Creek South and to work on behalf of Yukoners in a range of different responsibilities.

I want to thank family, extended family, and constituents for their support and for continuing to be there and make sure that I'm ready to have my best foot forward coming into the Legislative Assembly. Certainly, some of those constituents have, for almost over half a decade, continued to do great leadership work on behalf of the neighbourhood. Really, as a collective, I think that the people of Porter Creek South have been served very respectfully.

This year, we have seen the Yukon and the world emerge from the COVID-19 pandemic with the reopening of borders and loosening of restrictions, along with the war in Ukraine. Again, many challenges have presented themselves to governments and the private sector. We are facing national inflation rates at levels that have not been seen in almost 40 years — 7.7 percent in July. We are seeing disruptions in

supply chains and we are faced with housing shortages at the national level as well as locally, and we are seeing record-breaking unemployment rates. Of course, our rate in the month of August was 1.7 percent. I think the Yukon has seen that twice.

It has been a record number, and again, it has gone up a little bit in September. But really, the story of that is also that it is certainly a market for individuals who want to find a job or change careers, but for the private sector and NGOs, it is a very difficult market to find labour. Just this morning, I spent time on a Zoom call — not able to attend in person due to our Sitting in the Assembly — with all the ministers of Tourism across the country, and one of the focal points was: How are we looking at our labour strategy and how can we deal with this? So, certainly, we are continuing to see an extremely tight labour market.

Again, we are seeing GDP growth that is leading the country. We have back-to-back years and our preliminary estimates of 9.1 percent for 2021, and we are 5.2 percent for 2020 — so, we see that growth.

I think I will just correct for the record — you know, we have heard from opposition members at times that this is all to do with public sector growth, but certainly, we are seeing significant investment across the private sector as well where we see more businesses open and record investment into real estate and construction. I haven't seen this level of interest in the mining sector, where we see majors coming in and looking to partner up and to do advanced exploration. We are seeing that, and we are also seeing a great interest in asset investment in the tourism sector as well.

So, again, I think that we are on the right track, but we certainly have some things that we want to continue to focus on, and housing and labour are two of the most important.

Again, the challenges that we face force us to look at how we operate and how we spend our money in order to best serve Yukoners. Our government has remained committed to taking action to make the lives of Yukoners healthier, happier, and more affordable. Recognizing that the cost of living has had a significant impact on families, seniors, and our most vulnerable population, our government announced almost \$5 million worth of inflation-relief measures that are reflected in this supplementary budget. This includes funding targeted to support vulnerable groups, such as a one-time payment of \$150 for Yukoners on social assistance, a one-time payment of \$150 for Yukon seniors income supplement recipients, an additional \$100,000 for funding to the Food Network Yukon, and payments to seniors through a one-time 10-percent top-up on the pioneer utility grant payable in January 2023. In addition, we announced a six-month extension of the additional \$500 per month to caregivers of children in our home care.

In the same way that we have approached the situation of COVID-19 over a 24-month period was to continue to act, making sure that there were proper interventions, continuing to monitor and then adapt if necessary. I think that is what we saw in the spring. In the spring, it was the early days when we saw the inflationary numbers. What we are hearing from subject matter experts is that we might be seeing a flattening of that

growth. We don't know if that is what is going to happen, but it was something that the Premier spoke to earlier in the week. I think that is something we are going to continue to do — monitor the situation and adapt if necessary. These are some of the measures that we believe could be effective and rolled out now.

We are also expanding the \$150 inflationary relief rebate, which we did announce in March. The rebate provides a monthly credit of \$50 to all residential and commercial electricity customers' bills, and customers will see a rebate on their bills from October to December. So, in total, Yukoners will have received \$300 off their electrical bills by the end of the year. This is on top of the existing interim electrical rebate, again, which saves Yukoners more than \$270 per year.

Again, our government has been focused on making life more affordable for Yukoners since we took office in 2016. These new affordability measures will complement those included in the budget of 2022-23.

Again, continued investment in Yukon's first-ever universal childcare — and I want to commend the minister on bringing that in. I have to say that, when I think back to knocking on doors in 2016, the thing that really resonated with me was the parents who came to the door and said, "Look, I want to be part of this workforce. I want to get out there, but inevitably it is just so expensive for childcare. It's the biggest impediment. It's almost like a mortgage payment." With two or three children at home, it makes more sense for one of those parents to stay home to look after their children, and then what happens is that we lose a willing participant in our workforce. We do have almost 72 percent of people in our workforce — or Yukoners as part of our workforce. It is the second highest in Canada for workforce participation, but it could be higher. There are individuals out there who wanted to be part of the labour force, but at the end of the day, if it was \$1,800 or \$2,500 for three children for daycare, they are making a decision.

Our minister brought in that program. It was leading in the nation. If I look back on my time in this job, I think that is one of the most significant things — and led. It wasn't the federal government that led; it was the territorial government that led that work.

Again, it was really groundbreaking for the Yukon in what they did and what they implemented. That is so significant in making life more affordable for Yukoners. We understand that not everyone is affected by that, but it is a significant impact to the population of the Yukon. Those are some of the things that we have taken into consideration in the short term around inflation and what the pressures are.

The summertime, also, whether it's talking about housing, tourism, economic development responsibilities, liquor, or lotteries — getting a chance to go out and talk to folks and understand where people are and having a real sense of what's happening on the ground. When I think about some of the meetings this year — having a chance to go to Old Crow to look and feel what is happening with our tenplex there, going to "Moccasin Square Gardens", as it was called today, which I love, and having an opportunity to sit there with federal ministers as well as the MP and Chief Tizya-Tramm — having

that opportunity to see what's happening in the community. There were conversations with tourism operators, arts groups, and you name it — around housing, as well as where we are in tourism and culture — in Dawson City this summer again — significant conversations.

Probably one of the most memorable times was having an opportunity on June 21, which, of course, is a very significant day and a holiday that was put in place by this government. Driving into your home community, Mr. Speaker, and catching some cell signal at that time, I found out that Nun cho ga, which was a renowned find in the goldfields, had just occurred a couple of hours before. As I was getting into Dawson City, Chief Roberta Joseph called and said, "Look, we need to talk on the ground, as something pretty special happened today." From that moment on, and late in the night, we were coordinating back and forth with the Tr'ondëk Hwëch'in and the Department of Tourism and Culture, making sure everything was on the ground and that we had a way to get elders out into the field within 48 hours to get there and see what had happened. Bringing together that community, from industry as well as the subject matter experts that we have in our palaeontological unit, and having Tr'ondëk Hwëch'in take the lead on that experience was something that was once in a lifetime — being able to experience that.

I had the chance to see amazing entrepreneurs like Joella Hogan investing in opening up new housing in Mayo, and it is something I will reflect back on from this summer, looking at what the next set of housing needs are, sitting with mayor and council and talking about that, trying to figure out what we can do next in communities like Mayo.

Again, taking time to meet with development corporations from Northern Tutchone communities and understanding what they are working on and what they believe are their priorities. Having a chance to see the acquisition of the hotels and businesses in Carmacks by their development corporation — the first thing I could think about is, if you go back into *Together Today for Our Children Tomorrow* and you open up that booklet and you go to the very back of the booklet, you will see that each nation went through and they prioritized things that they wanted to see in the future for their nation. When you look at Little Salmon Carmacks, what you will see is that the acquisition of those businesses was something that the elders — they wouldn't be the elders but, at that time, the leaders — identified that they wanted to see acquired that hotel and those businesses. Again, seeing the realization of those dreams from those self-government agreements and from that early work that started that whole process.

Some time out in Kluane country this summer, talking about housing and looking at some of the other key pieces — I am happy to have been invited to attend, on behalf of the Yukon government, the general assembly in Teslin this year and getting an understanding of the priorities and having the opportunity with the MLA for Watson Lake to open up our new housing project that was built in Watson Lake.

What I am trying to illustrate here is that our departments do understand that it is important to be on the ground in all of our communities in the Yukon and to get a sense of what is

really happening. I would debate any day that my colleagues or I are certainly out there having conversations and understanding what is happening day to day with Yukoners.

On the tourism side of things, I think we, specifically talking about that — I think that although it was not without challenges, including travelling and transportation delays, which we saw, and accommodation and labour shortages — really tough getting things tweaked again. Indicators show that we are a little bit below the 2019 visitation numbers, but we are seeing growth in our occupancy in hotels. I think that from January to September 2022, there were approximately 113,000 passengers who arrived at the Erik Nielsen Whitehorse International Airport. So, it is an increase from 2021, but we have a gap of about 30 percent that we have to make up to the 2019 arrivals.

We will continue to deploy the *Yukon Tourism Development Strategy* and we will continue to work on the things that, over this year — and we will probably talk it about here. It is going to be looking at our borders and making sure they are more streamlined. We had challenges this year, whether in some of the technology that was deployed by the federal government or getting the US border services to come on line and support our request to extend border openings, especially at Little Gold on the Top of the World Highway.

We will have other significant announcements around tourism this fall. I will save it to then. We have embarked on some new strategies, and I think they will be well taken by the tourism sector.

Labour — again, as I said, these challenges are absolutely across the country when it comes to labour and tourism, but we are seeing it in the hospitality industry and right across the private sector, as well as even in the public sector.

The Stats Canada survey of employment, payroll, and hours provides a more detailed look of how many payroll jobs are filled and vacant in the Yukon each month. Preliminary data for July 2022 show that there were almost 24,000 filled jobs and 1,500 vacant jobs, indicating a job vacancy rate of 7.2 percent. Five sectors — health care, construction, accommodation and food, retail trade, and manufacturing — continue to drive the growth in job vacancies. Those are the areas we have to continue to focus on.

We are seeing vacancies increasing more in the low-wage occupations than in high-wage occupations, so we are going to look at skilling up folks. We are going to continue to look at our nominee program, which we are pushing. Our team is doing very well at the territorial level. We are trying to work with some of the bottlenecks that are happening at the federal level coming out of COVID. We are going to continue to be very focused on looking at strategic partnerships. Globally, I have been meeting with a number of consul generals to talk about how their post-secondary institutions can feed in or we can partner here with our post-secondary institution and how we can provide co-op opportunities for folks wanting to work in those particular fields.

We will look at how we can have students — there have been some changes at the federal level. International students have the ability to work more hours and we are going to be

looking at how we can best coordinate that as well. A number of things are going to happen.

When it comes to labour, really, it is kind of the driver for our supplementary budget at the Department of Economic Development. In this supplementary budget, the Labour Market Development branch is seeking an increase of \$1.1 million, and that is related to the carry-over funding from the 2021-22 fiscal year. The federal government has provided more funding and we really want to use that.

What we want to use it for — one of the big undertakings is going to be to search out, within the Yukon, the most accurate information on what Yukoners are looking for — that opportunity to skill up — or Yukoners who are not in the workforce and finding out why they are not in the workforce. Because, at the end of the day, those individuals hopefully are in a position where they have good accommodation in a home. So, we're not putting more pressure by bringing somebody in, but hopefully they are folks whom we have an obligation to serve and advise.

I am going to make an offer — there were comments from the Member for Vuntut Gwitchin that there were youth across the north who she met with this summer. They didn't have money for training. They wanted to skill up and they wanted to be part of the workforce, so I spoke with our team upstairs and I am going to offer up to the Member for Vuntut Gwitchin — every one of those individuals has an opportunity to just reach out to my office and we will set them up with the appropriate supports to make sure. We will track that on a daily basis and we will see what we can do there.

I am going to switch quickly over to the housing piece. On that one, I just want to say — look, our budget that came through in the spring, the money that was there for every department — we are still spending that. So, just because it is not in the supplementary budget doesn't mean that there is no money for that. I read through the Blues and I think that the comments made by folks, especially on housing — they don't see it in the supplementary budget because we are still deploying the resources that we had.

I think that I would like to have a larger discussion — I think that there were some things that were inaccurate and I went back to the department concerning how we work with our clients, but we can talk about that, I think, throughout the fall.

In closing, I will just share this. We have lots to work on, and my focus will be on the responsibilities for our labour, which is a national issue, but we'll look at it regionally. On housing, we are going to continue to work with the private sector. If we look at what happened in the 10 years before, there was very little investment in housing at all. We heard from the Third Party, saying: "Well, you should be taking that lot and you should build more."

Speaker: Ten seconds.

Hon. Mr. Pillai: Our feeling is that we are going to continue to work with the private sector. We are going to continue to work with the Yukon Housing Corporation and other partners and continue to focus on housing. So, labour and housing — let's talk about them this fall — two really

important issues, and this supplementary budget will be here with that million dollars to help on those undertakings.

Thank you, Mr. Speaker.

Ms. Clarke: Salamat.

[Member spoke in Tagalog. Text unavailable.]

Thank you for the opportunity to rise today to speak to the supplementary budget. I would like to thank my family for their continued support and to express appreciation to all my constituents of Porter Creek Centre. Thank you for keeping me busy on a daily basis. I enjoy getting your e-mails, texts, Messenger messages, and phone calls. I feel very connected with you when you tell me your stories and life challenges — the good, the bad, and the ugly. All of it. Thank you for that. Thank you for inviting me to your family events, community gatherings, birthday parties, housewarmings, trail walks, and just to chat. I am honoured to be your MLA in Porter Creek Centre.

I was elected in the 2021 territorial election to represent the growing riding of Porter Creek Centre. My riding is the biggest of all 19 ridings in the Yukon in terms of population because Whistle Bend is growing. I have close to 3,000 residents in that area alone, plus the Porter Creek area from Sycamore Street down to Tamarack Street. Where I really feel that I have been able to make a difference is when constituents and even people outside of my riding come to me and thank me for the help that I have provided them. That is when I feel I made a difference. That is why I am doing what I am doing.

I would also like to note that a lot of the issues my constituents face have overlap with the City of Whitehorse. I would like to thank the members of Whitehorse City Council and the staff who work to quickly and effectively respond to concerns that I raise on behalf of Whitehorse residents.

Some of the issues that my constituents have raised with me — and I would like to take this opportunity to put some of those issues on the record: transportation in Whistle Bend — which continues to be an issue, including bus routes and schedules — student transportation, and busing issues. Traffic in and out of the subdivision has been frustrating for so many. I will continue to ask about plans to deal with this. The cost of heating oil and electricity bills are becoming a huge burden on families across my riding and across the Yukon. This, of course, is a huge contributor to the increasing cost of living. With the increasing cost of food and necessities, people are getting worried.

The Whistle Bend pond continues to be a topic of concern. My residents in the area there continue to see a problem with algae throughout the summer months. I will continue to ask the city and the Yukon government to find a permanent solution. A new Whistle Bend outdoor rink has been a concern for residents who are looking for increased recreational opportunities in the area. I would like to say a big thank you to the City of Whitehorse for working with me in my riding and getting this added to our growing area. The Goddard Park behind Evelyn Avenue and Leota Street — thank you, City of Whitehorse, for working with me and my riding and putting in a disk swing that can be used as a single or multi-occupant swing. Although

residents were concerned that there were no traditional swing sets, I am happy to hear that the city is in the planning stages for a very large playground just northwest of phase 6 to complement the surrounding pocket parks like Goddard, Aksala, Caprice Court, and the pond. I continue to hear concerns about the access road behind Keno Way. My constituents purchased these lots because they backed onto a green street or a greenbelt, but with the introduction of these access roads, residents are hoping they will remain blocked and accessible only for city trucks to dump snow.

Issues related to health care are still top of mind for Yukoners — access to family doctors, surgery cancellations, and more. I continue to hear concerns around increasing property crime and the lack of necessary resources being provided to the RCMP. We are seeing a rise in vandalism and vehicle break-ins, and residents would like to see further action from this government on these important issues.

Winter snow management continues to be a priority for Whistle Bend residents. Streets in the neighbourhood are narrow in the winter, and parking is a challenge in the winter with high snowbanks. Thanks to the City of Whitehorse for working with me to address these concerns. I am hoping that some of these concerns are alleviated this upcoming snow season.

Whistle Bend school is moving along. Residents are looking forward to this new school opening and are eagerly awaiting the establishment of a school council to begin planning. This council was originally to be established in May of this year.

Whistle Bend green streets continue to be an issue. Residents were promised one thing; government did another. There is a lot of blame being tossed around, as well as promises that things will be made right. I hope government takes the time to fix this issue and ensure that no work is done without proper consultation to ensure that the option chosen by the residents is the one that is followed.

I have a few thoughts that I would like to leave you with today — first, on housing. We just saw another housing summit take place for government to listen to people. I am thinking: Hasn't the government listened long enough? We have seen lots delayed. It is past time for talk on housing; now is the time for action.

My thoughts on affordability — Yukoners can't afford to heat their homes; Yukoners can't afford to drive their car. The bottom line is that prices have gone through the roof and Yukoners are suffering, and the Liberals refused to take action until this fall just because the Yukon Party made suggestions to help in the spring. The Liberals need to stop blaming previous governments for the choices they have made. I repeat: The Liberals need to stop blaming previous governments for the choices they have made.

I personally think that this government has been in office long enough now — long enough now. These are the Liberal messes that Yukoners are left to deal with. The Liberal government is responsible for so many of the issues facing Yukoners today. That is why I do not have confidence in this government.

I would like to, once again, thank my constituents. I will continue to work on your behalf. Thank you.

Mr. Istchenko: It is a privilege actually to be here today and to stand in the House to speak on behalf of my constituents, and I do want to thank them. I have a diverse riding, as I have said before in this House, and I won't detail my riding. I could be here forever, but there are only 20 minutes.

There are some awesome people out there, and I get to see one of them on my way home tonight, which is pretty cool. I have to go down a back road for a long way.

I also want to thank my friends and family for their support throughout the years. My family is a pretty awesome family — a long-time Yukon family, and it's very, very large. We are not all blood, but we are one big family.

I wanted to take a moment to highlight our business community throughout the Kluane riding. Things have been very tough on them throughout the pandemic, and I was so pleased to see the tourists back and the traffic back. It has been a busy summer for all. As we have heard probably, worldwide — staffing continues to be an issue through rural Yukon, but worldwide too. It seems that way. Businesses throughout the communities should be commended for working so many hours to keep services open that we desperately need. It's important that governments keep tabs on what goes on in our communities: what we need, what is working, and the things they can do to help and not hinder processes for private businesses and organizations.

There have been many reports of increased barriers for businesses, the ever-increasing red tape. This continues to be one of the biggest barriers to success facing those trying to make a living, grow a successful business, and put people to work in our communities.

I want to switch to some of the events that we haven't seen that are happening in Kluane again. I want to give a shout-out to those individuals who volunteer their time and energy to make events happen. They deserve to be commended for the work they do. I am going to highlight just a few.

Some of the youth programming that's going on in Beaver Creek is put on by the White River First Nation. There is a young man who came back to the community and is doing some awesome things for the youth there.

The Kluane Lake Fishing Derby finally happened again, and it was hosted by the Kluane Lake Athletic Association. It was an awesome weekend. It was great to see so many constituents out there and people from around the Yukon.

My little community — well, little big community of Mendenhall — their community association has community markets, and they have youth programs every weekend, teaching kids everything from cooking to — it's just an incredible bunch of programs they do.

Our Haines Junction minor hockey, which I can't say enough about either — they are just busy, busy, busy. They are active. They are waiting for the arena. We are a little bit behind, waiting for a company to get something fixed there, but everybody is chomping at the bit to get back out on the ice.

We have an interesting little thing in Haines Junction called the community market. That's another great success. That's where I always get rooked into pie-eating contests and trying to talk my way out of it.

Our Junior Canadian Ranger program, year after year — of course, a lot is happening.

I was privileged to be around for the Champagne and Aishihik — they hold an elders camp every year. They have done it the last few years and it was good to see it happen again at Klukshu and Champagne. It was good to see the elders out there canning. We had a great run of sockeye salmon this year, so it was pretty neat to have traditional foods there again. Something that I have been part of for quite a while is the muskrat camp that the Kluane First Nation puts on. There are some great volunteers who put that on. Thank you to all those involved in all of these incredible events that wouldn't be possible without your dedication.

There are always issues, of course, in our diverse rural communities, and I have highlighted many through motions, letters to ministers, and also through Question Period. Constituents ask me about issues that I have brought forward, and I find myself reiterating the responses that have come from the government. When asked about the conditions of north Alaska Highway, I have to tell people that other roads have been prioritized and money has been budgeted elsewhere. There has been a lot of good news for some of the people in Kluane. I have asked about infrastructure funding, capital projects for our communities, and I have heard from constituents about the importance of having solid-waste disposal options close to home. I have heard the importance of rural fire protection, of recreational opportunities for our youth — like a safe, functioning community pool. With all of these things, I have to tell my constituents that the government has not been able to follow through on them and that the priorities have been elsewhere.

The Beaver Creek pool is closed. Rural fire protection recommendations have gone unaddressed, and a Liberal government campaign slogan — “All Communities Matter” — was sure helpful in collecting votes. Unfortunately, for many of those voters, they have come to realize over the past almost six years that some communities matter, others not so much.

I would like to remind the government that consultation is key in our rural communities. Rather than making changes on the fly to deal with issues like dump closures or health care provisions, talk to the locals who live the issues day in and day out. Ask people what would work best for them in their communities.

In closing, the issue that I hear most about lately — and I think that we have heard it in the House — is affordability. It's the cost. Everything is skyrocketing. A lot of it is due to bad policies and decisions. My colleagues and I will keep addressing these issues and keep pushing for all Yukon ridings.

Mr. Speaker, the Yukon is such a wonderful place to work and live. We need to make sure that there are opportunities for future generations of Yukoners to be able to enjoy this wonderful place and make a life. Thank you. Günilshish.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Silver: I am very pleased to rise this afternoon to close debate at the second reading of Bill No. 206, otherwise known as the first supplementary estimates for the fiscal year 2022-23. As we all know, the supplementary estimates are about responding to unanticipated areas and needs and pressures. They are used to make sure that the territorial government has appropriate funds to cover evolving emergencies and also emerging challenges. Supplementary estimates ultimately support Yukoners, and in the last several years, this has meant using supplementary estimates to ensure that programs were in place to support Yukoners throughout a pandemic. We did this through a range of business supports, wage top-ups, and paid sick leave programs that became the gold standard in Canada.

We also know that both fires and floods have been especially challenging in the last few years and, as a result of climate change, continue to impact our territory. Supplementary estimates have helped to ensure that funding was available to deal with this record-level flooding and the increasingly challenging forest fires. Last year, Yukon saw some of the worst flooding on record. Last fall's supplementary estimates supported the largest flood relief effort in the history of the Yukon, allowing us to bring in response teams, flood specialists, supplies, and equipment from out-of-territory to assist property owners with mitigation efforts.

This year, we have continued to see the impacts of climate change and once again have worked hard, together with our partners, to protect the health, safety, and property of Yukoners.

The 2022-23 *Supplementary Estimates No. 1* is being used primarily to help cover the costs associated with the unprecedented fire season that we experienced this summer. We also experienced serious flooding events in some communities this summer as well. We worked closely with our partners to respond to these events and the costs of the successful efforts are also reflected in this bill.

One thing that members will notice in these supplementary estimates, however, is that they are particularly lean. The reason for that is that our government, led by the Department of Finance, continues to improve its budgetary and forecasting abilities year after year, so much so that our government has been recognized by the not-for-profit research institute, the C.D. Howe Institute, for its budgeting abilities.

In fact, in the 2022 report entitled *The Right to Know: Grading the Fiscal Transparency of Canada's Senior Governments, 2022*, the Yukon received an A- grade in recognition of how easy it is to find our budgets and forecasts, the fact that they can be understood easily by non-experts, and for the reliability of our government's budgets, our estimates, and financial statements. This is the highest ranking that the Yukon has ever received.

With that, I would like to review the budgetary changes that we are proposing between the main estimates and the supplementary estimates. In total, the 2022-23 first

supplementary estimates contain \$26.2 million in additional gross spending. This is made up entirely of O&M expenditures, as there is no new net capital spending. The result is a revised surplus of \$33 million, which is a change of \$6.5 million from the \$39.5 million forecasted in the 2022-23 main estimates.

The first supplementary estimates also show a revised net debt of \$214 million — an increase of \$6.5 million from the mains, which coincides with the increased O&M spending and revenues.

While these supplementary estimates show little change in the government's recover picture, it does show a notable increase in revenues of just over \$18 million. I am pleased to say that this appropriation also contains no drawdowns or changes to the COVID-19 contingency fund. The 2022-23 main estimates, as you will recall, included a \$10-million COVID-19 contingency, which was reserved in the government's financial framework to fund further potential supports without affecting the surplus or deficit position in very unknown times.

As I said, the first supplementary estimates on the floor of the Legislative Assembly today propose no reduction to this fund. It's still money in the bank. What this means is twofold. First, it shows that our government has appropriately budgeted for COVID-19 spending in its main estimates, and second, it shows that the Yukon continues to navigate and emerge from the most acute phase of the pandemic, as we proceed to decrease the amount of spending needed to keep Yukoners safe and secure and healthy when it comes to COVID-19. As a result, we were able to keep \$10 million of the COVID contingency line for future use to respond to any new pandemic needs or potential future waves throughout the year, which we certainly hope to avoid.

As I mentioned, the entirety of the new spending contained in the 2022-23 first supplementary estimates is in operation and maintenance spending — O&M — a total of \$26.2 million. The bulk of that spending is the Department of Community Services. As part of the bill, the department is seeking \$20.2 million to address ongoing emergency needs that we have seen in response to climate change. Of the new spending, \$16 million is required for Wildland Fire costs associated with a more active fire season seen in the territory, and \$3.6 million is required for flood-related expenses, particularly in response to efforts needed in Teslin, Carmacks, Ross River, and Upper Liard. This includes costs associated with clean-up efforts happening this fall.

Our government declared a climate emergency in 2019, and in 2020, we released *Our Clean Future*, a 10-year territory-wide strategy for climate change, energy, and green economy. The priorities and goals outlined in *Our Clean Future* were developed in collaboration with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities. This strategy reflects input from Yukoners, non-governmental and community organizations, industry, private business, First Nations, and municipal governments. It is truly the Yukon's strategy for tackling climate change, and it is helping to move our territory forward, as we navigate the complexities and real-world impacts of climate change. At all levels of government, we must plan for extreme weather events by creating

communities that are resilient — resilient to wildfire and climate change — and by investing in infrastructure that protects us from climate disasters. This means increasingly managing forest fuels and creating wildfire-resilient communities through FireSmart and also fuel breaks. This is why we also have included \$400,000 to enhance First Nation FireSmart projects, with projects that have already been identified. In flood-prone communities, it will be important to consider infrastructure improvements, permanent dikes and breakwaters, and raising roads and highways to adequate heights to protect them against rising waters.

I will move on to inflation, which has risen sharply in the last year throughout Canada and around the world, largely due to supply chain disruptions and also Russia's unjust and illegal war in Ukraine, which has pushed up the prices of food and energy. As a result, the national inflation rate is near levels that have not been seen, as members of my team have said on the floor of the Legislative Assembly already today and in previous days, in 40 years. While prices have risen across the country, the Yukon has not been immune to the forces driving up prices globally. Inflation in the Yukon is the result of a number of national and international forces, but our government remains focused on making lives more affordable for Yukoners, and we have been doing that for the past six years.

This includes the \$150 inflation relief rebate that we announced in March and which is reflected in the first supplementary estimates under the Yukon Development Corporation's budget. This rebate was delivered as a monthly credit of \$50, applied to the electricity bills of all non-government residents and commercial customers for three consecutive months over the summer. This was on top of the existing interim electrical rebate, which saves Yukoners hundreds of dollars a year, as mentioned by the Minister of Economic Development.

On these inflationary support measures, I would note that the opposition has been complaining that the Yukon government has been spending too much and has complained about levels of debt, and yet they continue to demand millions of dollars in additional anti-inflation measures. So, as we often see, the Yukon Party is trying to have it both ways here.

With regard to housing, I am happy to see the \$15-million contribution from the federal government for housing initiatives. This is also reflected in these estimates. This is a recognition of our unique northern housing challenges, but also of the significant efforts that we are already making. I will speak more about this later on.

With respect to other changes in operation and maintenance, we will see a \$1.6-million increase in the Executive Council Office, primarily related to initiatives that help support reconciliation and continue to strengthen relationships with Yukon First Nations. This funding is primarily to support consultation and engagement, bilateral negotiations, and also implementation of final and self-government agreements.

Lastly, there is an increase of \$1.4 million in the Department of Economic Development's budget to carry forward the labour market development agreement and the

workforce development agreement, as well as increasing the performing musicians fund. The labour market development agreement continues to benefit Yukon workers through skills development, apprenticeship training and on-the-job experience, workplace accommodations, employment services for job seekers, and a whole lot more, Mr. Speaker.

This labour market agreement supports the growth and development of Yukon musicians by increasing the number of established musicians who earn most of their income from music. The result of these changes is a \$1.5-million increase in O&M recoveries.

I know that my colleagues will have more to say about these important initiatives in the days and weeks to come. I am going to move to capital. I am pleased to say that, on a net basis, there are no changes in capital spending. There is a \$5-million change to the costs and recoveries related to the Mayo-to-McQuesten transmission line, as the project was delayed in 2021-22 and requires additional expenditures in the 2022-23 year. This is offset by a \$5-million reduction in the Arctic energy fund expenditures, as funding is deferred to future years.

These are the only changes that we are going to see in capital for this supplementary estimate. There are no associated changes to capital recoveries as a result. On the revenue side, the Government of Yukon will see a substantial increase, as part of the first supplementary estimates. In total, the government will see an additional \$18.2 million in revenue, related to three different areas. Firstly, the federal government is continuing to work with the territorial government in addressing housing availability and quantity that disproportionately affects northerners. In federal budget 2022, the Government of Canada committed to providing \$30 million to the Government of Yukon to assist with these challenges. Half of that amount is being reflected in this year's budget, and we will be receiving another \$15 million next fiscal year.

The second item is a \$2-million increase in the Canada health transfer to the territory. This money is being received to address the backlog of surgeries as a result of the COVID-19 pandemic. Finally, \$1 million is being received from land sale agreements.

We will continue to do what is necessary to ensure that the Yukon remains a safe, healthy, and affordable place to call home. I am pleased to present a stable, sustainable, and measured first supplementary estimates which members see before them today. I look forward to sharing further about these supplementary estimates during Committee of the Whole. I urge all members to support this bill at second reading. There were some folks who decided to speak during second reading and some folks who decided not to.

For those who did, such as the Leader of the Official Opposition — unfortunately chose to spend a lot of his time theorizing about my position and my future, rather than focusing on the important work that we are demanded to do by the people who voted to get us here, which is the important legislation that is in question, but I suppose he would rather leave such remarks to his colleague, who, I guess, holds the pen with his movement.

When we get to general debate on the bill, we will debate the departments that actually have new spending requests. We will not be debating departments that see no change in their spending authority. The suggestion from the Leader of the Official Opposition that ministers all answer questions during general debate would certainly be a departure from how things were done when the member opposite was a minister. So, we are doing things in the exact same way that the Yukon Party used to do things in supplementary budgets. Yukoners —

Some Hon. Members: (Inaudible)

Speaker's statement

Speaker: Order, please.

The member has the floor. Please continue.

Hon. Mr. Silver: Thank you, Mr. Speaker.

Yukoners may recall that in the past spring, several departments were brought into the Chamber to answer questions and the Yukon Party members simply said that they didn't have any questions for them. So, in the spring when all departments are here ready to be presented in Committee of the Whole, they asked zero questions. Now they are flip-flopping and saying that they demand — in the supplementary budget, where we are getting accolades from national organizations for our ability to budget — that now they want to talk about the departments whose budgeting allotments were supposed to be debated in the spring.

So, they can say whatever they want as far as what their strategy is, and I'm happy to spend lots of time in general debate speaking to the members opposite and answering their questions — not a problem, not a problem at all. As the member opposite —

Some Hon. Members: (Inaudible)

Speaker's statement

Speaker: Order, please.

There is a lot of chattering going on in the background and I am having a hard time hearing the member speak. Please continue, Hon. Premier.

Hon. Mr. Silver: Thank you, Mr. Speaker.

Just so folks know what we have been hearing in the gallery today — it is the Member for Pelly-Nisutlin saying that we are not going to miss much from me speaking. So, again, the taunting and the personal attacks — it is something we are used to over here, but we will continue to go with the higher road and we will continue to work really hard and diligently for Yukoners and hopefully get some time to talk about the actual budget here in the Legislative Assembly as opposed to whatever the Yukon Party decides to bring forward here.

But they have flip-flopped. They now say that every minister must answer questions in general debate on every department. They had the opportunity to ask these questions in the spring; they didn't ask them.

I showed up here for my two departments individually — not one question for Executive Council Office, not one question for Finance, and no questions in Committee of the Whole. I

guess now — I don't even know. Let them decide to speak to why it is that they have changed their opinion as to the importance of Committee of the Whole.

But, for the record, we are doing it the way the Yukon Party did. I'm happy to answer questions from the members opposite.

In closing, Mr. Speaker, we are very proud of the work that we have put into this budget to date. We want to thank the public servants who have worked extremely hard on this budget. I also thank my colleagues as well. To the NDP members who spoke to the second reading, I want to thank them as well for their contributions.

Thank you very much, Mr. Speaker.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

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. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 10 yea, eight nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion for second reading of Bill No. 206 agreed to

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

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

Motion agreed to

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): I will now call Committee of the Whole to order.

The matter before the Committee is Bill No. 17, entitled *Clean Energy Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 17: *Clean Energy Act*

Chair: The matter before the Committee is general debate on Bill No. 17, entitled *Clean Energy Act*.

Is there any general debate?

Hon. Mr. Streicker: We had second reading today, so I'm not going to give any opening remarks because I think we already had a lot of that. I will just introduce the two colleagues who are here to support in providing responses at Committee of the Whole. I have with me Mr. Shane Andre, who is the director of the Energy branch from Energy, Mines and Resources, and from the Department of Justice, Rebecca Veinott, who is the legislative counsel and was the chief drafter of the bill before us. Thank you very much and welcome to them.

Mr. Kent: I would like to thank the minister and welcome the officials as well.

I am just going to jump right in. I have a number of questions with respect to the targets and going from 30 percent to 45 percent. Of course, the document that we have, the *Our Clean Future* document, is based on those 30-percent targets, so I'm hoping that we can walk through some of that with the minister here this afternoon. I do want to touch on some of the recommendations by the Yukon Climate Leadership Council and then walk through some of the actions that the Government of Yukon is currently undertaking according to some documents that I got from yukon.ca, *Our Clean Future*, and the 2030 targets.

As I mentioned, the *Our Clean Future* document was trying to get us to 30 percent below the 2010 levels by 2030.

Obviously, that has changed to 45 percent now, and that is reflected in the legislation that is before us. So, I guess my first question for the minister is: What does the latest data show, and what is the timing of that data, as to where we are from 2010 to as close to present day as possible with greenhouse gas reductions?

Hon. Mr. Streicker: I will check with the member opposite as I give this response, just to make sure that I'm hitting what he is looking for. I think he has asked: Where are we right now? Whenever we have our greenhouse gas inventory, it is typically a couple of years back. So, the last one we just published was from 2020, and I think that we put it out just this past summer — just a month or two ago — and in terms of our current emissions, they showed us as having come down from 2019. However, we believe that is predominantly due to changes due to COVID and people not travelling as much. Our 2020 levels are still above 2010 levels, but what I will talk about

is how, in our model, with all of the actions that we have mapped out in *Our Clean Future* so far, the expectation was that emissions still rose in 2020. So, what we actually thought was going to happen is that emissions would go up; however, COVID came along. As those wedges — the thin edge of the wedges — start to be applied, and as the programs that we are putting in place and the actions that we are carrying out start to work, it will switch over time. I can also say that — well, I will just stop there for now and check that I have answered the question the way that the member was intending to ask, and then I will fill in more as needed.

Mr. Kent: So, if the minister could clarify while he is on his feet, we are looking in the act at part 5(1) and how by 2030, we are looking for a reduction of 45 percent from the total greenhouse gas emissions in Yukon from what they stood at in 2010. I think that it is halfway to that mark, from 2010 to 2020, that we have actually increased greenhouse gas emissions. Is that correct? So, they are higher in 2020 than they were in 2010, but our goal is to get them to a reduction of 45 percent in the next 10 years, essentially.

Hon. Mr. Streicker: That is correct. So, the actions that we have in place — and I should be careful to state that *Our Clean Future* was never meant to be a static document. It is a Yukon-wide document. We worked across the territory, working with communities, to discuss all of these actions and to see them as more than just government actions alone, but that as that work goes on, we would augment it and improve it as we go along. We would take advantage where we see opportunities, and if we are not able to get solutions in one area, we will pivot. So, already in the first two years of reporting, we have seen subtle changes, but overall, the goal is to get 45 percent below 2010 levels by 2030.

Mr. Kent: I appreciate that. So, right now, we are above 2010 levels, and the goal is to get 45 percent below those levels, I guess, in the next 10 years, based on when the last data were available.

For the minister, I am going to work from the *Our Clean Future* document itself. I am not going to work from any of the subsequent reports, but I do want to talk a little bit about the greenhouse gas reduction modelling that is on pages 14 and 15. Of course, as I mentioned, this was done previously and had a goal of 30 percent by 2030. That has subsequently been raised to 45 percent. Looking at the data that is here, at that snapshot in time when this was done, the greenhouse gas reduction needed to reach the 30-percent target was 263 kilotonnes. Does the minister have the revised numbers or what we need to reach the new target of 45 percent by 2030?

Hon. Mr. Streicker: Just referencing the same page where we were talking about the modelling, around what is going to be happening with emissions — the goal is to get 343 kilotonnes below the 2010 level. That would get us the 45-percent reduction.

So, you can sort of see that, in 2010, the emissions for the Yukon were roughly at 600 kilotonnes, and we need to get the 343 below.

Mr. Kent: Just so I have the numbers right and we are moving ahead on the same page — so, we need to get to about 257 kilotonnes by 2030 to meet the 45 percent. Is that correct?

As the minister said, it was 600 in 2010, and we need to get 343 below that. I just want to make sure that I'm understanding.

Hon. Mr. Streicker: My apologies, Chair. I misspoke. We need to get to 343 kilotonnes. That's the target. That's where we put the new star on the page as our target.

Mr. Kent: In this document, the actions in *Our Clean Future*, as it stood, would have given us 201 kilotonnes. There was a 62-kilotonne gap to be filled and now it looks like there are perhaps — and the minister can clarify — but maybe another 60 kilotonnes that we also need to fill to reach that 45 percent. So, what adjustments have been made to the actions in *Our Clean Future*, which would have been a 201-kilotonne reduction, to bounce it up so that we can meet that more aggressive target of 45 percent, as opposed to the 30 percent that we are looking at here?

Hon. Mr. Streicker: So, even when we first published this two years ago, we understood that we didn't have all the actions in place yet that would get us all the way. That shows that gap of about 60 kilotonnes. We have a further gap now, and I already mentioned that we have started to update the whole of the plan. So, we work through it at all times, as we go through the actions, to see where we can go further or if there are additional actions.

At the same time — or even as we were working to develop the Climate Leadership Council — we were talking with the Energy branch and Navius, the group that does the energy modelling for us, and we talked about looking for ways to increase the emissions reductions. So, for example, one of the actions will be around renewable fuels, and you will see, as well, that under the Climate Leadership Council, they talked about aligning with BC's renewable fuels targets, and those are more aggressive, and often, if you piggyback with a neighbouring jurisdiction, you can get that added benefit. So, those would be examples of where we're looking to increase the amount.

Now, I also want to say that we are going through the process right now of modelling the suggestions that came forward from the Climate Leadership Council; we will see how they fit in with the overall strategy. This will be a work-in-progress at all times, so that even though we see the target and we know what we're going for, we understand that we will continue to adapt *Our Clean Future*. We have shown that already. In the first two years of reporting, we have come back with additional actions or increases on existing actions, so that will be the way in which we work to increase the amount of reductions. The place where we are working most directly right now is on the Climate Leadership Council report.

Mr. Kent: Can the minister tell the House or tell Yukoners when he expects to have a plan in place to meet the kilotonne reduction that will take us to the 45 percent below 2010 targets — or the 343-kilotonne target that we are looking for? When can Yukoners expect to see that? We are, what, seven years away from 2030? It's not too far away, and in the

first 10 years, greenhouse gas emissions have gone up from 2010 to 2020, so there is quite a bit of work to do.

I am just curious if the minister can tell us when we can have a look at a plan to meet the 45-percent reductions in the next seven years.

Hon. Mr. Streicker: When *Our Clean Future* came out, we would talk about it, and I would have to find the reference within it, but we talk about it as a plan that will change over time and adjust, that this is the framework and there is always more work to do. Part of that is to make sure that we are always reporting on the actions that we have to ensure that we continue to meet the target.

I think that from the Climate Leadership Council, we will have that work done on the modelling with it this fall or this calendar year, anyway. I have asked the Energy branch to identify actions within it that they are confident that we should move ahead with, based on a suite of rationales around fitting in with the existing plan, costing it, et cetera — what I call “no regrets choices”.

We will, in the next iteration of the plan that we put out each year and where we report on it, have, I hope, a strategy about how to implement the actions that come from the Climate Leadership Council and the youth panel where those ones will be about additional emission reductions. That might get us all the way; that might not, and then we will iterate on it. It is a plan that will continue to evolve over time. The plan is always meant to grow in time.

Some of the solutions that will fill the gap will be to increase the expectations around certain of the actions. Some of them will be to accelerate them, and some of them will be new actions, and it will be a range of solutions that will be proposed.

I guess to answer the member opposite’s question, in the coming half year or year, we will work to integrate the suggestions from the Climate Leadership Council. We will then reassess to see whether that gets us all the way, and we will continue to do the work to get us all the way to 45 percent.

Mr. Kent: I am just going to go through a couple of the categories that would have led to the reductions. I won’t talk about the specific amounts in the *Our Clean Future* document, recognizing what the minister has said — that those will change, and they have to change, obviously, to meet the revised target. I guess the first thing that we will focus in on is increasing the use of zero-emission vehicles. In *Our Clean Future*, it says that the requirements for zero-emission vehicles are to be 10 percent of light-duty vehicle sales by 2025 and 30 percent by 2030.

Is the minister able to tell us where we are at as far as the light-duty vehicle sales right now, to see where we are going to be in a couple of years? Are we even close to that 10-percent number at this point?

Then I will just skip over to the *Our Clean Future* website, and it does say that one of the key Yukon government actions around transportation is to get 4,800 zero-emission vehicles on the roads by 2030. I will just go on. It says: “We’ll do this by working with local vehicle dealerships and manufacturers to establish a system to meet targets for zero-emission vehicle sales, providing rebates and investing in charging stations.”

So, I guess that the question I would have on that is: How does that line up with the 10 percent and 30 percent by 2030 that is in *Our Clean Future*, and does the minister have any idea what the costs of those rebates will be and what the cost of investing in charging stations will be? That is the budgetary amount for Yukon and Canadian taxpayers.

Hon. Mr. Streicker: Currently, we have 161 zero-emission vehicles registered, with over 600 electric bicycles purchased. This is a little bit behind where we want to be, but the main issue here is that there have been some challenges with supply chain, but we do know, from talking with dealerships here in the territory, that all of our dealerships are keen. We have a demonstration day each year, and I was at the last one with Mr. Andre. There is a lot of keen interest out there. In fact, in the Yukon, on a per capita basis, we are third in the country after, I think, Québec and British Columbia. So, the Yukon is, per capita, in third place.

We know that there is a lot of pent-up demand. We know that there are supply chain issues, which COVID and raw materials — and, in particular, I think, around batteries — is one of the supply chain issues. We believe that there will be a lot of interest to get moving, and we think that our rebates are a big part of that and the federal rebates as well.

With respect to the specific dollars, I will have to get more information about what that cost is overall, but what I can say to the members of the Assembly today is that a fast-charging station runs at about \$140,000. We have 19 of them installed in the territory, running from Watson Lake to Beaver Creek and from Carcross up to Dawson and in-between points, of course.

I can also say that, so far, for those charging stations and the level 2s that we are planning to put in, we have had a lot of federal investment. So, it is in our budget, of course, but there is quite a bit of federal money that is offsetting those costs for Yukoners.

Mr. Kent: Does the minister have a percentage? Because the goal was to require zero-emission vehicles to be 10 percent of light-duty vehicle sales by 2025 and 30 percent by 2030. He mentioned 161, I believe, light-duty vehicles and 600 e-bikes. He can clarify for me if that is the case — if those are all considered light-duty vehicles — e-bikes and the electric vehicles themselves. I am trying to get a sense of where we are at, percentage-wise, on the vehicle sales. Obviously, we are looking to be 10 percent by 2025 and 30 percent by 2030.

Then, just quickly, if the minister can give us an idea of what the rebate is for a zero-emission vehicle, and then we can do the math on getting those 4,800 vehicles on the road by 2030 — just to get a sense of what this is going to cost the taxpayer.

Hon. Mr. Streicker: We are not counting electric bicycles in our zero-emission vehicle targets. It is replacing light-duty cars and trucks, so that is what we’re talking about there in those targets.

The 2021 sales amount to 4.5 percent of the sales, so we are roughly halfway there. That’s where we are. We believe that there is quite a bit of demand, so we think that once the supply chain catches up, we are going to see things move pretty quickly.

Also, the Member for Copperbelt South inquired about what the rebate is. The current rebate for zero-emission vehicles is \$5,000 from the Yukon government, and there is also \$5,000 from the federal government that goes toward those vehicles.

Mr. Kent: With the electric charging stations that are in place, is there a cost for vehicle owners to use those charging stations, or is it just first-come, first-served and free of charge?

Hon. Mr. Streicker: One of the things we have been doing so far is that we have been paying for the cost of that electricity right now. We have talked with the owners. Of course, when you have a zero-emission vehicle, yes, you use some of these fast chargers when you are travelling, but you also trickle charge at home, so it's definitely blended. When someone is charging their vehicle at home, they will pay for that electricity. When they are using the fast chargers that are installed across the territory, currently we are covering that cost.

The intention is to move that to a user-pay system, just like you would at the pumps. We are working now with the utilities around how to make that transition. That will come forward. I think, in the next year or years, that transition will happen. I will leave it there for now.

Mr. Kent: Just by my math, then — and this is the Yukon government rebate program — for us to reach that 4,800 zero-emission vehicles on the road by 2030 — and I'm not going to count the 161 that are currently on the road. I will just kind of roll them all into one, but it would be a \$24-million expenditure.

I am hoping that the minister can confirm the math that I have. That is for the Yukon government. There will be an additional \$24 million for the Government of Canada, if the current rebate amounts hold at \$5,000 for Yukon and \$5,000 for Canada.

Hon. Mr. Streicker: I mean, the math is correct that we would be saying that, but we have never anticipated that the rebate should be there forever. What is happening is that we are in a transition to a new technology.

Earlier today, when the Minister of Environment was standing up and giving his remarks to this bill, he talked about one of the major manufacturers here in North America saying that, by 2029, they were just going to sell electric vehicles. Well, at that point, once you are selling more electric vehicles than you are internal combustion engines, what we have seen in other jurisdictions is that the price starts to drive down. This is to help initiate that move toward electric vehicles. We think that the marketplace will help to bring those costs down. It wouldn't be fair to say that this is going to cost \$24 million, because I think that there will be a phase-out of it. Of course, if we get there faster, then what we think is that the marketplace will bring down the prices faster and it will all transition. It is difficult to predict exactly, but we think that there is a lot of demand and we think that demand will help the marketplace immensely.

Mr. Kent: Rather than speculate on what is going to happen in the marketplace or not, I am just trying to get a sense of, based on the current rebate levels and the goal of 4,800 zero-

emissions vehicles by 2030, what that cost would be. That is what I was asking the minister.

I have a whole bunch more questions, but I did talk to the Third Party, and we will split time with them here this afternoon. I am sure that we will be back in Committee at some point before the House rises on this bill, but I do just want to end with a question. Again, this is the key Government of Yukon actions under transportation. It says that, starting in 2025, there will be a requirement that all diesel and gasoline fuel sold in the Yukon for transportation align with the percentage of biodiesel, renewable diesel, and ethanol by volume in leading Canadian jurisdictions.

That is from the website. The *Our Clean Future* document is a little bit more prescriptive, just saying that there will be a requirement for diesel fuel to be blended with biodiesel or renewable diesel beginning in 2025 and a requirement for gasoline to be blended with ethanol beginning in 2025.

Can the minister tell us, so that I can tell Yukoners, what that will mean to the cost of a litre of diesel, and what that will mean to the cost of a litre of gasoline, beginning in 2025?

With that, I will wrap up my remarks, let the minister answer, and then over to my colleagues in the Third Party.

Hon. Mr. Streicker: The member opposite just talked about speculation, and I will say that it is our intention — not speculation — it is our intention that the rebate will phase out over time. I am not able to say today when that will happen and if it will taper off, but that is what we are intending.

I can also say that one of the things that I find very difficult to predict is the price of fuel at the pumps. It went up a lot; it has come down a bit since then, so it is difficult for me to speculate. I will say that we continue to work with partners across the country to get an idea of those prices and transitions, but I also think that what we are missing is the cost on the other side of this, too — which is the cost of not making this transition, as I spoke about earlier.

So, I am happy to answer further questions, and I appreciate that this is just the start of Committee of the Whole for this bill.

Ms. Tredger: I also want to welcome the officials and thank them for the briefing we had, as well as being here today.

I want to start by following up on the Member for Copperbelt South's question about the plan for updating *Our Clean Future* to get to 45 percent. So, if I understood correctly, the department hopes to have the modelling done by the end of this calendar year. And then I wasn't clear on when we think we will have an updated version of *Our Clean Future* to see, I guess.

Hon. Mr. Streicker: What I have asked the departments — because it is not just one — to do is to try to work on introducing some of those actions right away and start implementing them, but we won't get them all in. On some of them, we will need to do some costing and things like that, because with some actions, it is easy to understand the cost implications and some are not. So, there are a few things that we just have to get in place.

What I think we will do is probably get some of those actions in right away. I am happy to talk about those publicly

as they happen. Probably, the way that we update *Our Clean Future* is the way that we've been doing it already, which is annually we publish and say, "Hey, here's the new stuff." So, it's not going to stop us from starting some of those actions as soon as possible, but probably the published part of that will happen with the ongoing process that we have already initiated, which is each year to publish a report and then talk about changes to the actions that we have identified.

I think that we will have a very good idea about the actions once that modelling is done. I think that will be something that I'm happy to inform Yukoners about, like what we are looking at in terms of whether the recommendations get us all the way or not and which sectors or not — things like that. I think that will be something that we probably seek to put in the hands of the public so that they understand what that modelling looks like.

Ms. Tredger: I just want to make sure that I understood that right. The model will be done by the end of December, and the actions will start as soon as they can be implemented, and in the 2022 report/update, which I think usually comes out in August — so, we're looking at August 2023 or so to have an updated version of *Our Clean Future* that would list out all the new actions or modified actions. I guess maybe I could ask the minister to confirm that. Will they also have dates? So far, I think that all of *Our Clean Future* has dates when they are expected to complete those actions. Will that be part of that update?

Hon. Mr. Streicker: Yes to both. Some actions are ongoing, and some are time-limited, et cetera, so we will try to have the same diligence against each action that we introduce. It may also be modifications to existing actions, or it may be new actions, but we will try to do that work. I want to be careful to say that there may still be ones that the Climate Leadership Council have given us that we want to continue to work on and we didn't have enough information by our next iteration, so some of it will be ongoing.

What I can say is that I have asked the departments to work to identify actions that can begin right now and, where we need a little bit more information, to go get that information, et cetera.

Ms. Tredger: I thank the minister for the clarity, and thank you to all the people in the department. I am sure it's a lot of work to figure that all out, and I appreciate the work on that.

In the Climate Leadership Council report, there were the actions that had specific greenhouse gas reductions associated with them, but there were also a number of leadership and capacity actions or recommendations. I am wondering if there will be a formal or written public response to those actions and whether they will be implemented.

Hon. Mr. Streicker: The Climate Leadership Council's report, *Climate Shot 2030*, sort of has two halves to it. The front half talks about these more general ideas, and the second half gets down into the more detailed actions with their estimates of emission reductions.

I think that we will have some sort of formal response to the report. We haven't yet even fleshed out what that will look

like — whether that is correspondence back to the council itself indicating what we found — I will say that when we sat with the council as they were about ready to present the information to us and they had given us a draft of the work, I requested that we work closely with them, for example, as we do the modelling, because there are always questions that arise, like: What do you think? You have to make some choices and assumptions in that work. Many of the folks from the council know the team over at the Energy branch who work with the modelers, and I think they have agreed to try to work with us through that.

I think there will be ongoing work with the council, just to try to — I should acknowledge that they put in a lot of work and we are very appreciative of that. We will ask them, as we do the analysis on the actions and recommendations, that we work with them there. So, I don't yet know specifically what the formal response will look like, but I think that there needs to be a response that indicates what has been the result of all of this work and how we are going to integrate it into *Our Clean Future* or government practices.

Ms. Tredger: I am really glad to hear that there is a plan for the formal response, because there are quite a few, I guess — recommendations L1 through L8 and I think C1 through C7, though I dropped my pages, so I may have missed a couple. Some of them are very specific. For example, "L2. Require that an internal cost of carbon (recommended at \$250-\$400/tonne) be included in all financial and budgeting decisions, including projects funded by YG and Crown Corporations." That is a very specific recommendation. I think it will be very important to hear if that is something that the government is going to do and how they are going to do it, and if they are not going to do it, then why not?

Is there an estimate on when we can expect that response?

Hon. Mr. Streicker: Just taking a look at L2, at one where we effectively put an assumed price of carbon on, so that you can take the potential emissions surrounding a project and judge its cost and compare one project to another, so that if one had lower emissions, then effectively the assumed price comes down, which is a way to compare something from an environmental perspective in an economic way — it's a great tool. We have talked about it, both in the Energy branch and within the Yukon Development Corporation, as a way of trying to assess some of the challenges of emissions.

This specific action or recommendation, though, is asking us to work across government, so I would immediately need to work with colleagues across the Cabinet table to try to say, "Hey, let's take a look at this." I want to be careful today that some of this stuff is government-wide in terms of it — and beyond, for example, because it is suggesting the Crown corporations.

I can say that I have already had conversations like this with the Crown corporations that I work with. I would have to check with my colleagues about whether they have had similar conversations. There's work to do in order to get to those requests that look like they move outside of my own purview of the departments that I work with — or mine and the Minister of Environment's — who have the lead on this.

The timing on it, I think, is similar to the timing that we are talking about for the other responses. I don't know that this one has a way to model it necessarily, but it is one of those ones that we will analyze and think about what it looks like. Typically, it is a Cabinet process that would say that it is a policy and that we want it across government. Do we agree? And then we would run the analysis on it. I am just describing that there is work that would need to happen. Then we will give a formal response about why or why not. I want to be careful — even the words “formal response”. We will make sure that the Climate Leadership Council hears a response about why this one or why we are stuck on this one and whether they have suggestions around it.

You have given me one example. I have given you one example about how that would work through the system, but we would need to work each one of these through the system.

Ms. Tredger: I completely agree that these are mostly government-wide — or wider, because we are talking about the Crown corporations and things as well. They are big recommendations, and I do appreciate that there is a great deal of work, even in just deciding what it would look like and how to implement them.

There are two things that I want to clarify. One is when that response would be. I don't expect it to be immediate, but a date would be helpful, or an approximate time would be helpful.

The minister said they would respond to the Climate Leadership Council. Will that response be public?

Hon. Mr. Streicker: Let me say it this way: I think that we will publish an update to *Our Clean Future*. I hope that, in the next iteration, we deal with the lion's share of what we have in front of us from the Climate Leadership Council. I want to be careful not to say “everything”, because there are always some that become very difficult for us to work through.

What I can say is that I gave direction to my department. I have talked to my colleague about making sure that we are integrated across departments that have the lead on this, and my direction was to please work with this and be diligent to get it done as quickly as possible, so they are working right now, as we speak, on the modelling.

I gave direction to my department. I have talked with my colleague about making sure that we're integrated across departments that have the lead on this.

I think that the formal type of response will be through when we update *Our Clean Future*, and then you will see exactly what is in there. Will that be public? Yes. Will I try to make every meeting that I have with the Climate Leadership Council public? No, but it is not about not sharing the information with the public. I am just looking for the avenues that we will use to try to inform the public. So, most likely it is *Our Clean Future* and the update because that is the flagship that we are using to get us to 45 percent.

Ms. Tredger: Thank you to the minister for that answer. I will be looking, probably in about August, for the next update. I am excited to read it and I am excited to have any information that comes sooner.

I only have a couple of minutes, so I will start this and we may not finish this conversation, but I will start it.

The intensity-based targets for mining — I know that the consultation has just wrapped up on those. When does the minister expect those to be in place?

Hon. Mr. Streicker: Our intention always was to try to get it done by the end of this year. I know that we have had a bit of a wrinkle with the carbon price rebate and we are working with industry right now on that.

I think that the member opposite was asking for timing. The engagement is done. We have had lots of conversation with industry. The simple part, actually, is setting the target. The tough part really is dealing with the intensity side of it and how you measure those differences across. That is, I think, the trickier part. Some things are in flux right now because of this — as I had mentioned, the carbon rebate piece — so I think that the timeline for the action says by 2023 in *Our Clean Future*. I will look it up. We have always been working to try to get it done this calendar year.

I will take more questions.

Ms. Tredger: I appreciate that and, like my colleagues, I have more questions, but seeing the time, I will move that the Chair report progress.

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

Motion agreed to

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

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 17, entitled *Clean Energy Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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. Monday.

The House adjourned at 5:28 p.m.

The following sessional papers were filed October 13, 2022:

35-1-59

*Yukon Workers' Compensation Health and Safety Board
2021 Annual Report (Mostyn)*

35-1-60

*Yukon Development Corporation 2021 Annual Report
(Streicker)*

35-1-61

Yukon Energy 2021 Annual Report (Streicker)

The following written question was tabled October 13, 2022:

Written Question No. 29

Re: medical staff shortages (White)



Yukon Legislative Assembly

Number 79

1st Session

35th Legislature

HANSARD

Monday, October 17, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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 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 17, 2022 — 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

Speaker: Please note that we have a guest here, Deputy Speaker Hal Perry, Prince Edward Island.

Applause

Hon. Mr. Pillai: I would also like to welcome some guests joining us today. We are tabling a Cannabis Yukon annual report. I would like to first welcome Dennis Berry, president of the Yukon Liquor Corporation, who is with us today; Daniel Carrick-Specht, our chief operating officer — thank you for being here today — and Dave Sloan, as well, who is the chair of the Cannabis Licensing Board, is with us today.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of National Foster Family Appreciation Week

Hon. Ms. McPhee: Thank you, Mr. Speaker. I rise today on behalf of the Yukon Liberal government to acknowledge that the third week in October is National Foster Family Appreciation Week. This week recognizes the ongoing commitment that the foster families across the country give us all and the opportunity to express our heartfelt thanks to them for providing care and support to the amazing children in their care.

Although, nationally, this week is referred to as “Foster Family Appreciation Week”, here in the Yukon, we refer to these families and individuals as “caregivers”. We recognize the dedication and love that these caregivers have for the children that they care for and the ongoing commitment that they have in support of reunification, cultural connection, and day-to-day care.

In 2021, Family and Children’s Services, the Council of Yukon First Nations, and First Nation governments launched the caregiver strategy. This strategy was developed in response to an ongoing need for further recruitment, retention, and training for caregivers. This strategy helped to begin forming an action plan that included consultation, feedback, and stories from these caregivers.

To complete the caregiver strategy, Family and Children’s Services met with current, former, and extended family

caregivers. They met with First Nation governments and staff working within the branch to hear about their experiences, the suggestions for improvement, and how we can better support caregivers. We look forward to continued conversations about expanding these services for caregivers, families, and children across the Yukon.

For those who would like to learn more about becoming a caregiver, you can reach out to the caregiver unit at Family and Children’s Services at 867-667-3002.

Mr. Speaker, caregivers are truly extraordinary people. They open their homes and their hearts to children who need a warm place to land — sometimes for a short time, sometimes longer, but no matter how long they are there, those children gain a second family, one that will be part of their lives forever.

Thank you on behalf of our community and on behalf of those very special children.

Applause

Ms. Van Bibber: Thank you, Mr. Speaker. I am pleased to rise today on behalf of the Yukon Party Official Opposition to recognize Yukon foster families and extended families during National Foster Family Appreciation Week. Foster families work to provide caring and attentive homes to Yukon children who require care outside their family situations. They help the child, or children, continue their daily routines while maintaining family contact and staying immersed within their cultures. They provide children with security, care, and a sense of stability, no matter the circumstances. No child or scenario is ever the same, so we so appreciate the dedication and time given to any child. Some provide care for long-term situations and others for short-term or respite situations. Others are family members who have been approved to care for relatives in need or have a strong relationship with the children.

So many Yukoners have opened their homes and their kindness to so many children. It takes dedicated and selfless individuals and patience and understanding from the entire household. Fostering in the Yukon has made a difference in the lives of many children, including mine. Without wonderful, caring, loving foster parents, I could not have achieved what I have done to this date.

All of our foster families throughout the years deserve our thanks and recognition today and always.

For Yukoners who are interested in fostering children in their homes, please reach out. There is a child in need.

Sessions are held regularly to help potential foster parents understand the needs of children in care and decide whether fostering is the right fit for their family.

Thank you to all of those who go above and beyond to make a difference within Canada and especially Yukon.

Applause

Ms. Blake: I rise today on behalf of the Yukon NDP to celebrate National Foster Family Appreciation Week. Foster families carry a critical role in communities. When children cannot remain with their primary caregivers and kin placements are not available, foster families provide children and youth with a safe family setting during a difficult and confusing time.

These families open their homes every day to children across the Yukon, striving to be a part of their healing and connection to birth families and helping children and youth to navigate complex systems as they grow up.

With each unique situation and set of challenges, foster families require increased levels of support, not only for the children they care for, but also for their families. That consistent support from community and from governments is important in sustaining the ability to care for children in the home.

As advocates for children, foster families also become experts in the wide range of systems from child welfare to education, health and social services, and more. The work that foster families have done to highlight gaps in services and creative solutions also makes these systems better as we saw with the recently passed *Child and Family Services Act*.

Foster caregivers form part of the team that supports young people in care, not only by providing a stable and caring home, but also by facilitating pathways to lifelong connections with family and community. In many cases, foster parents become second parents or lifelong aunts and uncles to the children they help raise. We know that children and youth do better when they are placed in homes that are connected to their family, community, and identity.

During National Foster Family Appreciation Week, we recognize the invaluable contributions of foster families across the Yukon. They provide essential care and support to the children and youth in their homes, and we are grateful for their unwavering dedication and for the love and care that they continue to give to all children, youth, and families.

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 being recognized across Canada from October 16 to 22.

This is the 43rd year that the Business Development Bank of Canada has organized this event in recognition of entrepreneurship and the significant contribution that small business makes to the economy.

There are over 1.2 million small- and medium-sized businesses across Canada, representing 54 percent of Canada's GDP. Here in the Yukon, there are over 3,100 small- and medium-sized businesses. More than half of these are sole proprietorships, an indicator of the entrepreneurial spirit here in the Yukon.

Mr. Speaker, it takes a special kind of motivation to take a business concept and make it a reality. Entrepreneurs are bold thought leaders who have committed themselves to following their passions, despite the obstacles. The world is currently moving through a transition period as we tackle climate change and emerge from a pandemic. From labour shortages to supply-chain disruptions, entrepreneurs need to focus on innovation and sustainability to maintain their growth despite these challenges. They are also making their businesses more

inclusive and environmentally friendly while driving the Canadian economy.

Here in the Yukon, we have unique perspectives, and local entrepreneurs continue to reflect creativity and new ideas that connect our communities with the rest of the world, from businesses like Wild Yukon Furs opening a new retail location in Skagway for its fur, jewellery, and textiles, to Natasha Peter from Ross River taking her indigenous designs to runways of both New York Fashion Week and Paris Fashion Week, and travel-based businesses like Overland Yukon with strong growth in overseas clients, demonstrating the commitment of our Yukon entrepreneurs to providing the north with world-class products.

I want to take this opportunity to thank Yukon's entrepreneurs for their resilience, particularly over the past three years, and for their work to innovate and adapt to changing circumstances. Small Business Week is about recognizing these efforts. As always, I encourage Yukoners to shop local.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Small Business Week. We spend a week each year to celebrate entrepreneurs and their places of business. The small coffee shop, the bookstore, the toy store, the pet store, and the quick oil-change shop — these are some examples of the small businesses that are a part of our community. Many of us probably know the owners and their staff. These same small businesses support their towns by donating to events and sponsoring sports teams.

People who have never been in business, even a small one, sometimes don't understand the rules and regulations to keep a business operating. If a door is open, the thought is that they must have money or that they are even rich, but the last two years have really opened the eyes of the general public to the lasting effects of a pandemic on retaining and attaining staff, as well as obtaining goods to sell. Many have gone into debt to keep their doors open during this period.

The current times in which we live due to inflation, and uncertainty with interest rates and fuel rates, compound the feeling of helplessness of small business. So, while we take the time to tribute, we also want to recognize the challenges they face and wish them only good things in the face of rising costs.

Please take time out of your usual schedule to stop by a local business that caters to our community's needs year-round; especially with the holidays coming around the corner, shop early and show your appreciation for the fact that they are open. Buying local will only make us stronger and more resilient for the future.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to Small Business Week. Today, as my colleagues have said, we are recognizing thousands of small businesses in the Yukon. As the MLA for Whitehorse Centre, I am especially proud of the many small businesses that are located between the south access and the Marwell industrial area. You just need

to take a stroll through my riding to fully see the beauty of Yukon's small businesses — bakeries, craft stores, bookstores new and used. There are coffee shops, and there are music stores and thrift stores. You can get your paddling gear from multiple downtown places and have drinks at any number of locations. You can eat ramen and sushi, pasta and pho, tacos and pizza. You can buy incredible art from First Nation citizens and other local artists. There are bookkeepers and mechanics and computer repair stores. I have a particular soft spot for the rather unlikely small business pairings — a bicycle shop and a coffee roaster, a brewery and an oyster house, a glass-blowing studio and a restaurant. These are just the tip of the iceberg for my riding.

Whitehorse and the Yukon have an abundance of entrepreneurial folks doing business and creating an important part of the Yukon's economy. It is challenging and it is difficult work, but with spirit and determination, they make it happen. We salute everyone across the Yukon who courageously puts themselves out there to create small businesses.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Pillai: Pursuant to section 15 of the *Cannabis Control and Regulation Act*, I have for tabling the 2021-22 Cannabis Yukon annual report.

Mr. Dixon: I have for tabling a letter dated June 7, 2022 from the Whitehorse Chamber of Commerce addressed to the Mayor and Council of the City of Whitehorse.

Hon. Mr. Streicker: I have for tabling today Yukon University's *Yukon climate change indicators and key findings 2022* report.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Hon. Mr. Mostyn: I have for tabling the *Fourth Report of the Standing Committee on Rules, Elections and Privileges* dated October 17, 2022.

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

Are there any petitions to be presented?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 18: *Midwifery Integration Amendments Act (2022)* — Introduction and First Reading

Hon. Ms. McPhee: I move that Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, be now introduced and read a first time.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 18, entitled *Midwifery*

Integration Amendments Act (2022), be now introduced and read a first time.

Motion for introduction and first reading of Bill No. 18 agreed to

Speaker: Are there any further bills to be introduced? Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House congratulates the Canadian Rangers on the occasion of their 75th anniversary.

I also give notice of the following motion:

THAT this House congratulates the Taku River Tlingit First Nation on becoming an associate member of the Council of Yukon First Nations.

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

THAT this House urges the Government of Yukon to consult with the residents of Destruction Bay on future plans for the closing of Kluane Lake School.

I also give notice of the following motion:

THAT this House urges the Minister of Community Services to implement the recommendations of the *Review of the Yukon Fire Marshal's Office fire suppression and rescue resource distribution – Final Report*.

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

THAT this House urges the Government of Yukon to expand the scope of registered nurses and registered psychiatric nurses to include the prescribing of medications for treatment of opioid use disorders, including the opioid agonist treatment medication and a safe supply of opioids.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to credit offenders working in the fine option program with an hourly rate equal to Yukon's minimum wage.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Cannabis retail sales

Hon. Mr. Pillai: I rise today to provide an update on cannabis in the Yukon. Today marks three years since the Liberal government legalized the sale of cannabis in the territory in 2018. Since then, cannabis retail sales in the Yukon have experienced year-over-year growth, providing licensed retailers and producers with a robust and expanding market in which to do business.

We closed the government's Cannabis Yukon retail store in 2019, a year after legalization and once private retail licences had been issued. This past May, we rolled out regulations

allowing the territory's licensed retailers to sell online and deliver legal cannabis products to Yukoners. This fulfills another commitment we made to support the Yukon's growing cannabis industry.

I am pleased to announce today that the Yukon Liquor Corporation is now exiting the online cannabis retail market. The Cannabis Yukon website, which has existed since legalization to provide online sales and delivery to the Yukon public, is now being repurposed to provide wholesale purchasing for licensees. The site has provided a legal option for Yukoners to choose from a variety of cannabis products and have them delivered to their home.

With the closing of Cannabis Yukon to the public, the Yukon's private retailers are poised to take over the legal e-commerce market to meet Yukoners' needs.

There are currently six licensed retailers in operation, offering a variety of in-store, online, and delivery options. This government is pleased to say that Yukon's cannabis licensees now have the market for brick and mortar stores, online sales, and delivery.

We will continue to work hard to ensure that the legal cannabis retailers have the products they need to displace the illicit market. I wish to thank the staff of the Yukon Liquor Corporation for their hard work over the past four years and successfully launching the legal retail cannabis market in the Yukon. Thank you also to the Cannabis Licensing Board for their commitment to supporting the continued growth of this evolving industry.

I would also like to thank Yukon's licensed cannabis retailers for providing Yukoners with a range of options to purchase legal cannabis. I want to also thank my colleague, the Member for Mount Lorne-Southern Lakes, for his phenomenal work on this. I look forward to seeing yet another part of this thriving industry continue to grow in the hands of licensees.

Thank you, Mr. Speaker.

Mr. Dixon: I am pleased to respond to this ministerial statement regarding the government's involvement in the legal cannabis industry in the Yukon. This is an issue that the minister and I have debated at length over the past few years, and the Yukon Party's position remains the same — that we disagree with the model that the Liberal government has chosen for the legal sale of cannabis in the Yukon.

We believe that the model that they have chosen is one that puts the government directly in the middle of this burgeoning industry rather than out of the way of it. It comes as no surprise that the involvement of government in the middle of an industry has not led to efficiency or nearly as much success as Yukoners would have hoped. Instead, it has led to uncompetitive prices, insufficient access to product, and an industry mired in a unique tangle of red tape that almost no other industry faces. In fact, here is what the Whitehorse Chamber of Commerce said about the current cannabis business licence rules and regulations in a letter just a few months ago, which I tabled earlier today — and I quote: "It has been brought to the attention of the Whitehorse Chamber of Commerce that the process for starting a cannabis retail store in Whitehorse is burdensome and challenged by

inconsistent and unclear regulations, with prospective business owners being provided limited and incorrect supporting information. Key issues include: lack of clarity of rules and regulations, inconsistent buffer requirements for restricted retail, and strict zoning.

"The Whitehorse Chamber of Commerce strongly encourages the City of Whitehorse and the Government of Yukon to evaluate ways of improving the current cannabis licensing regulations to create synergy on both levels of government. The lack of alignment between governments can be costly and act as a disincentive, particularly for new business start-ups. Uncertainty in any industry is problematic for investment and can deter local or outside investment in our community. It can also be extremely costly and frustrating to existing entrepreneurs who are trying to further develop businesses in our community.

"It is our view that looking at ways to eliminate red tape and align regulations from both levels of government is critical in supporting investment and entrepreneurship and advancing economic opportunity for all industries in the City of Whitehorse and the Yukon."

It is clear from this letter that the Whitehorse Chamber of Commerce is of a similar view as we are — that the red tape that the Liberal government has imposed on this industry is preventing its growth and success. I would also remind the minister of what the Yukon Chamber of Commerce said earlier this year. In an April 7 CBC article, the executive director of the Yukon Chamber of Commerce said the following — and I quote: "The government is competing with the private sector and also managing the regulations and keeping an unfair playing field where they control both the pricing and the distribution."

What is unique about this particular morass of red tape is that it is not just preventing the success of businesses in this industry, but it is impeding their ability to achieve one of the most important stated goals of the whole point of legalization, which was to displace the black market. Simply put, the current legislative and regulatory framework for legal cannabis needs an overhaul.

Thankfully, the Yukon's *Cannabis Control and Regulation Act* contains a mandatory review clause. Can the minister outline what that review will consider and when it will be launched? Finally, will the section for a mandatory review include the complete regulatory framework for legal cannabis, or will it only include the legislation?

We remain hopeful that this industry will continue to grow and thrive; however, we know that will only happen fully when this government does its part and gets out of the middle of this industry and out of the way of business so that they can do their part to displace the black market with a competitive, safe, legal cannabis industry.

Ms. Tredger: Changes to the cannabis landscape were a long time coming, from decriminalization to legalization. I think that we can all agree that the change in the way we think about and regulate cannabis has been positive. People who use cannabis are no longer criminalized and forced to the black

market. People can access safe products in a safe environment. There are safeguards to protect children and youth, such as buffers around schools where stores can't operate and identification requirements.

There is a lot that we can learn from the success story of cannabis. We need to take those lessons and use them to move forward. Drawing on those lessons, the Yukon NDP has two calls to action. The first call to action is to reopen the *Liquor Act* to ensure that legislation has similar protection measures to those found in the *Cannabis Control and Regulation Act*. In a recent municipal hearing about buffer zones around schools, many people asked the question, "Why do we have a liquor store less than two blocks away from a high school? Why do the standards for cannabis not also apply to alcohol?" These are very good questions and ones that this House should be considering. So, we call on the government to reopen the *Liquor Act*.

The second call to action is to decriminalize other illicit drugs for personal use, including opioids. This call echoes those from organizations across the country, including the Yukon Medical Association. In our current overdose crisis, the criminalization of drugs only creates stigma and fear. Last year, the report *Getting to Tomorrow: Ending the Overdose Crisis* was released after conversations with community members about the opioid crisis. One of its key findings is that people are afraid to call 911 for an overdose. People are so afraid of being criminalized that they risk death rather than call for help. This is the result of criminalizing drug use. It's time for it to end. The Yukon NDP call on this government to apply for an exemption under the *Controlled Drugs and Substances Act* to decriminalize the personal use of small amounts of illegal drugs in the Yukon.

Hon. Mr. Pillai: Again, with the closing of retail sales on the Cannabis Yukon website, the government is handing over the legal sale of cannabis to Yukon's private retailers. Yukon's licensed cannabis retailers have been permitted to sell online and provide delivery since the spring. Again, the Cannabis Yukon website, which the Official Opposition, over the last year, commented on — how it was such an impact to the private sector — really accounted for only about \$2,000 of total cannabis sales in the 2021-22 fiscal year.

As the site is now closed — and I commend the team at Yukon Liquor Corporation for still using that digital infrastructure as an opportunity for us to pivot and use it now for the private sector to do their sales purchasing.

Cannabis sales in the Yukon have experienced 13-percent year-over-year growth in the first half of 2022. Again, we know that pricing of cannabis plays an integral part of displacing — and you have heard the Official Opposition talk about that on the pricing piece. The Yukon had an average retail price of \$8.52 per gram in July 2022, so that is a 14-percent decrease from July 2021 — again, dropping the price commitment that we made.

In addition, the wholesale markup was reduced from 22 percent to 20 percent — again, providing retailers with access to a wide range of products and a lower cost.

August was the first month that our six cannabis retailers collectively had more than \$1 million in sales — for the month of August. In 2018, we said that we would work for the health and safety of Yukoners — again, including youth.

So, what I would say today is: I think that the whole week, we are probably going to get criticized, file after file. I would ask the Official Opposition: On this one, can you at least admit that we got it right? We went through a three-year period. The minister committed to closing the store and it was done a year later. Then we came back in and made sure that we had the right infrastructure in place. We committed to making sure that the online store was done; that got done. Then we made sure — we committed to taking the price down, and we did that.

We are leading the country on impact. Right now, it is over \$22 on a monthly basis per capita — far and above. The Official Opposition constantly said that we had to look at the Saskatchewan model because government was out of the way in that one. Well, in 2019, a selection of Saskatchewan's independent retailers felt compelled — they had to launch their own cooperative to have buying power, which is what we had said the corporation here could do. We could go out and buy product for a number of folks and it wouldn't be a one-off; we could have that critical list.

So, now, in Saskatchewan, later on they have joined in. They have extra fees, extra costs, extra red tape — which they all had to create themselves, when we had a very clean path. So, I think — commend the previous minister and the corporation and the board for doing an exceptional job of moving through here.

Again, we have the most successful model in the country. We have committed, time and time again, to certain aspects of getting out. As of today, that's exactly where we are.

The other thing that was brought up by the Whitehorse Chamber of Commerce — I think that was really about a municipal zoning piece. It kind of got skewed into something else, but the truth is that, when we went out for consultation on the act, no municipalities came back and said they didn't want that responsibility. We hear it all the time. When it comes to planning and zoning and those particular issues, municipalities want that control. Maybe that has changed, but based on the consultation at the time of the act, it certainly didn't.

When it comes to the Yukon Chamber of Commerce, I think we have illustrated and demonstrated here that we have reduced prices. Again, we want to work with those six businesses to make sure they flourish.

Thank you for giving me an opportunity to bring folks up to date about the success of the cannabis act and our report today.

Speaker: This then brings us to the Question Period.

QUESTION PERIOD

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

Mr. Cathers: In August last year, the Minister of Education made the following public statement: "... it is the view of the Government of Yukon that the Child and Youth

Advocate office does not have a legal authority to conduct the kind of review that had been proposed.”

In the Child and Youth Advocate’s report that was tabled last week, the advocate noted, “In refusing to cooperate with the review...” — the Department of Education — “... was in contravention of the *Child and Youth Advocate Act*.”

Is the minister aware that her initial response to the Child and Youth Advocate was in fact a contravention of the *Child and Youth Advocate Act*?

Hon. Ms. McLean: I am happy to stand to speak about the work of the Child and Youth Advocate in the Yukon. I certainly have worked closely with her over my time as Minister of Education. I actually tabled her report in the Legislative Assembly last week.

I have committed to responding to the recommendations and the findings of her report by November 22 and also have committed to the follow-ups that have been recommended in her report.

The Child and Youth Advocate certainly provides an important service to Yukoners. The Department of Education recognizes the value and role of advocacy and support that the Child and Youth Advocate plays in upholding the rights of children and youth in our territory.

As outlined in the advocacy protocol agreement between the two organizations, building and maintaining relationships through cooperation and information sharing is a priority. We absolutely worked with the child advocate and provided her with all of the information that she required to do her report.

Mr. Cathers: Mr. Speaker, I have to remind the minister: The advocate’s report tabled last week specifically singled out the minister for her comments in the *Whitehorse Star* in August last year. The advocate’s report says — and I quote: “... the authority of the Advocate was publicly brought into question by the Minister of Education.” So, the advocate is very clearly singling out the minister’s comments here. The advocate then went on in her report to clearly say that this is a contravention of the act.

What is the minister’s response to the report stating that she contravened the *Child and Youth Advocate Act*?

Hon. Ms. McLean: Again, the Department of Education recognizes the value and role of advocacy and support that the Child and Youth Advocate plays in upholding the rights of children and youth in our territory.

As outlined in the advocacy protocol agreement between the two organizations, building and maintaining relationships through cooperative information sharing is a priority. We continue to have regular meetings with the Child and Youth Advocate to discuss matters of shared interest and to find solutions to individual and systemic advocacy matters. These meetings offer an opportunity to collaborate with the Child and Youth Advocate on individual advocacy matters along with broader initiatives, including student safety and attendance, to mention a few. I have been in receipt of the student attendance report, and we have included that and rolled it into our inclusive and special education and Auditor General’s report responses. Many recommendations in that report overlap and so we’ve included it there. We’re working closely with the Child and

Youth Advocate on other reviews such as the Jack Hulland Elementary systemic review, and we’ll continue to work closely with her.

Mr. Cathers: Mr. Speaker, unfortunately, the minister’s initial response to the Child and Youth Advocate’s notification letter had a negative impact on families affected. Here is what the advocate’s report says: Education “... stated they were not in support of the Advocate’s review advancing as presented.” Education “... did not respond to the concerns addressed in the Advocate’s notification, further enraging parents and community members.”

The fact is that the minister and her department’s initial response to the Child and Youth Advocate’s review contributed to the anger and mistrust between the school community and this Liberal government.

Once again, Mr. Speaker, will this minister apologize for contravening the act?

Hon. Ms. McLean: I think that I have stated a number of times and have demonstrated through action the importance of the relationship between the Child and Youth Advocate and the Department of Education. My team has worked very closely with the Child and Youth Advocate through the development of this report. The Child and Youth Advocate’s Office report provided additional information and perspective on what happened and how we can move forward for the benefit of all Yukoners. I have committed several times in this Legislative Assembly to respond to the findings of the Child and Youth Advocate and the recommendations that she has provided to us in the time allotment that she has recommended to us for further follow-up. I am committed to doing just that.

I welcome further questions; however, I do have a question for the member opposite about their handling of these matters in 2015. I think that they owe Yukoners an answer in response to the way that they dealt with the first allegations against this individual.

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

Mr. Dixon: Last week, the Child and Youth Advocate’s report that was tabled in the Legislature made one thing very clear: Not only were children not prioritized, but their rights were violated. The report found that the Liberal government’s “incredibly poor handling of the situation” caused harm. Despite this, last week, the minister repeatedly told the Legislature that the well-being of children was at the heart of the government’s response.

How does the minister explain this extreme discrepancy between what she has told the Legislature and the Child and Youth Advocate’s report that she herself tabled last week?

Hon. Ms. McLean: I have stated many, many times — and I will continue to say — that at the heart of this issue are our children and their well-being, safety, and protection. We at the Department of Education, when children are in our care, take this very seriously. We are focused on taking the needed steps to rebuild the trust and provide the best targeted supports to the school community.

In terms of the supports that have been provided to the Hidden Valley families, I continue to hold up the dedicated staff at the Hidden Valley school who are ensuring that children feel connected, supported, and safe at school, which is very important.

No family will be left behind, Mr. Speaker. A range of free-of-charge supports continue to be available to the school community through our school community consultant who will work individually, and has worked individually, with families to provide options for them. I will continue to ask members of this Legislative Assembly to let me know, or the department know, if there are any families in need of support or services. As these reports —

Speaker: Order, please.

Mr. Dixon: The minister can continue to repeat these lines, but the simple fact is that the Child and Youth Advocate's report shows something different. The very first line of the executive summary of the advocate's report reads as follows: "Children have not been prioritized, and their rights have been violated before, during, and after Educational Assistant..." — WAB — "...was charged in 2019..."

This conclusion is difficult to reconcile with the minister's statements that the well-being of children was at the heart of government's response. Now that the minister has presumably read the report in full, does she agree that the Liberal government's response has represented "incredibly poor handling of the situation" and that children were not indeed prioritized?

Hon. Ms. McLean: As I was just completing my last sentence at the last question, I just wanted to say that, as these reports and reviews and investigations are received, we will always be mindful of the supports for staff, students, parents, and guardians to ensure that they are supported as we continue to go forward. Our government has taken swift action to the report that we asked our independent reviewer to provide to us last year, Amanda Rogers. That report was asked for in October; we received it in January. We had an action plan in place by February, and we're actioning that. It's called the "safer schools action plan".

We accepted all the recommendations of the independent investigator. This plan has 23 actions; 13 of them are complete. I think that the work we have done as a government to respond and to be accountable for the findings of this report is incredibly important, and I think that we will absolutely continue to do that and look forward to responding to the advocate's report too.

Mr. Dixon: Well, today, and as she has done for some time in response to the advocate's report, the minister has suggested that the safer schools action plan that the Liberals developed following the last review is working well in addressing the needs of the school community.

The Child and Youth Advocate's report makes it very clear that this is not the case. The report says clearly that: "... a response to this review and its recommendations that merely subsumes the Advocate's review into the Safer Schools Action Plan (and steps taken since) is not adequate." This conclusion fits with what we have heard from the school community.

So, will the minister now agree with the Child and Youth Advocate's conclusions that the safer schools action plan, and steps taken since, are not an adequate response and that children have not been prioritized in the Liberal government's response to this situation?

Hon. Ms. McLean: I wanted to just raise the safer schools action plan because that is the response that we have put in place to the independent review that we initiated last year. Much of that work is either complete or on track to be completed by this spring. Definitely, we have taken note of the comments that the Child and Youth Advocate has made in her report around the safer schools action plan and it will be part of our consideration as we respond to the findings and we respond to the recommendations.

As I have said many times, I am in the same camp as the Child and Youth Advocate. When we take children, we make children the centre of our decisions. That is how I have approached my work since I became Minister of Education and how I have approached my work for a lifetime, Mr. Speaker.

Question re: Electricity rates

Ms. Tredger: The Yukon NDP first raised the issue of ATCO's overearnings at the expense of Yukoners in the Legislature last spring. The response of the minister was to offer a short-term band-aid solution. Thanks to continued pressure from the Yukon NDP, ATCO has now filed with the Utilities Board for approval of their own band-aid solution, but, Mr. Speaker, these measures don't fix the problem.

Here we have a private company earning millions of dollars more than intended and the government is refusing to intervene. This has been going on for more than five years. It is high time for electrical rates to be reviewed.

Will the minister finally address the issue of high electricity bills and compel ATCO to file a general rate application?

Hon. Mr. Streicker: I think that it is important that we talk about these electricity rates. I did approach ATCO and did ask them to consider putting in for a rate review.

They developed a submission, which is in front of the Utilities Board right now. I did reach out to them after that and I did say to them — I wrote to ATCO and said that I don't think that this is enough. I think that it is important that we continue to do more.

What we have done is put in an interim rate relief previously under the then-Minister responsible for the Yukon Development Corporation. We put in a three-month, \$50-per-month rate relief for Yukoners earlier this year. We have put in another one right now. I will continue to follow up with ATCO and with the Utilities Board to get this right-sized.

I appreciate the question.

Ms. Tredger: What I don't understand is why this government is asking a private company to do their job, which is to ensure that there are fair electricity rates in the Yukon. What we are talking about here is a tightly regulated monopoly. Yukoners depend on ATCO for reliable and affordable electricity. They rely on ATCO to light their homes at night, to keep their families warm, and to cook their meals. Yukoners

can't shop around for a new electricity provider. They are stuck with ATCO and they expect them to provide their service at a fair rate, but it hasn't been fair for the last five years. ATCO has collected and keeps collecting millions of dollars more than they are supposed to.

Does the minister have a real plan to curb ATCO's overearnings, or is he content to continue subsidizing this corporation indefinitely with his rebate program?

Hon. Mr. Streicker: I think that the member opposite just suggested that we are subsidizing ATCO. Actually, we have been rebating Yukoners.

There is the Yukon Utilities Board, which has the responsibility for setting rates. I will respect that board and its responsibilities. I will do what we can within the act that we have. I know as well that the Minister of Justice is working on a review of that act to provide more tools for us to address the situation. I will continue to work directly with ATCO and I will continue to work to support Yukoners to get us fair rates for our energy costs.

I was in contact with the vice-president of ATCO this morning on an unrelated issue, but I continue to be in contact with the energy distribution company, ATCO, and will continue to work to advocate to get lower rates for Yukoners.

Ms. Tredger: The minister says that he is not subsidizing ATCO. That's true. He is giving Yukoners money to subsidize ATCO. And he talks about the Utilities Board. They don't have the power to compel a rate review. That is in the hands of this government. More and more Yukoners are choosing to reduce their fossil-fuel consumption by changing their homes over to electric heat. Yukoners are increasingly dependent on a clean and reliable electrical grid.

Reducing home-heating emissions is a crucial component to reaching our climate goals. We need to continue to support Yukoners to switch from carbon-emitting fossil fuels to clean electricity for all of their energy needs. But that electricity needs to be provided at an affordable rate.

Will the minister tell Yukoners how he expects them to convert their homes to electric heat when he won't make the changes needed to make their electricity bills fair?

Hon. Mr. Streicker: Mr. Speaker, I'm going to carefully review that. I think the member opposite suggested that the Utilities Board doesn't have the authority to call for a general rate application. I will check that. My understanding is that they do.

Second of all, no one is subsidizing ATCO. Money is not flowing to ATCO. We are giving rate relief to Yukoners in the form of three times \$50 on bills earlier this year and now another three times \$50 for this fall. We are giving that to Yukoners.

I will continue to look at what opportunities we have to ensure that this works, and that includes talking directly with ATCO, working through Justice to consider what avenues there are with the Utilities Board, and, if the Utilities Board so wishes, to consider a general rate application. If that authority exists under the act, then that is great, but I will respect the Utilities Board in their role.

Thank you very much, Mr. Speaker.

Question re: Affordable housing

Ms. White: Thank you, Mr. Speaker. Just this weekend, I heard a story about a family who nearly left the Yukon because they couldn't find a permanent place to live. They couldn't afford to buy a home here, and it took them months to find a suitable home to rent. The housing crisis is suffocating our economy, contributing to the labour shortage, and depriving Yukoners, old and new, of a decent, affordable place to live.

So, let's talk about solutions to this crisis. Advocates have long suggested modular homes as a quick, affordable, and environmentally sound way to increase the housing stock. By working with municipalities on zoning for modular homes, we could have more affordable choices for more people with a much faster turnaround.

Will the minister work with the City of Whitehorse and other municipalities to create a new zoning for modular homes?

Hon. Mr. Pillai: I think it's first important to touch on the fact that the work, at a collaborative level between the municipality of Whitehorse, the Government of Yukon, Kwanlin Dün First Nation, and the Ta'an Kwäch'än' Council, is underway, with representation from the Minister of Community Services.

That was illustrated about a week ago when we were meeting together to take look at priorities, again, providing an opportunity for the municipal team, both at the elected level and at the technical level, to see where the potential spots are within the City of Whitehorse to develop land.

There has been a dialogue between Kwanlin Dün First Nation, being led by Chief Bill, and me and the Mayor of Whitehorse around modular homes to the point where I think Kwanlin Dün — it's either this week or next week. I could be off, but I know that it's within a short period of time that Chief Bill had let us know that there was due diligence being done in Alberta on a number of different plans to look at this option.

Certainly, we are deep into discussion. It really comes down to — whether it is a stick-built or module, you need to be able to have the land prepared, and you need to have horizontal services in. Inevitably, that is going to be the first step — and, of course, have the right zoning.

I look forward to questions two and three and continuing this discussion. Thank you, Mr. Speaker.

Ms. White: So, this government loves to tout its lot development, but what they don't talk about is how they cancelled an important program for turning those vacant lots into homes. It doesn't matter how many lots are available if people can't afford to build on them.

So, the home-building loan program provided financing to people who bought an empty lot so that they could build a home, but the Liberals cancelled it for Whitehorse residents. When my colleague asked about this program in the spring, the minister responded that it had been replaced by a new federal program. The problem is, though, that this federal program only applies to existing homes, not to building new ones. It does nothing to help those in Whitehorse in need of a construction loan.

Will the minister reinstate eligibility for the home-ownership loan program to include the Whitehorse area?

Hon. Mr. Pillai: I just want to clarify a couple of points that were made by the Leader of the Third Party. Yes, I did speak to the fact that there was a federal program that could be used. I will have to go back and take a look at the Blues. I don't think that program was going to meet all of the needs of folks in Whitehorse. The previous minister took a look at how used the loan program was.

It was underutilized at the time, and there was a real shortage of opportunity within rural Yukon to use that debt instrument, so there was a focus on making sure that you could provide a higher loan because we were finding that the build cost was higher in communities across the Yukon, outside of Whitehorse, so we provided those funds for that particular opportunity for people who were looking to build and buy out in rural Yukon. At the same time, when I came into the role, I asked the president of the Yukon Housing Corporation to focus on looking at if we should bring this back. That is something that we have worked on. In dialogue with the Third Party, we have touched on that, but I am in complete agreement with the Third Party. I think that we should bring it back.

I can't say that today it can be reinstated because it has to go through a process in Cabinet, and I can't undermine that. I have to let my colleagues make their decisions on it, but certainly, we are working through the process and would like to have that program —

Speaker: Order.

Ms. White: So, when we talk about underutilization, I would like to remind everyone that this was before the Whistle Bend subdivision.

When we talk about the need for housing in Yukon, we need to ensure that any new housing programs are encouraging development that is actually affordable for Yukoners. The developer build loan program's only affordability requirement is that it meets the Yukon Housing Corporation's modest design guidelines. These guidelines cap the square footage of the home and require construction and materials that are simple, easy to build and maintain, and minimal in cost. There is nothing in these guidelines about sale price compared to market value or any other financial indicator. The only requirement is that they be small and simple.

How can this government talk about affordable housing when they haven't even defined what "affordable" means? In today's housing market, "small and simple" does not equate with "affordable". Will the minister commit to creating a definition of "affordable" in government-sponsored programs to make sure that units are actually affordable?

Hon. Mr. Pillai: The first question I heard was: Would you contemplate working with the City of Whitehorse on units that can be put in place quickly and modular units? Yes.

Are you working on the loan program and will you bring it back? As I voiced before, we are working on it. We are getting our submission ready. The answer is yes.

The third question was: Are we willing to look at "affordable"? We constantly — I would love to hear the thoughts of the Leader of the Third Party. If you want to sit down with our officials, if you want to submit something — you have done a lot of thinking about this particular concept.

We definitely are tracking affordability because we try to de-risk programs and to future-proof programs by putting funds in place, and then we have to make sure that they are still in that delta of "affordable", so we do track "affordable".

If there are other thoughts about what "affordable" — that term — should be, I am absolutely open to that. Again, we think that the developer build loan program is something that should be utilized.

We are seeing interest rates starting to go up, and in many cases, mezzanine debt and other things are double where they were. It is becoming very expensive. We are watching what is happening. There are people who have lots right now as well. We want to ensure that they still build, but they are taking a look at their business model again.

So, we are looking at all those different things. We are looking at the land trust as well. We are partnering on a problem that has been the biggest investment in Yukon history in affordable housing. So, I look forward to further questions this week.

Question re: Rural fire protection services

Mr. Istchenko: It has been almost a year since the Liberal government reviewed an independent report on fire services in rural Yukon, which was prompted by the loss of the historic Keno Hotel fire in 2020. Since then, rural Yukon has heard very little from this government in response. Citizens and affected communities have expressed frustration with how slowly this government has reacted. In fact, this summer, it was reported that at least one community — Keno — had pooled their money together to purchase their own fire truck because they felt that the Yukon government wasn't doing enough.

When can Yukoners living in rural communities expect to see a comprehensive response to the independent report that was tabled almost a year ago?

Hon. Mr. Mostyn: I am happy to take the floor this afternoon to talk about rural fire services. The provision of fire services across the territory is absolutely essential. I heard it on my community tour. The prevention of fire starts at home, so I encourage all Yukoners to take a look at their houses and make sure that they are doing all they can to prevent fires up front, because the last thing we want to have is fire, and fire prevention starts at home with individuals.

The member opposite has talked about our fire review. The review contains 104 recommendations in the area of governance, operations, strategy, risk management, and compliance. They present an exciting opportunity to shape the future of Yukon fire services and we are pleased to see a number of recommendations that will ensure safe and sustainable fire services across the Yukon. Since the release of the review in December 2021, the Fire Marshal's Office presented the report to communities and fire service stakeholders. The Fire Marshal's Office has also met with key communities, Yukon fire chiefs, Yukon First Nations, municipal governments, and fire service stakeholders. Their feedback has identified priorities which include innovative programs that match the capacity of individual communities and strengthen fire resilience through a levels-of-service

response model, mutual aid agreements, and a fire safety champion program that focuses on fire prevention and education.

Mr. Istchenko: For many rural communities, like those in my riding, the government has simply not moved quickly enough in responding to this report. This past summer in my riding, Beaver Creek had a close call with a fire that was very close to the community. The government actually had to bring in volunteer firefighters from another community to show them how to operate the equipment that was in the fire hall.

In Destruction Bay, we have seen examples of people losing homes to fire. So, one recommendation from the report that has garnered some attention is the idea of providing the so-called “fire protection in a box”. This could include giving smaller, remote communities some fire suppression gear like hoses, portable pumps, shovels, and other equipment so they would have a basic capacity to limit spread of structural fires.

So, my question for the minister is: Will the government be acting on this recommendation, and if so, when?

Hon. Mr. Mostyn: With 104 recommendations, including the review, there is significant work to be done to devise a path forward. Our government has taken immediate action on a few of the short-term recommendations identified in the review, particularly as they pertain to firefighter safety and Occupational Health and Safety compliance. We are now focusing on longer term goals that will support communities with fire service programs that match the capacity.

Mr. Istchenko: So, it has been almost a year now since the independent report was tabled and we still haven’t seen a comprehensive response from this government. One principle action item for the Yukon government in the independent report includes improvements to recruitment, safety, and training of firefighters.

So, can the minister tell us what steps this government has taken to implement this recommendation in rural Yukon? What steps has the government taken since last year to improve recruitment, safety, and training of firefighters in rural Yukon? Which communities have they met with?

Hon. Mr. Mostyn: The Fire Marshal’s Office remains committed to working with Yukon communities to ensure a pragmatic level of service in each community. The Fire Marshal’s Office held several meetings with the public and stakeholders to discuss the content of the review and next steps, including: a media briefing; a meeting with the community of Keno and a public meeting open to all residents of unincorporated Yukon in December 2021; several additional meetings with the community of Keno, most recently on August 9, 2022, to discuss establishing a fire response program and repairing water source, which has led to the establishment of two fire safety champions in the community and regular ongoing contact occurs with the fire safety champions in Keno; we have had multiple meetings with the Association of Yukon Fire Chiefs; a meeting with all Fire Marshal’s Office staff and the fire chiefs and deputy chiefs from across the Yukon on January 30, 2022; a meeting with the chief administrative officers in Yukon communities on February 10, 2022; a meeting with the CAO for the Town of Faro on May 30, 2022

to discuss the mutual aid agreement; a meeting with the National Indigenous Fire Safety Council on February 14, 2022 and July 13, 2022; meetings with the Ross River Dena Council on June 1, 2022 and September 7, 2022, actively working to re-establish a fire service; a meeting with Mendenhall Community Association on June 15, 2022 to discuss fire safety champions.

Mr. Speaker, I could go on and on and on. Thank you very much.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 19: *Technical Amendments Act (2022)* — Second Reading

Clerk: Second Reading, Bill No. 19, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 19, entitled *Technical Amendments Act (2022)*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 19, entitled *Technical Amendments Act (2022)*, be now read a second time.

Hon. Ms. McPhee: I am happy to rise today to speak to the importance of the details included in the *Technical Amendments Act (2022)* and the importance of the proposed amendments to each of the three acts within this bill and why they are needed at this time.

As such, I am pleased to discuss Bill No. 19, entitled the *Technical Amendments Act (2022)*, in further detail with members today through this second reading.

As members know, this bill proposes amendments to three different acts: firstly, to the *Condominium Act, 2015*; secondly, to the *Land Titles Act, 2015*; thirdly, to the *Corrections Act, 2009*.

To start, I would first like to provide the context behind the amendments to the *Corrections Act, 2009*. The Corrections branch, operationally speaking, has two distinct program areas. They are the facilities-based corrections and community corrections.

Facility-based corrections provides services and programming for clients at the Whitehorse Correctional Centre. The managers and staff members who work at the Whitehorse Correctional Centre must balance the safety of inmates, the public, and the staff while providing a humane living environment, health services, and rehabilitative programming to all clients.

These services are delivered in a secure facility on a continuous basis, 24 hours a day, 365 days a year. The corrections centre is a unique environment that requires dedicated, consistent, and accountable leadership at all hours of every day.

Community corrections provides services and programming for clients who are on bail or probation. Staff at

community corrections help clients adhere to their court orders, work with clients to reduce their risk of recidivism — re-offending — refer clients to programming that reduces the risk of re-offending, and act as a client's case manager to help clients access services, such as housing, education, or social assistance.

We believe that all clients and staff members will benefit from a separation of these two program areas, as proposed by these amendments, so that each team benefits from the attention of a dedicated director of correctional facilities and a director of community corrections. That is what is being proposed here.

Other revisions to the legislation in this bill include updates to the *Land Titles Act, 2015*. Part of an ongoing modernization project of this government has been to fully implement the recently launched electronic Yukon land titles registry system. Some would say that we are finally getting into the 20th century. The new Yukon land titles registry system continues to improve the quality of service for all Yukoners so that it meets national standards, while maintaining the Land Titles Office's current high level of accuracy and certainty in title; however, with the new system, some provisions within the *Land Titles Act, 2015* are no longer applicable. As well, some provisions within the legislation require minor modifications to align with the operational requirements of a new registry system. As such, the amendments to the *Land Titles Act, 2015* have been included in this *Technical Amendments Act (2022)*.

Moving on to the final component of this bill, I would like to just briefly touch on the amendments to the new condominium legislation. As members and most members of the Yukon public are aware, a new *Condominium Act, 2015* and its regulations came into force on October 1, 2022 — just a few weeks ago. It is crucial that we continue to keep this piece of legislation up to date and useful for Yukoners. As such, the proposed amendments in this technical amendments bill will repeal the regulatory provisions that were not proclaimed. So, it will also adjust or fix some errors within the legislation and correct inaccurate cross-references. This is often the goal of technical amendments legislation.

As you can see, these amendments seek to correct some errors within two pieces of legislation to revise provisions to align with operational requirements of an electronic system that supports Yukoners in their property purchases and registration and, lastly, to support operational changes to the Corrections branch within the Department of Justice.

I am very pleased to bring forward this bill to ensure that our legislation remains accurate, effective, and up to date — a goal that I have spoken about in this Legislative Assembly on many occasions. I look forward to the comments by other members of this Legislative Assembly — to their submissions on second reading of this *Technical Amendments Act (2022)*.

Mr. Cathers: As the Official Opposition critic for Justice, I'll be brief in speaking to this legislation. I would just note that we do recognize that some of the changes seem to be necessary that are brought forward in this legislation. There are others, however, that we have questions about, and I look

forward to asking those questions during Committee of the Whole.

We will be supporting the bill moving forward to the Committee stage, so those questions can be asked when officials are here to assist the minister.

Ms. White: So, in speaking in response to second reading of the *Technical Amendments Act (2022)*, which references the *Condominium Act, 2015*, the *Corrections Act*, and the *Land Titles Act, 2015*, really, our questions are going to revolve around the *Corrections Act*, and that is the creation of the director of community corrections and, of course, the director of correctional facilities.

For a long time, we've understood the challenges that people face when they leave the correctional facility — lack of support in their home communities, if they can get there; what safe or sober housing may look like; and other issues. We're hopeful that we can have that conversation about what that director of community corrections will do and how that will support folks, once they leave the facility. We look forward to continuing that conversation in Committee of the Whole.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McPhee: As I have noted earlier in my comments, I am pleased to bring forward this type of legislation, whenever it is needed, to make sure that the legislation here in the Yukon Territory is, in fact, as up to date as possible, as accurate as possible, and as effective as possible for Yukoners. I have noted that the members of the Official Opposition and the Third Party will have some questions regarding more the programming areas. I will endeavour to answer those when we move on to the next stage, but I look forward to the support of all Members of the Legislative Assembly for 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. 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 17 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for second reading of Bill No. 19 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy 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: I will now call Committee of the Whole to order.

Bill No. 17: *Clean Energy Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*.

Is there any general debate?

Hon. Mr. Streicker: I just wanted to welcome back to the Legislative Assembly Mr. Shane Andre. He is the director of the Energy branch from Energy, Mines and Resources. I would also like to welcome for the first time to the Assembly Ms. Rebecca Turpin. She is the director of the Climate Change Secretariat with the Department of Environment. I just want to give a shout-out to the other folks who have been instrumental in developing the bill that is before us today. They include Rebecca Veinott, who was here last week, and two other people whom I would like to acknowledge. One is David Dugas — he is the policy advisor to Energy, Mines and Resources — and Nicole Luck, who is the policy analyst from the Department of Environment.

One very, very small thing — on the last day when I got up, I said I would check *Our Clean Future* about the mining intensity targets. I'll just read here — it's actually 19:

“Establish an intensity-based greenhouse gas reduction target for Yukon’s mining industry and additional actions needed to reach the target by 2022.” So, this calendar year is that action timeline.

Ms. Tredger: Thank you for the update from the minister, and welcome again to the officials. It's always great to have them here.

I want to go back to what we were discussing at the very end of the last day. In the minister's last answer, we were talking about mining intensity targets and he had said that there was a bit of a wrinkle with the carbon price rebate. I'm wondering how the carbon price rebate is affecting the mining intensity targets.

Hon. Mr. Streicker: They are actually quite related. One of the reasons is that when you put out a price on carbon, in order for it to work, you have to have a way to judge the difference. Let's say that we're going to give some money back to businesses, which we do under the current system. There is a big difference between a business like, say, the Bonanza Market up in Dawson or a business like Your Independent Grocer here in town. You have different sizes and you have to have a way in which to judge the sizes of those businesses.

Working with the chamber of commerce, we came up with this way to use capital cost allowances, I believe — an asset class that they use to judge the size of a business so that when we're rebating we can give money back to businesses while maintaining the price signal around emissions. So, it still incentivizes businesses to reduce their emissions.

While we were working on the mining intensity targets, we were engaging over this formally over this past summer. We have been engaging previously on it, talking with industry. Then, recently, we saw changes coming from the federal government, and we needed to bring in the carbon rebate amendments. They are in right now. They use that capital cost measure. So, it's a way to judge the size of businesses, while still maintaining a signal to incentivize reduction of emissions. Because that's there, it's very similar to an intensity base. So, it's one of those things that we will have as conversations with the mining industry. We were already in those conversations and the wrinkle is just that we have another way in which it's being done right now. We did that in order to protect the rebate system that exists here in the Yukon.

Ms. Tredger: I think I had assumed that intensity base was going to be emissions per output. Is the minister suggesting that, in fact, we're looking at emissions per — I know I'm using the word “asset” not exactly correctly, but based on the size of the business rather than the output of ore, I guess?

Hon. Mr. Streicker: What I'm suggesting is that we need a way to measure that economic activity. Usually, the way we think of it is ore — gold — ounces of gold. That's the simple way we think of, say, a gold mine. Then, of course, it would be different for different types of ores, but that's the way we think of it typically.

We can use national standards, but there is also a way in which you're measuring the economic output by this asset class. So, there are different ways that it can be looked at. We are in conversation with industry about that. What you need to

do is to judge the amount of emissions for the amount of product or activity that is happening. You're trying to get that emissions down, and you need to get that signal out there so that there is an incentive to reduce emissions.

Ms. Tredger: I'm looking forward to seeing what decisions are made around the intensity targets.

Specifically looking at section 6, which is the section that deals with the interim greenhouse gas emissions reduction target, I want to talk about 6(3), which I believe we've flagged in the briefing. What I understand section 6(3) to say is that if there is a territory-wide interim target established — say we decided to go to 60-percent reduction — that it won't affect the site-specific targets such as the mining targets. I believe the reason in the briefing we were given is that they would need to go back and consult with the mining industry. I am wondering about why there is that need for consultation specifically with the mining industry, but not any other industry. So, for example, when we are setting the 45-percent reduction target, or the 30-percent which was originally set, there is no requirement for that to go consult with the trucking industry or the agricultural industry or the forestry industry or any others, so why is mining being dealt with specifically — why is that different for mining?

Hon. Mr. Streicker: So, a couple of things. First of all, under section 6(1), we talk about engaging with representatives of the sector. In this case, because we have an intensity target, we have said that, but if we ever did choose to bring in an intensity target for another sector, we could engage with them. There is no problem around that. It is also the reason that those other sectors that the member opposite gave as examples — forestry and trucking — those sectors, as we see them over time, their emissions are not volatile like mining. For example, when Faro mine was here, a lot of emissions; when Faro mine left, very few emissions, and we could have other mines come and go, and when they come and go, they make big, big swings to the emissions.

Section 6(3) says that we could bring in additional sector-based targets in the future. They would have to be more than the target we have set here, not less — because we have to honour what is set in the act, if it gets set in the act or in regulation — and it wouldn't automatically change the regulation. You would actually have to go back and change the act or the regulation at that time. You can add an interim-based target, but it would have to be “better than”.

Ms. Tredger: I will ask everyone to bear with me, because I'm trying to understand this, and I don't think I do yet. I will leave aside the consulting piece for a moment. Section 6(3) says, despite subsection (2) — let me gather my thoughts for one moment. So, you're saying that section 6(3) is saying that any new targets have to be greater than previous targets, when it comes to sector-specific target reductions. Is that correct?

Hon. Mr. Streicker: Okay, so, a couple of things. The first one is, say that, right now, we are going to set 45 percent by 2030. That is the main target. If I wanted to set a sector-based target afterward — not even whether it's an intensity, just

a sector-based target under subsection (2) — then it would need to be higher; you can't go lower.

Second, if we bring in — let's say, later on, we up our target, or let's say we put in a forestry target at some point of 50 percent. That is our target for forestry. It could be absolute — it doesn't matter — but it is a target. Let's say that, at some future point, we also increase the Yukon target to 60 percent. If that target was set at 50 percent, we would have to go back and change it, because it would not be changed by the fact that we said, overall, 60. So, all that we are really doing inside of the subsections here is just the rules around it if we change the targets in the future, but overall, the purpose here is to make sure that we have the flexibility to add targets and to increase the level. The only way to decrease the level in the act itself would be to come back here to the Legislature.

Ms. Tredger: Thank you to the minister for that. That is very helpful, and I appreciate that explanation.

I guess I will just say that I understand and that I don't think I agree with this idea that when we set a territory-wide target, we are not required to consult with industries, but when we set sector-specific targets, we suddenly have to start consulting with them. Obviously, of course, we should be consulting — of course, that is good practice — but this legislative requirement, I think, hinders setting targets in an emergency, which is what we are in. I do think that, at least in this situation that we are currently in, it gives mining sort of preferential treatment that no other industry is getting, but I will leave my disagreement on that choice.

I just want to talk a little bit more about the interim reduction targets. Is there any contemplation right now of setting interim targets in between now and 2030 using regulation?

Hon. Mr. Streicker: I have a couple of points. First of all, going back to how we engage with industry — section 6(1) basically says, “Hey, if we are going to bring in a sector-specific thing, then we have to talk to that sector.”

When we brought in the whole of the act, we did engage with industry broadly. So, as we are out there talking with chambers, we are in dialogue with them, so it's not that we didn't talk to industries as we were looking to bring in this act; we did.

With respect to: Do we have anticipation with bringing in other interim steps in the near future? — the only ones we have in our targets right now are based on the actions that we have from *Our Clean Future*, so we still have the renewables and we have the mining intensity targets. Those two are the ones that we are still contemplating, and we need to do the work first before we come back, but I do want to give a heads-up that I think that we are likely to try to come back and add. Then we have to judge whether that is through regulation or through amending the act and be coming right back here into the Legislative Assembly, because there may be differences; so, we have that work in front of us yet.

I also would acknowledge — for example, the Climate Leadership Council has given us lots of suggestions. If some of those are good to put in place under a clean energy act and make them targets that we wish to enshrine in a piece of legislation

that would hold governments to account, then we will consider those.

In talking with colleagues right now, I haven't heard of other ones that are on our radar screen at the moment, but I don't want to discount that possibility, given that we are going to continue to work to find these solutions to get us to these targets.

Ms. Tredger: Thank you to the minister, and I will wrap up my questions there for today. Thanks to the officials, and I will pass the floor to my colleague.

Mr. Kent: I welcome the officials who are here to support the minister today. Obviously, we spent a little bit of time talking about this on Thursday, and I just wanted to summarize my understanding of that discussion with the minister in setting the baseline on where we are at and where we need to get to.

On Thursday, we talked about the *Our Clean Future* document, which had the goal of 30-percent emissions reduction below 2010 levels. I just wanted to confirm with the minister that the new targets of 45 percent would take us to a 343-kilotonne emission level by 2030, which, my understanding is, is about an additional 70 kilotonnes beyond what the 30-percent reduction would have been. If the minister can confirm those numbers, that would be great.

I know we talked a little bit about the most recent data that we have, which is 2020. Obviously, in *Our Clean Future*, the data that is being referenced is from 2017. The minister mentioned last Thursday that we are currently above the 2010 emissions level, but if he can just confirm exactly where we were in 2020 as far as kilotonnes, that would be great.

Hon. Mr. Streicker: I can confirm that, in 2020, the last year that we have reporting — the most recent year that we have reporting on emissions — we were 642 kilotonnes. Our baseline year of 2010 is 625 kilotonnes, and our target for 2030 is 343 kilotonnes.

Mr. Kent: The *Our Clean Future* document — and perhaps I am reading it wrong — I will just get the minister to confirm that he said 624 kilotonnes in 2010.

It says in this document that the 2010 emissions were 592 kilotonnes. So, has that changed? Sorry, I might be reading the *Our Clean Future* document incorrectly. I just want the minister to confirm that he said it was 624, I believe, in 2010, whereas this document says that it was 592.

Hon. Mr. Streicker: One of the challenges with calculating these emissions is that we work with something called the “national inventory report” from the federal government. Especially for small jurisdictions like the Yukon, the numbers move around on us somewhat. So, for example, they were recalculated for 2010. What I think I said was 625, so I will just confirm with my colleagues here. But I believe that the baseline year currently, as given to us through the national inventory report, is, for 2010, 625 kilotonnes.

We also issue interim reports that I have referenced here. We note that in those reports when they come out. I appreciate that we are all looking at *Our Clean Future*, and we try to update the public as those numbers have changed.

Mr. Kent: So, the number that we will work off of now is the 2010 emissions — 625 kilotonnes — and we need to reduce that by 45 percent — obviously not the plan in *Our Clean Future*, but it is what the legislation is asking us to set as the goal. That was the revised commitment that came out of the confidence and supply agreement between the government and the Third Party that they signed after the last election.

I do want to ask some questions again regarding transportation. I am going to the 2030 targets here on the government's website. We talked a little bit about the zero-emission vehicles. The goal is to get 4,800 zero-emission vehicles on the roads by 2030. I think the minister said that we were at 161 currently registered. It goes on, as part of the key Government of Yukon actions, that they will get to the 4,800 number by working with local vehicle dealerships and manufacturers to establish a system to meet targets for zero-emission vehicle sales.

Can the minister elaborate on that? What work has been done with local vehicle dealerships? What manufacturers have they talked to? Is the system in place now to meet these sales targets for zero-emission vehicles?

Hon. Mr. Streicker: The department folks — I think that this is both the Energy branch and probably Highways and Public Works — have met with all the local dealers. We have run education campaigns showcasing those dealerships and what opportunities they have for zero-emission vehicles. Sometimes you will hear them called “ZEVs”, which is just the pronunciation of the acronym.

We have met with the Canadian Vehicle Manufacturer's Association and, with them, we have discussed supply chains for the Yukon. Over quite a bit of time now — but significantly — we have been meeting with Natural Resources Canada, the federal government, regarding their sales mandate program. We have been meeting with all of these groups, talking about the transition for light-duty cars and vehicles.

Mr. Kent: So, is the system established that is going to help to meet these targets for zero-emission vehicle sales based on the meetings that have been held so far?

Hon. Mr. Streicker: First of all, what I will say is that we have lots of programs that are directly within our control. For example, the Minister of Highways and Public Works has been talking about our own fleet vehicles and how we make that transition. The question is: How do you work with the public to support them as they make this move across to a new type of technology?

I think that our government has been putting in place the diligent steps in order to support that. What I didn't say in my previous response — but I did say the last time we were debating this last week — is that we have an incentive program where we are giving significant rebates to purchasers of zero-emission vehicles, and so does the federal government.

What you need to understand is that this move, as it happens across Canada, will not happen in isolation in the Yukon. It will happen everywhere. Once it starts to move, we believe that it will move quickly. What we are really doing is lining ourselves up to be at the forefront of that and not coming in behind.

There are many factors, and it is difficult to predict exactly when all of that transition will happen, but we have seen examples — for example, in other northern climates like Norway where now their zero-emission vehicle sales are far surpassed their internal combustion engine sales.

So, we have seen these transitions and we are working to make sure that the Yukon is lined up to move quickly. I have mentioned previously that the Yukon has, at present, the third-highest sales per capita for zero-emission vehicles, following Québec and British Columbia. So, I think that the work that the department has put in place is the appropriate level of diligence for this transition.

Mr. Kent: This is one of the key Government of Yukon actions — it is the first one — to get 4,800 zero-emission vehicles on the roads by 2030. The minister said last week that we are currently at 161, so there is an awful lot of work to be done, and one of the key actions on this is to establish a system to meet targets for zero-emission vehicle sales.

So, I am just going to ask again: Is this system in place? If so, will the minister share it with us, or where can we see this system that the government is going to put in place to meet sales targets? Because, as I have said, 4,800 is the goal; we have 161 currently. There is an awful lot of work to do between now and 2030 to reach that goal.

Hon. Mr. Streicker: So, I have listed the pieces so far that we have. I will add a couple more in this response, but they include that we have put in place infrastructure to support zero-emission vehicle owners and drivers so that they can travel not just within their community, but across Yukon communities. We will continue to densify that network of infrastructure to support this. We are working with our energy utilities around the transition to a user-pay model at the level 2 charger set-ups and our fast chargers. We have introduced incentives, both federally and here in the territory, that are moving this.

There are some supply chain issues at the moment, but we think that those will be resolved in time. We feel that there is demand here. In talking with our dealers here in the Yukon, we know that there is a lot of interest to have further sales. We have worked with the dealerships here, and they are keen to move. We have worked nationally with associations on how this transition will happen. We know that being part of the federal program is important. We know, as well, that we have put this through our modelling system. As I've referenced several times, in order to try to do our due diligence around this transition, we have worked with a company called Navius to do our energy modelling. That includes doing the transition to zero-emission vehicles. The curve isn't linear; it is an accelerating curve, because we know that, after our early adopters have moved, we anticipate that it will be moving quickly after that.

Finally, we are building into this act itself the obligation that we will meet these targets. The whole point of that is to send a clear signal to Yukoners. I think that this is one of those ways. This is the part of the diligence — the bill that we have in front of us — because it will enshrine that responsibility. I hope that all of us, as legislators, seek to enshrine that so that we make that commitment.

Mr. Kent: I'm not trying to be difficult here, but I'm just reading this first bullet of the key Government of Yukon actions. As I've said, the first action in here is to "... establish a system to meet targets for zero-emission vehicle sales..." But the minister seems to be including in that "... providing rebates and investing in charging stations..." which are the next two portions of that action bullet. So, providing the rebates that he talked about — the \$5,000 per vehicle — and investing in charging stations — I guess I'm just trying to — it doesn't appear to be a system in place to meet the targets for zero-emission vehicle sales — because that is a standalone commitment in here — and then providing rebates and investing in charging stations are the second and third commitments in this bullet.

I'm just trying to understand if this system is in place for sales targets. Just while I'm on my feet, I guess what I would ask the minister is: In discussions with the local vehicle dealerships, is there any idea of the wait time for ordering one of these zero-emission vehicles that currently exists? The minister has flagged supply chain and other issues. You just have to drive around the City of Whitehorse to see that getting new vehicles into many of the dealerships is a bit of challenge for them. Is there any idea on the current wait time to get zero-emission vehicles after the discussions that have been held with the local vehicle dealerships?

Hon. Mr. Streicker: The way *Our Clean Future* reads, we have listed out many actions. Lots of them interrelate with each other. They're not all exactly distinct. For example, when I go under the subsequent section after the transportation section, which really deals with our homes and our buildings, we start off with each one talking about retrofits across the board, and then we talk about doing energy assessments of our government buildings. So, they are related. It's not a big surprise.

Similarly, when we're talking about the action the Member for Copperbelt South is referring to, we say we're working with local vehicle dealerships and manufacturers to establish a system by 2024 to ensure zero-emission vehicles are 10 percent of light-duty vehicle sales by 2025 and 30 percent by 2030. So, we actually have interim targets there, and then below — in all of the other actions — we work to flesh that out.

So, the system that he is referring to is the very one that I have been describing here in responses, and it includes all of these steps that work to build up the overall support for this transition to electric vehicles.

The member asked what the lag time is right now on orders. I believe it's about a year, although I've heard from some dealerships that there is a delay in getting vehicles, period — new orders. So, there are supply chain issues — yes. We anticipate those to be resolved, and this is all part of the broader initiative we have, for example, around our critical mineral strategy, where we are working to ensure that there is a supply chain for all of this transition here in Canada.

Mr. Kent: Again, the system that is referenced here is with respect to meeting targets for vehicle sales of zero-emission vehicles. I don't want to belabour this, but I don't

have a good sense that there is a system that has been established to meet these targets.

The minister was talking about the *Our Clean Future* document. So, to meet the 30-percent reduction — so, increase in the use of zero-emission vehicles — that would have accounted for 13 kilotonnes of the 263 kilotonnes needed. The minister did mention earlier that some of the numbers have changed here with respect to the 2010 emissions. So, is that number still the same on the 30 percent? And can the minister tell us what we would be looking for in kilotonne reduction to meet the revised target of 45 percent?

Hon. Mr. Streicker: Can I just give a shout-out again to the folks at Environment and Energy, Mines and Resources? They have done a lot of work on this.

So, the system includes incentives like rebates. I understand that those financial incentives also extend to people shipping used zero-emission vehicles into the territory.

There is infrastructure — whether that's fast-charging stations, which we are doing very well to get from the north to the south, from the east to the west of the territory, including moves around quite a few level-2 chargers — we also have an action in here around the ability to ensure that our homes are set up so that, when we are building them, we are going to have charging for our electric vehicles. We are aligning with the federal government on their initiatives. We are working with industry, both locally and nationally. We are doing public education campaigns, and then finally, we are seeking to set targets here today through this bill. That's all part of that package — that system — that we have been working to put in place.

The member opposite asked about the modelling. I will say that we seek to update the modelling at all times. What I can say, from the Navius modelling, is that they felt we would actually exceed the targets that we had within *Our Clean Future*. I have mentioned previously when talking to the Member for Whitehorse Centre that we are currently taking the recommendations from the Climate Leadership Council. We are re-running the modelling, based on their suggested actions, and we will update that, as always, with the new emissions numbers that we get through our emissions inventory that we publish every couple of years.

So, yes, modelling is being redone, and it will be an ongoing thing that we continue to revise it, based on all sorts of factors, as we move toward our targets. That modelling work is underway. I don't have anything to report today about the specifics from that, but the last time we had the modelling and I spoke with the Energy branch, the modelers felt that we would probably exceed the targets in *Our Clean Future*.

Mr. Kent: So, again, in *Our Clean Future*, it sets zero-emission vehicles' greenhouse gas reductions at 13 kilotonnes. So, is that where — when I asked earlier about the 2010 levels, they had gone from 592 kilotonnes to 625 kilotonnes. So, is this number the same to meet the 30-percent goal that this document set out?

Hon. Mr. Streicker: A few points — the first one is that I have just stood up and said that I don't have new numbers today from the modelers, but I have said that we are working

on updating those numbers at all times, so I will continue to look into it. I appreciate the member opposite's interest. I think that it is an important issue.

Second of all, I will say that we have talked, for example — I mentioned about talking with those national manufacturing associations. When we have talked with them, they have told us that our targets are achievable. So, they have given us that assurance, as we confirm with them.

Lastly, what I will say is that I appreciate that we haven't yet hit the target of 10 percent of our light-duty vehicle sales by 2025 yet, but we are in 2022, and we are at four and a half percent. So, we are roughly halfway there. We have a few years to go. We think that this is going to accelerate, so we feel that this is an achievable target, and we are looking forward to this transition.

Mr. Kent: I guess the challenge that I would highlight for the minister is that there is one new number that is before us today, and that is the 45 percent, which is the new goal for the reduction below 2010 levels. The modelling that has been done is for a 30-percent number, but the minister and his colleagues are asking us to vote on a 45-percent number with no modelling to get there. That is why I am walking through this in detail trying to get a sense of what these numbers are. If the House does pass this bill into law, how we are going to get from here to 45 percent when the only modelling and the only plan that we have is to get to 35 percent? That is why I am going to continue to walk through these key government actions and other actions that are before us while we are in Committee of the Whole here today.

I do have a question on the vehicle rebate that we talked about last week. We talked about \$5,000 per vehicle. So, to meet that 4,800 zero-emission goals — I mentioned the number that this would cost Yukon taxpayers — \$24 million. However, the minister mused about perhaps how, in the future, that rebate would come off as the price of these zero-emission vehicles came down. I guess my question for him is: What sort of target price is he looking for with respect to zero-emission vehicles to either start reducing that rebate or to eliminate that rebate so that we have a sense of what this is going cost taxpayers going forward?

Hon. Mr. Streicker: Madam Chair, first of all, the colleagues supporting here explained that the modelling has been redone based on the new numbers. What I don't have today is a breakout of this individual item, which is being asked for very explicitly. I think that this action that we have been talking about is an important action. I agree with the member opposite, and I think that there has been a lot of diligence put toward it.

One of the places where I think you would seek to adjust a rebate is when you start to see parity, or close to parity, between internal combustion engine vehicles and zero-emission vehicles. When those two prices come close to each other, that's typically a time when you start to phase things out. Currently, the projection for Canada is that this might happen somewhere around 2025 or 2026 — those numbers will shift — and possibly earlier, possibly later, but that's roughly the thinking. That's when I think we would seek. It's really not a

set number; it's how that number compares to the competitive purchase or the alternative choice. As soon as you go past parity, then, of course, it's cheaper for people to buy zero-emission vehicles than it is to buy an internal combustion engine vehicle.

Mr. Kent: Just a quick follow-up question for the minister — when we're looking at the budget documents — and I don't have the current budget documents or the forecast documents in front of me — is that rebate amount listed as a separate line, or is it part of a bigger line item as far as looking forward for the next number of years as we go toward this potentially \$24-million expenditure? Where do I find that in the budget? Is it a separate line or is it rolled up into a different line item?

Hon. Mr. Streicker: I will have to look into this specific answer. I know that, for example, we did highlight several things around *Our Clean Future* in the more public-facing budget document.

We talked about \$80 million overall going to *Our Clean Future*, and it included several numbers around the retrofits, around renewable energy — I think it's \$35 million for renewable energy. I know that we have \$2.1 million which was indicated for rebates and charging stations, but I don't know whether it exists as a separate line item. I will just have to look into that.

Mr. Kent: I appreciate that and look forward to getting that information from the minister.

The minister said that the modelling does exist for us to get to the 45 percent. I apologize if it's on the website and I just didn't find it, but is it available publicly? If so, where can I find it?

Hon. Mr. Streicker: In the recent interim report that we released, we still show that there is a gap that we have to fill. What are we doing with that gap? That's what we have a Climate Leadership Council for. We asked them for their suggestions about which actions we can and should take or could enhance. They have just given us that. We are now working through that to see — we will put it through the modelling system. I think I have mentioned that several times.

Also, with *Our Clean Future* as it was adopted originally, we identified that we would use an adaptive management approach, which is that we will iterate with the actions and continue to try to improve them. I have mentioned previously that, in the couple of times that I have seen the Minister of Environment and me tabling those reports, we have updated some of the actions to say that we are going further with this one or we have had some challenges with this one and we are adjusting it, but it's about how to increase the amount of reductions of greenhouse gas emissions.

That work has always been anticipated, even when we had a 30-percent target. That is the work that is underway and that we are undertaking now.

Mr. Kent: So, just to understand the minister, he said that during the recent interim report, there was a gap identified that we still need to fill. In a previous answer, he said that the model exists to get us to 45 percent. Is that not correct, or is there not a public model? Again, I guess the challenge that, as

a legislator, I am trying to overcome is that we have a 45-percent target identified in the act that is before the House, but I don't see a plan or detailed model for us to get there. I am just curious — when he mentioned earlier that the model exists for us to get to 45 percent — if that is a public document or if it is an interim or if it is not quite complete. Where are we at with respect to having a plan identified to get us to 45 percent that I can show to Yukoners or that we can show to colleagues here in the Legislature that justifies this 45-percent number that is in the new act?

Hon. Mr. Streicker: I will go back and check to make sure of exactly what I said, but I don't believe I ever said that there is a model that gets us all the way to 45 percent. What I said was that we have run the modelling on each of these initiatives and we have projections about where our emissions go and that there still is a gap.

If what we are looking for here is certainty — so, here are the actions and it is already a fait accompli — then, really, part of this is that we are talking about the wrong thing. This is about setting a target. That in itself helps us to achieve it because it creates accountability. I have seen several times here in the Yukon when we have said that, yes, we are going to do this, and it has not happened — I shouldn't say "several"; I have seen it twice. In those times, I have watched where we did not make a public commitment like this to achieve that target.

I am happy to stand up — I tabled a large report today from Yukon University talking about the impacts of climate change, what the implications are for us as a territory, and the cost to not act, which we have not discussed. In that, there is a significant cost that exists out there, whether it is in dealing with flooding across the territory, or forest fires, or those other risks that are increasing on us.

So, the modelling that we have is for the suite of actions that we have within the report today, including being updated with current information, and then we have said that we will seek to find extra solutions. We created the Climate Leadership Council — a report that has also been tabled here, which has within it a whole suite of actions that we will now introduce into the modelling.

That is the situation. The members opposite have to decide whether they wish to set a target and whether they wish to enshrine that target and make it the responsibility of not just this government, but future governments, and what is at stake here is whether or not we make that public commitment.

Mr. Kent: I will check the Blues too and confirm what the minister said about the existence of the modelling. We will keep asking these questions so that we can make sure that the targets that are set out in the legislation are ones that we can meet. I mean, there is a long history of governments at the national level and subnational level setting targets and missing those targets. I want to make sure that, if we set out targets in legislation, we have a plan in place to meet those targets or to come close to those targets or whatever we are going to do. That is why I will continue to walk through these commitments and key government actions so that Yukoners have an idea.

I look forward to reviewing the Yukon University report that the minister tabled earlier today because, of course, we

know that there is a cost to not acting, but, of course, there are costs associated with acting, too. So, that is what we are walking through with these Yukon government actions. As I said, I will look forward to having a look at the university report that the minister tabled earlier today.

I do want to move on to another key Government of Yukon action under transportation, which is to ensure that at least 50 percent of all new light-duty cars purchased each year by the Government of Yukon are zero-emission vehicles. I have a few questions with this, but I guess the first one would be: Where are we with respect to that target of 50 percent of all new light-duty cars purchased each year being zero emission?

Hon. Mr. Clarke: The Yukon government is committed to electrifying its vehicle fleet to reduce greenhouse gas emissions. The Department of Highways and Public Works is leading by example by adding zero-emission vehicles to the fleet and promoting sustainable and suitable vehicle options that will meet requirements, while embracing new vehicle technology.

One of the targets in *Our Clean Future* is to develop and implement a system to prioritize and purchase zero-emission vehicles for all new Government of Yukon fleet acquisitions, where available and suitable. The department will also be tendering for electric trucks, vans, and SUVs to replace gasoline vehicles, wherever appropriate. This goes well beyond the targets set in *Our Clean Future*.

These tenders show climate leadership by signalling the government's intended direction for emissions reductions and clean transportation options. In early 2021, the Yukon government purchased two zero-emission passenger cars from local dealerships. The cars were delivered in April 2021.

In late 2021, 12 plug-in electric hybrid SUVs were ordered. Two of these vehicles were delivered this past summer, and we're anticipating the ongoing delivery.

In 2022, Fleet Vehicle Agency has planned procurement for up to 94 vehicles, including 26 pure zero-emission vehicles. The procurement of electric vehicles is one component of the Yukon government's commitment to reducing emissions in all possible areas of government work. Highways and Public Works continues to meet with local dealerships to build relationships and understand market conditions.

So, Madam Chair, I've certainly been listening to the debate this afternoon. I would echo what the Minister of Energy, Mines and Resources has indicated, which is that we don't perceive at all that there's a lack of — from my perspective as the Minister of Highways and Public Works, I meet with the Fleet Vehicle Agency officials on quite a regular basis, and I have provided this direction to try to procure — start with light-duty vehicles, wherever possible, but we know that the teeter-totter is tilting quite quickly.

We've seen private ownership F-150 Lightnings in town. They're coming to town. GM has a similar product. So, we know that with respect to the YG fleet — which is somewhere between 500 and 600 vehicles — when we get light- to medium-duty pickup trucks, that will be an absolute game changer.

Of course, these vehicles have to be appropriate for the purpose, and I am cognizant of the pushback that some of these vehicles currently may not be appropriate with respect to their operational capacity in extreme cold weather in remote locations — I get it.

As I said in my comments last week, there are smart people working through this. I wouldn't say we are bombarded — bombarded in a good way, like in hockey broadcasts and football broadcasts and all manner of sports broadcasts — about new pickups that will become available, and they are indicating 640 or 650 or 660 kilometres of range. We know that's not going to be the real usable range at minus 35 with some terrible windchill out there, but the optimal range that we are seeing in these ads is 650 to 660 kilometres. So, there are a lot of kilometres to work with there.

The issue is not the political will, because I am pushing the Fleet Vehicle Agency to investigate all manner of procurements that may be possible. Recently, there was an electric cargo van available at Whitehorse Motors. On a very positive note, it was snapped up by a local contractor within the first week that it was on the lot. So, it doesn't really matter in the Yukon whether the vehicles that come into the territory are snapped up by the private sector or whether we, as adopters — showing the way, in some respects — and they become part of the YG fleet.

I speak to dealers, and I know some of the dealers reasonably well. There is a ton of interest, and I have a high degree of confidence that the early adopters will snap up absolutely all available supply in the foreseeable future.

As I also said in my comments last week, the Chrysler CEO at the Detroit Auto Show said that all of their production line will be electric by 2029. So, in some respects, to answer the Member for Copperbelt South's question, as you go from 2022 to 2029 or 2030, it's foreseeable that there will be very little supply of internal combustion engines.

Is that CEO of Chrysler being unduly optimistic? Maybe. It is probably her job to be unduly or guardedly optimistic, because she is in the business of selling her products, but that was the stated intention. If she puts that flagpole or marker down and says that it is what she is going to do, it is very likely that Ford will follow suit, GM will follow suit, and other carmakers will follow suit as well. We know that this is happening with significant speed in western Europe as well. As my colleague, the Minister of Energy, Mines and Resources, indicated, the movement was remarkably quick in Norway. That is because there was societal — well, it's probably one of the most prosperous countries in the world, actually. It's relatively small and most of the population lives in and around Oslo. They adopted it very quickly with incentives.

I will look into this and report back to the House, but I believe that they are likely in the position where they will be in the process of de-incentivizing, because it will not be required for much longer in Norway, as you will get to that equilibrium where the sale of zero-emission vehicles and plug-in electric vehicles outstrips those of ICE — or internal combustion engine — vehicles.

The other point will be that, of course, within the foreseeable future, as my colleague indicated, perhaps as early

as 2025 or 2026, electric zero-emission vehicles will be very similar to the same price point for the same product, with the same range, and with the same utility as an ICE vehicle. When that happens, well, you have a fairly even market that doesn't require rebates or incentives.

My view for Whitehorse and for communities is that, if this is your second vehicle, you don't need a large electric vehicle. You need a vehicle with modest range and hopefully, at some point, modest cost.

At Highways and Public Works and the Fleet Vehicle Agency, it is not for want of direction. I have made my direction absolutely clear that, where appropriate, electric, plug-in electric, or even hybrid ought to be considered. I did look at the numbers recently with respect to registrations, and they are lumped together. I grant you that it's not helpful that they are lumped together, but they are. But the numbers right now are approximately 300-plus registrations of either hybrid, plug-in electric, or zero-emission vehicles. I think why that is important is that this is a pretty strong indicator of early adopters — persons who are prepared to probably move from a hybrid to a plug-in electric to a zero-emission vehicle. So, you have a base there of 300-something registrations.

I take the Member for Copperbelt South's point that this is a steep mountain to climb to get to close to 5,000 vehicles by 2030, but there are many, many indicators, and of course, to the Minister of Energy, Mines and Resources' point, the Yukon will be a strong adopter and we will push strongly here, but we will also be subject to the market forces of Canada, of North America, and, indeed, global market forces. I have read recent articles indicating that the cost per container shipment has dropped significantly in the last few months. It is now down to \$3,000-something from a COVID high of approximately \$10,000. So, there are indications that the supply chain is relaxing, and so that is, of course, the not-so-silver lining. It means that there is less demand, but those supply points in the big Chinese ports and southeast Asian ports and in California, as well, are starting to unchoke, and there is a good indicator that, as a result, the supply chain issues that have been a challenge for Canada and for the Yukon are starting to ameliorate. That is certainly very positive as well.

I will finish my comments, but I also heard from the Member for Whitehorse Centre that we should always be mindful that, to get from 2022 to 2023, you have to — and we do — we hold our metaphorical feet to the fire and there's a report card. There's a report card from last year, and there will be a report card this year — there has been and there will be in the future. So, we'll get an idea about where we're going on a lot of fronts with respect to meeting *Our Clean Future* obligations and the benchmarks that were set out for us.

On the transportation front within the Yukon for light vehicle and then ultimately for light pickup, medium-duty pickups and then, of course, the big equipment to unpack would be mining equipment or big dirt movers — D8s, D9s, D11s — that's obviously in the future, but it's coming. As I said last week on Thursday, massive North American and western European and Chinese companies are investing in the electric future. The Yukon will be part of that future, and specifically

with respect to Fleet Vehicle Agency acquisitions, I'm vigilant on that, and we'll continue to monitor how we're doing and encourage the team there to continue to make as many procurements of plug-in electric or even hybrid vehicles that make sense from an operational perspective.

Mr. Kent: So, at the beginning of the minister's response, he mentioned a number of vehicles that have either been purchased or ordered. Are we now at 50 percent of all new light-duty cars purchased each year by the Government of Yukon being zero-emission vehicles? That's the number I'm looking for. I think he mentioned in his initial comments that he anticipated exceeding that percentage. So, are we there yet, or where are we with respect to this 50-percent goal of all new light-duty cars being zero-emission that the Government of Yukon buys?

Hon. Mr. Clarke: Well, on page 35 of *Our Clean Future* action, what it indicates is: "Ensure at least 50 percent of all new light-duty cars purchased by the Government of Yukon are zero emission vehicles each year from 2020 to 2030."

In retrospect — and I guess not anticipating a 102-year global pandemic — although, to be candid, setting this out in 2019 or whenever, this may have been ambitious. I'm not sure if there would have ever been that supply —

Some Hon. Member: (Inaudible)

Hon. Mr. Clarke: The Member for Copperbelt South is —

Some Hon. Member: (Inaudible)

Hon. Mr. Clarke: So, the answer is no. That is almost certainly not where we would have been in 2020, and in 2020, that supply would not have been available anywhere, I would conjecture, in the western world.

But, as I indicated in my comments, the plan is for — where possible, going forward, between 2022 and 2030 — all new light-duty vehicles purchased by the Government of Yukon to be — well, practically, for Fleet Vehicle Agency — either zero-emission vehicles, plug-in electric, or hybrid by 2030.

We have 7.5 to eight years to meet that commitment. So, have there been supply chain issues? Have there been just plain supply issues? Absolutely. That objective was not attainable in the last 12 or 18 months, but I am very optimistic that we will meet these benchmarks sooner than later.

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: Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*. Is there any further general debate?

Mr. Kent: I want to move on to the cleaner fuel for transportation commitment. In *Our Clean Future*, it says that there is going to be a requirement for diesel fuel to be blended

with biodiesel or renewable diesel, beginning in 2025, and an additional requirement for gasoline to be blended with ethanol, beginning in 2025. We talked briefly about this last week. I got one question in toward the end of my time, but I am hoping to explore this further with the minister here this afternoon.

I guess my understanding would be that this blending would occur at the refinery or where the fuel is purchased. Is that the minister's understanding as well? If so, how do we put in a requirement for this when the refineries are in different jurisdictions than the Yukon? I guess that's where I am trying to get a sense for how we build in this requirement when none of this fuel is refined here in the territory.

Hon. Mr. Streicker: So, there are a couple of ways. It really depends on which type of fuel we are talking about — where that blending happens — but for biodiesels, I do think it's going to be happening at the refineries, but it does matter which one of these we are talking about.

There are national clean fuel standards. In general, we will be following those. In that way, we get the benefit here. As noted, even in the Climate Leadership Council, there are some standards that British Columbia is setting. Where it's possible, we will piggyback with neighbouring jurisdictions because we know that they will have the buying power in a way that we don't as a territory. We can anticipate that they will be able to set it and we will be able to benefit from that standard that they have set.

Mr. Kent: This commitment is a significant amount of the overall greenhouse gas reductions. The modelling that is in *Our Clean Future* says that it's 59 kilotonnes from the blending of diesel and 11 kilotonnes from the blending of gasoline. It says that the Yukon, starting in 2025, will require that all diesel and gasoline fuel sold in the Yukon for transportation align with the percentage of biodiesel, renewable diesel, and ethanol by volume in leading Canadian jurisdictions. So, we won't have that requirement in place unless neighbouring jurisdictions require something similar — is that what I'm hearing from the minister?

Hon. Mr. Streicker: The member is asking about whether provinces will be going — first of all, we have the national clean fuel standards. Those are meant to apply across the provinces. There is a technicality where they don't necessarily apply in the Yukon, but that's fine, because the main point back there is that the provinces then will have those clean standards and we can come along with them.

When I look at BC and what they are targeting for biodiesel and other renewable fuels, they are further ahead than what we have as our targets here. The targets that they are currently setting are more than the targets that we have here, so that is an indication that, again, we actually could possibly move further. We will watch to see how this develops for them. That is, I think, one of the recommendations that came from the Climate Leadership Council — that we watch those jurisdictions closely and see if we can come along with them.

Mr. Kent: Can the minister elaborate on what the technicality is with respect to the clean fuel standards, where it might not apply in the Yukon? That is the first I have heard of

that, so I would like to explore that with the minister to get an explanation of what that technicality is.

Hon. Mr. Streicker: The federal government put in place a caveat that says that it doesn't necessary apply to remote communities, and so that is why we would possibly be exempt, but it does apply for any fuels imported, for example, from the United States. So, for those fuels that we are bringing in from Alaska, they would require it because it is coming across the national borders. So, there are just those small technicalities. Now, having said that it is not required here, it doesn't mean that we can't piggyback with other provinces and make sure that we seek this because it is, as the member opposite knows, a significant reduction in emissions.

Mr. Kent: I thank the minister for that explanation.

The minister has referenced the clean fuel standards or the Canadian clean fuel regulations. So, do those standards or regulations meet the targets that we have in *Our Clean Future* for these blending amounts? Are we able to piggyback on what they are doing nationally?

Hon. Mr. Streicker: I am informed that it is a complex arrangement, that the clean fuel standards are really about working with industry — in this case, the oil and gas industry — to make sure that their emissions intensity is coming down and that the outcome of that is that we will have access to these cleaner fuels. We anticipate that the access is there, but there are some technicalities being described around it that I think I would have to seek to get a fuller response on. I'm not trying to wash over it; I'm trying to say that I'm being informed that the mechanisms by which it works have complexities to them, and so I just want to indicate to the member opposite that the team is fairly confident that we have access to these types of fuels at the levels we're saying and that there may be suggestions that we could go further. The clean fuel standards will support that but do not create it directly in a straight line.

Mr. Kent: So, when it comes to these requirements for blended diesel and blended gasoline, there are a couple of jurisdictions — probably British Columbia, in and around Prince George, I think, where there's a refinery, and in Alberta where there's a refinery. Are we going to direct that we have to be supplied by one refinery or another to meet these standards? I'm just trying to get a sense — are we limiting our supply sources for diesel and gasoline by setting these targets for these blended fuels?

Hon. Mr. Streicker: First of all, most of our fuel comes from Alberta, BC, and Alaska.

With respect to Alaska, the clean fuel standards will come into effect, so that fuel, as it comes across the border to us — the federal mechanism will assist there.

Second of all, with respect to refineries in Alberta and BC, we know that the national clean fuel standards will require that these types of fuels are being produced. We know that, from BC, they are going to set the amount of biodiesel and renewable — these blended fuels, which have more renewables in them — that the level at which they are targeting is higher than the level at which we are targeting. That means that there will be the opportunity for us to piggyback.

Lastly, what's being described to me is that there is even flexibility for our fuel suppliers here, because they will have the ability — diesel is typically done at the refinery, but there are other ways that you can put in additives that will create the blended fuels that we need. That can be done here, for example.

We set the threshold that we are seeking to achieve through *Our Clean Future*. The suppliers will have opportunities to choose whether they source that type of fuel directly or whether they blend it here. We believe there is the opportunity for them to do it, and, right now as it currently stands, *Our Clean Future* action is less onerous than the targets that British Columbia is setting.

Mr. Kent: So, BC is setting more aggressive targets; we're not sure about Alberta, and then, for the stuff coming in from the United States, that requirement will be on there right away. I guess my question would be: Is the minister prepared for the eventuality that any of the fuel coming in from the US, if it has to be blended on their side of the border — and perhaps it's not a very large market share — if the refineries in the United States will just stop supplying fuel to the Yukon? That will reduce our suppliers to BC and Alberta if they are meeting the standards we have.

Hon. Mr. Streicker: The last day we spoke, the members suggested that we shouldn't be speculating. These are not questions that are easily answered — what will happen. I will say that just — I don't know — a month or so ago, I was in Edmonton for a conference talking about carbon capture use and storage, where there was a lot of discussion — I heard from speakers from Newfoundland and Prince Edward Island, but there were a lot there from Alberta. They were talking about ways in which they will transition the fossil fuel industry to make sure that there are lower emissions within that industry.

So, it was enlightening for me to hear how much that had moved within the industry. I was impressed.

Yes, there is risk that the future might go the other way. But, of course, we are all seeking — everyone is seeking — how to transition away from fossil fuels and to a greener future, and this is one of those pathways.

We see that the US is doing work on this. So, rather than thinking of it as a challenge, I think of it as an opportunity. I see it happening in Alberta. I see levels being set in British Columbia. We are in between the three. I think that the targets that we have set are reasonable, and, in fact, again from the Climate Leadership Council, there is the suggestion that we should take them even further.

For the time being, what I will say is that this is one of those important interim steps as we work to transition off. It is how to make sure that our current fuels are as low emitting as possible. From my experience working with other jurisdictions, they are working diligently on this path.

Mr. Kent: I guess the other thing that is important to realize is that the clean fuel regulations and the clean fuel standards set out by the federal government will have an impact on the price at the pump or the price that people pay for gasoline and diesel. In doing a little bit of research, I came across a *Global News* article from June of this year. It suggests that these new federal regulations will cost Canadians up to 13 cents more

per litre at the pump by 2030. Is the minister aware of this potential cost increase for consumers? I don't think you have to go very far without running into individual Yukoners who are quite concerned with the current cost of gasoline and diesel at the pumps. Is the minister aware of this impact? Is the 13 cents what he would anticipate the price per litre increasing as a result of the requirement for these blended fuels by 2025 that the Yukon government is putting into place?

Hon. Mr. Streicker: I do think that we can anticipate that there is a differential cost. It's difficult to know what it is. I have not read the article that the member has. I'll seek it out from him afterward, just so I can have a read. I thank him for drawing it to my attention.

The other thing that you have to note is that — well, there are a couple things I'll comment on. One is, when you bring in these lower emissions — when you're blending in with lower emissions — then the carbon price goes down, because that's when it's lower, because the price should be there, based on the emissions. So, lower emissions mean lower carbon price, so there's an offsetting element here. I don't know which one wins out overall, but what I can say is that the whole goal here — the broad, broad goal — is to move us away from fossil fuels. That is it. That's what we're doing by 2050 — is to get to net zero. In fact, the members opposite — I just checked their platform at the break, and they say, yes, net zero by 2050. It's there.

And I happened to be in the environment debate with Mr. Eric Schroff, their candidate, who was in the environment debate. There was a commitment in that debate for *Our Clean Future* — which has, as part of it, to set the clean energy act. So, it's interesting to me, because it's almost like the argument is — and I appreciate the diligence; I do. I think it's important — but we need to be careful that what we're not doing is creating an ongoing dependency on fossil fuels, because we need to transition off. That is the goal. So, we need a pathway to get there, and this act is — or this bill that would create this act — is a part of that pathway. Do I know exactly what the cost will be for the blended elements of these fuels? No, I don't know that at this time, but I do know that there is some up and down with it, and I'm happy to investigate it further.

Mr. Kent: Just to be clear with the minister, just because we're here asking questions about the costs that this will mean to the taxpayer or to consumers, it doesn't mean that we don't share the same goal of reducing greenhouse gas emissions; we just need to be able to communicate honestly with Yukoners on what that cost is going to be, and that's why we're asking those questions, and that's why I also look forward to reviewing the university report that the minister tabled earlier today, which talks about the costs of inaction when it comes to wildfires, or flooding, or some of our infrastructure being compromised. So, I look forward to reviewing that as well.

Just before I leave this, one of the things that the minister mentioned sort of piqued my curiosity. As this comes in, he anticipates that the carbon tax will go down. Is that what he is saying to us? Because that is what I heard. He said, when talking about bringing in the clean fuel standard, that once that is in, the carbon tax will decrease — perhaps not by an equal

amount, but I just wanted to clarify that this is what the minister said here this afternoon.

Hon. Mr. Streicker: Imagine that we have a jerry can full of diesel here and, right next to it, a jerry can full of diesel that is blended with biodiesel — maybe, just for argument's sake, half and half. In the jerry can that is full of diesel, then the carbon price would have been charged on all of that diesel. In the jerry can that is full of half diesel and half biodiesel, if the biodiesel is purely from a biological source and it's not creating emissions the way that fossil fuels are, then the carbon price would be on the half that is the regular diesel, and the half that is the biodiesel would not have the carbon price on it.

Mr. Kent: I thank the minister for that. It will be interesting to see how that is reflected at the pumps or on home heating fuel bills.

I do want to move on now to the homes and building actions with respect to *Our Clean Future*. So, looking at the website, the first key Government of Yukon action is to reduce greenhouse gas emissions from Government of Yukon buildings by 30 percent by 2030, compared to 2010. So, I am hoping that the minister can give us an idea of where we're at with respect to reducing greenhouse gas emissions from the Government of Yukon buildings. I think that the most recent data he talked about was 2020, but if he has more recent data or earlier data, I am just trying to get a sense for where we are at right now with respect to that government action.

Hon. Mr. Streicker: I can say that, this year, we completed three high energy-efficient buildouts, and there are another 28 that are in progress. I don't have the percentage with me today. I can say that, just this past week, I signed off on another one here in the territory for investment. I will investigate it further, but I believe that I have seen quite a few projects underway. Within our budget this year, we talk about \$23.6 million going toward green infrastructure and government retrofits, so I would have to check on that split, but there is definitely investment that is going toward buildings.

I will just acknowledge that it was under the past government that this building was originally slated for retrofit. I think that the work went over a few years, but this is one of those buildings where we see lower heating costs now due to that energy retrofit.

Mr. Kent: The minister referenced three retrofits, I think, complete and 28 in progress. My question was specific to Government of Yukon buildings with this one. I mean, it's not the residential, commercial, and institutional retrofits. I wanted to focus in on this one action where they are going to reduce greenhouse gas emissions from Government of Yukon buildings by 30 percent by 2030, compared to 2010. So, I am looking for the number with respect to government-owned buildings.

Hon. Mr. Streicker: The buildings I was referring to are government buildings.

Mr. Kent: The minister probably doesn't have this information with him, but if he could table it or send it across to the opposition, I would appreciate the list of the three retrofits and the 28 that are in progress.

The minister mentioned that he had signed off on one of those ones. I am curious why that would be his responsibility, rather than the Minister of Highways and Public Works'. Is there a reason why he would be signing off on a Yukon government building retrofit?

Hon. Mr. Streicker: For government-owned and operated buildings, it is Highways and Public Works that deals with those. For buildings where we rent them but they happen to be private sector owned, then it is the Minister of Energy, Mines and Resources who signs off. The member opposite is correct: They would be institutional buildings or they would be commercial buildings, so not part of the list of the three.

Mr. Kent: So, to just be clear, the three completed and the 28 are all Yukon government-owned buildings, or are these some of the ones that we lease for various purposes?

Hon. Mr. Streicker: That's correct. These are government buildings that I was referring to.

Mr. Kent: So, again, I think the minister made a commitment that he would get us an idea of how much we've reduced greenhouse gas emissions from the buildings, as the target is 30 percent by 2030, compared to 2010. So, I'll look forward to getting that information as well.

The next commitment there is to complete 2,000 residential, commercial, and institutional energy efficiency retrofits by 2030 through low-interest financing, rebates, and funding. Does the minister have a snapshot on how many of those have been completed so far, as we work toward that goal of having 2,000 done by 2030?

Hon. Mr. Streicker: Based on our annual report from 2021, which we published this year, we've initiated 41 energy retrofits in Government of Yukon buildings. I should also note that for any new builds that the department is doing, there is a target for 35 percent less energy than the National Energy Code for buildings, so it's better, again, to make sure that emissions are down.

With respect to the homes, that's largely going to be through the Better Building program, which we took longer than we thought to get through this House, but it's here now. The regulations are just in place now. I know that Community Services has been working with municipalities around that program. I know that the bulk of it for the public will run through the Energy Solutions Centre — getting the audits done, et cetera.

In 2021, we were up to 120, or maybe 130, buildings in total, but we expect that to ramp up now that the act and regulations are in place.

Mr. Kent: So, 41 Yukon government buildings have been retrofitted — Yukon government-owned — and 120 of the goal of 2,000 on the residential, commercial, and institutional retrofits have been completed so far, and the minister expects that number to ramp up here over the next while. I thank him for that information.

The next Yukon government action is to replace 1,300 residential fossil-fuel heating systems with smart electric heating systems by 2030. Again, I am looking for an indication of where we are with respect to that government action. Then there is a question from a couple of my colleagues who

represent ridings that are off-grid — Watson Lake, of course, and some of the communities on the north Alaska Highway of Destruction Bay, Burwash Landing, and Beaver Creek. It is my understanding that they are not allowed to convert their heating systems to electric heat. Is that also the minister's understanding, and is there any work being undertaken to allow them to do that in those so-called "diesel communities"?

Hon. Mr. Streicker: Can I just back up for a second? I believe that what I said was that we had initiated 41 retrofits in government buildings. This year, we had completed three. I would have to check backward to see how many had been completed previously.

In terms of residential, I just added up the numbers. So far, it's 145. With respect to heat pumps and smart heating devices — again, this report is from 2021; we are just catching up a little bit — but there were 21 heat pumps and 50 smart heating devices installed.

With respect to our off-grid communities, there is, I believe, a contractual agreement that is with the utility. I would have to check on what the language is specifically around that, but it's that they don't have electric heating where they are off-grid and the power is generated by thermal; however, we're working in every community right now to start to bring in renewables. So, those sorts of things will change.

The other thing to note is that, even though it's no to electric heat in those communities, as I understand it, that doesn't mean you can't have renewables, for example, wood and biomass. We could get into the debates about the other challenges around wood, but that is a renewable fuel, and there is a lot of it used here in the territory.

Mr. Kent: We will, during this debate, have an opportunity to talk about fuel and biomass, I'm sure. I guess the challenge — or one of the challenges I wanted to highlight and see if the minister is aware of this is that I understand there is a discrepancy between Burwash Landing and Destruction Bay — communities that are in very close proximity to one another — where, in Burwash, they are allowed to put electric heating systems in their homes, and in Destruction Bay, that is not the case, and of course, in Beaver Creek, it is not the case as well — just a question I'm asking on behalf of my colleague, the MLA for Kluane. Is the minister aware that this discrepancy exists? And if he could explain that, that would be helpful.

Hon. Mr. Streicker: My understanding is that there is a casework underway, and we'll look for the officials to give us some response and happy, of course, as always, to respond to those caseworks.

Mr. Kent: We look forward — and I know the MLA for Kluane will look forward — to getting that response to his letter to the minister.

One of the other key Government of Yukon actions is to support businesses, organizations, and local governments to install 20 commercial and institutional biomass heating systems by 2030 — again, looking for a progress report on that. How many of these commercial and institutional biomass heating systems are in place currently, as we move toward the goal of 20 by 2030?

Hon. Mr. Streicker: We installed one new biomass system in 2021, and we worked with four Yukon First Nations on four biomass feasibility studies, which were on top of four from 2020. We looked at renewable heating options in 70 government buildings in 2021. Just one second — with respect to commercial and institutional biomass, so far, we have installed nine, and our target, of course, is 20 by 2030.

Mr. Kent: Does that figure include both chips and pellets? And then I guess the other question from that would be with respect to pellets and the modelling for greenhouse gas reductions. Would that also include the transportation of pellets from wherever they are purchased, because pellets are obviously not manufactured here in the territory?

Hon. Mr. Streicker: Madam Chair, I am not sure what the split is between chips and pellets. I can say that on most of the projects that I have looked at more recently, they use these flexible boilers, which can take either. The reason for that is that the technology has improved to a state where it is just smarter nowadays to put in something that can handle both. Chips can be sourced locally. Pellets, at this point, are imported, similar to how we import oil and gas. Typically, pellets would come from BC.

When it comes to emissions around the transportation of goods, the Yukon is responsible for the transportation of those goods within the Yukon, and other jurisdictions are responsible for the emissions that occur for transportation of goods within their jurisdiction. Similarly, if we have goods that are passing through to Alaska, then we are responsible for those emissions that occur here on our highways. That's how the accounting system works.

Mr. Kent: I was on Yukon Bids and Tenders earlier today, and there is a planned bid for a district heating system design for Haines Junction. Perhaps this is a question better asked of the Minister of Highways and Public Works. I am just looking to get a sense for what that will look like as far as: Is it a biomass system that they are looking at there?

The other question is with respect to another planned tender that I noticed on Bids and Tenders earlier today, and that is the expansion of the biomass at the Whitehorse correctional facility. I know that one is pellets. Again, that is why I just wanted to make sure that any of the emissions reductions were offset by the transportation of those pellets into the territory.

Hon. Mr. Streicker: I don't know about the specific tender. I appreciate the question.

When it comes to almost all of our goods here in the Yukon, they come up the highway — I mean, different directions, of course, so, if we're talking about almost all of the things that we have here in the territory, they come a distance. So, we're always working to try to source more locally if we can and to foster that. That's in our agriculture policies and in all of these policies that are in front of us. We work to move to cleaner fuels and to locally sourced, wherever we can.

Luckily for wood, despite specific supply challenges at the moment, there is a lot of wood available, so we can resolve that problem and will. With respect to pellets, they are at least sourced from closer afield than many of the fuels that we use

today. So, yes, there is a challenge there, but I think it is still preferential to some of the alternatives.

Mr. Kent: As I mentioned earlier, we'll get a little bit later on in debate into the fuel-wood supply issues and what's happening on that side with respect to challenges around that.

I do want to ask about this next Government of Yukon action, which is to work with the Government of Canada to develop and implement building codes suitable to northern Canada that will aspire to see all new residential and commercial buildings be net zero energy ready by 2032.

So, I'm just looking for an update from the minister. How much work has been undertaken with the Government of Canada? And if he has an idea of when we might get a look at those new building codes and when they can be shared, obviously, with the Yukon public.

Hon. Mr. Streicker: I am informed that it is very soon. They may even be here already. We believe that these codes are likely available through the Standards Council of Canada. I am sorry that I don't have a full update on this action, but it's imminent. I don't have anything more to add to this.

Sorry — the 2020 National Building Code was published in March 2022. It will come into effect here in the territory on April 1, 2023.

Mr. Kent: Just to clarify with the minister that this set of building codes will see all new residential and commercial buildings be net-zero energy-ready. Is that what I'm hearing? That is the key action that I'm highlighting here. It says that we have to work with the government to develop and implement these codes, but it sounds like they may already be in existence. I just want to make sure so that we can point those who are interested in the right direction.

Hon. Mr. Streicker: The way the National Building Code works is that it has a set of tiers or steps within it. We start at tier 1. We will work through over time how to progress to net-zero energy-ready by 2030 so it doesn't happen all in one go. It happens over time and you can see their tiers when you look at the code.

Mr. Kent: What I understand from the minister's response is that we are not there yet; we are at tier 1 and we are advancing through these building codes. If individuals want to see where they are at, they can go to the national building standards — I think that is where he directed people to go to see where we are at right now — and that will continue to evolve as we move toward making these new buildings net-zero energy-ready.

Has the government done a cost analysis for what that might mean to the cost of building — residential and commercial buildings — as we move to make them net-zero energy-ready? Is there a cost analysis done of that?

I guess a similar question with respect to the next key Government of Yukon action — which is to adopt and enforce building standards by 2030 that will require new buildings to be more resilient to climate change impacts like permafrost, flooding, and forest fires. Obviously, it is important that our buildings be more resilient to those types of impacts, but I am just curious if there has been any analysis done with respect to this action of what it will cost builders and, I guess, in the end,

consumers or homeowners, renters, or others to see these two actions undertaken.

Hon. Mr. Streicker: So, there were a couple of questions there. I will do my best to respond to them.

First of all, we have some incentive programs that we're working on to support builders with some of these questions. Before I was elected to this Legislature, I happened to be part of the national panel on the building codes dealing with climate change impacts and how to make our buildings more resilient, so I was pretty familiar with that.

With respect to the 2020 National Building Code, I made a mistake. I said the "Standards Council." It's actually on the NRC — the National Research Council — website. That's where it's located. I just looked it up and it is available.

With respect to what's happening today within the Yukon, on average, our homes are being built nearly 50 percent more energy efficient than the 2020 code. The builders today are way ahead of tier 1. They are building that. The reason is that, when you invest the money up front, yes, there is an additional cost — or, from an adaptation perspective, both — you have to pay more up front as you are building the home, but then usually the home costs much less to heat or to sustain. Those costs come down. There are improvements on the cost of running and maintaining a home over time.

So, this is one of those differences — we could make the same argument with zero-emission vehicles: that the cost is higher up front, but the maintenance is much, much lower over time. So, there's a trade-off there, and that goes into all of that thinking.

Mr. Kent: Just before I move on to questions around energy production and get a sense of where we're at with Yukon Energy's renewable plan, I'm just curious if the minister can tell us — as we look at the model to 2030 and what we have in front of us with respect to 30-percent reductions, what is anticipated to be the impact of the carbon tax? Obviously, that was initially slated to go up to \$50 per tonne. The federal government has revised that, and now it is going far beyond that in a price per tonne — incremental increases between now and 2030.

I'm just curious what the minister anticipates the greenhouse gas emission reductions by kilotonne will be from the implementation of the carbon tax.

Hon. Mr. Streicker: The team is explaining to me that it is part of the model. It's built in, but I don't have the breakout of what we were anticipating from it. I'm not able to provide the number today.

Mr. Kent: Can the minister give us an indication of when he can provide that number to the House?

Hon. Mr. Streicker: I, of course, will seek to go back and investigate these things further. I am just sort of guessing that we may not clear this today, so I may have a chance to be back up on my feet. If I do, I will do my best.

Mr. Kent: I think the minister is guessing correctly about the timing for Committee work still on this bill.

I will talk a little bit about the Yukon Climate Leadership Council report, because it does reference in there redirecting some of the carbon tax funds, I believe, and some of those that

are over and above the \$50-per-tonne mark that we are going to be hitting, I think, next year. We can certainly get into details on that when we get a chance to discuss that later on in Committee debate, because I am curious as to what the government's thoughts are.

Obviously, their commitment has always been to return carbon tax dollars to Yukoners. I mean, we can argue the past and exactly what that commitment was, but this would be a detour from that practice of returning those dollars to Yukoners and instead investing them in projects over and above that \$50 per tonne. Again, when the federal government first introduced the carbon tax, it was supposed to be finished at \$50 per tonne. Now, obviously, they have changed their mind, and it will be going much beyond that.

Perhaps what we'll do now is continue some discussion with respect to the *Our Clean Future* recommendations and the key government actions. I'll turn my attention now to the energy production piece. So, the first action is to require at least 93 percent of electricity generated on the Yukon integrated system to come from renewable sources, calculated as a long-term rolling average.

Of course, we know there are a number of planned projects that are on Yukon Energy's project list. I guess I'll look for an update from the minister on some of them. The most immediate one that we have with respect to renewable is the battery storage units on the south access or off Robert Service Way here in Whitehorse. So, is the minister able to give us a budget and timing update on that project?

Hon. Mr. Streicker: First of all, with respect to the recommendation that came from the Climate Leadership Council, I think it's their C9, using a portion of the carbon tax proceeds to establish a business incentive fund for private sector, low-carbon projects. Look, I think the principle we've always adhered to is that we wouldn't grow government with the rebates. You know, if the chamber came to us and made this suggestion, and if they were willing to try to use a fund like that, then I think, as long as it adhered with our overall principle, then I think it's a conversation we could have. We've not had that conversation. I've not even talked to my colleague, the Minister of Economic Development, about it, but that would be where I would start, because I think we made a very principled approach that we would not bring money back to government.

With respect to Yukon Energy's battery storage project, I spoke to the president recently about this project, just asking where things were at. I think that we all saw the construction begin earlier this year. They are on the south access. I understand that there has been good progress so far with respect to access, the transmission, and engineering. The latest I heard about their budget is that they are still projecting the cost at \$35 million, so I haven't heard any change to that yet.

I can indicate that we have seen costs go up across the country. When Yukon Energy put in for this bid, they put a rider on the contract that said that, if there were increases, the proponent would get dinged a bit — "penalized" is a better term — so they put in some protection there. Currently, the budget remains the same from the information that I have.

With respect to timing, the hope was to have the project completed by this coming spring. Yukon Energy let me know that they think that this has been pushed out somewhat, but they still are anticipating — what they really want are those batteries up and running a year from now, when we hit the cold weather in 2023. Currently, it is still on track for that.

Mr. Kent: On the carbon tax — I was going to discuss it a little bit later, but with the minister's response, I am kind of curious. He is correct in that he did point me to the right recommendation in the Climate Leadership Council's recommendations, which is: "C9. Using a portion of carbon tax proceeds to establish a business incentive fund for private sector low-carbon projects..."

The minister mentioned that their commitment was to not grow government — I think that is what he said. I will have to look back at the Blues, but when you look back at the 2016 Yukon Liberal platform, they say that the carbon tax should not impose a burden on Yukoners and commit to working with the federal government to ensure all carbon revenue collected in the Yukon will be returned to Yukon and rebated to Yukoners.

So, if this recommendation C9 is something that the minister and his Cabinet colleagues are considering, that is a departure from having rebates to Yukoners when it comes to revenue from the carbon tax. It is certainly an interesting point that I am sure we will get an opportunity to explore with the minister, as debate on this bill continues.

Madam Chair, I do want to ask some questions now about other planned renewable projects on Yukon Energy's plan. We can get an opportunity to talk about the Atlin expansion — hopefully, get an update from the minister on where we are at with that — as well as the Moon Lake pump storage possible expansion and some of the demand-side management programs and the Southern Lakes project as well.

Madam Chair, seeing the time, I move that you report progress.

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.

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 17, entitled *Clean Energy Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:27 p.m.

The following sessional papers were filed October 17, 2022:

35-1-62

Cannabis Yukon Annual report — April 1, 2021 to March 31, 2022 (Pillai)

35-1-63

Fourth Report of the Standing Committee on Rules, Elections and Privileges (October 2022) (Mostyn)

The following document was filed October 17, 2022:

35-1-72

Yukon University — Yukon climate change indicators and key findings 2022 (Streicker)

Written notice was given of the following motion October 17, 2022:

Motion No. 471

Re: definition of anti-Semitism (Dixon)

The following written question was tabled October 17, 2022:

Written Question No. 30

Re: privacy data breaches (White)



Yukon Legislative Assembly

Number 80

1st Session

35th Legislature

HANSARD

Tuesday, October 18, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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
Tuesday, October 18, 2022 — 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. Mr. Pillai: There are a number of individuals who are joining us today for the tribute to Poverty and Homelessness Action Week. I would ask my colleagues to please welcome the many folks who have joined us today: from the Council of Yukon First Nations, Grand Chief Peter Johnston; from Safe at Home, Kate Mechan, executive director; from Voices Influencing Change, Ulrike Wohlfarth Levins; as well as Jack Bogaard, Jason Charlie, and Bill Bruton, TKC elder.

From the Yukon Anti-Poverty Coalition, Kristina Craig and Deserine Grimes. As well, Patrick Jackson is with us today, who folks probably listened to on the radio this morning or any other time. He has just done an extremely long journey raising money here in the Yukon for a fantastic cause.

As well, Ngeta Kabiri and Kathy Walker are here supporting the Yukon Anti-Poverty Coalition. Also, from Opportunities Yukon, Cynthia Rudell-Lyslo, the executive director, is here.

Thank you, everyone, for joining us today for a very important cause.

Applause

Hon. Ms. McLean: I would like to ask my colleagues to help me welcome some guests here today for the tribute on Persons Day. We have Aja Mason, the executive director for the Yukon Status of Women's Council. We have Anna Ly and Charlie-Rose Pelletier from Les EssentiElles. We have Colleen Craft, Susan Power, and Natalie Taylor from the Whitehorse Aboriginal Women's Circle. Thank you so much for being here today.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Persons Day

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to Persons Day.

Persons Day is part of Women's History Month in Canada and marks a Supreme Court decision in 1929 that included some women in the legal definition of "persons". However, I acknowledge that this action did not extend universally. It did not include my matriarchs — indigenous women, it did not

include any women of Asian descent, and it did not include any women who were incarcerated.

This day marks an important milestone on the continuing drive for gender equity in Canada. It inspired future generations to demand equality and attention to issues like childcare, reproductive justice, and violence against women.

The women leading the charge in 1929 paved the way for feminists today: those leaders who demanded a national inquiry into missing and murdered indigenous women and girls and continue to demand better for our sisters and aunties and our women overall; those who called on Hockey Canada to change the culture of sexual violence and misogyny; those who remind us that gender is not binary; that how we define women has not always been accurate and that feminist movements have excluded them.

It is my honour to serve as the Minister responsible for Women and Gender Equity in the Yukon, and I do my part to advance equality. I continue to be humbled by the efforts of community organizations to advance the rights of women and gender-diverse Yukoners, whether that is by providing programs and services to the most vulnerable in our communities, conducting research, or just their tenacity for advocacy.

I urge all Yukoners to take the time today to educate yourself on the history of Persons Day and consider what it means to you. Together we can create a future where our decision-making processes reflect the gender diversity in our communities and where outcomes benefit all genders.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to recognize October 18 as Persons Day in Canada — a day marking the milestone date in 1929 that the British Privy Council pronounced women as "persons". Until that important day, it was argued for many years that "persons," as referenced in the *British North America Act* of 1867, was a term that only covered men. It was, therefore, considered in many aspects in society that only men were considered persons. Only men were afforded many rights. This consideration was upheld in governments, in courts, and businesses and was relied upon in order to keep women out of positions of power and influence. It was the voices and actions of five women — Emily Murphy, Nellie McClung, Henrietta Muir Edwards, Louise McKinney, and Irene Parlby — who brought this case through the Canadian courts, where it was advanced to the highest court of appeal for Canada. The Famous Five are recognized internationally for their role in having women be considered persons in Canada.

I will close with a quote by Louise McKinney: "What, after all, is the purpose of a woman's life? The purpose of a woman's life is just the same as the purpose of a man's life: that she may make the best possible contribution to the generation in which she is living."

Applause

Ms. Tredger: I am pleased to rise today on behalf of the Yukon NDP to pay tribute to Persons Day. We are grateful for the victory of the Famous Five: Emily Murphy, Nellie

McClung, Irene Parlby, Louise McKinney, and Henrietta Muir Edwards. These women fought for women's equality through the famous Persons case. I am a product of this case just by standing here and talking to you all about it in this House.

Of course, as my colleague has said, the work only benefited some Canadian women. It was not until 1960 that all indigenous women had the right to vote in Canada. It is a stark reminder that the experience of being a woman is not universal and that we must explicitly consider all women in our activism.

Today, as we celebrate Persons Day and the rights that were won, then and later, we also need to continue to fight to keep those rights. We are experiencing a time when the rights of women are being pulled back, restricted, or even withdrawn. I'm talking about the rights of women to make decisions about their own bodies; I'm talking about the rights of queer and trans girls to attend supportive and safe schools; I'm talking about the right to choose to wear a hijab or not to wear a hijab. More and more, we are seeing the rights of persons being stripped back.

Every time that we see human rights being denied, we need to think of the Famous Five and the thousands behind them who insisted that everyone deserves to have rights as a human being — in their homes, their schools, their workplaces, and their communities.

Applause

In recognition of Poverty and Homelessness Action Week

Hon. Mr. Pillai: I rise on behalf of the Yukon Liberal government to pay tribute to Yukon's Poverty and Homelessness Action Week. A house is more than just a shelter; it is the foundation for a happy and healthy life, a safe place that is vital for families to grow, thrive, and play — a sanctuary — yet some Yukoners are living without this basic necessity.

This year's theme, "Healing Hearts, Building Relationships," is in recognition of the importance of relationships in addressing homelessness. There are so many people working hard to realize the vision of a Yukon without poverty or homelessness.

I would like to acknowledge the Yukon Anti-Poverty Coalition for organizing the Poverty and Homelessness Action Week and for all their advocacy on this important issue, including: the Whitehorse Connects event today at the KDCC — I know it's only going until 2:00 p.m., but there are lots of opportunities for support there and it has been very well put together — and the Safe at Home Society for their steadfast commitment to raising awareness about homelessness and for taking action and speaking out; Opportunities Yukon for their new Cornerstone building that is helping to create a more inclusive, complete community; Connective for their work at 5th Avenue and Wood Street, the Housing First building — and for recently taking over again operations for the Whitehorse Emergency Shelter — and Kwanlin Dün and Ta'an Kwäch'än Council for their ongoing commitment to their citizens and for working with us to provide housing in the Whitehorse area; Tr'ondëk Hwëch'in First Nation for their work to create a new

men's shelter in Dawson City; Council of Yukon First Nations for their dedication to create a new Whitehorse shelter that provides culturally relevant programming for indigenous women and children; and the many people who make space in their home so that someone in need can find shelter from the elements.

Ending poverty and homelessness means strengthening relationships from top to bottom, from the partnerships required to build stock and provide services to the relationships between tenants and landlords, friends and colleagues, neighbours, and community members.

As the executive director of the Safe at Home Society, Kate Mechan reminded us at the recent housing summit that ending homelessness is possible.

Thank you to everyone who helps make the Yukon the caring and supportive place it is and for working collectively so that we can do better.

Thank you, Mr. Speaker.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to recognize Poverty and Homelessness Action Week, which is held every October in response to poverty and homelessness in the Yukon.

This locally grown initiative was started in 2005 by the Yukon Anti-Poverty Coalition. Today, it has been embraced by governments, organizations, and individuals across the territory as a time to promote action to end poverty and homelessness here in our communities.

This year from October 16-21, events take place each day to bring awareness to this initiative. As we speak, Whitehorse Connects is happening at the Kwanlin Dün Cultural Centre, offering services and supports for all.

I would like to give special recognition to Patrick Jackson, who recently completed a trek of over 500 kilometres from Dawson City to Whitehorse to raise funds and awareness for the Yukon Anti-Poverty Coalition. Patrick braved the elements for almost a month with his trusty pup, Butters, raising funds that will make a difference for Whitehorse Connects and Voices Influencing Change. Over \$11,000 has been raised to date.

Patrick is truly appreciated in our office as he is one of many who work to keep our technological woes at bay.

Congratulations on a successful journey, Patrick. Thank you to the Yukon Anti-Poverty Coalition and to all organizers and volunteers for the work that you do to help end poverty and homelessness in the Yukon. Thank you.

Applause

Ms. Blake: I rise on behalf of the Yukon NDP to recognize Poverty and Homelessness Action Week. This week coincides with World Food Day and the International Day for the Eradication of Poverty. As food and housing costs rise, these themes are more relevant than ever. Right now, many Yukoners are one utility bill, one eviction notice, or one grocery trip away from poverty and homelessness. This is a reality for people from all walks of life across the territory.

This is why the work of community organizations and First Nations is so critical. Because of the amazing work done by the Yukon Anti-Poverty Coalition, the food bank, and Yukon First Nations, support is offered across the territory for folks who need it. Real action also needs to be taken by governments — like creating more housing options that are affordable, supporting low-income Yukoners by increasing social assistance rates, including Internet as a basic need for Yukoners on social assistance, and helping low-income Yukoners afford to put healthy, local food on the table.

There is a lot of work that we can still do, and there are a lot of people and groups we look to for inspiration. Take the dedication of Patrick Jackson, who walked more than 500 kilometres from Dawson City to Whitehorse and raised an astounding amount of money — over \$11,000 for the Yukon Anti-Poverty Coalition. Thanks to people like Patrick, we are reminded of just how much one person can do to care for our community. Imagine how much we can do here in this House to finally end and prevent homelessness and poverty across the Yukon.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: Pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act*, I have for tabling the Joint Management Committee annual report for the period of April 1, 2021, to March 31, 2022.

Mr. Cathers: I have for tabling two documents today. The first is a letter to the Deputy Premier and Minister of Justice respecting a question of whether guidance from the Conflict of Interest Commissioner has been sought.

I also have for tabling a copy of a *Whitehorse Star* article, dated August 6, 2021, containing statements from the Minister of Education — statements, I would point out, that the Child and Youth Advocate, in her report, noted were in contravention of the *Child and Youth Advocate Act*.

Mr. Istchenko: I have for tabling a document produced by Environment Yukon. It's the 2022 implementation review of the 2012 *Wolf Conservation and Management Plan*.

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. 306: Act to Amend the Oil and Gas Act (2022) — Introduction and First Reading

Ms. White: I move that a bill, entitled *Act to Amend the Oil and Gas Act (2022)*, be now introduced and read a first time.

Speaker: It has been moved by the Leader of the Third Party that a bill, entitled *Act to Amend the Oil and Gas Act (2022)*, be now introduced and read a first time.

Motion for the introduction and first reading of Bill No. 306 agreed to

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

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to advance initiatives that will end discrimination, homophobia, and transphobia in the Yukon, including supporting advocates and working with partners to continue implementing the LGBTQ2S+ action plan.

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

THAT it is the opinion of this House that:

(1) the people of Iran who are protesting for a free and democratic society that respects the rights of women should be supported;

(2) the violent and lethal response by Iranian security forces to protests following the murder of Mahsa Amini should be strongly condemned; and

(3) the Government of Canada should officially list the Islamic Revolutionary Guards Corps as a terrorist organization.

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

THAT this House urges the Yukon government to ensure the 2023-24 capital budget includes funding to begin a major upgrade to Takhini River Road, including improvements to the roadbed, road surface, and ditches.

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

THAT this House urges the Government of Yukon to work with the State of Alaska to ensure that funding in the bipartisan infrastructure deal allocated for upgrades to the Alaska Highway and the Haines Road is made available for work in the 2023 construction season.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to consult with affected stakeholders on the need for a new health centre in Haines Junction.

Ms. White: I rise to give notice of the following motion:
THAT the Yukon Child and Youth Advocate appear in Committee of the Whole prior to the end of the 2022 Fall Sitting.

Ms. Blake: I rise to give notice of the following motion:
THAT the board chair and chief executive officer of the Yukon Hospital Corporation appear as witnesses in Committee of the Whole prior to the end of the 2022 Fall Sitting.

I also give notice of the following motion:

THAT the chief medical officer of health appear in Committee of the Whole prior to the end of the 2022 Fall Sitting.

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

THAT the Information and Privacy Commissioner appear in Committee of the Whole prior to the end of the 2022 Fall Sitting.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to end and prevent homelessness in the Yukon by implementing the following of Safe at Home Society's calls to action:

- (1) prohibit no-cause evictions under the Yukon *Residential Landlord and Tenant Act*;
- (2) expand rent supplement programs to include individuals and families receiving income support and housing benefits;
- (3) create a matching program for post-secondary students and seniors who have extra space in their homes;
- (4) provide more frequent reports from Yukon Housing Corporation outlining data related to unit vacancies and inflows and outflows from Yukon Housing Corporation units;
- (5) mandate the creation of a landlord registry to increase transparency across the rental market;
- (6) work with the City of Whitehorse to regulate short-term and vacation rentals across the city;
- (7) increase transparency related to the housing shortages for out-of-territory employee recruitment strategies;
- (8) increase the financial resources and supports that people need to deal with bedbug infestations;
- (9) resource the Yukon tenants association; and
- (10) ban evictions related to arrears and eliminate debt-free entry requirements into housing for individuals on income support or fixed income.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to maintain the Silver Trail highway to a standard befitting the highway's importance to Keno City's residents, tourism operators, and mining interests.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Municipal councils terms of office

Hon. Mr. Mostyn: I rise before the House today to highlight our partnership with the Association of Yukon Communities in seeking feedback from Yukoners on extending the term of office for municipal governments from three to four years.

This past May, at their annual general meeting, the Association of Yukon Communities passed a unanimous resolution to request that the Government of Yukon amend the *Municipal Act* to extend the term of office for municipal

councils before the next general election in October 2024. In its resolution, the Association of Yukon Communities requested that we engage with Yukon citizens to seek their input on extending the term of office for municipal councils and local advisory councils from three to four years.

The resolution noted that the Yukon's population growth has led to increasing demands on Yukon municipal councils to plan and set direction to address the needs of their citizens. It noted that the strategic, long-term planning must now look well beyond the three-year terms, and how an extra year would ensure that they have more time to enact their priorities.

It also pointed to other pressures. The implementation of Yukon First Nation land claim and self-government agreements and the transfer of administration and control of land and resources from Canada to Yukon have increased demands for planning and implementation on municipal councils.

As a reporter, I covered municipal councils. I quickly realized the importance of this level of government, which has the most direct effect on Yukoners' lives. The communities that they govern supply clean water, dispose of sewage and garbage, and deliver, oversee, and maintain the most coveted recreation facilities in our territory.

Mr. Speaker, we invited Yukoners to provide their feedback through an online survey hosted by the Yukon Bureau of Statistics from September 1 through September 28. We also made paper copies of the survey available. I thank all Yukoners who participated in this survey.

For this survey, we asked respondents if they support the change in term of office, and invited them to provide their thoughts. We also asked how changing the length of term might change their civic activity, for instance, if it would change their going out to vote, if they would run for office, and if it would change their decisions on running for office or volunteering on a municipal or local advisory council election campaign.

We are now compiling the results and analyzing the feedback. The findings from the survey will help inform the next steps, including potential changes to the *Municipal Act*.

Ms. McLeod: I am pleased to respond to the ministerial statement on municipal council term limits. As the minister has noted, the most recent version of this issue was brought forward by the City of Whitehorse, which passed a resolution to increase municipal term limits from three to four years. I want to specifically thank Councillor Kirk Cameron for his work in advancing this issue as it was a resolution that started with him that prompted the advancement of this issue.

Following that, it was sent to the Association of Yukon Communities, which considered the matter at their AGM in May of this year. AYC voted in favour of it and it was submitted to the Yukon government as it will require changes to the territorial *Municipal Act*.

As the minister has said, the government has announced consultation and, to our knowledge, that consultation has now concluded, so we will now await the results. I do want to thank the minister for acting so quickly on this matter. While we are often critical of the minister when the government drags its feet, I think that it is worth noting that it seems that the minister acted

as quickly as possible in this case. That being said, it is not really clear to us what this ministerial statement is announcing. The consultation was already announced months ago and has now concluded.

Perhaps the minister can use his response to give us some insight as to what this statement was intended to announce. Can he tell us what the government's position on this matter is? If the minister supports extending term limits, when can we expect to see legislative changes tabled in this House? Does the government intend to fix municipal term limits at four years or will the legislation simply enable municipal governments to increase their term limits to four years if they so choose?

I look forward to hearing the minister's response to these questions and providing a bit more clarity on what it is that this ministerial statement was intended to announce.

Ms. White: Mr. Speaker, the Yukon NDP is delighted to know that the Liberal government listened to municipal leaders when a resolution was passed this past May at the Association of Yukon Communities annual general meeting to survey Yukoners in extending the terms for municipal councillors. As we have heard, municipal leaders are on the front lines of their communities. They deal with the items that affect individuals every single day. From access to water and sewage disposal to recreational and road maintenance, snow removal, and garbage pickup, municipalities keep communities rolling.

In our positions, I hope that we can all understand how a three-year term isn't long enough to plan and execute the vision of a municipal council. I look forward to reading the results of the survey administered by the Yukon Bureau of Statistics, and more to the point, if it's the will of Yukon citizens, I look forward to an amendment to this 20-year-old legislation that sees the terms of municipal leaders extended to four-year terms.

Hon. Mr. Mostyn: Mr. Speaker, I thank the members opposite for their kind words this afternoon. I have some answers for the Member for Watson Lake. Pending the outcome and what was said in the consultation we hosted with the survey, we hope to get this amendment through prior to the next election, as I said in my opening remarks, so it should be coming fairly quickly.

Of course, the member asked if we support it. I'm looking to see what the people of the territory say, but I certainly support a longer term limit for municipal councillors personally.

There are a few other things we have to get into. One of the things we have been asking municipal councils is when they think the election, if it was extended, should happen. Should it be the spring or the fall? We tend to have a lot of elections in the fall; perhaps municipal councils might want to move to the spring to sort of free up some more space. They are pondering that, and we'll see. I'll find out from them what they think about this matter. I'm sure they'll tell me through AYC.

As I said in my opening remarks, municipal government and the services it provides have a profound effect on Yukoners. Fresh water, bus service, snow clearing, skating, swimming, garbage and compost collection, building permits,

fire protection planning, parking — I could go on. This is important work, and the municipal councils have asked for an extra year to accomplish all this good work, and I'm happy to explore that idea.

Our government is committed to working with the Association of Yukon Communities to better support municipalities in creating communities that meet the needs of Yukoners. I'm glad that we're working with the Association of Yukon Communities and with Yukoners to examine the possible extension of the term of office for municipal councils and the local advisory councils. This engagement, like the others we have done, is important. We promised Yukoners that they would be heard. It is one of the tenets of our government — holding engagements to learn their thoughts on important matters is essential. It has certainly been a foundational principle of our government over the years.

Since 2017, we have held a record 99 engagements. No other Yukon government can claim to have held as many. I met in July with the president of the Association of Yukon Communities and discussed how we can continue our work to support Yukon municipalities across the territory. It was a productive meeting. We were able to even further align priorities to support Yukon municipalities across the territory and create stronger and more effective local governments. Having our interests align only builds on our government's renewed three-year partnership agreement with the Association of Yukon Communities. This agreement sets the foundation for how we will work and continue to work together based on principles of fairness, cooperation, and collaboration.

With this partnership agreement, we continue to promote engagement and cooperation between our organizations, foster timely and meaningful consultation on matters of mutual concern for the benefit of all Yukoners, and identify areas where they can be enhanced through cooperation and collaboration. Our collaboration on the recent public engagement is a great example of our partnership in this area. I am happy to hear that the opposition parties are in support of our work together to engage with Yukoners on examining the possibility of extending the term of office for municipal councils and local advisory groups.

I want to once again thank all Yukoners who took part in the survey. I look forward to seeing results and hearing their thoughts on this potential change.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Nisutlin Bay bridge replacement

Mr. Hassard: Early this summer, the Yukon government awarded the largest capital project in YG history. Of course, that is the Nisutlin Bay bridge replacement. Since that time, we have heard of numerous problems with the project. While it took several months for the government to review after the closing of the bids, it was finally rewarded in May, and significantly overbudget. Since that time, very little work has happened with regard to actual bridge replacement.

Can the minister provide Yukoners with an update on the progress of the Nisutlin Bay bridge project? Is the project, in fact, delayed already?

Hon. Mr. Clarke: The Nisutlin Bay bridge is a critical link along the Alaska Highway. It is an important landmark for Teslin. In the spring of 2019, the Yukon government and the Teslin Tlingit Council signed a project charter for the bridge replacement. Through the project charter, we have been working together to design and build a safe, reliable structure that can accommodate an increase in traffic, while also improving access for pedestrians and cyclists. This project will provide a significant, positive economic outcome for the territory, local businesses, and the community of Teslin.

As the member opposite indicated, a tender was posted on October 13, 2021, for two pre-qualified contractors and closed on February 3, 2022. The \$159.96-million project was awarded on May 3, 2022, to Graham Infrastructure LP. In May 2022, an open house was held in Teslin with the successful contractor, Graham Infrastructure LP, providing information on project timelines, potential employment opportunities, project safety, and traffic management plans. I had the honour and opportunity to attend that, and I met briefly with the member opposite at that open house, and I will continue my response.

Mr. Hassard: I was certainly hoping for an actual answer to the question. One of the biggest problems we've heard is the delay in getting concrete production moving. Now, we know that a bridge of this magnitude will require a significant amount of concrete; however, a concrete batch plant has yet to be set up, and the site where it's going actually hasn't even been prepared for its eventual arrival.

So, can the minister explain why these delays are taking place, and how much he anticipates extra costs taxpayers can expect to see?

Hon. Mr. Clarke: As the member opposite indicated, this is the largest infrastructure project in the history of the Yukon to date, and it represents a crucial link along the Alaska Highway to ensure that we have unimpeded access on the Alaska Highway. The member opposite knows that this infrastructure is approximately 70 years old and was getting close to the end of its useful life.

The Yukon government left us with an infrastructure deficit, and I can note that our Liberal government has fostered the strongest economic growth in the country by working in partnership with First Nations and modernizing the territory's infrastructure.

I have the honour of travelling to Teslin on Friday. At that point, I will be meeting with the Teslin Tlingit Council, the Village of Teslin, and the contractor, and we will announce the start of the substantive construction of this project.

Mr. Hassard: One of the reasons the contractor cannot begin this work is because the water licence has not yet been finalized. So, again, this is the largest capital project in the Yukon's history. Can the minister explain why the Yukon government would not have ensured that the proper licences were actually in place before awarding a \$160-million contract?

Hon. Mr. Clarke: As indicated, we are excited to be moving the Yukon forward with respect to the Nisutlin Bay

bridge. This will provide incredible opportunities for the Teslin Tlingit Council and the Village of Teslin, and all citizens of Teslin. This is in addition to many infrastructure projects that have occurred this summer, including ongoing work pursuant to the national trade corridors funding on the north Klondike Highway and an almost \$250-million investment at the Erik Nielsen Whitehorse International Airport this last summer. This was the parallel runway reconstruction, creating much-needed redundancy for the territory in this vital transportation hub. Next year, we will commence the work to replace the main runway. Some of the aggregate below the surface of the main runway is from 1942 or 1943, which the prior Yukon Party government well knew during its 14 years of government previously.

We look forward to moving forward on the Nisutlin Bay bridge. So far, to answer the member opposite's question, the project is on budget, as far as we know. I am looking forward to answering further questions on vital Yukon infrastructure.

Question re: Nisutlin Bay bridge replacement

Mr. Hassard: Another significant problem with the Liberals' handling of this project relates to the large volume of aggregate needed. I have asked on more than one occasion in this House where the government was sourcing the aggregate for this project, and I will note that I have not yet received any response to those questions. Maybe today the minister can tell us where the aggregate is being sourced for the Nisutlin Bay bridge project, and I certainly hope he doesn't tell us that it's coming from the Erik Nielsen airport.

Hon. Mr. Clarke: I would just note for the record today that this program, or the Nisutlin Bay bridge project, was to go ahead in 2014, which — newsflash — was during the final years of the Yukon Party government. At that time, I am advised, the project was cancelled due to there being insufficient consultation.

Of course, now we are eight years later — a global pandemic, supply chain interruptions, an unjust and illegal war in Ukraine — and now we are making that vital investment in infrastructure in the Yukon. That's where we are.

I recall the question about the aggregate from the spring session. If my department hasn't responded to that question yet, I will certainly respond in due time with respect to that.

As with most of these major infrastructure projects, if those matters did not go ahead eight, nine, or 10 years prior, well, the costs are going to increase, and it doesn't remain any less vital to our transportation infrastructure.

Mr. Hassard: Another issue that the government didn't appear to plan for is sourcing of suitable rock for rip-rap for this project, and we have just heard that the government has had several years extra to plan.

A project of this size, Mr. Speaker, will require a significant volume of rip-rap, and months after the project has been awarded, the contractor is still left looking for suitable rock to use for that rip-rap.

Can the minister tell this House if the current rock source has been properly tested before any of it is placed into the water?

Hon. Mr. Clarke: Once again, I am very excited to be moving forward with the largest infrastructure project in the history of Yukon, providing a vital land link between southern Canada and the Yukon, and ultimately to our friends in Alaska as well.

This capital budget provides for \$547 million of infrastructure spending, including money like \$71.6 million for the repairs and improvements to bridges and highways, and \$10.8 million for the Yukon Resource Gateway project, which is primarily the Carmacks bypass this year.

As I indicated previously in a response, \$51.3 million is to support the airline access to the territory for Yukoners, visitors, and businesses. As well, we have \$27 million budgeted this year to help create Internet redundancy with the Yukon Dempster fibre project.

With respect to the specific question that the member opposite has, I will certainly return once I have had the opportunity to speak to the subject-matter experts, but for Graham Infrastructure LP, this is not their first rodeo, and I have confidence that they know what they are doing with respect to this large infrastructure project.

Mr. Hassard: Unfortunately, the project isn't actually moving forward, and this minister appears to be unable to answer any of our questions. You know, he has talked about this being the largest project in history. We would certainly hope that the minister would be well-versed in what is going on in his department.

So, I will ask one more time and hopefully, the minister has found some answers. If the rock source proves unsuitable for the aggregate source, or is lacking in quantity, does the Department of HPW have a backup plan in place, so that this project actually can move forward?

Hon. Mr. Clarke: I will not engage in hypotheticals, and I look forward to meeting with all related parties on Friday afternoon, as this is a good-news story for the Village of Teslin, the Teslin Tlingit Council, and for the Yukon itself. I have every confidence that Graham and its subcontractors, as I said, know what they are doing. They are a large national company that were prequalified to do this work, and I have every confidence that they will discharge their duties and fulfill their contractual obligations, as they have committed to do.

Question re: Hospital staffing

Ms. White: We have heard a lot of words about all the work that this government is doing for our health care system, but on the ground, things are only getting worse for Yukoners. Just this morning, we received a call from someone who needed health care in Dawson City. We learned that the Yukon Hospital Corporation put out a general distress call to all Yukon nurses to come up and cover shifts at the Dawson community hospital because they have so few nurses on shift.

In every community across the territory, Yukoners are losing out on basic health care.

Can the minister tell us how many nurses are being flown between communities at the last minute to fill staff shortages?

Hon. Ms. McPhee: I think that the issue being asked about here is how Yukoners are getting health care service and

how we are supporting our nursing staff with respect to the world shortage — national and international shortage — of health care professionals. I can assure the members of this Legislature, the communities across the territory, and Yukoners, that this is an issue not only on our radar — top priority — but one that we discuss regularly and work on with the Yukon Hospital Corporation regarding their nursing staff, how we can work together to provide services for Yukoners, and is an issue that is at the national table for Yukon Health ministers, who will meet in about two weeks, and preparations, meetings, and discussions have taken place and will continue to take place this week.

Ms. White: What I was looking for were the numbers of nurses being flown between communities to cover the shortages, but I didn't get one.

The Dawson hospital doesn't just serve Dawson City; it's supposed to provide health care to all of north Yukon, just like the Watson Lake hospital for south Yukon, but the government has no idea if Yukoners are getting that care because, as we showed last week, the Yukon Hospital Corporation doesn't track nursing shortages at any of their hospitals. The only excuse the minister could come up with was that the Hospital Corporation is not under the government. She should also know then that Yukoners' access to health care is still her responsibility.

Will the minister mandate that the Yukon Hospital Corporation track nursing shortages across the Yukon?

Hon. Ms. McPhee: I am not sure that the snide remarks are serving Yukoners, but I am certainly happy to discuss the issues that are top-of-mind for us with respect to providing health care to Yukoners, and that is staffing and issues about staffing.

I am not sure — I would be happy to follow up with the member opposite outside of this Legislative Assembly — what is being referred to with respect to not tracking shortages or vacancies. I have asked last week that we might have that information provided to us. We would be very welcoming of the statistics or information that is being set out in the House because, obviously, we are at cross-purposes with respect to that understanding.

Yukon hospitals are working hard to employ innovative solutions to ensure that staffing models are well-planned and sustainable.

Ms. White: So, the minister can find that information on the ATIPP website, because now it's publicly available.

Everyone knows how short-staffed and overworked our health care system is. While nurses work overtime and get calls and e-mails begging them to pickup more shifts, the minister said last week — and I quote: "... we insisted that..." — nurses — "... take some time off."

After hearing that statement, more and more nurses asked us: And who is going to cover for me when I do? While others told us that they are being denied time off altogether.

So, when this government is shifting nurses around the Yukon to fill gaps like a game of musical chairs, it's pretty rich to tell them that they should feel supported to take a much-needed break.

Can the minister tell us how many extra shifts nurses are being asked to cover every single week?

Hon. Ms. McPhee: I appreciate the question; it's certainly something that will necessarily have to come to me outside of this opportunity so that we can provide information with respect to those numbers.

I think what is critical for nurses here in the territory to know, and ultimately for Yukoners to know, is that we have brought forward an extensive package — a significant package — of benefits and retention bonuses for nurses here in the territory to recognize the work that they have done during COVID and continue to do to keep us healthy and safe here in the territory. That package is currently being discussed with the Yukon Employees' Union. There is, I hope, support coming for that package so that we can introduce it and we can proceed with significant payments to retain and support our nursing staff and to make this the best jurisdiction in Canada to work.

Question re: Moose management

Mr. Istchenko: On March 29 of this year, I asked the Minister of Environment to consider measures other than shifting to a permit hunt to help support moose populations. One of those measures could be a wolf harvest program. In response, he said very clearly — and I quote: "... we are not promoting predator control in the Yukon."

However, since then, the Yukon government has released the 2022 implementation review of our wolf management plan. The document outlines activities, including — and I quote: "Launch at least one new community-driven wolf harvest program... by 2023."

Now that the minister has heard directly from the wildlife management community that we should be using harvest as a means of control in wolf populations, will the minister reconsider his opposition to this?

Hon. Mr. Clarke: Thank you for the question from the member opposite. I think that a consideration of having one area for potential wolf control does not necessarily constitute a territory-wide consideration of this measure, and I think what I did say in the spring was that I had certainly spoken to my Alaskan counterparts and had heard that, yes, predator control and wolf management is actively pursued there and, at the time, was informed by my department that this was not the preferred option on a pan-territory basis.

However, I am certainly prepared to consider all options that are supported by subject-matter experts in my department and will govern myself accordingly with all available data and options presented to me.

Mr. Istchenko: When I asked about this earlier this year, the minister was very clear that he was against controlling predator populations as a means to support moose and caribou numbers. It was disturbing, actually. In 2012, the *Wolf Conservation and Management Plan* included a specific goal, which was to use wolf harvest as a management tool to reduce predation rates of moose and caribou in local areas. Now the 2022 implementation review of that plan, which was produced by the minister's department, recommends the establishment of a new wolf harvest program.

In light of this, does the minister stand by his previous opposition to utilizing wolf harvest to control predator numbers, and therefore, support moose and caribou populations?

Hon. Mr. Clarke: I believe that I did answer that question in the first response, but I will provide some update to the House now while I am on my feet. The Department of Environment is committed to collecting robust data to provide high-quality, up-to-date information for decision-making. To do this, we combine information from harvesters and First Nation and community partners with results from our scientific research and monitoring so that management decisions are well-informed.

In 2021, the Department of Environment conducted seven moose surveys and two elk surveys. In addition, we completed census work on five caribou herds, conducted 12 caribou composition surveys, and deployed collars on 10 caribou herds. In 2021, the Department of Environment spent approximately \$680,000 for seven moose surveys and \$535,000 for 15 caribou surveys and related data collection.

In 2022, the department has allocated approximately \$448,000 for three moose-related projects and \$865,000 for monitoring projects related to 12 caribou herds. We also conducted assessments on black bears, grizzly bears, bison, bats, pikas, and ground squirrels.

I look forward to continuing my response.

Question re: Dempster Highway maintenance

Ms. Van Bibber: The Dempster Highway is an important connection for the Northwest Territories and the Yukon. It is an access for supplies, a huge tourism draw, and with the value of having people from the Delta come south for groceries, lodging, vehicles, and so much more, it's an important economic route. However, the road conditions are horrific on the Yukon section, from the cut-off to the Northwest Territories border. Potholes, loose rock, and overall degradation of the surface has caused all citizens, tourists, pilot car drivers, and truckers to complain and share their experiences with me.

I witnessed it myself during a trip north this past summer, and I can attest they are not exaggerating.

Can the minister tell us why the lack of care for the Dempster Highway is happening? Is it due to a lack of allocated funds, a lack of staff at the highway stations, or just a lack of interest in the Dempster?

Hon. Mr. Clarke: Just briefly, I would say that, depending on the time of year, and even specifically with respect to the time in the summer, the communication that was received by my office and by Highways and Public Works really did vary. There were a number of messages received from tourists who actually remarked that they had had a very positive travel experience. I know that with additional rains and inclement and difficult weather — sometimes brought about by climate change and above-average precipitation — that is a road that is subject to changes in conditions quite significantly.

During the fall, the Dempster Highway sees considerable weather challenges that can pose a safety risk, admittedly, to

drivers. Snow, freezing rain, rain, and major temperature fluctuations can make the highway slick and unpredictable. This fall, we have seen a great deal of precipitation, and Highways and Public Works has closed the highway when the safety risks were too high.

I can assure you, Mr. Speaker, that our crew are out maintaining the highway every day, plowing, grading, and fixing issues as they arise. As the temperature falls, the road conditions should stabilize with more consistent winter weather.

Ms. Van Bibber: I want to remind the minister that it was just two years ago that the Mayor of Inuvik wrote an open letter to decision-makers on the Yukon side of the border about the terrible state of the Dempster. The letter came after two LNG tankers tipped off and went off the road within a week of each other.

Despite this being raised over two years ago by the Mayor of Inuvik, the state of the Dempster has not improved. Will the minister commit to improving the sorry state of the Dempster Highway?

Hon. Mr. Clarke: I had the opportunity this summer to be in Inuvik, and I met with the Mayor of Inuvik, the MLA and Deputy Premier Diane Archie, and I also met with the Gwich'in Tribal Council Grand Chief Ken Kyikavichik in separate meetings. We certainly addressed that and talked about even perhaps a combined response, because we know that the Dempster Highway was built in 1978-79. Ultimately, there will likely have to be — conceding the Member for Porter Creek North's point — significant investment, whether it is through the Northwest Territories, Yukon, or sort of a pan-Canadian nation-building exercise.

So, we had useful conversations, including trying to keep the Dempster open north of Eagle Plains, close to the NWT border, where it is prone to blizzards and whiteouts. I certainly have taken that back to my department. We are on this. We are aware of it. This is a challenging highway to grade.

Question re: Conflict of interest re Old Crow wellness centre

Mr. Hassard: The mandate letter of the Minister of Highways and Public Works lays out the expectation that the minister must — and I quote: "... actively seek, and abide by, guidance from the Conflict of Interest Commissioner." Earlier this year, the minister revealed that the former Minister of Health and Social Services, who is now an employee of the contractor who was awarded the Old Crow health and wellness centre, reached out to government to make representations about the project. According to the Minister of Highways and Public Works, he directed his officials to meet with the former minister, and such meetings occurred on a number of occasions.

Recognizing the minister's mandate letter, why didn't he actively seek the advice of the conflicts commissioner before directing his officials to meet with the former minister?

Hon. Mr. Clarke: This government, as we know, is investing in Old Crow, and we're working together with the Vuntut Gwitchin Government.

I was in Old Crow this summer, and I saw the beginning of the pilings for the Old Crow health and wellness centre and tenplex. I also saw the elders centre coming up from the ground. I have also seen subsequent photos indicating that they had a very fruitful summer of construction. Both projects are currently ongoing. The structural steel is complete on both buildings, both roofs on the base sheet, and wall framing is underway on the tenplex, and crawlspace drainage lines, heating lines, and ductwork are completed in both buildings.

We are making significant investments in Old Crow. We are pleased to be working with the Vuntut Gwitchin government on the winter road to get materials into the community. Even this year, again, more than \$15 million is included in this year's budget for the new mixed-use housing project that will create 10 new homes in the community; \$13 million is budgeted for the new health and wellness centre in Old Crow, and also there is money for the elders complex, the new public works facility, improvements to the aerodrome — the list —

Speaker: Order.

Mr. Hassard: The conflicts act is quite clear. Section 10(4) says — and I quote: "A former Minister shall not make representations to the Government of the Yukon in relation to a transaction or negotiation to which the Government is a party and in which the former Minister was previously involved as a Minister if the representations could result in the conferring of a benefit not of general application."

So, even the current minister must agree that there is at least a perception that the former minister could be in contravention of that section with the numerous meetings that he directed his officials to take with her. By directing his officials to meet with the former minister, he put them in a difficult position. Once he gave that direction, they had no choice but to meet with the former minister, even if they did think it was a conflict.

This could have been all addressed in advance if the current minister had simply sought the advice of the conflicts commissioner. So, why didn't he?

Hon. Mr. Clarke: There's incredible work that's going on in Old Crow, Mr. Speaker — an unprecedented level of infrastructure investment, as I indicated, that will provide additional resources through the wellness centre and additional housing at the tenplex, and elders will be provided for, as well, with supportive, independent living. So, these are indeed exciting times in Old Crow — very busy times in Old Crow.

I would just say, Mr. Speaker, that if the member opposite has an allegation to make, he should make it instead of inferring that the former minister did something inappropriate.

Mr. Hassard: Anyone who reads section 10(4) of the conflict of interest act would certainly see the potential problem with the former minister making representations to government on this project that she was formerly involved with as a minister. The contract between the former minister's current employer and the Government of Yukon clearly represents a transaction, and the benefits she receives as an employee would not be of general benefit. Yet, despite this, the current minister

directed his own officials to meet with the minister, not just once but on numerous occasions.

So, is the minister not concerned that he directed his officials into a situation that put the former minister in contravention of section 10(4) of the conflict of interest act?

Hon. Mr. Clarke: If the member opposite has an allegation to make, he should make it instead of inferring that the former minister did something inappropriate.

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. 20: *Animal Protection and Control Act* — Second Reading

Clerk: Second reading, Bill No. 20, standing in the name of the Hon. Mr. Clarke.

Hon. Mr. Clarke: I move that Bill No. 20, entitled *Animal Protection and Control Act*, be now read a second time.

Speaker: It has been moved by the Minister of Environment that Bill No. 20, entitled *Animal Protection and Control Act*, be now read a second time.

Hon. Mr. Clarke: It is my privilege and honour to introduce Bill No. 20, *Animal Protection and Control Act*, for the Legislative Assembly's consideration.

This bill is presented jointly by the Department of Environment and the Department of Energy, Mines and Resources, as it affects the care, production, and control of all animals, including livestock. The *Animal Protection and Control Act* is a comprehensive, modern, and enforceable legal framework for managing all aspects of animal protection and control in the Yukon.

The bill supports this government's priority to ensure that Yukoners live in safe, supported communities. It also supports positive government-to-government relationships with First Nations and positive government-to-industry relationships with the agricultural industry. This is done through developing collaborative and community-specific solutions to enforcing animal protection and control. The new legislation will replace the *Animal Protection Act*, the *Dog Act*, and the *Pounds Act*.

The Yukon's current animal protection and control legislation is outdated, resulting in low animal welfare standards and significant gaps and challenges around enforceability of animal control laws. Revising animal control legislation responds to past tragedies and recommendations following these instances.

This includes the coroner's recommendations, after uncontrolled dogs in Ross River tragically killed a man in 2015. A Government of Yukon contractor also died in 2014 after sustaining injuries while attempting to capture feral horses on a highway. These incidents highlight the need to better address public safety issues caused by feral animals and animals on highways.

In addition, in 2018 and 2019, incidents of escaped Eurasian boars highlighted gaps in the Yukon's legislative framework around controlling high-risk animals, such as escaped livestock. Currently, there are no existing statutes authorizing government officials to destroy high-risk animals that pose a potential threat to public safety, the environment, or property.

We heard, through public engagement, that Yukoners would like to see higher standards for animal welfare and control across the territory. These standards are the major focus of this legislation.

Communities were concerned about public safety and dogs, but we also heard about the control of cats, livestock, and working animals. The act expands and enhances the enforceability of animal control and ownership laws across the territory to mitigate risks to public safety, the environment, and property. This includes providing clarity on which animals can be owned in the Yukon, with or without a permit, and addresses growing concerns about animal hoarding, and provides new tools for managing escaped, high-risk animals like Eurasian boars, as well as feral populations, such as horses.

The new legislation before us in Bill No. 20 also provides an improved legal framework for animal protection. It will result in more fiscally responsible government operations and enforcement that is more effective and supports proactive management. The act raises the bar for animal welfare in the Yukon and prohibits a number of methods of killing to ensure animals are killed in a humane way. The act allows for permission to be granted to an individual to use an otherwise prohibited method of killing when the killing is for the purpose of a religious ritual slaughter and only when it is carried out in accordance with national guidelines.

This legislation regulates pet stores, boarding facilities, and animal rescue organizations. These organizations are supportive of the new permitting requirements to operate and will have a one-year grace period from when this act comes into force to apply and obtain their permits.

New tools will empower communities to enforce territorial animal laws in their communities and increase public safety. It provides the ministers with the authority to develop and set species-specific standards of care and containment standards for livestock. To allow organizations and businesses time to adjust to these policies and procedures prescribed in the act, implementation will follow once the regulations are in place. This is expected in the spring of 2023.

The act supports Energy, Mines and Resources and the Department of Environment to work collaboratively in supporting the agricultural industry by establishing clear roles, responsibilities, and enforcement actions between the departments. The act will expand authority of the Minister of Energy, Mines and Resources, and includes joint responsibility for livestock welfare and control with the Minister of Environment.

The *Animal Protection and Control Act* will address long-standing concerns of Yukoners about enforcement of animal laws and will mitigate risks that uncontrolled animals pose for public safety, the environment, and property.

In closing, it has been a privilege introducing this bill, and I look forward to hearing now from other members here today.

Mr. Cathers: To begin with, in speaking to this, I would note that I'll be speaking to this legislation as our critic for Agriculture and Justice, and my colleague the Member for Kluane will be speaking to it as well later as the Environment critic, which is also an important aspect related to this legislation since Environment is the lead department on it.

What I want to note in beginning to speak to it is, first of all, that the Yukon's animal protection legislation did need some changes made to it. Some parts of this bill are reasonable; there are other parts of it that we have serious concerns about.

Animals are very important to many Yukoners. For some, pets are considered by them to be basically members of their family; for other Yukoners, animals are very important to their livelihood or to their enjoyment of life. A few examples of this include people who are farmers, people who own horses and ride, people who are dog mushers or who participate in skijoring, and a great many other Yukoners who I haven't named in that list. Animals, again, are very important to the lives and, in some cases, the livelihoods of Yukon citizens.

My most significant concern regarding this legislation, to begin with, is lack of consultation on the details. Government did a high-level consultation a few years ago, but unless they have information to present that they have not shared recently, there has been a glaring and problematic lack of consultation on the details of the legislation with the people who are affected by it most, and that, Mr. Speaker, is a problem. It is not acceptable for government to take a "father knows best" attitude and to pass changes that could have significant impacts on the lives or livelihoods of Yukoners without giving them the opportunity to look at the details of that legislation.

Again, I want to emphasize that some parts of the legislation do seem reasonable; some changes, indeed, are required. However, that does not change the fact that some parts of this legislation have gone too far, and there are others that we have questions about. I am sure there will be additional questions from Yukoners regarding them.

To begin with, I want to talk about one glaring example of where this legislation goes too far. The provision that this legislation has created — the power for warrantless search and seizure — goes too far. It may, in fact, be unconstitutional. I am going to give a few examples of that in pointing to other territorial legislation, but what I want to emphasize to clearly explain this for someone who is not familiar with the legislation is that this bill — this proposed legislation — goes further than child protection legislation in the territory does in granting the power for warrantless search and seizure. It goes beyond what is currently in the *Animal Health Act*, and that act was amended in 2013, including creating the provision in that legislation for the ability for an officer to apply for a telewarrant if it was not practical to appear in person.

Similarly, the *Child and Family Services Act* creates the ability for an officer who needs to enter a residence to apply to a judge for a telewarrant. Both pieces of legislation recognize the importance of balancing the ability of officers to act with

the long-standing requirement for officers to get a warrant to enter someone's house and recognize that this principle should not be so casually discarded, as it has been discarded by this government.

Mr. Speaker, as noted — again pointing to both pieces of legislation — the child protection legislation set out under the *Child and Family Services Act* and the *Animal Health Act* both contain the provisions for officers who need to enter premises in a hurry to do so on the basis of a telephone application for a warrant to a judge. If they convince the judge through that telecommunication that they do indeed need to enter the premises, the judge can grant them the ability to do so.

I would note that, in terms of the child protection legislation we have under the *Child and Family Services Act*, the government amended this legislation in the spring of 2022. At that point, it did not see any need to make a change to the child protection legislation to permit the ability for a warrantless entry to a premise or warrantless search and seizure.

I am going to give specific examples of this before moving on to a list of other concerns and questions. This one, because of its importance, does deserve some specific attention and examples in my introductory remarks. Mr. Speaker, under the *Child and Family Services Act*, section 160, which, for the reference of Hansard and others, is on page 89 of the legislation that can be found on the government's website, provides the ability for a telephone application for an order or a warrant.

It says — and again, this is the *Child and Family Services Act* — in 160(1): "If, in the opinion of a director or peace officer, it would not be practical to appear in person to apply to a judge for an order under section 25 or subsection 26(3) or a warrant under subsections 26(2), 38(1) or 91(1), the director or peace officer may make the application by telephone or other means of telecommunication.

"(2) Where the information on which the application for an order or warrant is submitted by telephone or other means of telecommunication, the information shall be given under oath or affirmation and the oath or affirmation may be administered by telephone or other means of telecommunication."

Again, that is from page 89 and 90 of the *Child and Family Services Act*, a clear provision that, even in a matter regarding a child's safety, an officer is compelled to seek a warrant before entering someone's house, but again, as noted there, it provides the ability for them to apply urgently for that by telewarrant.

Also, under the *Child and Family Services Act*, if one looks earlier in that legislation, it makes provisions under section 26 that a director, in conducting an investigation, may, with the consent of the occupant in charge of the place, enter any place. It goes on further — and this is in section 26 of the *Child and Family Services Act*, found on page 19 and 20, it provides the power, under 26(2) of the *Child and Family Services Act*, that — and I quote: "If a person denies the director entry to any place, instructs the director to leave any place, or impedes or prevents the investigation by the director in any place, and the director has reasonable grounds to believe that entry to the place would further the investigation, the director may apply to a judge for a warrant authorizing entry to the place."

Further, in subsection 26(5), it notes — and I quote: “If the judge is satisfied that the director has reasonable grounds to believe that entry to the place would further the investigation, the judge may issue a warrant authorizing entry to the place by the director.” Again, that is the standard set out dealing with the safety of children.

Further, if one turns to the *Animal Health Act*, which was amended in 2013 to meet the current needs of society at the time, there is provision in that act in section 34(1) — and I quote: “A justice may issue a warrant authorizing an inspector or any other persons named in it to enter and search an area, including a private residence, or conveyance and take any necessary action as specified in the warrant...”

The legislation then goes on, on the next page — page 17 — section 35, telewarrant “If an inspector believes it would not be reasonably practicable to appear personally to make an application for a warrant under section 33 or 34, a warrant may be issued under either of those sections on an information submitted by telephone or other means of telecommunication in the manner provided for under section 487.1 of the Criminal Code (Canada) with such modifications as the circumstances require.”

Again, that change was added to the *Animal Health Act* in 2013.

In conclusion on that point, both the Yukon’s existing animal health legislation — which was amended in 2013 — and the *Child and Family Services Act* provisions, which I, as Minister of Health and Social Services, tabled and were subsequently then amended through legislation the government brought through this spring — both pieces of legislation provide for the ability for an officer who needs to enter someone’s house to obtain a telewarrant, but do not provide the sweeping powers contained in this act for someone to enter without a warrant. The government has failed to make the case for these powers, and in fact, as I have said, in my view they are not only unjustified but very likely unconstitutional.

I would encourage Yukoners who are interested in this to refer to both pieces of legislation to which I referred, and they can see that, in the *Animal Health Act* and the changes we made in 2013 in the original *Child and Family Services Act*, which I introduced, and in the amended version, as changed by the government this spring, no one saw it necessary to provide for as strong powers to enter someone’s house without a warrant as are contained in this legislation, which the Minister of Environment tabled this fall.

Moving on to other areas — I should just note, before I forget to do so, that, as I mentioned, we do support some parts of this legislation and believe that some parts of it needed changing, so we will be voting in favour of it at second reading for debate in Committee of the Whole, and to have some of these questions answered. I also hope that the minister will see the error of his ways in the legislation and recognize that, in particular, section 14 of the act he tabled, “Entry without a warrant” should not be in this legislation, and perhaps he may choose to pull that section from this bill.

I would also note, before I leave this topic, that under that section, what it does is that it allows an animal protection

officer — if this legislation passes — including police, to enter your home without a warrant under certain circumstances. Once there, they may — and I quote: “... may, without a warrant, seize any thing, or take custody of any animal...”

That, Mr. Speaker, can be found in section 17 of the bill. So, it provides the ability for warrantless entry under certain circumstances and the provision that, once there, they — and again I quote: “... may, without a warrant, seize any thing, or take custody of any animal...”, and that is simply going too far. The government should have landed where the *Child and Family Services Act* and the *Animal Health Act* did, which is to provide for the ability of an officer in such a circumstance to apply to a judge for a telewarrant.

Moving on to other areas that don’t appear to be unconstitutional but are potentially concerning as well — in this legislation, the minister proposes allowing Cabinet to make regulations limiting which species can be kept, prohibiting species, and requiring permits for some species. Now, Mr. Speaker, the possibility of banning species that are currently lawful in the territory is something that would certainly be of interest to a great many Yukoners. In this area, it is not clear, first of all, what the government proposes to do. Under the *Wildlife Act*, there are already a number of exotic animals that cannot be lawfully kept, and what the question that comes to my mind in this is: What exactly is the government proposing doing this for? If there is the need to target a specific species, why not include that in the legislation, allow the House to debate on it, and make the case for that change, instead of creating a structure, as the minister proposes, where the current Cabinet — seven people who are elected then with less than one-third of the popular vote — could make decisions unilaterally without public consultation?

If the government believes that there is truly a compelling case for prohibiting a species or requiring a permit for others, as proposed by this legislation, then make that case to the public and to this Legislative Assembly. Don’t ask for a blank cheque to start banning and restricting species as this Cabinet sees fit — again, a Cabinet elected with less than one-third of the support of the popular vote from Yukoners and, of course, whose support has nosedived to the point where they now have the support of less than one in four Yukoners.

Mr. Speaker, this legislation — additional concerns and questions include the fact that it specifies duties of an owner and allows Cabinet to go further in regulations. In addition to setting standards of care, the proposed law requires opportunity for exercise and socialization without saying what that means.

Now, I want to be clear about the fact that certainly I believe — and I think it’s fair to say on behalf of my colleagues that we believe — that there should be appropriate standards of care for all animals, but the question is how to go about it. Whether it is the case, as is in the existing *Animal Protection Act*, that in cases of neglect of an animal’s basic needs, such as food and water, that government could step in, or getting more prescriptive in regulations, as this government proposes. What I would note in this specific area is that, again, this is an area where the details actually will matter to Yukoners who are affected by it, and this Liberal Cabinet is not the only source of

good ideas in the territory, nor, in fact, do they represent most Yukoners.

In terms of the question of opportunity for exercise and socialization, one of the reasons I single that out is a clear statement in the legislation would be required, but it doesn't really say what that would mean. The needs of individual types of pets are, of course, different. Also, individual animals within a breed can differ. For example, if someone has an old dog or one that has been injured in some way, the ability to exercise may be limited for that dog, and an exercise regime that might be appropriate for a young, healthy member of that breed would not be appropriate for an older animal.

In addition, the question of socialization raises the question of socialization with who. Is it with other members of the species? If that is the case, is the government potentially saying through this, or will it be interpreted as saying, that if a dog is unable to socialize with other dogs on a certain frequency, that perhaps the owner would be in violation of the law? For example, for someone who is limited themselves in mobility or who lives in a remote area, it may not be feasible to have their dog socialize with other dogs. Would this prevent someone who owned one horse from having just one horse?

Mr. Speaker, if that is not the intent, my point is — and I would encourage the Cabinet to recognize this here — that, in making such a statement law without defining it, it does create the potential that, in interpretation, it creates unintended consequences that may not be fair to individuals. In fact, it may not be in the best interests of the animals themselves.

On the socialization question, I would point to another situation. For example, there are some dogs who are aggressive with other dogs and putting them in a situation with socialization may actually put both animals at risk. Again, this raises an issue that may sound good at face value to the current Cabinet but creates potential problems, depending on what that sweeping clause is interpreted as meaning.

The legislation provides the authority for an officer to stop a vehicle if they suspect that an animal is being transported in a manner that may contravene the act or regulations. Again, while it is common for ministers who wish to pass new powers to argue that, when it comes to operating under the *Motor Vehicles Act*, operating a motor vehicle is a privilege, not a right — it does raise questions on whether there is reasonable basis and probable cause for an officer to stop a vehicle, or if government is simply taking advantage of splitting legal hairs to allow someone to be stopped based on suspicion.

I have a little more in my notes here.

It allows the current Cabinet to designate animals as part of a prohibited species, allowing an officer to seize any such animals from their owners. That is set out in sections 25 and 26. It provides the ability to require a permit for possession of some species, that includes — section 27 references to it. It requires permits for boarding facilities, pet stores, and animal rescue organizations, but it's not clear what the permit standards would be. I would note that this could create a problem for some owners, but we don't see the framework of what those permit conditions would be. We see sweeping powers put in place that

could result in some boarding facilities or even animal rescue organizations deciding that they simply can't operate anymore.

I would note that, if the ministers might like to dismiss the suggestion, the changes they have made to the *Societies Act* and the reporting requirements for societies are making it hard for a number of NGOs to operate; it is certainly not a stretch to think that there are requirements that they might put in for permitting here that could create a situation where other NGOs or boarding facilities simply choose not to operate.

Again, what I would note in that situation is that there is more than one way to approach this. Yukoners should be consulted on the details of this. If a permit is required for a boarding facility for animals, pet stores, animal rescue organizations, et cetera, the details of what those permitting requirements would be — the details about the standards of care and potential inspection regimes — are quite key to whether an operation would continue to operate.

Again, I do want to emphasize the fact that I certainly want to ensure that animals are properly cared for, and I think I can say on behalf of my caucus colleagues that we are also concerned about animal protection and recognize that there does need to be the ability for government, in cases of animal cruelty or neglect, to step in. But there is a difference between the ability to step in when there is a clear case of neglect and/or abuse and a permitting regime that is very stringent and specific and reflects the values of this current government, or perhaps officials, but not reflect the values or the needs of Yukoners. In this situation, the details of this are quite important, but we don't see the details. We see where this government has given itself sweeping powers to create the details in regulations, potentially without public consultation.

This legislation allows Cabinet to make regulations, including: prescribing standards of care for animals or certain animals; standards for breeding and possession and regulations around that; regulations around the sale of animals; and regulations limiting the number of animals that a person may possess. Now, in that latter case, Mr. Speaker, I would agree that, in a case where someone has a record of not caring for their animals properly, there is indeed a need to have the ability for a court to issue an order, in certain cases, to prevent someone who has a record of chronically not caring for their animals well from just continuing to repeat the same cycle.

However, that should not go so far as this legislation does. In my opinion, it is creating the ability for government, without justification, simply to choose to limit the number of animals of a certain species or type that a person may possess, without having a reason, as I mentioned, to believe that the owner would not properly care for more than a certain number of animals.

The list of regulation powers that this act proposes giving to Cabinet is a whopping four pages long. It is not clear yet whether government intends to make sector-specific regulations for animals or species-specific regulations for animals, but this legislation would allow them to do that for horses, for chickens, for dogs, for sled dogs, for cattle, goats, or any other species that they see fit. This is a continued example of the bad trend that has happened within Canadian society of

increasingly allowing government to transfer itself sweeping regulatory powers for Cabinet to act unilaterally behind closed doors in regulations without consultation with the public and people who are directly affected by it.

Again, as I noted, in my view, it is simply unnecessary to create a blanket provision for a government to prohibit certain species of animals, to require permits for certain species, and to limit the number of animals of someone who doesn't have any record of care issues regarding their animals. Those powers are not necessary or justified.

Species-specific situations — if the minister, for example, intends to ban certain breeds of dogs or certain breeds of livestock — they should make the case for that to this Assembly, not be able to slip up to the Cabinet room and make that decision behind closed doors with only seven people in the room.

The minister made reference to feral animals and the ability to regulate them. He made reference to high-risk animals and gave the example of a certain species of hogs, but it's not clear whether it is limited to that species. If that species is viewed as the high-risk animals that the government is trying to solve the problem with, it is certainly possible to simply specify that in the act.

The minister then went on to talk about wild horses in the section about feral animals, which raises — as I have heard from constituents before — the question: What is government actually planning to do in this area? The government's consultation paper back a few years ago raised the question — and from the “what we heard” document said — about what government was planning with regard to feral animals.

I recognize that any one of the feral populations, including wild horses, there are people who are concerned with the impacts of those animals. There are also some, in the case of the wild horses, who would like to see the animals left in peace in the area where they are.

What we're not hearing from the government is what they are planning. Are they planning on issuing permits to trap these horses or permits to euthanize these horses? What did the minister mean when he specifically referenced wild horses when talking about the provisions of this legislation to give them more powers related to feral animals? Part of what I am calling for in this is accountability and information.

Does government plan on implementing a permitting regime for livestock? Is that what they meant when they referred, with the rather vague references in this legislation, to requiring permits for certain types of species? Would it require someone to get a permit to have a horse, to own cattle, to own more than two horses, to have certain breeds of dogs, or to have sled dogs or a certain number of sled dogs? What is this government actually planning to do? Would you have to register your chicken and get a permit?

Mr. Speaker, I am deliberately, in that case, giving what, in my view, is a bit of an absurd example simply to make the case that the powers that this legislation gives Cabinet to unilaterally make regulations without public consultation — banning certain species, requiring a permit for others, and limiting a certain number of species — are quite significant.

They are also, in my view, not justified by the current problems that the Yukon is dealing with. With any legislation, some people will ask the question — and rightly so — what problems are you trying to solve? That would be my question: What problems exist within the legislation that the government is trying to solve? Do the solutions fit the problem, or do the solutions simply provide a convenient ability for the current government to give itself more powers, as they propose doing this, to simply make up the rules behind closed doors without public consultation?

Again, as I noted at the start, my understanding is that the government did high-level consultation in the lead-up to this legislation years ago but did not consult on the legislation itself.

If the government has actually consulted with anyone other than themselves on the details of this legislation, I challenge them to say who they have consulted with and to produce the record of those consultations, including the information that government provided and the input they received because, ultimately, as I noted, there is a need to change this legislation, but how it is changed is also very important because the details of this legislation and any powers that government gives itself for the ability to take action on any regulations behind closed doors are very likely to impact the lives and livelihoods of Yukoners.

In my view, Yukoners have a right to see the details of this before it is passed. It is unfortunate that the government does not seem to have done so.

The minister referenced, as well, the ability to set livestock containment standards in regulations and specie-specific regulations. What we know in a situation where government already gave itself the ability to set livestock-specific standards, in the area of sheep and goats, the way that it was proceeded with and the department having the power unilaterally to decide whether someone's fencing was appropriate, without any consultation with the owners or the industry on the standards, it has been problematic, as well as costly, for individuals. What this legislation is doing is going beyond sheep and goats to allow this government to set fencing standards for all livestock, as well as for animals, such as horses.

Again, the details of the fencing standards are going to have a big impact on the lives and the pocketbooks of people who own animals. Why is it unreasonable to suggest that they should actually have the opportunity to be consulted on those details before the government makes regulations behind closed doors?

Lest the minister be tempted to rise and say that they will consult on the regulations, why not consult on the legislation? This government's record on consulting and listening, when it comes to matters related to the agriculture sector, is actually — I have some issues with it, and we could talk about a number of other industries that they have dealt with in the same way, where people have not felt very listened to by this Liberal Cabinet.

Another area that, in looking at it, is problematic is the new, tougher language that establishes a prohibition allowing animals to go on to public property. This section — and I would invite the minister to share his view on it — but this section

appears to make it an offence to have your dog wander on to public property, or to be loose on public property. This section appears that it may make walking your dog loose illegal. Is that the intention of this government? If not, why did they word the legislation the way that it's worded?

Mr. Speaker, I'm going to just specifically refer to that section here, if the minister and members will bear with me. Under Part 5, Animal Control, there is a very clear requirement that the owner must — and I quote: "... manage the animal in such a way that the animal does not..." — moving down to one of the subclauses — "stray on to public property, including a highway or a right-of-way ... the property of another person without that person's consent ... damage the property of another person or public property ... cause damage to any wildlife population ... cause damage to ... the environment..." — or — "... have any other negative effect prescribed by the regulations..."

Now, Mr. Speaker, one part of that — the part of being required not to damage someone else's property or damage wildlife — there is a reasonable case being made for that, but why is the government making it an offence to have your dog loose on public property, including a highway or right-of-way? What is the reason for this wording? If that is not the minister's interpretation of that, then please do explain how this legislation — how the minister is interpreting it, otherwise, because it certainly appears to me from reading this legislation that, if passed in its current form, this legislation would make it unlawful to have your dog or your horse or your cat loose on public property, including a highway or highway right-of-way.

As the minister should know, while it's one thing in Whitehorse, there are understandably restrictions in certain areas on having your dog loose, but the Yukon as a territory, larger than almost every country in Europe — if you were in rural Yukon, if you're out in the wilderness, and you have your dog loose on public property, who are you hurting? For people who choose to walk their dogs loose, and whose dogs are largely under control, though not tethered, why is government putting in legislative changes that appear to make that practice illegal? Again, if that is not the government's intent, then I would strongly suggest that they bring forward changes to this legislation to make it more clear and to ensure that walking your dog loose does not become an offense.

Again, I recognize that if there is a situation and a reasonable case to be made for saying that your animals should not be loose and causing problems to another person, or causing a risk on a highway, but for constituents of mine who like to take their dog for a run down trails, or on secondary roads, and aren't hurting anyone, I have to ask the government why they think that activity is a problem.

Mr. Speaker, I am just trying to see if I had any other notes that I missed mentioning about this. I think that has largely captured my points. I will be asking other questions later in Committee. I would note, as well, as I did earlier, my colleague will also be raising some concerns and questions.

In conclusion, what I want to emphasize are a few points. Some change to the Yukon's animal protection legislation is necessary. Second point: Those changes should be

proportionate to the problems and likely problems that we have and should not go too far. Third point: It is important that the legislation balance the rights of Yukoners with the importance of ensuring that, if someone is neglecting or abusing their animals, government can step in to take appropriate action. If that balance is lost and if too much power is given to government or the regulations are too prescriptive, you have a situation where it can unnecessarily impede the actions of someone who is respectful of their animal and are not hurting anyone else.

As I noted in my introduction, the details of this legislation are very important to Yukoners. There are some pieces of legislation — many pieces of legislation — that are not of strong public interest. They may be important and may have their value but they are not things that obviously impact the lives of Yukoners. The rules regarding their pets, other animals, and livestock, are important to Yukoners.

They do not want to see a situation where government goes too far and creates an overly stringent regulatory regime. There are also many people, when it comes down to the question of permitting — we know that this government, early on in its first term, set out deliberately to increase fees and fines across the board in a great many areas in the Yukon in a revenue-collection endeavour. This legislation — whether it's intended or not — certainly seems that it may be an extension of that because, obviously, if they are going to require a permit for certain species, there is undoubtedly going to be an application fee. That is a cost that will be put on every individual animal owner, and if government is about trying to more strictly regulate areas to raise revenue through these areas, that, in my view, is not in keeping with what most Yukoners would want to see from this legislation.

I think it's fair to say that most of my constituents, and most Yukoners, want to see legislation that allows people to own animals without unnecessary or unreasonable interference from government but provides the ability that, if anyone is not caring for their animals properly, or is abusing them, the government then does have powers to step in and fix the problem. But, as I mentioned earlier, it is also important, as we see in a number of other areas of legislation, that the unilateral powers of any officer be tempered with the checks and balances that our society has typically put on the powers of officers, which include the long-standing requirement for warrants when entering someone's house. It is important, in my view, that changes to the animal protection legislation be properly balanced, giving the officers the ability to step in if there is a case of abuse or neglect occurring, but also create a situation where they can't step too far without seeking a court order and receiving authorization from a judge.

I hope that has explained to government where there are concerns here. As I wrap up my remarks here, I do want to again note my concern about the lack of consultation on the details and urge the government — if they have done any consultation on the details of this legislation, not the high-level consultation a few years ago — if there has been any consultation with anyone on the details of this legislation, tell us who and show us the record of it.

With that, Mr. Speaker, I believe that I will wrap up my remarks. I look forward to hearing some of the responses from government and raising additional points when this comes forward to Committee of the Whole.

Some Hon. Member: (Inaudible)

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Mr. Speaker, I just wanted to rise to acknowledge a couple of folks — well, now it's one again. It has changed since the member opposite was speaking — if we could please welcome Dr. Mary Vanderkop, who is the chief veterinary officer for the Yukon, and welcome her today.

Applause

Ms. Tredger: I am pleased to be rising on behalf of the Yukon NDP to discuss this act at second reading.

I want to start a little bit by talking about what I understand to be the motivation for this act and, in particular, some of the problems that we have been hearing about — well, in particular, feral dogs in small communities. I want to say that we really appreciate the effort in bringing this act forward to try to tackle that problem because that is significant. It is very scary for the people living there, and it is high time that it is dealt with and I really appreciate that it is being attempted to tackle it here.

I don't have too much to say at second reading. There are a number of areas in which we have specific questions that we would like to get into. Many of those echo the questions that my colleague has brought up — particularly about the warrantless entry — but I do want to highlight one area that I have a bit of concern about. I know that there has been a pretty extensive consultation process that went into this. I will start by saying that I just really appreciate the work of all of the officials who worked on that — all the public servants who worked on that — because I know that it is a lot of work and I hope that this will be kept in mind as I highlight my concern.

This particular concern is about the methods for killing animals — particularly around ritual slaughter, which the minister mentioned in his remarks. When I saw that, I reached out to members of the Jewish and Muslim communities because, of course, we are talking about halal and kosher slaughter here, and this was news to them. I hope to be corrected, but it is my impression that, thus far, no one has actually talked to those communities about what this means for them. That is a pretty concerning oversight to me. If we are going to talk about restricting or limiting a religious practice, we absolutely need to be talking to those communities about whether that works for them, what that means for them, and what they want to see in that legislation.

So, that's a concern of mine that I will highlight now as something that I will be asking about in Committee of the Whole to try to get some clarity for those people on what this legislation says and what the implications for them are going to be as they practise their religion in relation to the slaughter of animals.

I am going to leave that for second reading and save the rest of my questions for Committee of the Whole.

Mr. Istchenko: It's a pleasure to rise to speak to Bill No. 20, *Animal Protection and Control Act*. I do want to thank the Environment staff for the thorough briefing. This bill is an update on outdated legislation and, as the minister and others have said, there are some gaps in there that need to be addressed. I am happy to see it coming forward and I am going to be supporting this bill, but after reviewing this piece of legislation, as you have heard from my colleague and the member from the Third Party, there are concerns.

One major concern for me — and I did bring it up with staff — was the consultation that was done. It was done many years ago. I know that the pandemic didn't help and that it prolonged the tabling of this. However, I do believe that those who were consulted should have had a chance to look at recommendations over the comments before this bill was tabled.

I did reach out to a few organizations earlier today and I got a response from a couple — just with some concerns that we had. I was happy to hear that these organizations are going to meet with the territorial veterinarian via Zoom to review some of these changes and have that discussion. I will challenge the minister to, maybe in his closing comments, talk a little bit more about exactly who is going to be consulted with on the bill before us today. I will also challenge the fact that this should have been done before the bill was tabled — if you are going to go out there — because of the timelines in there.

The other thing that I did bring to the staff's attention was a few questions that I will have during Committee. These are questions on the appointment of individuals as animal protection and control officers. There will be a few questions there. The ability without warrant — my fellow colleague, the MLA for Lake Laberge, discussed this quite a bit. He also discussed inspections and the permitting. There are some questions that we will have.

The offences and penalties also concern me. I just want to talk about some of the dollar totals. I did talk to the staff about it.

I know that there will be a few other things brought to our attention, I am pretty sure, after the next round of consultations, which is going to happen right away with some of these organizations.

In closing, there are some good things in this bill. An update to old legislation is definitely needed, Mr. Speaker. The consultation is a little bit challenging — the time of tabling this bill was concerning — so I look forward to getting into line by line with some more in-depth questions.

Hon. Mr. Streicker: I have a few remarks that I would like to share. I want to just begin by talking about the engagement. Overall, we know how important animals are to Yukoners, from our families as pets, but also for livelihoods on our farms and parts of business. This bill supports how we responsibly care for animals that are owned by Yukoners. We hope it will replace outdated legislation to provide a broader protection of animal welfare in the territory, and it will provide us with enforcement tools when we need to manage

uncontrolled animals if they are a threat to people, to property, or to the environment. Let me start with that.

The Member for Lake Laberge was talking about the act and saying that it's going too far. I look forward to getting into the back and forth — between the minister during Committee of the Whole — but when I posed this question about the purpose of the act and what's going on within it — I will point to right in the preamble of the act where it discusses that this is about creating a clear duty for animal owners to prevent their animals from causing damage to public health or safety, property or the environment, and empowering animal protection and control officers to respond where the threat of such damage exists.

We know that the legislation is out of date. We always do cross-jurisdictional looks, and I asked for a comparison to other jurisdictions. We are coming up to where other jurisdictions have gotten to. The Member for Lake Laberge suggested that the act may be unconstitutional. I am going to point out a couple of things about that, but I look forward to hearing his questions about that.

The other issue that seems to be raised is whether or not we talked to Yukoners. Just last week, the Member for Porter Creek Centre suggested that we should stop listening to Yukoners — that we had done enough listening. I will get the exact quote, but — well, if the leader is concerned, here is the quote: “Hasn't the government listened long enough?” So, on some issues, the members opposite say, “No, no, stop listening.” On this issue, they say, “You haven't done enough listening.”

Let's just talk that through a minute. On this act, we visited 10 communities — the folks working on the act — and there were 900 responses around the act. The Member for Lake Laberge asked whether we had talked with anyone in between when the drafting of the act was there. I know that I had conversations with members of the agricultural community and with the Yukon Agricultural Association, letting them know that the act was on a path to come here this fall. I talked with them over the summer. I directed the Agriculture branch to be in conversation with the Yukon Agricultural Association. I understand that they met with them last week. I got a note earlier today. I asked again whether there were concerns that had been raised. What I got back was that they would like to be involved. The Agricultural Association said to us: We would like to be involved as regulations are being developed. I am happy to have that. That's terrific. I want that.

We met with First Nations, we met with communities, farmers, veterinarians, animal rescue operators, mushers, Royal Canadian Mounted Police, and many other groups that work with animals. I think that it was critical for us to get a broad cross-section of input to develop the legislation before us today.

My own role — well, the role of Energy, Mines and Resources — it is responsible for the agriculture sector, which includes livestock animals. I will say that, as someone who has talked to many people across our communities, this is a big deal. Dogs in our communities are a real challenge. Can I just say this? It's not usually the dogs; it's the dog owners — honestly.

What we are saying is that we need dog owners to make sure that they have control of their dogs and that they're able to ensure that their dogs are safe. If their dog is safe, no problem, but if their dog is not, then yes, it's a problem if they're out on the road where we might have people walking or running. So we need those owners to be sure that they have control of their animal, if that animal needs to be controlled.

So the bill supports the health and growth of our pets and our agriculture sector, and it clarifies which livestock species can be owned or prohibited, and setting standards for livestock welfare, containment, and control. I remember last fall there was an issue with horses, and man, there was an onslaught — an outpouring — of Yukoners raising their concerns. So let me talk for a minute about this notion about warrantless entry.

Two of the members — sorry, three members opposite have expressed their concern, but the Member for Lake Laberge started by saying, “Oh, you don't even have this in the *Child and Family Services Act*, which we just passed this past spring.” I just looked it up. So I draw your attention to section 39 of the new *Child and Family Services Act*, which is titled “Bringing child into care without warrant.” Underneath it, it says — and I quote: “If a director or peace officer has reasonable grounds to believe that the life, safety or health of a child is in immediate danger, the director or peace officer may, without a warrant, bring the child into the director's care.” You know what? That sounds reasonable to me. Why? Because we're going to prioritize the health and safety of our children.

It amazes me that, in the Member for Lake Laberge's presentation, where he's talking about oh, you can get a telewarrant, and you can get a warrant, but he didn't talk about the warrantless entry. In fact, he said it's not there, and I've just quoted from the act to us —

Some Hon. Member: (Inaudible)

Hon. Mr. Streicker: And then I looked up in the act that we have in front of us, under section 14, and it says something very similar. It's called “Entry without a warrant.” It says “If the conditions for obtaining a warrant exist but, because of exigent circumstances, it would not be feasible to obtain a warrant, a member of the Royal Canadian Mounted Police may enter a place, including a dwelling place, without a warrant for the purpose of meeting the standard of care in relation an animal or providing an animal with an adequate quality of life.”

So, if there are animals being mistreated, if it is exigent — meaning it is really critical from a timing perspective — then, yeah, we should do this. I look forward to having that dialogue back and forth in Committee of the Whole with the Minister of Environment talking about how this compares to other jurisdictions, talking about why it would be important to make sure that we protect the welfare of those animals if they were at risk.

He makes a big point about does this government overstep? I think we will all hear if somehow —

By the way, it's not the government, as in the elected officials; it will be the professionals whose job it is, whose work it is, to care for animals around the territory and try to keep our communities safe. Those professionals — that's who he is

suggesting would be overstepping and overreaching, and I disagree. Let's have that debate; that is a good debate to have.

Just coming back, the member opposite has talked about the regulatory-making ability. He somehow listed off that there are so many pages about it. He listed off a whole bunch of animals. Just name the animals you don't want us to have regulations about. Sorry — I encourage the member to name the animals that he does not wish us to have regulations about. That's why the list is there. We want to ensure that animals under care do not escape and cause damage to the environment or other species. We have seen problems with this in the provinces around sheep, goats, and swine. We do need to be careful. We need to keep that separate so that our wild species are safe, as well as our livestock.

I think it's important that I make it clear that this legislation supports Yukon's livestock industry and the hard work and growth in this sector. It enables the industry to develop with clear requirements and standards of animal care. We will continue to collaborate with and inspect livestock operations to ensure that everyone is meeting the standards set out in the legislation. Our officials will also continue to lend their expertise and assistance to ensure livestock operations succeed and contribute to the Yukon's local food supply.

The members opposite did suggest that the legislation was out of date and that it needed to be updated. I appreciate that comment, and it is. It does need to be modernized. I can say that we have — our agriculture sector is definitely growing, and they want clarity about how farmers and producers can run their businesses and ensure that animals in their care are treated respectfully. I have to say that, in my experience, our farmers care about their animals. I have been so impressed in meeting folks in the agriculture sector.

Over the past six years, we have seen growth in livestock, eggs, and non-livestock — like vegetables and processed food sectors — but for the livestock producers, we have experienced a 379-percent increase in red meat inspections from 2016 to 2021. So, in over five years, it has more than tripled — nearly quadrupled. Inspected swine has increased 430 percent. So there is much, much more happening. For poultry, we began inspecting poultry slaughter in 2020, with 3,200 birds inspected each year in 2020 and 2021.

This growth is in line with our vision to increase Yukon's self-sufficiency in food production, and we want our agriculture industry to produce high-quality products that feed our communities and contribute to the local economy. This is why we need a modern, comprehensive animal control and protection legislation, which we have in this bill before us today.

We also recognize that in a territory as large as ours — geographically large — communities are an essential part of enforcement. So, what this bill does is it introduces flexibility and enforcement by allowing deputy animal protection and control officers to be designated in our communities to support the enforcement of animal health and welfare. By the way, this is one of the conversations that I have in both our municipalities and in unincorporated Yukon.

This is the way that we hope to ensure that our agriculture industry can grow safely and sustainably across the Yukon, and it will ensure that animals in our care — whether they are a loved pet, a working companion, part of our local business, or on a farm — are cared for and treated respectfully.

With that, Mr. Speaker, I will conclude my remarks and I look forward to Committee of the Whole, where we can get more detailed responses to some of the questions raised by the members opposite.

Ms. Van Bibber: It has been interesting listening to the banter this afternoon. Many concerns have been expressed for animals, whether pets, livestock, or working animals. The many responses that were received proves that there is obviously something that needs to be addressed, and I, too, look forward to Committee of the Whole.

The link to tourism and animals has been an issue in Canada. Most times, when we hear a story, it is unpleasant. Oftentimes, it is sad, but rest assured, there are many wonderful stories as well, but those don't usually make headlines, such as the business in Whistler where they offered a dog mushing experience for Olympic visitors. When the main event was over, so were the dogs, and there is very bad press on how they disposed of those working animals. I am not suggesting that this is the case anywhere in Yukon. I hope it never happens within our borders, but we must ensure that there is enough strength to any protection and enforcement to protect a kennel of working dogs, whether from mushing, or hunting, or fishing.

Most people who own pets place their pets as part of their family. We know they feel and interact with us with feelings, so if a dog is raised in a kennel, that animal will know who feeds them, who is kind to them, and so on. I believe that a standard of care for these animals must be set out so that it is not onerous, but is a simple standard that owners will be cognizant and aware of their responsibilities and do them willingly.

To put enforcement tools into rural communities to local governments sounds reasonable, but there must also be clear guidelines on how this happens and who is assigned in each municipality to do this job. Historically, the role of dog catcher in rural communities is not a job that is easy to fill due to owners lashing out at someone who has taken on the job. In Whitehorse, we do have animal control bylaws, and they are used often to solve problems in our largest town in Yukon.

Each town or village has guidelines, but at times not the manpower or funds to ensure animal control is done on a regular basis. Also, historically relying on the RCMP detachment has been something from days gone by, but they also have restraints on their time and budgets to be doing this type of community work.

We must make sure that it is all-encompassing to ensure all needs are met in many areas of animal control and protection.

I do know that there are many responsible animal owners who offer ethical and honourable businesses that feature animals for their possible enjoyment for the tourists, and there is something truly northern.

I would like the government to please ensure that these businesses have their input recognized as they are the ones who know the animals and also their business — work together with the dog-mushing community.

Mr. Dixon: I will be very brief in speaking to this bill at second reading, but I did want to make a few points that haven't been made yet by my colleagues. I will start by saying that I am very pleased to see this bill come forward and for the previous acts that it replaces go by the wayside. I certainly appreciate that acts like the *Dog Act* and the *Pounds Act* were very much outdated and in certain need of replacement. To see those pass on is good. To see them replaced by this bill, I think, is a positive step forward. It is yet another step forward that has been going on for some time with regard to these issues. It was almost 10 years ago that I tabled the *Animal Health Act* in this Legislature, which, of course, modernized the office of the chief veterinary officer and created specific, clear, science-based, transparent methods to deal with the health risks that would have enabled an effective response by government without requiring changes to then-existing farming practices and provided the chief veterinary officer with modern tools for responding to hazards and potential problems that may have occurred.

Following that, a few years after that when I was Community Services minister, we moved the animal protection office from the Department of Community Services over to Environment where it is now housed, beneath the chief veterinary officer. Again, that is just another step in the evolution of government's management of these issues.

My colleagues have raised a number of questions and concerns that we have about some of the details of the bill. We have already seen some of the debate transpire with regard to the nature of those issues.

I won't delve into those. We certainly will have the opportunity in Committee of the Whole, but I believe that there are a few issues that haven't been touched on yet, so I want to flag them, mostly as a point of interest for the minister because I know that, as these things progress, it is useful to be aware of some of the more touchy items that sometimes the government may present to a minister for his or her consideration at a given time.

I want to note just a couple that I think that the minister should be cautious with. The first is that the act lays out in an explanatory note that this bill provides the ability for setting up of a framework to clearly identify which species of animals may be kept and which animals are not allowed to be kept, including the introduction of a requirement to obtain a permit to possess those species. This is an issue that we have seen play out across the country in very controversial ways. We have seen really specific legislation in places like Ontario, which has banned certain breeds of dogs. We have seen other jurisdictions require permitting for certain breeds of dogs. In every place that this is done, it is almost always followed with considerable — "outrage," I suppose, would be one word, but certainly protest and other types of concerns raised by the public in those jurisdictions. It is often very divisive and controversial. I will

discuss this more with the minister once we get into Committee, but I did want to highlight that I will have some questions for the minister about this in Committee. I would ask that he either prepare for that or provide some sense of whether the government is contemplating these types of regulations in Yukon, and if so, what sort of consultation would the minister have in mind before proceeding with that?

The second item that, again, I think is somewhat controversial is the idea that is outlined in the explanatory note related to the prohibition of certain cosmetic surgeries that have no benefit to animal health, and I know that is something that is of interest to many dog owners, particularly those who are interested in breeding purebred dogs or having purebred dogs. There are certain practices in the show of animals that include cropping — things like cropping of ears or cropping of tails. These are the types of things that don't appeal to me personally anyway, but I know that many in the animal community are very passionate about them on both sides. I say that, again, as a caution to the minister to proceed with careful steps on those types of issues because they can become quite divisive and quite controversial. If the government is planning on acting on those types of powers that are enabled by this bill, I would suggest a strong degree of caution.

With that, Mr. Speaker, I simply wanted to note those two things because I do think that they are of great interest to many Yukoners. I will ask some more detailed questions in Committee of the Whole, but I wanted to flag those today in second reading in the hope that the minister and his department can prepare some responses and some thought into how the government plans to proceed on those particular issues.

Other than that, Mr. Speaker, I am pleased to see this bill come forward. We will be voting in favour of it in second reading to allow it to proceed to Committee of the Whole so that we can ask the questions and have the debate that began today at second reading.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Clarke: Perhaps in reverse order, I thank the Leader of the Official Opposition for his two observations. Certainly, I imagine that this will be part of the discussion in the Committee of the Whole process, including cosmetic surgeries and what the definitions of cosmetic surgeries are with respect to animals in the Yukon. Then, of course, I don't disagree that it has likely been contentious in other Canadian jurisdictions to outlaw — well, the highest profile would be outlawing certain breeds of dogs, which has likely been met with some fairly significant pushback in some jurisdictions. So, thank you for those comments and I look forward to that conversation.

The Member for Lake Laberge has a lot of concerns. I certainly do look forward to discussing those. I can certainly assure the member opposite that I am concerned about all legislation being Charter compliant. We will continue that conversation as to the background work that has been done to

ensure that all elements of the new *Animal Protection and Control Act* are Charter compliant, as with the *Criminal Code* and the new children's act.

There are always provisions for exigent circumstances. What are exigent circumstances? How much power should the RCMP have? Those are always open questions. I dealt with the balancing of that for the better part of 25 years.

I certainly look forward to that conversation, and thank you to the Member for Lake Laberge for providing his perspective. We will certainly have those.

On a lighter note, I am almost certain that chickens don't need to be permitted, but I take the member's point. He asserts that there may be an element of absurdity with respect to that section of the legislation, but I look forward to that conversation as well.

Obviously, an entire Cabinet is tasked with making regulations, so we can talk about that as well — as he well knows from when he was in that position in a prior government.

I will provide some closing comments, and then we can move to a vote on second reading and hopefully move this forward to Committee of the Whole at some point in this Fall Sitting.

The Yukon's current animal protection and control legislation is outdated, resulting in low animal welfare standards and significant gaps and challenges around enforceability of animal control laws in the territory. To date, this has led to high-profile and possibly preventable deaths in Yukon communities as well as ongoing concerns around public safety, control of feral animal populations, and standards for animal welfare. A new, modernized and comprehensive legal framework for managing animals will achieve objectives that are only possible through statutory changes that cannot be made through regulation or policy approaches.

Changes to Yukon's animal protection and control laws are required to address the ownership of animals, enforcement of animal control, animal welfare, the regulation of animal organizations, containment standards for livestock, and the management of feral animals and escaped livestock.

Public input across the territory demonstrates substantial support to improve welfare standards and to set control requirements for animals. Yukon First Nations and communities are supportive of improving and, where possible, jointly enforcing new standards in communities. Boarding facilities, pet stores, and animal rescue organizations are supportive of regulating the operations of these organizations. As indicated by my colleague, the Minister of Energy, Mines and Resources, the agriculture industry wants recognition that they meet national standards of care and control for livestock.

Animal-related operations such as pet stores, animal rescue organizations, and boarding facilities will be regulated for the first time. Permits will now be required to operate and may be subject to conditions. Existing operations will have one year from the date the act comes into force to obtain their permits. Animal protection and control officers will have the ability to complete inspections of operations to ensure compliance with permits. Permits are only required for those animals prescribed as "restricted" under the animal protection and control

regulations. If there was a particularly pernicious or nasty chicken, perhaps they might come under that. I jest.

These regulations are under development and are not expected to come into effect until the spring of 2023. Those exotic pet species that are prescribed as "restricted" have higher requirements for care and control. Owners of animals prescribed as "restricted" will have one year from the date that the regulation comes into force to obtain a permit under the act.

I think, finally, to answer the question from the Member for Whitehorse Centre, the slaughter of animals without prior or simultaneous loss of consciousness may be approved when the killing is for the purpose of religious ritual slaughter to produce halal or kosher meat, and it is carried out in accordance with the federal guidelines for the ritual slaughter of food animals without pre-slaughter stunning. My understanding from the department is that we have reached out to the Muslim and the Jewish communities in the Yukon and we will, I hope, when we return to Committee of the Whole, be in a position to advise of the results of that consultation.

As members of this Assembly have indicated, this legislation is comprehensive; it is long overdue. It will involve, if passed, the repeal of various outdated acts, so I certainly understand that there are questions. It may well be that, in Committee of the Whole, we will delve into many of the issues that have been raised by the members opposite. We look forward to those discussions. Right now, I look forward to this bill coming for vote at second reading and proceeding to the Committee of the Whole process.

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. 20 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy 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. 17: *Clean Energy Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*.

Is there any further general debate?

Mr. Kent: Thank you very much, Madam Chair, and I would like to take this opportunity to welcome the officials back to the Chamber here today to support the minister during Committee of the Whole on the *Clean Energy Act*.

Before I get back into going through some of the key Government of Yukon actions that are in *Our Clean Future*, there was something that we talked about at the end of the day yesterday that I want to explore further with the minister. It is a policy question around the carbon tax revenues and what will be done with them. As I mentioned yesterday, in the report that was presented by the Climate Leadership Council, there were actually a couple of bullets. We talked about recommendation C9, which is: “Using a portion of the carbon tax proceeds to establish a business incentive fund for private sector low-carbon projects...” But there is also C5 — we didn’t mention this yesterday, but I will today — that also has impacts on carbon-pricing rebates where it says — and I quote: “Allocate revenues collected from carbon pricing greater than \$50/tonne to fund...” — greenhouse gas — “... reduction projects and provide targeted support for vulnerable sectors and populations...”

As we know, the original commitment from the federal government was to go to \$50 per tonne, which I believe we will be at next year. Since that time, they have decided to increase it substantially beyond that amount for the carbon tax. I will

note that when I mentioned to the minister that I would like to have a conversation about this, he did have some words with respect to it. I will quote him from the Blues from yesterday, where he says — and I quote: “Look, I think the principle we’ve always adhered to is that we wouldn’t grow government with the rebates. You know, if the chamber came to us and made this suggestion, and if they were willing to try to use a fund like that, then I think, as long as it adhered with our overall principle, then I think it’s a conversation we could have. We’ve not had that conversation.”

There are a couple of issues that I take with that. That is a pretty significant departure from the government’s current commitment and the one I highlighted yesterday from their 2016 platform, which was to ensure all carbon revenue collected in the Yukon will be returned to Yukon and rebated to Yukoners. I think that is a significant departure from what the government has been saying, so I am curious what the minister meant by that. Is he willing to accept recommendation C5 and C9, which would be a departure of the current commitment by the Liberal government to return carbon taxes to Yukoners through rebates?

Hon. Mr. Streicker: Like my colleague, I would like to welcome back to the Assembly directors Rebecca Turpin and Shane Andre to assist today.

I am going to respond to the member opposite’s question and follow-up. I was hoping to anyway, but I will also provide one more piece of information, which was asked for toward the end of our discussion yesterday, and it’s around what the modelling is on the carbon price. At \$50 a tonne — which we are at right now, by the way, so it’s not next year; it’s this year. From April 1, 2022, we are at \$50 a tonne. The modelling estimates about 12 kilotonnes of reduction. Also, though, it’s important to understand that if the carbon price goes up, as is now anticipated, we would remodel those numbers again, because originally, it was modelled to \$50 a tonne.

It’s also important to understand that we now have a piece of legislation in front of us where we would start running the carbon price, and potentially, the rebate, with the bill that’s before us. So that would also indicate a change, and we would have to model that.

I said yesterday that we would look at it. What I should say is that we are looking at every one of the recommendations, including C5 and C9, that come from the Climate Leadership Council, so we are going to put them through their paces, both from a modelling perspective and then from the perspective of what they might cost out at, and who would take responsibility, and whether they are a good bang for the buck sort of thing. All of those things are important, and so we would do that analysis, because we asked this group to make an effort, which they have done, to bring us recommendations, and it is our job now, I think, to work through each of them.

To go back to the 2016 platform, and what we committed to Yukoners here in the Legislature over time, was that we would rebate 100-percent of the carbon price and that it would go to — my recollection is — Yukoners and Yukon businesses. So that is, I believe, in all of our debate that we had here in the

Legislature, that is where we landed, and I think that is where we are staying.

If this were some sort of way in which the rebate got back to Yukoners and/or Yukon businesses, it would need to stay within that old framework — my understanding of it — that it would stay within the framework that it would be a rebate toward Yukoners and Yukon businesses. I think what the leadership council is suggesting is that you could do something more with that rebate to try to make it an incentive. That is a question that we would need to explore, but I think that we would always maintain our position that 100 percent is being rebated to Yukoners and Yukon businesses.

Mr. Kent: So, I guess — I mean, I still see implementing or accepting these two recommendations as a departure on how the carbon tax is currently rebated to Yukoners and Yukon businesses. Obviously, we are not getting back every dollar that we spend. Some individuals are, perhaps — we will use the example of somebody living in a condo in downtown Whitehorse who is able to walk to work, and who is getting the same portion as somebody who lives in a country residential neighbourhood who doesn't, perhaps, have electric heat and has to drive to work every day. So, I mean, they are getting the same amount, but that said, those dollars are being returned to Yukoners, and as the minister said, Yukon businesses.

I think that recommendation C5, which would be to allocate revenues greater than \$50 per tonne to greenhouse gas reduction projects, and provide targeted support for vulnerable sectors and populations, certainly would be a departure from what the Liberals have committed to, and what they have been saying all along when it comes to these revenues, as well as the establishment of the business incentive fund.

Interestingly, as I mentioned earlier, yesterday, the minister said that if the chamber — I'm assuming he meant the Chamber of Commerce — came to us and made the suggestion, and if they were willing to try to use a fund like that, then I think — as long as it adhered with our overall principle, then I think it's a conversation we could have.

But, curiously, five years ago, in March 2017 — I guess five and a half years ago — the Yukon Chamber of Commerce did come to the government. They wanted a third-party organization to manage carbon pricing in the Yukon, instead of the federal government. The former Minister of Energy, Mines and Resources told the *Yukon News* on March 10, 2017: "The commitment is that we'll give back the dollars that we receive from individuals and businesses... The reason that we were elected is that (people) were comfortable with the position we took." Later on in the article, he goes on to say — the minister at the time "... also said the idea of creating an independent trust to manage the funds is "not something that we're interested in at all."

I'm just curious if the current minister can explain what has changed since this time, when the Chamber of Commerce did come forward with an idea, to now where he is considering setting up something with respect to this business incentive fund, based on a recommendation from the Yukon Climate Leadership Council.

Hon. Mr. Streicker: I will state again, so that I'm absolutely clear, that I don't think we are changing from our commitment to return the dollars to Yukoners and Yukon businesses. That is where I think we're going to remain. I also believe that we have a commitment to review each of the recommendations that have been made by the Climate Leadership Council and to explore them in their fullness.

I remember when the Yukon Chamber of Commerce made that very suggestion to us, and I remember us giving it some consideration. I think we're being asked to just take another look at it. Happy to take another look at it and see what those possibilities are. I'm saying here that we have a responsibility to take that look. I'm also saying that we will stay with the principle of making sure that all the dollars are returned to Yukoners and Yukon businesses.

Mr. Kent: I guess I don't want to belabour this, but by taking a look and possibly accepting those two recommendations, I think that is a departure from the current practice and the long-held practice of the Yukon Liberal Party, which is to return these rebates to Yukoners and Yukon businesses through the rebate model that is set up with the federal government. I guess I am not convinced. The minister says that he's still looking at it. He did mention, as I mentioned earlier, that if the chamber came to them with a similar suggestion, it was a conversation that they would have but, as I mentioned, the former Energy, Mines and Resources minister at the time said that it was not something that they were at all interested in.

So, I am just kind of curious why, five years ago, we were able to be so steadfast in rejecting this plan, but now that it comes in this form, the minister is still willing to take a look at some sort of different model for returning carbon tax proceeds to Yukoners.

Hon. Mr. Streicker: Whenever the Yukon chamber or the other chambers come to me with suggestions, I will, of course, always try to look at them. We had a debate earlier today about listening to Yukoners. I think that it is important to consider these things. I have said on the floor, and will say again, because I'm not sure that it is being heard, that my belief is that we will stay with our commitment to return 100 percent of the carbon rebate to Yukoners and Yukon businesses. Let me be very clear, in the current structure, some of it goes to our municipalities and some of it goes to First Nation governments. That exists there under the carbon-price rebate act. That is what we will continue to do.

If there is no opportunity to stay within that, then we will reject the suggestion, but we will always do our diligence and take the time to work through all of the recommendations that are presented to us and to meet with the chamber to hear their suggestions and see what we can do within them.

So we are going to hold that policy, and we will continue to consider suggestions that are coming forward. If they can fit within the policy, terrific; if they can't, then we will reject them.

Mr. Kent: Just to be clear with the minister, that request for the Yukon green energy trust from the Yukon Chamber of Commerce was in March 2017, so I am not sure if they are currently interested in it. I haven't spoken with them about it,

but when you mentioned that yesterday, it jogged my memory of that particular request that the chamber made at the time. As I said, I am not sure if that is still their position or not.

Just before we leave this and get back into some of the key government actions with respect to *Our Clean Future*, these two specific recommendations — I guess what I am looking for from the minister is a commitment to continue to rebate carbon tax revenue to Yukoners under the same model in which it is being done now, and that other models — he has mentioned Yukoners, Yukon businesses, municipalities, First Nations, and others, but I just want to make sure that this model is still going to be the model that we proceed on. As I said yesterday and earlier today, the former minister mentioned to the *Yukon News* that this was the promise that they got elected on in 2016, so if the government is going to deviate from that model or that promise, I just want to confirm that and make sure, on the floor of the House, that we can tell Yukoners that the current model will be continued going forward, in spite of these recommendations from the Climate Leadership Council — these two specific recommendations.

Hon. Mr. Streicker: Again, I will rise and I will confirm that our intention is to continue to use the model. In fact, we have a bill in front of us now that has seen first reading, and I look forward to second reading and, hopefully, Committee of the Whole. I hope that the members opposite will support the bill. It is talking about changes to the *Yukon Government Carbon Price Rebate Implementation Act* that would protect the rebates going to businesses in particular. I look forward to that debate, so we are affirming that and we will continue to affirm that.

Mr. Kent: We look forward to debating the other bill — the carbon tax rebates — when it comes forward as well. As the minister said, it has gone through first reading and second in Committee and third to come.

I do want to now go back to some of the key Government of Yukon actions. We started the discussion briefly at the end of the day yesterday with respect to energy production.

The first government action under that is to require at least 93 percent of the electricity generated on the Yukon integrated system to come from renewable sources, calculated as a long-term rolling average. Can the minister give us a sense of where we are at right now as far as the renewable generation on the current system?

Hon. Mr. Streicker: We run it as an average over several years, because we do get years —

I know Yukoners may not believe this, but we do get years when there is low precipitation and low snow. We certainly have not seen that in the last couple of years, but previously, we did have a few drier years and those change the reservoirs, but the average that we just put out in our update is over 95 percent currently.

Just to make that clear, the long-term average of the percentage of our energy produced by renewables for electricity is over 95 percent.

Mr. Kent: Does the minister have a number that is not calculated as the long-term rolling average? In the most recent data or the most recent snapshot that the minister has, how

much of our electricity is currently being generated from renewable sources on our grid?

Hon. Mr. Streicker: I know you are saying: What is the number? You know, you have to answer the question: Are you looking for the past month, the past year, or the past day? Because these numbers change all the time. So, for 2021, the number was 92.4-percent renewables; that's the 2021 number.

Yukon Energy publishes this all the time. They put up on their website what it is for, I think, the most recent day, and certainly the most recent week and month, so there is always a way to get the number for Yukoners. It is freely accessible.

Mr. Kent: Just for clarification, does that Yukon integrated system include communities like Watson Lake and those along the north Alaska Highway and Old Crow that are not connected to the grid, or is it just what is powering the grid? Just for clarity's sake, I am just curious if the minister could let us know.

Hon. Mr. Streicker: It is the grid. That number is the grid.

Just to be clear — from Teslin to Haines Junction, and Carcross to Dawson.

Mr. Kent: I am not sure if the minister will have this number or not, but do we know what the greenhouse gas emissions are from electricity generated in the off-grid communities? The ones that I mentioned in my previous question — Watson Lake, those on the north Alaska Highway, and Old Crow.

Hon. Mr. Streicker: Of course our utilities know how much fuel they are using to generate electricity in the off-grid communities. I can investigate to get a number and try to present it in a way that gives an indication of, year over year, what that looks like, but those are, of course, emissions that we have in the territory. Our utilities that generate that electricity know very well what fossil fuels they are using to generate that electricity.

I should acknowledge that in Old Crow — at least partly — we have the solar array now, which reduces that amount year over year.

Mr. Kent: The next key Government of Yukon action is to install renewable electricity generation systems in five Government of Yukon buildings in off-grid locations by 2025. Is there an update that the minister can give us on this commitment? Which buildings have had them installed, and how much electricity are they generating? If he knows where they are installed, that would be great.

Hon. Mr. Streicker: I believe that the Minister of Highways and Public Works talked about these yesterday a bit. He certainly has talked about them in the past.

Two contracts have been awarded to Solar Ray Systems at the Klondike and Ogilvie grader stations. They are anticipated to offset more than 100,000 litres of diesel fuel each year and reduce emissions by 280 tonnes. In addition to those, Highways and Public Works is moving forward with solar array projects at the Tuchitua and the Blanchard grader stations. Tenders are coming up. Those are the ones that are underway right now.

Mr. Kent: I appreciate that. I thank the minister for that response. I had forgotten about the grader station solar arrays.

Perhaps just on that topic a little bit, how much of the annual electricity is this expected to offset with the installation of these? Obviously, there will still be the requirement for generating on-site with diesel, so I am just curious how much they anticipate how much power — if the minister knows — those solar arrays will offset in those locations? Just an average — I don't need it broken down by location.

Hon. Mr. Streicker: I will endeavour to investigate that further. It's a very specific question. What I can say is that, on sites where you have dedicated diesel, then usually the penetration is pretty good. A simple example again is Old Crow. In the wintertime, you are going to need the diesel gensets, but in the summertime when you have lots of sun, you can generate quite a bit with those arrays. They are sort of sized in order to try to make sure that they are reducing as much as they can for that time.

Mr. Kent: So, the next key Government of Yukon action under energy production is to continue to provide financial and technical support to Yukon First Nations, municipalities, and community organizations to undertake community-led renewable energy projects.

If the minister can clarify: Is this part of the independent power producers, or is it that, as well as a combination of other renewable energy projects that are happening in our First Nations, municipalities, or being undertaken by community organizations?

Hon. Mr. Streicker: There are a few actions here where we are working with our First Nation and municipal governments. The one under E6 is mostly talking about renewable energy, but we do have other ones that talk about biomass and retrofits. So, if I think about all the ways in which we are working with First Nation and municipal governments, there is a suite of ways in which we help them. I can say that we have supported 15 renewable projects right now under the Innovative Renewable Energy Initiative and the Arctic energy fund. There is also an energy purchase agreement. I know that we have been doing some biomass work, so there is a range, but the action item that the Member for Copperbelt South was referring to is really about the renewable side of it, but again, there are others that we have been doing with communities as well.

Mr. Kent: Does the minister have an idea or can he provide a number with respect to the level of financial investment provided underneath this key Government of Yukon action so far?

Hon. Mr. Streicker: This year's investment in the Innovative Renewable Energy Initiative is \$2.5 million.

Mr. Kent: So it's \$2.5 million for this year. Are there any numbers from previous years as well? Did this financial and technical support just begin in this fiscal year?

Hon. Mr. Streicker: The Innovative Renewable Energy Initiative has been going now for four or five years. It has been well subscribed is my understanding. I think that it has been a couple of million dollars per year. I would have to check back to see the full investment, but I think that there have been similar orders of magnitude of investment since it began. I

would have to check on which year it came into effect, whether that was 2017 or 2018.

Mr. Kent: I thank the minister for that.

The next action here is to develop a framework by 2022, so this year, for First Nations to economically participate in renewable electricity projects developed by Yukon's public utilities, so has that framework been completed, and is it a public document that we can access somewhere?

Hon. Mr. Streicker: In responding to the previous question, I can indicate that the Innovative Renewable Energy Initiative has been in place now for five years — since 2017.

In response to the question that was just posed, the Yukon Development Corporation is working on a road map to help Yukon First Nations navigate how to participate in utility development of renewable electricity projects. I think the intention is to get that in First Nations' hands by the end of this year.

Mr. Kent: So the road map that the minister just mentioned — that is this framework that is identified in this particular Yukon government action? Just to remind the minister, it does say that it will be ready by 2022. So, I guess, if it's not presented to First Nations until the end of the year, would we expect it to be about a year late then — sometime in the 2023 calendar year — to be completed?

Hon. Mr. Streicker: Yes, this is the framework. I will just confirm that — I believe it was to be ready in 2022, but I will just confirm that.

Mr. Kent: On the website, under energy production, it says to develop a framework by 2022. So this is one of the key government actions. So, is the minister confirming whether or not this key government action has been done, or — I mean, when are we expecting this to be completed, I suppose? I mean, obviously, this is an important part under the energy production piece to get us to the goals that are identified in the legislation before us.

Hon. Mr. Streicker: Thank you to the Member for Copperbelt South. Yes, this action says that it will be done by the end of this year, and we are working to have it done by the end of this year.

Mr. Kent: We will look forward to checking back in with the minister on progress on that particular framework.

The final key Government of Yukon action under energy production is to improve modelling of the impacts of climate change on hydroelectricity reservoirs by 2021 and incorporate this information into short-, medium-, and long-term forecasts for renewable hydroelectricity generation. I guess that the obvious question is: Was that improved modelling completed last year, in 2021, and has the information been incorporated into these forecasts for renewable hydro generation?

Hon. Mr. Streicker: I can confirm that, in 2021, the Yukon Energy Corporation completed this action about the impacts of climate change on the water reservoirs, and so, that work was completed.

Mr. Kent: Just as a quick follow-up question on that is that I am sure that information is quite technical, but is it available on the Yukon Energy Corporation's website, or is it publicly available somewhere?

Hon. Mr. Streicker: I will have to inquire with the utility, but I am sure that if there is an interest in seeing it, I am happy to try to get it for folks. It is a fairly technical thing. I don't think it was intended to be an outwardly facing document, but there is no — anyway, I am sure it's a very technical report.

Mr. Kent: I appreciate that. For those who would like to take a look at that, the minister has committed to determine whether it is on the website or not.

I do want to jump back now to some of the key projects in the Yukon Energy Corporation's 10-year renewable electricity plan. We talked briefly at the end of yesterday about the battery storage project that is currently — the land has been cleared at the top of Robert Service Way. The minister indicated yesterday that Yukon Energy Corporation is still projecting the cost at \$35 million. In his remarks, he also said that obviously we have seen costs go up across the country and across the board on a number of different things, but he said that, when Yukon Energy Corporation put in for this bid, they put a rider on the contract that said that, if there were increases, the proponent would get dinged a bit — or "penalized" is a better term, as he said in Hansard yesterday — so they put in some protection there. I am hoping that the minister can elaborate a bit on that cost protection rider that has been put into the contract to help ensure that we keep this thing as close to the \$35-million budget as possible.

Hon. Mr. Streicker: Yukon Energy Corporation put some mitigations in place in the contract, the most substantial being that there was a requirement for the battery supplier to incur 50 percent of any price increases relating to materials for the batteries.

Mr. Kent: The way I understand that is that we will essentially share equally in any cost overruns with the supplier. Is that correct? Am I understanding that correctly?

Hon. Mr. Streicker: Sure, but it also indicates that there is a significant incentive for the supplier to keep the costs low because they don't want to incur those costs at all.

Mr. Kent: I thank the minister for that commitment yesterday — that the budget and the cost is still coming in at \$35 million.

Yesterday the minister said that, with respect to timing, the initial hope was to have the project completed by the coming spring, but he had heard from Yukon Energy that this has been pushed out — but they are still anticipating that those batteries will be up and running a year from now. Is that the timing then? We are expecting them to be operational in the fall of 2023?

Hon. Mr. Streicker: The current timing is projected to be in service in the fall of 2023. I am not sure of exact dates right now, but roughly around this time.

I want to note that, when Yukon Energy did the budget for this, they of course not only put in the price for the bid itself, but they also put in contingencies. So, if there are cost overruns — and the first place you turn to is within the contingency, which would still keep the project on budget, there is some latitude there — it's not unlimited — but I think it's important to note that typical budgeting processes would allow for some movement in the prices.

Mr. Kent: Some of the other projects that are under development, we have already touched on, like those electricity purchases from the independent power producers. I am pretty familiar with and know the impact of the microgeneration program. I guess maybe I would just ask the minister is: How many current subscribers do we have to the microgeneration program, and does the minister have an idea of the cumulative investment in that program since it came in a number of years ago?

Hon. Mr. Streicker: To date, this action — the microgeneration program — is overperforming against what we had projected, so we have just under 7,000 participants. We are currently, as of 2021, up to about 5.9 megawatts and we had targeted seven megawatts by 2030, so this one is actually doing much better than we originally anticipated.

Mr. Kent: I thank the minister for that and congratulate the officials at the Energy Solutions Centre on those numbers. They are certainly something to be proud of here in the territory. I know this was brought in a number of years ago. Again, congratulations to officials there for making it such a success.

I do want to talk about some of the planned projects based on approvals. One of the ones that is listed here is the Southern Lakes and Mayo enhanced storage projects. Can the minister give us any updates on those? Obviously, there has been concern in the Southern Lakes for the past couple of years with rising water levels in that system. I am just curious if the Southern Lakes enhancement is still on the books to go ahead and if he can give us an update on the Mayo enhanced storage project as well.

Hon. Mr. Streicker: I should say that neither of these projects have been approved to go ahead. I would suggest that they are in the exploratory phases. Both projects are now considerations within the relicensing projects — one for the Mayo relicensing project and one for the Whitehorse relicensing project. Because those projects are very similar to the types of questions and considerations that are in front of First Nations and the public around the relicensing questions, they were attached to be considered at the same time.

Mr. Kent: I'm sorry if I wasn't clear off the top. I thought I referenced these as planned projects that were based on approval — so recognizing that those haven't been approved yet. I guess, just to be clear, those won't be approved as stand-alone projects. They are now tied to the relicensing of both the Whitehorse Rapids dam and the Mayo dam — is that correct? Is that what I am hearing from the minister?

Hon. Mr. Streicker: If I can just walk back a little bit, a moment ago I talked about the microgeneration program and it was up to 5.9 megawatts. It is actually 6.6 megawatts. I just got an update from the department, and thank you to officials for getting me that current information.

I will say that the enhancement projects, which have a lot of questions and debate about them, are there to be considered. I look forward to that dialogue as it unfolds over the next year or couple of years around the relicensing projects. They are similar projects in that they both have an impact on the water levels, which we use for those hydro facilities. I don't think that

they are the same project. I just think that they are being considered at the same time.

Mr. Kent: The next planned project here, based on approvals, is the incremental diesel replacement. Can the minister give us an update on where we are at with respect to that? We are essentially coming up on three years past when this draft was initially presented in January 2020. I am just trying to get a sense of where we are at with the incremental diesel replacement. Again, this is under planned projects based on approvals. I am looking for an update from the minister on that.

Hon. Mr. Streicker: I want to be very clear when talking about these diesels. We have an electrical grid that is not connected to the national grid. As such, we always need to have some way to provide backup should we hit a power outage. We are well aware, as Yukoners, about those occasional power outages. Again, thank you to our utilities for always working to get us back up and running. We had a big windstorm a couple of weekends ago and lots of power outages, and lots of folks were working to get those back up.

Those backup diesel generators always need to be in place; therefore, they are the type of diesels that we invest in and own. There are other diesels that we use to top up our electricity. We are working to displace those diesels. For example, the battery project that we were talking about earlier would displace four rented diesels. Atlin would displace another four. When we replace our aging backup diesel generators, what is typical is that we get more efficient generators at the same time. They just run better and produce more energy. You need few of them, so you actually also displace some of your rentals. I think that the replacement project will displace two rented diesels.

I think that we have 12.5 megawatts of replacement diesel generators ordered, and that includes five megawatts in Whitehorse, five megawatts in Faro, and 2.5 megawatts in the Callison subdivision in Dawson. I hope that is the information the member opposite was looking for.

Mr. Kent: Let's focus in first on the incremental diesel replacements. My understanding, in looking at page 5 of the 10-year renewable report — so those ones that are going to be replaced are Yukon Energy's dependable diesels. To me, that provides not only backup, as the minister was suggesting, but it also probably provides some baseload, particularly in the winter. So it's not just when the hydros go down or that type of thing. Am I incorrect in assuming that — that these dependable diesels are the ones that will be replaced? The minister referenced 12.5 megawatts so far being replaced. How much do we need to get to — or what energy production are we looking to get to when that incremental diesel replacement is fully completed?

Hon. Mr. Streicker: Yes, the member opposite is correct that you can use your dedicated backup diesels, as well, to produce top-up. That is possible, and the plan was — for this planning period — to replace 12.5 megawatts, which is what we have on order.

Mr. Kent: So, just to be clear, that 12.5 megawatts — that is the full amount that needs to be replaced, or is there going to be another replacement window coming, where we'll

replace additional generating capacity from these Yukon Energy dependable diesels?

Hon. Mr. Streicker: This was the specific plan and what was anticipated over the next several years. We don't have other replacements planned at this time. That doesn't preclude if something went wrong with an engine in the future that I can't anticipate, of course, we would deal with it, but this is to replace diesels in the existing fleet that we have either effectively retired or are scheduled to be retired in the next several years.

Mr. Kent: We talked about the temporary rented diesels. I noticed on my drive in today that a couple of new ones had shown up at the Whitehorse power plant. I am curious what the number is that we will be looking at for temporary rented diesels for this winter. How many will be located in Whitehorse and how many will be shipped off to Faro?

Hon. Mr. Streicker: The anticipation is to have 17 rented diesels this winter, which is the same as last year.

Mr. Kent: Can I get the number in Whitehorse versus the number in Faro? Will that be the same as last year? If the minister could confirm those numbers, that would be great.

Hon. Mr. Streicker: It will be the same as last year — 10 of the 17 will be here in Whitehorse and seven in Faro.

Mr. Kent: I have been looking at the outlook — actually, it is 2035-36. Again, that is published on page 5 of this Yukon Energy plan with respect to their 10-year renewables. It looked like, in 2021-22, we were anticipating that the demand-side management programs would fill one of those capacity gaps. Again, that is one of the planned projects that is listed here on page 6 of that same document. Is the minister able to give us an update? Are those demand-side management programs in place, and are they meeting the amount of generating capacity that is set out in this plan by Yukon Energy? It is the Yukon Energy Corporation *electricity for 2030 An introduction to Yukon Energy's draft 10-year renewable electricity plan*, January of 2020.

Hon. Mr. Streicker: Thanks to the member opposite. I am reading from a fuller report than he has, so my pages are not lining up the way he is describing them.

Okay, with respect to demand-side management, this is where we use incentives, electricity rate structures, and building and appliance codes to try to encourage customers to reduce the amount of electricity we use. A suite of programs has been developed that will be implemented once there is regulatory certainty about allowing the future of demand-side management-related costs, so we are forecasting to provide up to — this is the difference between energy and capacity, I apologize — 6.7 gigawatt hours of annual energy and seven megawatts of dependable capacity by 2030.

Mr. Kent: Is any of that capacity online this year, as it was suggested when Yukon Energy Corporation first put out this report? As I mentioned, it is supposed to be in place for the 2021-22 fiscal year.

Hon. Mr. Streicker: So there are some programs that have been in development. I know of some that are gearing up, but the detail design of the new demand-side management programs is going to be launched in 2023. For example, we will

be bringing out what is called a “peak smart program” for residential. There are going to be a bunch of pieces to it, and I can just indicate that the main part of the demand-side management plan comes up next year, 2023.

Mr. Kent: So we are slightly behind, then, from what Yukon Energy had initially predicted as part of their planned projects to get into their renewable energy 10-year plan, so we are just a little bit behind that. As I mentioned, it was supposed to be in in 2021-22. It sounds like it will either be late in 2022-23, or perhaps slip into 2023-24 by the time it is approved. We will have to wait to get a sense for when that program will be in.

I do want to talk about the three bigger projects. Obviously, these are the future potential projects that have been identified by the Energy Corporation that are going to help us get to our greenhouse gas emission goals by the end of this decade. I will just go in order here for what I have in this report. So, the first one is the Moon Lake pumped storage. It is broken down into two phases, as far as filling this capacity gap. It looks like the first phase is slotted for 2028-29, and the second phase for 2031-32, or it says “possible expansion”. Moon Lake pumped storage phase 1 is scheduled for 2028-29, and Moon Lake pumped storage possible expansion is scheduled for 2031-32.

We have talked about this a number of times. Having those operational and feeding into the grid is something that is going to be a substantial amount of power generation for the territory. Essentially, it will displace, by these estimates, the need for the rented diesels.

So, are we on track for 2028-29 to have Moon Lake pumped storage phase 1 operational? I mean, there are a number of regulatory and licensing hurdles, consultation, and other things that need to occur. Is the minister still confident that we are on track to meet that fiscal year for putting the Moon Lake pumped storage into production, and essentially helping us reach the goal that we are talking about in the legislation here?

Hon. Mr. Streicker: If I can just back up for a second on the demand-side management stuff, we continue to have demand-side management projects and programs through the Energy Solutions Centre. They are all up and running. They continue with the utility, with Yukon Energy. They ran pilot projects ahead to do some trial runs on some of it, like the peak smart stuff. The main project starts in earnest next year, but that doesn't mean that there hasn't been work leading up to it now.

I think my answer is pretty similar around Moon Lake. The parts of Moon Lake that we are working on right now are dialogue with the Carcross/Tagish First Nation and for that matter, the Taku River Tlingit First Nation. We have had good initial conversations with those First Nations. One of the things that is important around that is something that we have already touched on, which is the Whitehorse dam relicensing. That is an important piece of this. When I have sat down with, for example, the Carcross/Tagish First Nation and talked to them directly about this, they see all of these projects as interrelated, including the Atlin hydro project, and they're very clear that they want to have some opportunity in this for them as a First Nation.

Recently, there has been dialogue between the Taku River Tlingit First Nation, who has the lead on the Atlin project with the Carcross/Tagish First Nation, using their traditional relationship — I think that it is referred to as Dakh-Ka — they have had very constructive dialogues coming from that. I think that will be needed, as well, when we get into the further planning stages of a project like Moon Lake.

What I would say to Yukoners and to the members here is that these are good, initial steps. There is a lot of ground to cover.

Mr. Kent: The document that I have before me suggests that, in 2028-29, Moon Lake phase 1 will be operational. That's a very important piece. That will essentially displace the rented diesels. It will hopefully drive down some of the need for the dependable diesels and potentially the dependable LNG, although that number looks like it's pretty steady throughout the years. That's an important milestone for us to hit when we are talking about what is contemplated in this legislation, which is a 45-percent greenhouse gas reduction target by 2030. Being respectful of the minister, that dialogue has started. As I mentioned, this report is coming on three years old. We have, essentially, maybe five years left before Moon Lake is supposed to be in production. I am looking for some sort of assurances from the minister that we will hit that target of 2028-29 for Moon Lake to be in production so that we can see some of the rented diesels being displaced and some of the dependable diesel generation decrease in that year, which will undoubtedly help us reach this 45-percent target that is in this legislation.

Hon. Mr. Streicker: A couple of things — first of all, it's 2022 now. The note that I have talks about this coming online in 2029. That is seven years away, but I think that is a short amount of time, regardless. That is a lot of work to do in that short amount of time.

I can also say that, in my experience — when I was working with the previous government on their next generation hydro conversations, I was worried that it was not going anywhere.

My worry about that was that it was not being led by First Nations — by our communities. Rather, it was the territorial government saying, “Hey, yes, we're going to go do this. What do you think?” I think this is a different conversation. So, respectfully, I think that, even here, I need to recognize that difference. The difference is that we want the projects to be the ones that are driven by and led by the First Nations themselves. So my direct dialogue with the Carcross/Tagish First Nation and the Taku River Tlingit First Nation has been very productive. That is very good work, and I think it's exactly where we anticipated we would be in that conversation. There is a lot of ground to cover, and I want to be very respectful that these projects are led by the First Nations.

So it is my approach, or our approach — and I will also say that the energy utility's work is that we work with the First Nations. A great example of that is the Atlin project. There is still a lot of work to do on the Atlin project. It is also important. So, I see these projects, like my colleague across the way, as being very important for us as a territory around this important

question of producing more renewables to deal with this transition away from fossil fuels. These are important projects, and I think we are going to do them in that way, where the First Nations are leading, and we are there to support their lead. I can say that, from where I sit, the progress is what we wanted it to be.

Mr. Kent: So does the minister have an idea, then, on how long the licensing, the permitting, and the environmental assessment will take place? Obviously, there are a couple of different jurisdictions involved here, with British Columbia and the Yukon. The minister said that 2029 is what his briefing notes say. I mean, what it says here in this document is that it will be in production in 2028-29. So, I'm assuming that could be the first quarter of 2029 but, you know, we're talking about six years and a few months away.

That would be my question: As the conversations with First Nation communities evolve, when would the minister anticipate getting this before the BC assessment agency as well as YESAB, the Yukon Environmental and Socio-economic Assessment Board, and how long would he anticipate that environmental assessment and then the subsequent licencing take to get done?

Hon. Mr. Streicker: Luckily, we have an example with the Atlin project where there is a hydro project and then a transmission line that is crossing British Columbia and then comes across the Yukon. That work — two to three years roughly is what is anticipated for the permitting side of this. Of course, there will be differences between Moon Lake and Atlin. They are also different in the sense that one is a pumped storage and one is a not-pumped storage — so it is active — but Moon Lake is a high alpine lake. One of the things I will say is that we don't even know yet whether or not YESAB is required. We will see whether that is the case. In my experience with the Atlin project, one of the major concerns was in that relationship between the Carcross/Tagish First Nation and the Taku River Tlingit First Nation. We, as a government, supported with facilitation to assist in that government-to-government dialogue, and I have been in contact with Haa Shaa Du Hen Chief Benoit and spokesperson Thom from the Taku River Tlingit.

Every report that I have received is that their mutual working arrangement has been going very well, and I think that bodes well for the Moon Lake project. As I have indicated, if we get Atlin working well, that will assist with Moon Lake.

Mr. Kent: I have a few questions come out of that. So, two to three years for environmental assessment and licensing — I am curious why the minister would think that YESAB wouldn't need to be involved, because wouldn't there need to be a transmission line required to get power into the Yukon? I don't want to make assumptions but I would have thought a power line would have been scoped into the project as well. Perhaps it is something separate and stand-alone under the Southern Lakes transmission network, but the minister can let me know why he believes that perhaps YESAB is not required for the Moon Lake project.

Again, two to three years for licensing — can the minister give us a sense on the procurement and construction timelines

for this? As well, an extremely important part of it is ensuring that we have the funding in place — federal funding. Has that dialogue started with the federal government yet on federal funding for this project? I know that there has been a substantial amount of federal funding allocated to the Atlin project, but have the discussions started? How much exactly would we be looking for from the federal government, inside whatever the projected budget is for that project right now?

Hon. Mr. Streicker: When I was talking about YESAB being required, I was referring to the pump storage piece of it. For the transmission line, yes, we would need YESAB for the portion of it where it comes into the Yukon. You have to watch around the scope of the project and whether the hydro part of the project would also require YESAB. That is what I was referring to.

We do have dialogue ongoing with the federal government. At this stage, it's around the planning phases and the prefeasibility stages, so it's not at the design phase yet. We are a little bit early to be talking about budgets at this point for the full project. We have several ways in which we are engaging with the federal government. One is sort of directly on some dollars that can go toward that prefeasibility work.

We also — I think we just came out with an announcement about this last week — have set up a coming dialogue with Natural Resources Canada at the renewable energy and resources table. This is an initiative around regional tables, and we are going to be in dialogue with the federal government. Clearly, topics like renewable energy will be part of that. Critical minerals, I'm sure, will be part of that conversation. We are just setting up dates for that in the coming weeks. There's more to come, but we are excited about the work that is in front of us for Moon Lake and Atlin.

Mr. Kent: I am not sure if the minister heard the question, but I am curious then, on the procurement and construction phase, how long will that take? He mentioned that the licensing and assessment phase would be two to three years. He also mentioned that we are just in the planning and prefeasibility stage with the federal government on funding right now, so there wouldn't be any design — I mean, obviously that's going to take some time as well.

How long would the minister anticipate the procurement and construction to take on a project of this scope in very much a seasonal working environment, I am sure? I am curious how long it will be to procure the project and how long the construction. He can just join those two together, if he can.

Hon. Mr. Streicker: Some of the work early on may be seasonal, but it may not all be. It really does depend. The procurement and construction side would be anywhere from two to four years. Look, we have always seen the project as being a seven- to 10-year project, so it definitely will take time to do.

I can say that we have been actively pursuing the project, and I think that we are at the phase we anticipated being at right now. Again, I say that I am very encouraged by the work that has happened to date, and I am looking forward to this project.

Mr. Kent: Is the minister able to give us what the estimated cost of this project is at this point, recognizing that,

of course, as he mentioned, it is very much in the initial stages of development?

Hon. Mr. Streicker: We are just too early right now with those costs, so I look forward to when we start to have more of a project fleshed out so that we could then get some estimates in place. d

I should also note that, as we are talking about some of the phases of the project itself, some of them can overlap. They don't all have to be sequential. Much of it will be in sequence, but there is the ability to overlap some of those timelines.

Mr. Kent: I guess the concerns with respect to some of these larger, future-potential projects are that we're not going to have them in place by 2030 to help us meet the goal that we're being asked to legislate here today, of the 45-percent reductions. As I mentioned, this Moon Lake project, for instance, is an extremely important project to help us meet those goals. As I've said, by the look of things, it will eliminate the need for temporary rented diesels, and also potentially reduce the amount of Yukon Energy's dependable diesel energy production that is set up here. I'm concerned that we're over six years — we'll even say seven years — to when we need this to come onboard, even if it's eight years to come onboard in 2030, which is when we're supposed to meet these emission targets.

Obviously, the conversations with First Nations and the dialogue with First Nations is important to be undertaken, but we have to apply for the environmental assessment. There will be licensing that has to be done as well. There could be a separate assessment required for transmission, depending on how the project is scoped out — you know, two to three years for assessment and licensing, and then another two to four years for procurement and construction, not to mention where we're at with the funding that's necessary to see this project proceed from the federal government.

I think it's an extremely important project to help us meet the goals. It's an extremely important project to help us meet the 30-percent goal by 2030 that was contemplated in *Our Clean Future* and was committed to by the Liberal government and us in our recent election platforms, but not having this project online will make it very difficult, I think, for us to reach the 45-percent goal the government is setting out in this legislation.

With that, Deputy Chair, and seeing the time, I move that you report progress.

Deputy Chair (Ms. Tredger): 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 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: Committee of the Whole has considered Bill No. 17, entitled *Clean Energy 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: 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 5:28 p.m.

The following sessional paper was filed October 18, 2022:

35-1-64

Government of Yukon financial accounting report for the period April 1, 2021 to March 31, 2022 (Silver)

The following document was filed October 18, 2022:

35-1-73

Conflict of interest, letter re (dated October 17, 2022) from Brad Cathers, Member for Lake Laberge to Hon. Tracy-Anne McPhee, Minister of Justice (Cathers)



Yukon Legislative Assembly

Number 81

1st Session

35th Legislature

HANSARD

Wednesday, October 19, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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 19, 2022 — 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 now proceed with the Order Paper.
Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Clarke: I would like to welcome to the House — in the gallery today from the Department of Environment — Bryna Cable, Priyank Thatte, Jennifer Dagg, and Natalia Baranova.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Occupational Therapy Month

Hon. Ms. McPhee: I rise in the House today on behalf of the Yukon Liberal government to recognize October as national Occupational Therapy Month. This month is an important opportunity to celebrate the outstanding dedication and work of occupational therapists.

Occupational therapists are highly trained professionals who help people with physical, developmental, or emotional disabilities live their lives to the fullest. It is hard to appreciate the importance of seemingly small tasks until you can't do them anymore. That's where occupational therapists can help. They help solve the problems that interfere with a person's ability to do the things that are important to them, like going to work or school, leisure activities, or even everyday self-care tasks, like getting dressed, eating, and moving around.

They are trained to not only understand the medical and physical implications of an injury, but also the psychological impacts of that injury on someone. Occupational therapists' understanding of intersectionality between the person, their environment, occupation, and relationships is rooted in their holistic, person-centred approach to health care that we know is so important.

Today, we acknowledge just some of the occupational therapy resources that are available here in our territory. Thank you to the continuing care occupational therapists working with residents in long-term care homes and home care clients in the community, delivering services to Yukoners with mobility or health constraints, and enabling them to remain as safe and as independent as possible in their home environments.

Thank you for the great work being done by the staff at Children's Disability Services that helps families who have a child with disabilities access occupational therapy and physiotherapy in all Yukon communities.

Thank you to the occupational therapists of the Yukon Hospital Corporation's medical rehabilitation services who treat patients with physical, medical, and cognitive disorders to develop or recover everyday skills so they can lead fulfilling and more active lives.

There are occupational therapists in Yukon schools who are working to ensure that students can participate in the full range of school activities. Our thanks go to all of them.

Thank you to the occupational therapists at the Child Development Centre who provide therapeutic services and support the developmental needs of Yukon children from birth to kindergarten. This work and support of our youngest Yukoners gives them the best start in life.

Thank you to the occupational therapists with the Yukon First Nation Education Directorate who provide a full range of occupational therapy services to First Nation children and youth through the mobile therapeutics unit.

Yukoners can learn about the ways that they can join to celebrate occupational therapists this month by visiting the Canadian Association of Occupational Therapists and their website.

Mr. Speaker, this work contributes every day to the quality of life for Yukoners. Thank you to all who dedicate themselves to this helping profession.

Applause

Mr. Cathers: I rise on behalf of the Yukon Party Official Opposition to recognize October as Occupational Therapy Month. This month, we celebrate the important work being done by occupational therapists throughout the Yukon and across the country. Their contributions to Yukon health care are important to the well-being of our communities, allowing people of all ages and abilities to overcome obstacles and achieve their full potential with the activities of daily living.

Occupational therapists work in a variety of settings, and here in the Yukon, that includes working in hospital and clinical settings, in government, at the Child Development Centre, in schools, as well as in private care. Occupational therapy is a specialized branch of health care and plays an important role in health care delivery. It helps people who suffer an injury, require rehabilitation support, or have a disability or condition that impairs their abilities in some way to perform their day-to-day activities.

Thank you to all who dedicate their lives to helping others in this profession. Your work is invaluable to our communities.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to Occupational Therapy Month. Occupational therapists are integral members of the health care system in the Yukon. I am always amazed at the range of work they do. To give you just the tip of an iceberg of what a day might look like for an occupational therapist, I have seen them help kids stay calm and focused in class; I have seen them modify and rebuild wheelchairs; I have seen them teach adults with brain injuries how to take the bus and cook meals; and I've seen them build

specialized casts for musicians so they could keep playing their instruments as they heal from injuries.

The range of skills and knowledge that an occupational therapist is called on to know and use in their profession is so wide that there's no way they can learn it all in school. They have to be curious and resourceful and constantly adapt to come up with creative solutions for the people they work with. The field is changing every day, and I commend occupational therapists for their dedication to their continual learning.

Many of us go through our lives without thinking a lot about occupational therapists, but when the day comes when we need them, we are so grateful that they are there. Thank you to all the occupational therapists working across the Yukon; your work is so appreciated.

Applause

In recognition of Waste Reduction Week

Hon. Mr. Clarke: I rise today to pay tribute to Waste Reduction Week. This week is about celebrating our efforts and achievements, as well as encouraging new, innovative ideas and solutions to support a greener territory.

We are incredibly fortunate to call the Yukon home and share responsibility to preserve the pristine wilderness that we know and love. The obligation to protect the environment from human impact does not just fall to one sector, government, department, or industry. It is a collective effort.

Canadians generate nearly one metric tonne of waste per person per year. This is among the highest waste generation in the world. One way that we are addressing the issue of waste in the territory is by banning single-use shopping bags. The single-use shopping bag ban came into effect on January 1, 2022, and on January 1, 2023, single-use paper bags will also be banned.

Reducing personal waste is one of the best ways that we can move toward a sustainable and cleaner Yukon. Small, individual changes like declining a plastic straw, swapping a paper cup for a travel mug, placing recycling in the correct bins, and taking our reusable shopping bags to the grocery store are steps that we can take to lessen our environmental impact.

Responsible waste management also starts before garbage ends up in the landfill. It is an effort that begins when a product is made and continues through its use or consumption and in the latter stages of recycling, reuse, or disposal. We are working with our partners to create a more efficient and cost-effective waste management system. These partners include First Nation governments, the Yukon Chamber of Commerce, the Whitehorse Chamber of Commerce, the Association of Yukon Communities, and the recycling industry consisting of 13 recycling depots and two recycling processors across the Yukon.

Together, we are exploring solutions, including extended producer responsibility — also known as “EPR” — for hazardous waste, automotive waste, printing, and packaging products. EPR is a model that shifts both responsibility and the control of end-of-life product management to those who create these products. This should lead to more thoughtful manufacturing because it will factor in production costs, as well

as packaging materials and recycling costs at the end of life. The EPR model has been implemented across all Canadian provinces.

This fall, the Yukon will become the first territory to start consultation on EPR. Yukon stakeholders will be able to offer advice and inform the development of a draft extended producer responsibility framework.

Consistent with *Our Clean Future*, we are also moving toward reducing carbon emissions from waste through organics, composting, and reducing waste-hauling distances. We will also be expanding our organics composting program to the five Whitehorse periphery waste facilities over the coming year.

Yukoners can learn about waste-diversion issues at the upcoming recycling summit open house, which will be held in Whitehorse on November 1. This event is an opportunity to learn about recycling and waste management and consider what actions can be taken to support a better Yukon.

I urge all Yukoners to think about how we can reduce waste and be better environmental stewards, not just this week, but every day.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize Waste Reduction Week, which has been celebrated nationally since 2001. During this week, we focus on the importance of waste-reduction components of our circular economy through exploring the recycling and reduction of waste streams, such as plastics, e-waste, textiles, and food waste. This year, the Waste Reduction Week initiative has been extended — for the first time to be recognized throughout the month of October, which is now recognized as Circular Economy Month.

While Waste Reduction Week is still acknowledged during the third week of October, we are able to focus on other aspects of our circular economy throughout the rest of the month. Topics such as the importance of clean oceans and fresh water, climate change mitigation, biodiversity protection, water conservation, and more will be discussed and championed this month. Being from a smaller Yukon community and representing a number of rural communities, I am aware of the challenges that Yukoners face with respect to waste reduction. Not everyone is located near recycling facilities — and do not have the capacity at home to store or transport recycling to a larger centre. It is certainly an important issue for all, and I would like to see all Yukoners having access to recycling and waste-disposal centres close to their homes to allow them to better manage their household waste.

So, thank you to all local organizations of volunteers involved in waste reduction and recycling and to all Yukoners who work to reduce their own household waste at home.

Applause

Ms. White: I rise on behalf of the Yukon NDP caucus to talk trash about garbage during this Waste Reduction Week. Since 1989, with the creation of Raven Recycling, recycling has been a hot topic in the Yukon. But in the last 33 years, a lot

has changed, not just in the Yukon, but around the planet. I can say with certainty that society's obsession with stuff isn't new and, if anything, is actually getting worse. Why does this matter? Well, in this day and age of fast fashion and cheaply made items that will find their way to our landfills, we have to break the cycle. We need to move beyond recycling.

Each theme day of Waste Reduction Week ties directly to us moving toward a circular economy. Products have historically been designed for convenience but with no consideration of the waste left behind. Take the plastic straw, for example. Canadians would use up to 57 million of them every day, and most went out in the garbage or were lost in the environment.

Taking a raw material, making something, using it, and disposing of it is where we are now, which is a linear economy, and frankly, this is garbage. The way to end this trash-heavy way of doing things is by moving to a circular economy where we design products so resources can be reused and reinvested in new products again and again.

So, how is this different from recycling? Well, rather than having to find a recycling solution after a product is designed and brought to market, like the plastic straw, recovery and material reuse is part of the design and manufacturing process of the product from the very beginning.

A circular economy also supports the idea of access over ownership. Streaming services like Spotify and Netflix rent access to content without you needing to own anything like CDs or DVDs. By shifting to access over ownership, the responsibility falls to manufacturers to make longer lasting and more efficient products that are designed with repair and reuse as primary considerations. Canada needs a circular economy that is restorative and regenerative by design and aims to keep products, components, and materials at their highest utility and value at all times. Recycling isn't enough on its own any longer if we truly wish to live in a zero-waste environment. We need to rethink and redesign what is bought and sold, reduce our consumption of stuff that doesn't have a long life, reuse what we can, and recycle and compost what can't be reused.

In the Yukon, we need to make sure that those on the front lines of the battle against garbage have all the tools that they need, including funding, to do the work that they do. By working together, we can tackle the rising crisis of trash and divert waste from our landfills, moving toward a circular economy and a greener and more sustainable future.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McLean: I have for tabling a document that was presented to parents by the RCMP on October 17, entitled "Summary of Findings of the Independent Review — Office of the Investigative Standards and Practices — E Division RCMP".

Mr. Cathers: I have for tabling here today two letters. Both are correspondence with the Conflict of Interest Commissioner regarding the territorial Liberal government.

Ms. McLeod: I have for tabling a news release from the Association of Yukon Communities.

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

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

THAT this House urges the Yukon RCMP to implement all of the recommendations of the independent officer's review of the 2019 Hidden Valley investigation.

Hon. Mr. Mostyn: I rise to give notice of the following motion respecting committee reports:

THAT the *Fourth Report of the Standing Committee on Rules, Elections and Privileges*, on the topic of gendered forms of address, presented to the House on October 17, 2022, be concurred in.

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

THAT this House urges the Yukon government to provide a public update prior to December 1, 2022 on any progress that has been made on supporting development of communications infrastructure in rural Yukon by working with the private sector to expand cellular phone coverage to people without service in rural areas, including Grizzly Valley, Deep Creek, Fossil Point, Fox Lake, Ibex Valley, Silver City, and Junction 37.

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

THAT this House do issue an order for the return of documents showing the current status of all territorial and federal permitting that is required to complete the Nisutlin Bay bridge.

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

THAT this House urges the Minister of Environment and the Minister of Energy, Mines and Resources to work in collaboration with the Yukon Fish and Game Association and the Yukon Agricultural Association to explore adaptive management options in the *Management Plan for Elk in Yukon* to address the conflict between elk and agriculture in order to improve the protection of farms and provide increased elk hunting opportunities.

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

THAT this House urges the Government of Yukon to direct Yukon Housing to reassess their pest policy in Yukon Housing units and include new measures that are responsive to tenants' complaints and needs in a supportive and timely manner.

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

THAT this House urges the Government of Yukon to work with NGOs and rural food providers to address the issue of food security in the Yukon.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

North Klondike Highway reconstruction

Hon. Mr. Clarke: Mr. Speaker, I would like to provide an update on the work being done on the north Klondike Highway. This highway is a vital link in the Yukon that connects our communities across the interior of the territory. It is a well-travelled route for industry and small business as well as Yukoners and tourists from around the world.

Through the federal government's national trade corridors fund, we are investing up to \$195 million for the reconstruction of the north Klondike Highway. Over the life of the project, a total of 209 kilometres between Carmacks and the Dempster Highway intersection will be completely reconstructed. These upgrades will increase safety, improve driving conditions, and better connect Yukon's resources to markets.

This work began in 2020 and will continue over the next eight years. This year, we finished approximately 46 kilometres of road between Stewart Crossing and the Dempster Highway cut-off. In the coming years, we will rebuild larger sections of the road between Carmacks and Stewart Crossing as well as between Stewart Crossing and the Dempster Highway cut-off.

I want to mention a few improvements made so far and the benefits that Yukoners will see once this project is complete.

First, let's talk about safety. We are building a better, more enduring road surface. This means improved conditions for drivers such as safer sightlines, better drainage, and fewer potholes.

However, upgrading our roads is not only about comfort and safety. This project is also linked with our climate change actions. Consider our work on bridges and culverts. We recently completed a new bridge at Crooked Creek. The bridge has improved sightlines, making it safer, but it is also built higher than the prior bridge. This means better protection against flooding and changing weather. We are doing similar work with culverts by building them larger. This is because we want the north Klondike Highway to be more resilient and better prepared for increasingly unpredictable weather.

Our work on the north Klondike Highway has significant economic benefits for the territory. Over the lifespan of the project, hundreds of jobs will be created and the highway will continue to be used to move all manner of goods across the territory.

Together, we are making the north Klondike Highway a safer and more resilient highway that will continue to serve the Yukon for generations to come. I am immensely proud of the progress that has been made so far, and I will continue to share updates as the work progresses.

Mr. Hassard: I'm happy to see the much-needed improvements to the north Klondike Highway that the minister has outlined today. Mr. Speaker, it's always great to talk about Yukon highway infrastructure here in the Legislative Assembly.

It's crucial that Yukon's highways are maintained for the benefit of all Yukoners. Yukoners use our highways to get to various communities, for work, for appointments, and for travelling in and out of the territory. They are also a vital link for the delivery of goods and services throughout Yukon. As a rural MLA, I know first-hand how important highways are to the Yukon; however, I would like to bring up a few points for the minister.

There are other areas of our highway system that are in dire need of work as well. Just yesterday, the Member for Porter Creek North asked about the condition of the Dempster Highway after getting complaints about the condition from those who frequently travel that important route. The Member for Kluane has repeatedly brought up conditions on the north Alaska Highway — or the "Shakwak project", as it's known — so I'm wondering if the minister has any plans to address conditions on either of those two highways in next year's budget.

Speaking of next year, I'm hearing that there is concern about the potential for roadwork construction altogether. I'm hearing that the government may not have the funding available to address the identified issues facing Yukon's highways, so I'm wondering if the minister can, in fact, confirm if this is true or not.

As we know, inflation has been steadily on the rise, and we see that there is no sign of it letting up. So, to help with costs, it's important to get the project tenders out the door in a timely manner. Will the minister get next year's highway tenders out in a timely manner to help address supply chain issues so contractors can hit the ground running next spring and have cost certainty with supplies?

I would also take the opportunity to remind this minister about the government's commitment regarding the release of seasonally dependent contracts.

Now, it has been years since the Prime Minister came up to announce the Resource Gateway funding and identify what roads would be built under that funding. Sadly, there has been a lack of actual roadwork done since that announcement by the federal and territorial Liberal governments. Can the minister update us on the Resource Gateway project, outside of what has been done on the Carmacks bypass?

My final query, Mr. Speaker, is about the Big Creek bridge that is currently still under construction. As we know, and as the minister has mentioned, bridges are a vital component of our highway system, and this bridge is even more important as it spans a creek crossing the Alaska Highway west of Watson

Lake. Can the minister update us on the status of this bridge and when he can expect it to be completed and in use?

Ms. Tredger: The north Klondike Highway is a critical piece of infrastructure for the thousands of Yukoners living between Dawson City and the south end of the Mayo Road. It is a long and often scenic stretch of highway that carries Yukoners and their goods on a meandering and sometimes bumpy journey.

From backcountry adventures to supporting industry, from running errands to visiting family in communities near and far, the north Klondike Highway is well-known to Yukoners. Its importance was underscored this fall when landslides closed the highway. I want to thank all the workers involved in getting the road opened quickly and the community members who rallied to provide boat rides and other supports during the closure. It is great to see a community come together like that.

I am not sure, though, why we are here rehashing the minister's announcement from more than two years ago. Is there anything new to be discussed when there are so many other pressing issues for Yukoners?

Let me be clear: The reconstruction of this highway is critical to rural Yukoners, but even those who depend on it have been disappointed with this government's handling of the reconstruction. I am talking about the unacceptable road conditions for vehicles travelling through the construction zones. I am talking about deep mud and big rocks that fly up and smash windshields. I am talking about motorcycle accidents. I am talking about people navigating treacherous conditions at night without pilot vehicles.

Reports of the highway project were so bad that many people were just choosing not to travel to Dawson at all. That is not great for a town that depends on tourists from Whitehorse and abroad. After several rough years from the tourism sector, leaving the only road to the north in such rough shape that people are avoiding it altogether for months at a time is unacceptable.

So, what is this government doing to make sure that the sections of road under construction are meeting standards for vehicles? The government needs to provide more oversight to ensure that its projects are not making life harder for locals. With this project slated to continue for several more years, I hope that the minister will ensure a higher safety standard for travellers during the construction season going forward.

Hon. Mr. Clarke: Thank you for the contributions from the Member for Pelly-Nisutlin and the Member for Whitehorse Centre. I certainly look forward to addressing the issues that have been raised during the course of this Fall Sitting, and as far as I know — perhaps on the largest issue that was raised from the members opposite — we certainly have an ambitious capital project budget being planned for the summer of 2023. Certainly, there could be intervening events, but that is where we are at, so far, as far as continuing to move the Yukon forward and to improve infrastructure all around the territory.

Mr. Speaker, improvements to the north Klondike Highway will serve Yukoners and our territory for generations

to come. This will help reduce emissions and promote greener transportation, such as the use of electric vehicles. I'm proud to say that there is now a fast-charging station in every community between Whitehorse and Dawson City. This is part of our work to make it possible to drive to all road-accessible communities in the Yukon in an electric vehicle in coming years.

The project is also helping to reduce greenhouse gas emissions by removing seasonal weight restrictions for heavy trucks. By reducing weight restrictions, trucks will be able to carry heavier loads, which reduces their number of trips on the highway. As we work to adapt our roads to face current climate issues, we are planning for the future. Mr. Speaker, currently the project is undergoing a climate risk assessment, and it will consider long-term climate change-related impacts, such as the thawing of permafrost, allowing us to plan, prioritize, and mitigate any climate risk the highway may see in the future.

Over the course of the project, it will support approximately 800 jobs for Yukoners. Some of these jobs will be filled through the Yukon First Nation procurement policy. Using this policy, we can ensure that more of the work and benefits created from this project will flow to Yukon First Nation citizens and businesses. Together, we are making the north Klondike Highway a safer and more resilient highway that will continue to serve the Yukon for generations to come.

Mr. Speaker, I know that the construction of the north Klondike Highway has caused delays for some Klondike residents, and I thank them for their patience as we move this project forward. Digital message signs have been put in place in construction zones to make sure that drivers are aware of the work being done, and we will continue to ensure that driving conditions and work areas remain safe for everyone.

I also want to thank Highways and Public Works staff for their work on this project and their continued dedication and making sure that our highways in the territory are clear, safe, and efficient to travel on.

Mr. Speaker, I do look forward to seeing this project move forward, which will make the north Klondike Highway safer, greener, and a more efficient highway for generations of Yukoners to come.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Conflict of interest re Old Crow wellness centre

Mr. Dixon: Thank you, Mr. Speaker. Yesterday, we asked why the current Minister of Highways and Public Works did not seek the advice of the conflicts commissioner regarding the former Minister of Health's representations to Yukon government about the Old Crow health and wellness centre. In response, the minister told us that we should go ahead and raise it with the conflicts commissioner. Well, Mr. Speaker, we did just that. We wrote to the conflicts commissioner to seek his advice about whether the former minister was in conflict. The answer we received was clear: The only person who can ask for advice about whether a former minister is in a conflict of interest or not is the Premier.

So, my question is simple: Will the Premier seek the advice of the Conflict of Interest Commissioner about whether the former Minister of Health and Social Services has contravened the conflict of interest act?

Hon. Mr. Clarke: While I certainly look forward to reading the advice of the Conflict of Interest Commissioner, and I infer that the letter has been filed with the Assembly today — so I can receive that and review same and get back to the Leader of the Official Opposition after I have received that advice.

Mr. Dixon: My question is clearly for the current Premier. As I said, we wrote to the conflicts commissioner about this matter to seek his advice. Here is what he said: Section 17(b) does not provide that another member may make a request for such advice. I quote: “That prerogative, however, lies with the Premier”.

The only person who can ask the conflicts commissioner for the advice that will settle all this is the Premier. So, will the Premier write to the conflicts commissioner and ask for his advice about whether or not the former minister has contravened the conflict of interest act?

Hon. Mr. Silver: At this point, the only folks who are bringing this to our attention are the Yukon Party. I don’t see a conflict. I had no intention of going to the Conflict of Interest Commissioner on this issue.

Mr. Dixon: Section 10(4) of the conflicts act is clear: “A former Minister shall not make representations to the Government of the Yukon in relation to a transaction or negotiation to which the Government is a party and in which the former Minister was previously involved as a Minister...”

The current minister has already admitted that the former minister made representations to the government about the project that she was responsible for as minister, so there are at least reasonable grounds to ask for the conflicts commissioner to weigh in. The only person who can make that request is the Premier.

Will the Premier seek the advice of the conflicts commissioner about whether or not the former minister is, indeed, in a conflict of interest?

Hon. Mr. Silver: This is the second session in which we’ve had this conversation with members opposite. The person in question, I believe, went to the Conflict of Interest Commissioner on their own, as well, and from our perspective, there is no conflict.

Question re: Affordable housing

Ms. Clarke: Earlier this year, on March 30, the Minister responsible for Yukon Housing Corporation was asked when the 4th Avenue and Jeckell Street housing complex would be open. The minister said — and I quote: “Just for the record, hold me to it on this answer or — okay. So, we’re looking at the end of June or mid-July...”

Since the minister specifically asked that we hold him to that date, I would like to ask the minister whether or not he kept to his word. Did the housing complex open when he said it would?

Hon. Mr. Pillai: First, I will just touch on the project. I believe that the question was concerning 4th Avenue and Jeckell Street. Again, it’s a very exciting project for us that is nearing completion. The 4th Avenue and Jeckell Street project will bring 47 units of much-needed affordable housing to downtown Whitehorse.

The project is scheduled for substantial completion this fall. I will bring to the House that we are in a challenging situation right now. Our subcontractor that has been doing the flooring work has put in flooring that is substandard. We have sought advice from the Justice department, as well, for Yukon Housing Corporation on this. We are trying to alleviate this problem, which has delayed it.

So, yes, I will say that this is on me, and we are going to try to make sure that the flooring subcontractor remedies the situation so that we can get people into this building in a very much-needed way under the current circumstances here in the Yukon.

Ms. Clarke: The minister’s commitment obviously didn’t come true, but his was not the only commitment on this project. In November 2020, the Premier said this about the 4th Avenue and Jeckell Street housing project — and I quote: “... we have budgeted \$18 million overall, and for completion, we are looking at December 2021.” Can the minister tell us if that project is on time and on budget?

Hon. Mr. Pillai: This is the responsibility of the minister who is responsible for housing — that’s me, not the Premier. Right now, the project has a budget allocation of \$21.7 million, and that takes into consideration as well our line item for cost overruns, but also takes into consideration that part of our challenge was going through COVID. We were flying in contractor staff from time to time who were not local staff on the job. We were putting them up while they were getting ready to come into work, making sure that they had that isolation period, so certainly that added to some of our costs.

Overall, I have gone through this budget on a monthly basis. It looks tight. I think that they have done a good job. We have had some cost overruns. So, again, going back to the question, no, it’s not on time compared with what we brought to the House. I think that there have been two or three different timelines.

I have gone back to the corporation and said that no, it’s not on time, compared to what we brought to the House. I think there have been two or three different timelines. I have gone back to the corporation and said that this is a very difficult thing to bring to Yukoners. We want to make sure that this gets done. We feel that the pricing and the budget has been exceptional, when you take into consideration that we had been going through COVID, while pushing to try to get this done by the end of the year. I have asked the Housing Corporation to reach out to whomever they can — whether that’s the CEO of the company — to make sure that this gets done as soon as possible.

Ms. Clarke: When the project was first announced by the former minister back in 2019, she committed that it would cost \$18 million. The Premier confirmed that amount in November of 2020. We have obtained a confidential briefing

note that shows that the budget for the project is now over \$20 million.

Can the minister tell us why this project is both late and overbudget?

Hon. Mr. Pillai: First of all, it is not a confidential briefing note. You have access to it. The critic who is reading it — it's the same note I am reading, and everybody else has access to it, so it's not confidential. The number I just read out was \$21.7 million, which is the number on the note that she has, which is the same as the note I have.

The delays are because we were in a situation with the flooring. Basically, what has happened is we have a subcontractor who put a new type of flooring in. We have to wear those decisions. The flooring is substandard. We are in this push-and-pull between: Do we rip all the flooring out and have to delay this longer when we know that there are people on a wait-list to get in? — but we know that this might be the only opportunity, based on the contract, to make sure the folks who are responsible for that cost do it.

I am asking folks to go down the middle on this and speed it up, but make sure that we do the proper due diligence on our contract review and keep the folks who have to be responsible for taking on that cost so that it doesn't go to the taxpayers.

Again, flooring is the reason for delay — COVID throughout — \$18 million originally and \$21.7 million now after the two years of COVID, which I think is pretty strong when you base that on other projects.

Question re: Bedbugs in Yukon Housing Corporation units

Ms. Tredger: Two days ago, a man came into this building to talk to the minister about bedbugs in his Yukon Housing Corporation unit. He has been living with bedbugs for months and has been unable to get the government to do something about it. The moment he came to the Liberals' offices and mentioned the word "bedbugs", they acted. Before he even left the office, signs were put on the furniture that said, "Do not sit here." Then they were vacuumed and wiped down.

If you go up there right now, you would see that those couches have all been removed. We have seen that, when it affects them, this government can spring into action. Unfortunately, when it's bedbugs in a Yukon Housing unit, that urgency is nowhere to be found.

How is it that bedbugs at the Cabinet office got dealt with in a matter of minutes, when Yukon Housing tenants wait days and weeks for help?

Hon. Mr. Pillai: First, I have to apologize to the House, because I'm not aware of this situation. So, I don't know about furniture and bedbugs in the lobby. Maybe I will ask when I go up to get briefed on that, but I can talk to you about how we're responding for our tenants.

We take infestations of bedbugs seriously, and I know some folks may not think this is a serious matter, but it is, and it absolutely affects people's quality of life. It's a tremendously horrible thing to have to deal with. What we do — so folks know — first and foremost is that, if a tenant finds bedbugs in their unit, Yukon Housing staff work with them to provide

treatment as soon as possible. If, for whatever reason, the tenant is unable to prepare the unit for treatment, Yukon Housing Corporation works with them to explore options for support and services. If no supports are available, we can hire a contractor — and yes, it has been at the tenant's cost. This is something that came up during some earlier debate last week, I believe, from the critic for the Third Party.

Again, the Yukon Housing Corporation covers the cost of the treatment, as well as two follow-up inspections later. Again, we've had these incidents, and there have been more, and I look forward to the next two questions to explain how we process these requests.

Ms. Tredger: I want to go back to that example of when tenants are being asked to pay for parts of the bedbug treatment. So, another story. A Yukon senior recently came back home after a stay in the hospital. She was looking forward to sleeping in her own bed again, but in that bed, in her home, she started to feel bedbugs crawling on her and biting her. She went to her landlord for help. Again, her landlord is not just any landlord; it's the government. It's the minister sitting across from me. When she asked for help, she was told that she needed to clean before fumigation. Right after she got out of the hospital, this government told an 86-year-old woman to get on her hands and knees and scrub the baseboards. When she said she couldn't do it, she was told she would have to pay for the prep work before the bedbugs could be treated. Almost a month later, she's still waiting for that prep work to happen.

Will the minister commit to this woman and to all these tenants that the full process of bedbug removal will be fast and fully covered?

Hon. Mr. Pillai: I think, first and foremost, the way that question was posed, there is a lack of accuracy. This question was asked of me a week ago. I went to the department and went through every single step that happened and how, in a very respectful way, we dealt with this. I'm not going to get into a back-and-forth of somebody's personal situation here.

All I am going to say is that we take this seriously. I don't think that the comments and the way it was posed give respect to the people who are working on this every day at Yukon Housing. Certainly, we responded, and I think that you can, you know, pull out a particular part of this situation and use it politically, but I am going to tell you that I went through it and we are trying to deal with it.

And when the member opposite reached out to me, I think that within 30 minutes on a text message earlier, I said: Look, we're on it, and I am going to make sure that we stay on it. Then the executive advisor I have reached right out to the president of Yukon Housing, and that has been the experience for the last six months: Anytime that I have gotten a note from the Third Party, within the day, we deal with it. I think that we have been very responsive. We think that this is a very serious matter, but please, let's be accurate when we ask these questions.

Ms. Tredger: It is true that the minister did respond to me, and I appreciate that, but the tenant herself is still waiting for a response from Yukon Housing Corporation — but let's talk about the big picture. As the Yukon's biggest landlord, this government is required to do better under the *Residential*

Landlord and Tenant Act. The bedbug issue has been going on for years. It can affect any one of us, no matter how careful we are, but solutions do exist. This government could be offering to treat everyone's belongings in a bedbug oven before they move into their unit. When bedbugs are found, the Housing Corporation could fumigate not just the one unit, but also check the rest of the building to prevent them from spreading. Yukon Housing needs to do more than the minimum.

When will the minister take systemic, effective, and long-term action to treat bedbugs in Yukon Housing units?

Hon. Mr. Pillai: Mr. Speaker, we have, throughout our time in government, as a group of colleagues, said: Look, if there is good advice or ideas from the other side of the floor, we will contemplate that and put it into action, if it seems and deems to be something that can make things more effective for our organization.

Look, I will go back to our organization and talk about what are the implications of doing an entire building or an entire floor and what are the logistics of that. Are there people who have certain mobility issues and how do we get — it's easy to come into the House and to throw that down, and I appreciate the comments and the advice. I think there is a group of people at Yukon Housing who specialize in this; I think that they do a darn good job, and I think that they look at all options to make sure that we do this in a most efficient and effective way.

So, what I will say is that I will go back — feel free to ask me the question tomorrow, if I have — and I will come back with details on what we could do to have a different approach to the process we have, but right now, what we're going to do is we are going to make sure we get there as quick as possible. We're going to be supportive and respectful to our clients, and if we have to bring in people from the private sector, which we tend to do, to work with us, we will do that.

Question re: Municipality funding and support

Ms. McLeod: Last week, the Association of Yukon Communities outlined their priorities for the Fall Sitting of the Legislature. The first item that they raised was the financial relief that they're seeking from the Yukon government to offset the impacts of COVID-19. During debate on my motion on this subject last week, the minister said — and I'll quote: "I want to be clear that I support the motion's intent to make the municipalities whole. I always have." We know that AYC has detailed the exact amounts that would make them whole.

So, will the minister live up to his commitments and make the municipalities whole by providing the relief that they requested?

Hon. Mr. Mostyn: What we're talking about this afternoon is financial support to municipalities across the territory and really supporting their aspirations to better serve their residents. I certainly am supportive of that.

We remain committed to supporting our municipalities as they emerge from the COVID-19 pandemic. Yukon's municipalities received \$4.35 million in COVID restart funding in 2021. Half of that funding was provided by the federal government and half by the Yukon government. This funding made a big difference for Yukon's municipalities and allowed

them to address revenue shortfalls, manage operational changes and challenges, and to improve their technology during the pandemic.

An additional \$754,000 is going to Whitehorse this year, half provided by the Yukon government and half by the federal government, to support transit shortfalls. The Yukon government has been working with the Association of Yukon Communities and municipalities to better articulate their needs and shortfalls and understand what the overall net financial impacts are. This work will help guide any steps forward, including consideration of future funding support. I look forward to continuing to work with AYC and that organization and municipalities to identify what funding shortfalls they actually saw during the pandemic.

Ms. McLeod: The Association of Yukon Communities has also noted that inflation has impacted them, as well as their citizens. The president of AYC said this — and I quote: "Residents across the Yukon are feeling the impacts of the unanticipated rising costs of fuel and energy ... Municipal governments have also seen their budgets strained due to these unavoidable cost increases."

We know that the Liberal government won't help communities by cutting the fuel tax, which is something that would help not only municipal governments, but each and every one of their citizens. So, what measures is the Government of Yukon considering to help municipalities address the rising cost of fuel?

Hon. Mr. Mostyn: Of course, we do know that costs are going up across not only the Yukon, but across Canada and around the world, Mr. Speaker.

I want to talk this afternoon — because this is about funding for municipalities and how they will grapple with these increased costs. The comprehensive municipal grant was reviewed in the 2017-18 year, and a funding floor was added to ensure that a municipality's grant figure never fell below its 2017 grant amount. This has led to increased grant payments in each year since 2018. This is part of how our government has moved the territory forward over the last six years.

For 2022, the comprehensive municipality grant totalled more than \$21 million in funding to Yukon municipal governments. At the request of the Association of Yukon Communities, Community Services is working to review the comprehensive municipal grant, which will provide guidance for renegotiations and renewal for 2023 and beyond.

Ms. McLeod: Finally, the Association of Yukon Communities has also made it clear that they are seeking more support when it comes to responding to natural disasters. Several municipalities have borne the direct cost to respond to natural disasters, most particularly flooding. Many of them are also considering large-scale permit adaptations to help them better mitigate natural disasters before they become emergencies.

What funding is the Yukon government providing to help municipalities respond to natural disasters and to help implement more permanent mitigations to prevent further damage from natural disasters?

Hon. Mr. Mostyn: This certainly has been an eventful couple of years. We have seen historic floods, not only in 2021 in the Marsh Lake area, during which we brought forward the Canadian Armed Forces to help with that flood relief, which was help that was especially — it was incredible, the support we got from the feds and from the Canadian Armed Forces. But we also have stepped in and helped the City of Whitehorse with many of the things we saw — the eventful slide that we had just recently on the south access, right in front of the river on the main access way into Whitehorse. We certainly provided that support. We are helping Carmacks this year. This year, 2022, was actually a worse flood year in some ways than 2021, and the small team at Community Services did an absolutely remarkable job responding to communities across the territory in their time of need and getting through a really heavy logistical challenge, getting support to all the communities that required it — from Carmacks to Ross River and all points in between.

A flood recovery plan is in place, and contracts have been issued to clean up and remove sandbags from this year's flood locations as well as last year's, and we will continue to help communities when they need it.

Question re: Opioid crisis

Mr. Cathers: Since the minister declared a public health emergency around substance use in January, the problem is still present across the territory. Even at the beginning of the year, we saw a record number of deaths as a result of overdoses, and that number has continued to rise since then.

The Yukon Party supports effective harm reduction; however, the number one priority for any action plan regarding the ongoing substance abuse crisis should be to help as many people as possible break free of their addictions.

In the spring, the minister said on numerous occasions that she would expand detox and treatment services across the territory. Can the minister tell us what she has done to expand treatment services and detox availability in the territory?

Hon. Ms. McPhee: We certainly need to face the challenge of the substance use health emergency, which was declared in January of this year. We need to face that challenge with resolve and with compassion, and we need to work — focused — on ending the stigma of substance use so the people can be supported and get the support they need.

Addressing this crisis requires leadership and coordination across all levels of government, all communities, all health care professions, and all governments in the territory and all community members. We have certainly asked and described the substance use health emergency as a call to action to everyone in the territory. We need to work together to address the substance use health emergency and to make our communities safer and healthier.

The declaration of the substance use health emergency was a commitment to action by our government and a call to action to all Yukoners, and I certainly stand by that commitment.

I look forward to providing more information, but I can say with absolute confidence that responding to this substance use health emergency is a priority.

Mr. Cathers: Declaring an emergency is not a substitute for action. The number of beds in our main alcohol and drug treatment centre is no longer reflective of our population growth from 2016 when the current Sarah Steele Building opened.

The reality is that the programs that the Yukon has in place for detox and treatment are misaligned with our growing population and the demand in the Yukon. The most recently reported number of beds in the Sarah Steele Building shows that there are only 18 detox beds and 20 inpatient treatment beds available. Does the Minister of Health and Social Services believe that this is adequate to deal with this crisis?

Hon. Ms. McPhee: The substance use health emergency, as I have noted, was declared earlier this year. Each and every loss of life is one too many. The impact of drug use — of poisoned drugs — has devastating impacts on communities across the territory. This is not something that anyone on this side of the House takes lightly. A harm-reduction approach is absolutely required.

This fiscal year, we directed \$3.4 million, investing directly into addressing the substance use health emergency, in addition to millions more offered in related programming. I should note that, since the declaration of the substance use health emergency, we formed an advisory group, which meets quarterly. The group includes community and First Nation leaders. We have increased the visits at the supervised consumption site to over 1,300 this year by installing a well-needed inhalation hood for individuals there. That is in partnership with Blood Ties Four Directions. It is precisely what the member opposite is talking about — the concept of having individuals come to a place where they can be supported and where they can learn about changing habits and drug-use habits.

Mr. Cathers: Mr. Speaker, the minister's answer focused on forming committees and harm reduction.

Reports from January of this year indicate that, in the final week of 2021, 19 people were turned away from detox due to a lack of available beds. While the government takes the time to plan and host summits, individual people are still struggling to find adequate addictions help in our territory.

In the Spring Sitting, the minister said that she would be expanding on-the-land treatment options and detox services across the territory. Can the minister tell us what, if anything, she has actually done so far to expand those services? Has she created a single new treatment space in the territory?

Hon. Ms. McPhee: I guess I need to take some issue with this idea — that the member is being somewhat dismissive of the services that are provided to Yukoners by the substance use health emergency, by whatever means the member opposite has made with respect to that. I think that it is clear that the members of the Yukon Party do not support the harm-reduction approach and that they think it is generally pointless to work with our partners — we do not.

Insured Health Services and Mental Wellness and Substance Use Services are working with Yukoners to ensure that they receive the mental health care that they need, including care if it is out-of-territory — Insured Health Services

expanded coverage for out-of-territory residential treatment centres to support Yukoners in response, specifically, to the substance use health emergency so that Yukoners can access pre-approved out-of-territory mental health treatment at approved facilities. Yukoners who wish to seek that sort of treatment may bring an application or get help from Insured Health Services.

We are keen to make sure that Yukoners have all the tools they need to sort addictions and be healthy.

Speaker: The time for Question Period has now elapsed.

Government House Leader's report on length of Sitting

Hon. Mr. Streicker: 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 28 sitting days, with the 28th sitting day being Thursday, November 24, 2022.

Speaker: Accordingly, I declare that the current Sitting shall be a maximum of 28 sitting days, with the 28th sitting day being Thursday, November 24, 2022.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 18: *Midwifery Integration Amendments Act (2022)* — Second Reading

Clerk: Second reading, Bill No. 18, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, be now read a second time.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, be now read a second time.

Hon. Ms. McPhee: I am very pleased to present these amendments, which respond directly to my mandate from the Premier to fully integrate funded and regulated midwifery services into the health care system here in the territory. The amendments in this bill will ensure that the vision of midwifery care is set out in the regulations and standards of practice for midwives and that it is fully realized.

I think all members, I hope, will agree with me that Yukoners having access to fully funded, regulated midwifery services is something to celebrate. Our government made midwifery a priority as early as 2017. We had certainly hoped to achieve this, but the process was appropriately built and necessary. I can remember very early conversations with both the Premier and with the minister now responsible for Energy,

Mines and Resources about the importance of us proceeding with this new, fully integrated medical service.

Our implementation plan and the model of care for regulated and fully funded midwifery services is based on recommendations of local and national experts, significant research, and extensive public and stakeholder feedback gathered through an engagement process. It also aligns Yukon's approach to midwifery care with national standards and best practices, including for patient safety.

Some have asked why we do not allow midwives to practise privately. The decision to have midwives as employees — or to build that sort of a system within the Government of Yukon — was based on the realities of birth numbers here in the territory, as well as the need to provide necessary resources to support a midwifery program and to ensure its sustainability.

This was also the recommendation that we received from the Canadian Association of Midwives. In addition, an employee-based model is found in most other jurisdictions, the exceptions being the largest jurisdictions, which have much higher birth rates.

At this time, phase 1 is an employee-based model that was determined to be the best option to provide sustainable midwifery services in the Yukon. I have directed the department to proceed, as well, with a fee-for-service code in the event that registered midwives are interested in private practice.

We know from the experience of other jurisdictions that the creation and integration of publicly funded and regulated midwifery services has often taken many years. This is because it is critical to ensure that all of the needed relationships, standards, policies, and procedures are in place to ensure safe, sustainable care.

We also need to acknowledge that the last 2.5 years have been an unprecedented time of stress and strain on the health care system with the COVID-19 pandemic, and yet here we are with a midwifery clinic that opened back in early July and, as of late September, is providing high-quality care to 32 expectant Yukoners.

We have also recently welcomed a third registered midwife to the program, and a fourth registered midwife will be starting in November, just in time for the arrival of the first babies born and midwives as their primary caregivers.

These milestones would not have happened without the passionate and professional commitment of so many individual Yukoners, physicians, Yukon First Nation governments and community support, nurses, nurse practitioners, and local and national midwifery experts. There are many to thank for this work, including the members of the initial Midwifery Advisory Committee, whose important and experienced advice helped create the midwives regulation under the *Health Professions Act*, and the more recent midwifery implementation committee members who helped guide the midwifery program into development.

With the program launch, gratitude and thanks go to the physicians, nurses and nurse practitioners, First Nation health care workers, and hospital staff who are now working with the midwifery team to provide excellent care.

Mr. Speaker, we are profoundly grateful for the time and commitment of all of these professionals and individual Yukoners who have given their time to help ensure that Yukoners have access to the same high standard of midwifery care as is available across this country.

There have been questions perhaps as to why the midwives regulation was brought into force almost a year and a half before the launch of the services. It must be understood that local and national midwifery experts provided advice that the Yukon government's midwives regulation needed to be enacted immediately to transition away from unregulated and uninsured services to ensure patient safety. With safety as a core priority, we listened to that advice.

At the time, we recognized that this would create a gap when midwifery services were not available to Yukoners wishing to access them. Other jurisdictions experienced similar gaps between the regulatory approval and the implementation of midwife services. Knowing that this would cause concerns for those wishing to access midwifery services in that interim window, and based on the feedback that we heard from some Yukoners, the Department of Health and Social Services instituted a temporary policy that allows Yukoners to access medical travel benefits to support them accessing publicly funded midwifery services in another Canadian jurisdiction for the birth of their child.

That interim policy was extended to December 31, 2022 to help support Yukoners who want to access midwifery care while the program here is getting up and running. Our interest in protecting and providing the service — was it perfect or at home? Perhaps not for some individuals, but it was a recognition of the gap in service and the necessity of supporting Yukoners in that way.

Having regulations and the standards of practice that are final and in force was also critical to informing the development of the policies and the procedures that were relevant to Yukon's unique context, ensuring that Yukoners will be able to access safe and effective midwifery services. It provided the clarity and a solid foundation that was needed so that our partners could understand the scope of midwifery services and supported conversations to determine how all care providers could work together to ensure that expectant Yukoners were continuing to receive excellent maternity care, regardless of the location or the type of provider.

This was absolutely critical. This is truly about building relationships so that the new health service would be supported at every level and at every turn. This is why this piece of legislation is also here before this House.

That building of relationships also allowed us to hire midwives who could be licensed and provide them with the time to begin working with partners within the system to build strong, collaborative relationships prior to the program launch. These are all critical components of adding a new health care provider to an existing system and ensuring that all can continue to provide safe and collaborative care. It is about collaborative wraparound services, where all providers understand their role and work together.

This interim period also provided the team with the time needed to identify the consequential amendments that were needed to support midwives working to the full scope of their practice in the Yukon. That is why we are here today.

While brief, the amendments in this bill will ensure that there is clarity for the various roles and responsibilities during emergency situations that may happen during an out-of-hospital birth. They will ensure that the midwives have the authority needed to provide their clients with the necessary certificates or authorities so that they can access maternity leave benefits, for instance. They will also support a very important responsibility for health care providers, and that is the authority needed to report communicable diseases.

I look forward to the discussions on this bill as it is considered for approval. I would expect that, like me, my colleagues in this House will be eager to ensure that we are supporting the full integration of midwifery services here in the Yukon Territory. We have built the regulation, we have built the clinic, and we have hired midwives. We are now providing that service, and we need to make sure that the three elements of this particular piece of legislation are there to support all of that work.

I look forward to the quick passing of this piece of legislation — or this bill.

Mr. Cathers: The legislative amendments themselves are what I would describe as housekeeping in nature. We do support those changes; however, particularly in response to the minister's revisionist history on their implementation of midwifery, I have to remind this House of what actually happened.

This Liberal government committed in the 2016 election to regulating and publicly funding midwifery. In 2017, in their throne speech, they promised to have the program up and running the next year. They missed their own timeline, Mr. Speaker, by about four years. That is a fairly significant miss in terms of a timeline, especially for something that they used as one of their significant platform commitments when they were first elected.

Now, of course, as you know, Mr. Speaker, we have supported the regulation and public funding of midwifery services, but I would also remind the government that, although the minister has attempted to spin it otherwise, they have not come up with the proper structure to date. The failure to allow midwives in private practice to work and be compensated for it by government is a failure of this government and a political decision.

I would note — just to emphasize what I hear from midwives who are interested in this type of model — that, largely speaking, BC's model of payment for midwives who operate there in private practice is what they are looking for, with some modifications. But largely speaking, the government can look at the BC model as a good starting point for allowing that flexibility and allowing more midwives to provide services here in the Yukon.

The minister spoke of, and attempted to justify, the government's political decision to create a gap in midwifery

services here in the territory. I have to remind Yukoners of what happened. The government, just before calling the 2021 election — which, I will remind members, was an early election — chose to pass regulations that banned unregulated midwifery in the Yukon, including for midwives who had been providing that service here for many years to satisfied patients who had paid them for that service.

The government then promised Yukoners that they would have publicly funded midwifery, through the government employee model, set up later in 2021. As the minister herself acknowledged, they instead left a gap in care of about a year and a half.

As many people know, it is quite common for government, when passing regulations or legislation, to create the structure where that is actually proclaimed into force, where the coming-into-force date coincides with the start of a program. There is no reason — there is absolutely no good reason — that the government couldn't have chosen to announce what the regulations would be for midwifery, but not actually proclaim them into force until government actually had their services up and running. But they were so eager to have an election talking point that this government put its own political interests ahead of the interests of Yukon mothers who wished for midwifery services, banned unregulated midwifery, failed on the creation of their own program that they promised, and left a gap in care of about a year and a half. Those are the facts.

I am pleased that the minister, for the first time, did note in her speech that she has given direction to look at a fee-for-service model — would create a fee-for-service model, as she is heckling off-mic — that would create the ability for midwives to operate in private practice.

But again, for a government that has had since 2016 to work on this file — six years, Mr. Speaker, six years to work on this file — that they're only talking about looking at that now is concerning. I would remind them of the real impacts of their political decisions, which include that, for one midwife who was offering services up until the time of the Liberal ban on unregulated midwifery, she is in a situation where she's now fully licensed to practise in British Columbia, but due to political decisions, placed in a situation where she's not able to offer those services here to Yukoners. I've heard from constituents who had her assistance previously with births and are very unhappy about this Liberal government's political decisions in this area, especially since one need only look to the Province of British Columbia and see the situation, that in fact, midwives there can operate in private practice. As I mentioned, I've heard from Yukon midwives that the BC model for payment is one that they think is a good starting place for the Yukon's model. There are some adjustments that they have suggested. If the government would actually consult with them, they would understand what those are, but again, I would point to the BC model for paying midwives for private practice as a good place to start, while noting it does require some adjustments to it.

So, unfortunately, Mr. Speaker, in this area, though the Liberal government was quick to make promises in calling the election last year and putting in place regulations a year and a

half before they ended up being ready to use them, we saw this minister and this Liberal government put political interests first and Yukon women who wish to access midwifery services second.

With that being said, Mr. Speaker, as noted, the legislation itself is largely housekeeping in nature, and we will be supporting it.

Ms. Blake: I am very pleased to stand today to offer the Yukon NDP's support to this important bill that further supports pregnant persons and families, prenatal and postnatal. We know that health outcomes for the pregnant person, family, and baby are better with the support and care of a midwife. These amendments are important in recognizing midwives as professionals of the health professional team for pregnant persons, their families, and for the babies.

Given that, I and many others support these services being available in communities. This is so important. Pregnant persons should be able to stay in their communities where their family and support systems are, instead of being required to come to Whitehorse two or three weeks prior to their birth date.

Having to leave behind partners and/or children should not be a part of such a joyful life event. Even I, when working as a First Nations liaison and cultural programs coordinator at the First Nations Health Programs, was privileged and honoured to assist in the delivery of 16 babies.

We know that midwifery is not new. Women have been giving birth since the beginning of time, and in indigenous communities, it was the grandmas, the aunts, and women who learned those skills and provided that support. It was the grandmas and aunts who then passed those amazing skills on to the next generation.

I am excited to see the midwifery program continue the work that they have done to build a relationship with CYFN and community health centres. This partnership is critical. I hope that one day, Yukon babies will be delivered in their home communities by midwives.

There are indigenous midwives practising in communities across Canada. Increasing the number and capacity of indigenous midwives fulfills the Truth and Reconciliation Commission's calls to action to recognize the value of indigenous healing practices and to increase the number of indigenous professionals working in the health care field.

I just want to say how pleased the Yukon NDP are to see these skills and midwifery practices come back to the Yukon. Families and pregnant persons now need to see these supports available in their home communities. My other hope now is that there be incentives and support for more Yukoners to receive midwifery training and for them to return to the Yukon with those skills.

I would like to share a quote from Carol Couchie. I took this quote from the National Aboriginal Council of Midwives website: "We are not just about catching babies. We are nutrition. We are breastfeeding. We are safety in remote areas. We are insurance for our young families."

Hon. Ms. McLean: I am very pleased to speak today to support the midwifery amendments integration act for Bill No. 18. This act will allow registered midwives to offer their full scope of practice of birthing clients in Yukon and fully integrated midwifery into our health care system.

As the Minister responsible for the Women and Gender Equity Directorate, as a Yukoner, as a mother, and as a parent, I believe in the importance of fully funded, public-quality pre- and postnatal care for all birthing people in the territory. I note that the Member for the New Democratic Party has left the Legislature, but I wanted to comment on her comments today

Some Hon. Member: (Inaudible)

Point of order

Speaker: Member for Lake Laberge, on a point of order.

Mr. Cathers: It is against our Standing Orders for the minister to comment on the absence of a member, as she just did. I would ask you to instruct her to retract that statement and apologize to the member for making it.

Speaker: Minister of Education, on the point of order.

Hon. Ms. McLean: Yes, I absolutely support and uphold the rules of this Legislative Assembly. I was simply trying to make a point to compliment the comments that were made. I withdraw that particular comment.

I will wait for your comments back.

Speaker's ruling

Speaker: I just want to remind all members not to refer to the absence of members.

Minister of Education, please continue.

Hon. Ms. McLean: Thank you so much. I just wanted to make note of comments made by my colleague from across the way and really to support the comments that she made in terms of the importance of midwifery in our communities and throughout our territory.

I wanted to tell a story, so it really supported me in doing that. Most of my siblings — there are 12 of us; I am the youngest of 12 — were born with the support of First Nation traditional midwives. My grandmother, Grace Edzerza, was one of the them. I was born in the hospital here in Whitehorse, along with my sister who is closest in age, but most of my siblings, as I have stated, were born at home with the support of our grandmother, aunties, and other indigenous women in our communities.

My mother, Thelma Norby, née Edzerza, also supported many women through her life as one of those people who helped bring babies into the world in such a great way. When I was expecting my child — my youngest — my mom provided traditional teachings and care during my pregnancy and post-care, and these valuable teachings I absolutely cherish and have cherished throughout my life. It has helped shape my son and built a stronger relationship between both of us. My oldest son is adopted to me, so I've only had that one experience in that way.

So, I know that midwives make a difference, and midwives are in a unique position to support patients in accessing health care where systemic and intersectional barriers still exist. Some people may feel more comfortable accessing the specialized care of a midwife in a smaller setting. This bill continues to enable that option.

So, I absolutely take issue with the member for the Yukon Party and the comments and preamble that have been presented here today that this was just a political move. I mean, this is really creating and putting people at the centre, and that's what we support. Casting that shadow, I think, over the important work that this government has done is not helpful to Yukoners in supporting these services to happen and speaking to them in the way that has been spoken to today.

The Yukon Women and Gender Equity Directorate has been involved in discussions, research, and public education on midwifery for years. There have been hurdles and challenges to overcome in order to fully integrate midwifery into our health care system. For many passionate advocates, this bill has been a long time coming, and I acknowledge that it has not been a quick process. However, I feel confident knowing that the government has taken the steps necessary to integrate midwifery safely and sustainably for the benefit of all patients and health care workers.

The implementation of midwifery is based on extensive feedback from local and national experts, public consultation, research, and one-on-one conversations with practising midwives in the Yukon. I want to take a moment to acknowledge the many local advocates for birth choices, the experts in midwifery locally and nationally and in First Nations, and all other physicians, nurses, and other health care professionals who will work with the midwifery program to ensure continuity between health care services.

Without the support of these local advocates and professionals, the midwifery clinic would not be here today. Midwifery is not a new profession. In fact, it's one of the oldest. Today, midwives are highly educated and trained health care professionals who provide primary care to people giving birth, as well as their families. Midwifery is based on an understanding that pregnancy and birth is not a time-limited experience, but it is an experience that has the potential to shape people for the rest of their lives. A positive response and support in these early days to parenting — when parents may be tired, overwhelmed, or facing financial or social barriers — can have an incredible impact. With this understanding, midwifery aims to support the whole person from the start of their pregnancy journey through the birth and postpartum, supporting post-breast/chestfeeding experiences with lifelong benefits for both birthing person and the child.

This approach to birthing supports both physical and mental wellness by ensuring informed consent and autonomy and can lead to positive outcomes — not just for the parent and child, but the entire family and communities in the long term.

Birthing people who want to have a midwife are empowered to participate in all aspects of their pregnancy and birthing journey. Midwives provide a full range of health care services and birthing people with uncomplicated pregnancies

and have referral privileges for those situations that require the expertise of other health care professionals.

Research has demonstrated that midwifery decreases the levels of unnecessary medical intervention in the birthing process. It also plays an important role in providing the mental wellness, independence, and long-term outcomes of patients. Whether someone wants to deliver at home or in hospital, midwives provide individualized support and are guided by the patient's wishes, values, and vision.

The Yukon midwifery clinic opened in Whitehorse in July 2022. Midwives there can order routine tests such as ultrasounds, write prescriptions, provide referrals to other health care specialists, and perform lab work. Prior to the midwifery clinic opening, Yukoners who wanted to have a midwife had to pay for private services. Their care was not well-integrated within the other parts of the health care system. Yukon patients can feel confident in knowing that the midwives in the Yukon midwifery clinic are licensed, formally trained, and have hospital privileges to help ensure an integrated, safe, and accessible birthing option.

With Yukon's low birth numbers, integrating midwifery into the health care system offered by the government ensures that midwifery is safe, properly resourced, sustainable, and aligned with our other health care services. The midwifery clinic is set to double its practising midwives from two to four this winter. A third registered midwife has just started and another is set to begin work in November.

This is an exciting time, and I trust that all of my colleagues in the Assembly will also join us in supporting this full integration to Yukon's health care system.

In conclusion, I am honoured to support this bill that will provide more options and more positive outcomes for birthing people in our territory. I would like to congratulate the community advocates and all of our colleagues who have worked so hard over the years to make safe and regulated midwifery in the Yukon a reality. For the first birthing parents who will see their babies born to these incredible health care professionals, congratulations. This is an exciting milestone for pre- and postnatal care in the Yukon. Again, I thank my colleagues in this House today for the comments, particularly from the New Democratic Party, and their support and positive words that I'm sure are appreciated by all Yukoners.

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. We listened to Yukoners; we listened to experts; we listened to midwives. We built the partnerships needed to fully integrate midwifery into Yukon's health care system. We built the system and the regulations to support that.

Regulated midwifery is now available to all Yukoners. It is a new health care option that is free for all Yukoners. I don't think that the members of the Official Opposition even truly supported the concept of midwifery, despite the sort of table pounding at the moment. We worked with the focus of the

health and well-being of Yukoners as the foundation of a bright future for our territory. That remains to be our guiding goal. Under our leadership, Yukon's health care system is transforming into a national leader. We are providing Yukoners with additional options that support healthy pregnancies, positive birthing experiences, and quality care after childbirth.

I think it is worth reiterating — I said it earlier, and I will say it again this afternoon — that the request for a system where midwives would be employees and have a clinic that is supported by government was, in fact, the request of the midwives. It was the expert advice from the advisory committee. I know that it is the route that we took, carefully taking into account the expertise that they brought to the table.

The Yukon Party spent some 14 years in government and truly never took a single step toward the integration of midwifery into our health care system, and that is what this was; it was the integration of a new health care service into our current health care system. The members opposite — the Official Opposition — were satisfied with an acute health care system that truly failed Yukoners and was not financially sustainable. When we came to office, there was no minimum education or training requirements for midwives. This was something that we were told needed to be a priority. Our Liberal government has now fully integrated funded, regulated midwifery into our health care system so that Yukoners have more options for care.

I also think, based on the comments at second reading by the member of the Official Opposition, that it is worth repeating that Yukon's first midwifery clinic opened in July 2022.

All Yukoners, including those living in communities, can now access comprehensive midwifery services at no cost. Yukoners now have safer options for primary care and support of healthy pregnancies, childbirth, positive birthing experiences, and postnatal care. We have heard, both from the Minister of Education as well as the member of the Third Party who represents Vuntut Gwitchin, how important these options are. We come to this Legislative Assembly and often we speak a lot of words, but it is incredibly important to understand what this means for community.

Our government has taken significant action to make service delivery more sustainable and more effective and responsive to the needs of all Yukoners. We continue to implement the recommendations of the *Putting People First* report and to create a people-centred health care system that will move our territory forward.

I look forward to questions with respect to this quite technical piece of legislation and the bill before you, but I also look forward to the opportunity to address the Legislative Assembly when we enter Committee of the Whole about the importance of a bit of a broader scope. I very much appreciate the opportunity to speak to this 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. 18 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*. 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.

Bill No. 18: *Midwifery Integration Amendments Act (2022)*

Deputy Chair: The matter before the Committee is general debate on Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*.

Is there any general debate?

Hon. Ms. McPhee: I am pleased to welcome today Deputy Minister Michael Hale, from the Department of Health and Social Services, and Natasha Phillips, senior policy advisor with the Department of Health and Social Services, who are here today to assist with questions that may come today with respect to this particular *Midwifery Integration Amendments Act (2022)*, Bill No. 18.

I am very pleased — I should say a shout-out to the staff at Justice, who are responsible for the drafting of this bill. We have with us Natasha Phillips, who has been really the leading force with respect to this piece of legislation, as well as the implementation of the midwifery program. So, I am very pleased that she can join us today, but there are others behind the scenes who I know have worked just as hard on this particular — not only piece of legislation, but the entire program.

So, I appreciate the opportunity to rise today to speak about the *Midwifery Integration Amendments Act (2022)*. This is an omnibus bill that will help support midwives working to their full scope of practice. I will go through the amendments shortly, but I first want to take an opportunity to again acknowledge the hard work and dedication of the many health professionals, individual Yukoners, local and national experts in midwifery, and Yukon First Nation governments and communities who have helped us develop and successfully launch the Yukon's regulated and fully funded midwifery program. It has taken the vision, passion, and commitment of many over two decades to bring funded, regulated midwifery services to Yukoners.

As a government, it has been a priority of ours since first elected to provide the necessary resources and direction to make this happen. We heard from Yukoners that they wanted a range of birthing choices and access to safe, regulated, and publicly funded midwifery services with the high and consistent standard of care found nationally. Our goal has always been to bring and provide Yukoners with additional options within the range of health care services that support healthy pregnancies, birthing experiences, and care after childbirth without having to pay out of pocket.

Prior to midwife regulation, only Yukoners who could afford to pay out of pocket could access midwifery-type services outside the hospital settings, because there were no regulations in place and there were no minimum education, training, or liability insurance requirements for people offering midwifery-type services that were isolated from the rest of the health system.

Under the previous system, there were gaps in care that could not be addressed without regulating midwives. We know that, historically, midwifery was at the forefront of maternity care in Canada, and we have heard some members of this Legislative Assembly speak about that today.

Maternity care in Canada was midwifery at the forefront until care shifted to hospitals and to doctors with the development of medicare in the 20th century. It wasn't until the 1990s that midwifery began to be legally recognized as a health care profession in certain provinces. Today, many seek to

utilize the services of midwives to provide the full spectrum of their maternity care.

The practice of midwifery is based on the understanding that pregnancy, labour, and birth are profound experiences that carry significant meaning for the person giving birth, their family, and their community. I know that every mother and every person who has had the birth of a child is well aware of the profound experience and understands the importance of this integrated practice.

Grounding the practice of midwifery are the principles of health and well-being, recognizing that conception, pregnancy, birth, and breastfeeding or chestfeeding are natural life processes. Many seek this care because they believe that midwives provide care that emphasizes continuity, informed choice, and informed consent so that pregnant people and their families are actively involved in their own care.

Midwives are known for providing individualized, 24/7 care and are available and willing to provide in-depth support, and that is exactly what Yukon's regulated and funded midwifery program has been designed to do and can do. As the Minister responsible for Health and Social Services, program development and service delivery is my particular area of responsibility. As my 2021 mandate letter from the Premier sets out, I am responsible for ensuring that midwifery is fully integrated into Yukon's health care system.

The Yukon's midwifery program directly and indirectly supports many of the recommendations set out in the *Putting People First* final report. This includes, but is not limited to, paragraph 1.4, which says: "Partner with First Nations governments, municipal governments, non-governmental organizations and members of the public in the long-term planning of health and social services that meet community needs and are culturally safe."

Paragraph 2.2 of the *Putting People First* final report says: "Connect every Yukoner to a primary care provider ... who provides care as part of an integrated health care team."

Paragraph 6.6 says: "Encourage all providers in the system to work to their full scope of practice and remove barriers, such as lack of hospital privileges for nurse practitioners, to achieve this. This may include regulatory barriers or organizational culture barriers. Expand the scope of practice for specific professionals where it makes sense to support the work of integrated teams."

We know that regulated midwifery is a safe practice, wanted by many members of our Yukon community. Research shows that both regulated and fully integrated midwifery, and integrating midwifery into the health system, is critical to create safe birthing environments for both the birthing parent and infant. For example, having a planned birth at home with a registered midwife can be as safe as a hospital birth for the infant and pregnant parent, according to the Canadian study of 23,000 home and hospital births published in the *Canadian Medical Association Journal* in 2015.

Through the support provided locally and nationally since we first started this work in 2017, we have been able to create a midwifery program that offers the same high standards of care — it is designed for safe, integrated, and publicly funded

midwifery services — as other jurisdictions in Canada. I note that some of the comments that were made on second reading indicated that this work has been going on since 2017. We fully admit that this work has been a priority for us since coming to government in late 2016 and that the work needed to be done in the way it was done to ultimately end up with the system that we have and are very proud of today.

Midwives in Yukon's midwifery program are highly trained primary care providers who are equipped to provide all necessary medical care and support within their scope. They have the needed hospital privileges. They are licensed and insured and are working closely with other health and social system providers to ensure that Yukoners receive the highest quality of care.

This includes providing comprehensive care at people's homes, at the midwifery clinic, or at the Whitehorse General Hospital. They can order routine diagnostic tests, such as ultrasounds and lab work. They can prescribe medications and screen and treat physical, emotional, and social health concerns. They can refer their clients to needed medical specialists or consult with specialists to ensure that they are providing the care that their clients need.

The Yukon midwifery program has adopted seven core principles of the Canadian midwifery model of care, which are considered to be the national standard to establish a safe and sustainable midwifery program. These principles include: professional autonomy — Canadian midwives are autonomous primary health care providers who provide comprehensive care during pregnancy, labour, postpartum, and newborn periods; the principle of partnership — Canadian midwives recognize the intimate client-care provider relationship as being integral to the provision of care that is responsive to the unique cultural values, beliefs, needs, and life experiences of each client; the principle of informed choice — Canadian midwives recognize the right of each person to be the primary decision-maker about their care; the principle of continuity of care provider — Canadian midwives provide continuity of care, whereby a known midwife or a small group of midwives provide care throughout pregnancy, labour, and the postpartum period; the principle of choice of birthplace — Canadian midwives ensure that their clients have the right to choose where they will give birth, and midwives are responsible for providing care within their scope of practice to clients in the setting of their choice; the principle of evidence-based practice — Canadian midwives' practice is informed by research, evidence-based guidelines, clinical experience, and the unique values and needs of those in their care; and lastly, the principle of collaborative practice — Canadian midwives work with their partners to meet the unique needs of a specific community, population, or geographical area and may work collaboratively within creative interdisciplinary models of practice. This aligns so well with the advice and recommendations of *Putting People First*.

I think it's also important to talk about the way in which registered midwives have been integrated into the Yukon's health system. As part of the presentation and debate of this bill, the integration continues.

We have heard the concerns that it has taken too long. We have also heard concerns about the fact there was a gap in the time between bringing midwives regulation into force and the launch of midwifery services. Certainly, it would be wonderful if the development of a new health care program and integrating a new health profession into the existing health system structure was simple, straightforward or easy, but it wasn't. As I note — and have noted before — it took a great deal of commitment from many to get us to this point.

The implementation plan and model of care for regulated and fully funded midwifery services is based on the recommendations of local and national experts. I dare say, none of those local or national experts exist in this Legislative Assembly, so in order to get this work done, we go to the people who know what the situation is and who are experts in their field.

There has been significant research. There has been extensive public and stakeholder feedback gathered through an engagement process. It ensures that Yukon's approach to midwifery and midwifery care is aligned with the national standards and best practices, including the primary concern of patient safety.

During the initial consultations on midwifery back in 2018, we received feedback from a variety of stakeholder groups that they supported initially enabling midwife-led birthing in the Whitehorse area only where processes and emergency services that support pregnancy and birth are already well-established. This was also needed to support the development of strong interprofessional relationships and a fulsome understanding for providers and the public of what midwifery care is and how it works among all the health care providers that support midwifery and maternity care services here in the Yukon.

The decision to launch a midwifery program in the Yukon, with midwives as employees of the Department of Health and Social Services, was also a recommendation based on the research and the expert advice, and we followed it. The reality is that Yukon has one of the lowest numbers of annual births in the country. While this may increase with our rapidly growing population of late, it is important that the launch of midwifery services focused on sustainability.

That means sustainability for the registered midwives working in the midwifery program and the sustainability of the physician community providing obstetrical care as well. We are very lucky and fortunate to have a wonderful group of physicians who have historically provided care for maternity patients here in the territory.

These physicians are specialized in providing obstetrical care and are very passionate and committed to ensuring that the Yukon's maternity care system is safe and responsive to the needs of pregnant Yukoners. That is why this is not a program that could just be launched as soon as the regulations were created. It needed to be built. It needed to be built on the ground and on the foundation of great partnerships. It is critical that we worked closely with our health system and community partners to ensure that Yukon's midwifery program continues to provide Yukoners with the same standard of care that is available

elsewhere in Canada and is well-integrated into the health system, even as it grows and evolves.

The work over the last year and a half has intensely focused on learning about how the existing system is operating, what midwifery looks like and how it works and how these modalities of care can best work individually and collaboratively to ensure that, regardless of birthplace or provider, Yukoners are receiving excellent care.

I will take a moment to talk about the bill and the various amendments included therein. The Department of Health and Social Services and the midwifery team determined, through the course of program development and in consultation with other health system partners, that there were consequential amendments required to various pieces of legislation to support the full integration of midwifery services into Yukon's health care system.

While this bill is very short, the amendments are very important to ensuring that registered midwives in the Yukon are able to work to full scope of practice as set out in the midwives regulation and standards of practice. Under the *Care Consent Act*, section 63 covers emergency situations and who should assume the most responsible provider role.

The amendment to section 63 of the act to include registered midwives will ensure that, in the event of an out-of-hospital emergency situation, registered midwives will retain their most responsible provider role when emergency responders assist or arrive to assist. From that work that has been undertaken to integrate midwifery into the health care system so far, we know that one of the key steps to facilitating patient safety is to ensure that all health care providers are clear on their roles and responsibilities, and this amendment will facilitate that clarity.

Bill No. 18 also proposes amendments to section 1 of the *Employment Standards Act* to ensure that it is clear what the definition of a "qualified, registered midwife" is in relation to that act.

It also amends section 36 of the *Employment Standards Act* to support the ability of a midwife to provide the necessary certificates to their clients so that they can apply for maternity leave and leave for health problems related to pregnancy if necessary. Making this change will reduce the number of care providers needed to provide care to an expectant individual to obtain maternity leave benefits.

The amendment in the bill to the *Interpretation Act* is a very standard amendment when we introduce a new regulated health profession — which, I can say, does not happen very often — and that is to include a standard definition of "registered midwife" that will apply across all Yukon legislation.

The final amendment is key to reflecting the scope of registered midwives in the Yukon, as set out in the midwives regulation and the standards of practice. Under the standards of practice for midwives, should they have the advanced certification, midwives are able to diagnose and treat sexually transmitted infections. In addition, a key component of primary health care is being able to diagnose and treat sexually transmitted infections, some of which are classified as

“communicable diseases”. In the event that a midwifery client is diagnosed with a communicable disease, it is important that midwives are able to follow the proper processes to report and diagnose this to the medical officer of health.

Amendments to section 2 of the *Public Health and Safety Act* will include registered midwives and primary health care nurses in the list of health professionals who are obligated, by regulation, to report those cases through the appropriate channels.

Once this amendment is done and Bill No. 18 is given assent — which I certainly seek support for here on the floor of this Legislative Assembly and I hope it will be supported by all members — the amendments will then be made to both the communicable disease regulation and the venereal disease regulation, as needed.

Individuals — members here and Yukoners — may be wondering how these situations have been dealt with by the midwifery program in the interim period. During the interim period for those situations that are applicable, the team has had wonderful support from nurse practitioners and the physician community to ensure that their clients are well-supported. However, these amendments are integral to ensuring that registered midwives in the Yukon are able to work to the full scope of their practice. These will help support safe continuity of care for midwife clients, and it is important that we take this opportunity to amend these growing gaps now. We are aware of these situations and it is important to resolve them.

I would also like to acknowledge that we know that, in the coming months and years, Yukon’s midwifery program will grow and evolve as a health system that works better to meet the needs of Yukoners. Through the integration of midwifery services, a strong foundational relationship has been established with the Yukon Hospital Corporation, physicians, nurses, Yukon First Nation governments, communities, and organizations, and individual Yukoners who care passionately about a strong and responsive maternity health care system.

We intend to keep those conversations and the good work going. In fact, even in the recent memorandum of understanding with the Yukon Medical Association and the Department of Health and Social Services, there is acknowledgement that a strong maternity program and an early-years care system are integral to building healthy communities. This collaboration, these new relationships, and this vision were borne out of the work done to integrate midwifery into Yukon’s health care system. None of this work, despite the period of time it has taken us to get here, has been unimportant. None of it has been for naught. This is an important shift for Yukoners and for Yukoners who need to avail themselves, and wish to avail themselves, of this care.

This is not a vision that could be accomplished without the continued work with our Yukon First Nation partners and communities, all health care system providers, and individual Yukoners, as the *Putting People First* final report made note of.

We will continue to work collaboratively, Deputy Chair, to support a strong health care system that supports all care providers working to the full scope of their practice and to deliver excellent health care to Yukoners, because to do

otherwise does not serve Yukoners. This bill is one step in helping to realize that. Thank you for the time to address the Legislative Assembly today.

Mr. Cathers: I’m not planning to speak for long on this at the Committee stage unless something comes up that prompts additional questions or comments.

I would note that the minister gave a very long speech for a very short act. I would largely refer readers and listeners to my comments from second reading on this legislation. I would just note and remind the minister that, despite her attempts at revisionist history and spin, this government has had almost six years —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: Thank you, Deputy Chair. It’s my recollection that the term “spin” is in contravention of Standing Order 19(h).

Deputy Chair: Member for Lake Laberge, on the point of order.

Mr. Cathers: On the point of order, Deputy Chair, I don’t believe that term has been ruled out of order. I think the minister is just overly sensitive on this.

Deputy Chair’s ruling

Deputy Chair: This is a dispute between members. The Member for Lake Laberge has the floor.

Mr. Cathers: Thank you, Deputy Chair. Again, I would just note, in continuing my comments, that the government’s record on this — this Liberal government’s record — has been to make commitments but fail to meet their own timelines. That has been a problem. Again, they have almost six years on this file. They committed in 2017 that they would have it done in 2018. They are almost four years late for their own commitment. They made a political decision to implement regulations that banned the unregulated practice of midwifery with a promise that, later in that year, they would have their own program up and running, leaving a gap of a few months. Instead, they failed to keep that commitment and left a gap in care in midwifery services in the territory of about a year and a half.

As I noted earlier, that was a decision made for political reasons prior to an election. They could have chosen to not proclaim the regulations until they actually had the program ready to be up and running. It’s unfortunate that the Liberal Party chose to put their political interests and an election campaign as a higher priority than Yukon women and Yukon mothers who wanted — in some cases — to access midwifery services in that year-and-a-half gap in care created by this Liberal government.

Unless there are additional comments coming from the minister that require rebuttal, I’m not going to ask any questions at this point. The legislation itself is rather housekeeping in nature — though important, of course, in

making those housekeeping changes. I would thank the officials who have been involved in drafting this legislation for their work on it, as well as for the briefing.

I will turn the floor over to the Member for Vuntut Gwitchin.

Hon. Ms. McPhee: I won't take long to respond, but I think it's worth noting that we took the time to build relationships. I appreciate that the member opposite doesn't have any questions. I appreciate that the criticism remains that this took too long. I think, as I said earlier, we built this system, we built the relationships, we built the programming, and we chose to do it right. We did it with expert advice, and the decision was made to follow the advice of the experts. But I guess the most important thing is that we did it.

Ms. Blake: I would like to thank the officials for being here today. I don't have many questions because I think some of what I needed to ask was covered in the briefing.

I'm happy to hear there is a fourth midwife starting in November. The question that I wanted to ask — which has been asked by some folks who were interested in accessing midwifery services — is: Is this service presently only available in Whitehorse, and when will midwifery care be available through rural health centres in the communities?

Hon. Ms. McPhee: Thank you for the question. No, it is not a restriction that individuals receive this service in Whitehorse. The Yukon midwifery program provides Yukoners with the additional option of safe, accessible, and high-quality maternity care without paying out of pocket. As we noted earlier, the midwifery program started with two midwives. We later hired a third midwife in July. In September of 2022, the Yukon midwifery program expanded its eligibility criteria to include Yukoners from anywhere in the territory.

As of September 15 — that's 2022, to be clear — a total of 32 people have been accepted to the program and are currently receiving care from a registered midwife on staff. The program has been able to respond to the community demand for midwifery services with a limited number of people on the wait-list. More than half of the applicants have requested a hospital birth, and as of October 1, there are currently three registered midwives working at the clinic. The information that I have is that a fourth is beginning in November. That is available to all Yukoners.

Ms. Blake: My next question is: How will pregnant people and families access midwives in the community? Who is responsible for the coordination of this service for those who reside in communities?

Hon. Ms. McPhee: I thank the member opposite for the question.

The coordination of midwifery services is done here in Whitehorse at the midwifery clinic so that individuals who are patients will be managed and coordinated by midwives who are here in Whitehorse. The midwifery services — and this was an important part of us adding new midwives and taking the time over the summer and fall to make sure that they could provide services in communities — they are provided by a relationship between the midwifery clinic and Community Nursing and the doctors, the physicians, who travel throughout the territory. Of

course, when patients, or clients, of the midwifery clinic come to Whitehorse, midwives will visit them however they choose, whether it is at a hotel, or a friend's house, or somewhere they are staying, or at the clinic, or even in hospital, if need be. The services will progress that way for individuals who are not residing full time in Whitehorse for now, and the expansion will be explored as to how those services can be ultimately provided to more members of the community.

Ms. Blake: I would like to thank the minister for answering the question.

The next question I have is: For those who travel from the communities to access midwifery care here in Whitehorse, what are the plans for their accommodation? Is it different from people accessing physician care when pregnant?

Hon. Ms. McPhee: Thanks for the question about accommodation here in Whitehorse for individuals who want to — are clients of the midwifery clinic. Midwives, as I have noted, upon the passing of Bill No. 18, will have the full scope of practice and can authorize travel and medical travel for folks coming from communities. Medical travel can include some accommodation, or funds that can be used for accommodation, and I can also note that we have — there is a birthing room, or a room at Victoria Faulkner Women's Centre, where individuals are allowed to stay if they are awaiting the birth of their children, and presumably, if it's not being used, we could also use that on occasion.

Ms. Blake: My next question is regarding midwifery services here in Whitehorse. How is that information being distributed to the communities, First Nations, and municipalities so that folks who live in the communities are aware of this option?

Hon. Ms. McPhee: As I've noted several times today, First Nation governments and communities are very strong partners in relation to this work, and information has been provided through those partnerships, of course, to communities across the territory and through health departments across the territory, through community health centres in various places across the territory. There has also been a social media campaign that has been quite noticed and successful. We'll just continue to work hard through our partnerships to make sure that the details of how someone could be in touch with the midwifery clinic — which is really all that is necessary — if somebody might be looking for answers about the scope or what kind of care they can get, all of those questions can and are willingly being answered by the midwifery clinic.

Ms. Blake: My next question is: Are there any plans to create a permanent midwife position on the maternity ward at Whitehorse General Hospital?

Hon. Ms. McPhee: Sorry, Madam Chair. I'm just going to ask the last part of the question. Are there any plans to create — it's hard to hear in this room. Sorry, but — plans to create a midwifery position —

Some Hon. Member: (Inaudible)

Hon. Ms. McPhee: — at Whitehorse General Hospital? Okay. No, not at this time, because the model the experts spoke to us about was the clinic model. It is completely supported by government. As of November, the four midwives will be

employees of the Yukon government and provide that service in a setting that is also provided by Yukon government, and the midwives all have hospital privileges. So, their work is in and out of the hospital, in the community, in individuals' homes, but the clinic work happens at the midwifery clinic.

I would like to add that when I visited the clinic and spoke with the senior midwife there, she was very, very clear that they are interested in coming out of that clinic almost as much as they can, because they want to meet pregnant people in a coffee shop if that's a better setting for them, in the library, in a park, in a place where that individual is more comfortable, particularly if they have sensitive questions or concerns that they want to discuss with the midwife. They were very, very interested in making sure that they could provide wraparound services for individuals, particularly those vulnerable individuals who might be pregnant and who might not be interested in coming to a clinical setting.

I should also add that the midwifery clinic is, at this point, as un-clinic-like as they can make it. They're interested in making it a homey, warm place for pregnant people to come and speak and get services during their pregnancy. They're doing that to the very best of their ability, and we are certainly dedicated to helping them with whatever furniture or décor or things, layout of offices, that help. There's of course a clinical aspect, but I know that their goal, as a team of midwives, is to make that place and their services as accessible as possible.

Ms. Blake: I'm also wondering if there were any conversations held with the non-insured health benefits program just to ensure that there are not any gaps or challenges for travel authorization for anyone who falls under the non-insured health benefits program to access midwifery services outside their home community.

Hon. Ms. McPhee: Thanks for the question. It is a very important question in relation to making sure that all Yukoners have access to the services that they need.

I can advise the member opposite that there is a relationship with NIHB, between the Department of Health and Social Services and the programming there, that supports Yukoners who are eligible or required to have services in that way.

I can indicate that, in particular, there were discussions during what I am going to call the "gap period" — the period of time when individuals could not yet get services here at home — and it was very important for us to support and to have a relationship with the federal government and how those individuals could be supported to travel Outside if they needed to do so and get services there. I can tell you that it has been a topic at the trilateral table of health and will continue to be so that relationship can grow. There are lots of future conversations about how we can integrate those two programs in a way that benefits Yukoners.

Ms. Blake: I am happy to hear there are conversations happening with the federal program, because I think that is an important step to ensure a smooth transition for access to midwifery services.

My next question is: Will we see midwives eventually practising at the Dawson City hospital and Watson Lake

hospital, and will their hospital privileges from Whitehorse General Hospital extend to other community hospitals?

Hon. Ms. McPhee: Thank you for the question. The overall plan for the launch and the phased integration of midwifery care here in the territory was developed based on the research and the expert advice, as we said earlier, from the Canadian Association of Midwives.

That association proposed a model for midwifery services that was a phased approach and would first establish midwifery here in Whitehorse and then introduce services to other communities, including Dawson City and Watson Lake. The Canadian Association of Midwives proposed that, if midwives were based in rural Yukon communities, the first step should be to only provide in-person pre- and postnatal care and have their clients transfer to the Whitehorse team for delivery. I think that is a very important aspect to what will be the evolution of this program.

That advice from the Canadian Association of Midwives reflects the desire on the part of some Yukoners and Yukon First Nation individuals to see the return of birth to communities outside of Whitehorse. While acknowledging that this process takes time and requires significant resources invested in existing health services in addition to the additional investment in midwifery care and requires community and health provider willingness to participate, there has always been an acknowledgement that additional conversations and research should continue. A midwifery consultant position was developed to do some of this work and has been funded until March 2024. Work is underway to try to staff this. It has been a hard-to-fill position, but we look forward to that and the impact that job can have on the growth of the midwifery program.

As I noted, in late September, the program became available to Yukoners across the territory. I would just like to remind folks that the reason why births are required in Whitehorse — although we hope to get to a place where they are available at other hospitals — there are a couple of things. Midwives work closely with their colleagues and the support from one another might mean that one midwife in Dawson or Watson Lake may not be sufficiently supported by not having daily support from their colleagues. We also note that operating rooms, blood supplies, and other safety measures are available only here in Whitehorse at this point with the size of our hospitals. That is why births will continue to take place here in Whitehorse, but the evolution of that, going forward, is certainly a goal. With the growth that we are seeing here in the territory, it might be sooner than later, but we want to make sure, of course, that all births are done safely, and the current advice is that they happen here in Whitehorse General Hospital, or at homes, or other locations, but close enough so that any emergency care is available.

Ms. Blake: My next question is: How are other health professionals being informed of the roles and practices of midwifery care in Whitehorse?

Hon. Ms. McPhee: Thank you for the question.

I have described a couple of times today about the incredible necessity to build partnerships and relationships

going forward in order to integrate midwifery into our health care system, which, of course, interacts with other health care providers. There is a midwifery integration committee, and that will continue. The committee is populated with physicians, nurses, nurse practitioners, midwives, and other people who needed to be in the partnership who are supportive of this program going forward. They have been continuing their work to reach out to other health professionals, like pharmacists and others, so that it becomes fully integrated.

It has been — I want to say — very successful in the last few months, as far as getting support from those individuals and those sectors of the health care system that have been supportive of this all along, but it is a different reality when, all of a sudden, the clinic is open and individuals are being served and there are relationships and health care provision among a number of health care providers, but that continues.

Ms. Blake: My next question: I was wondering — like, right now, midwifery care is available in some NWT community health centres, and I am thinking more about the health centre that is currently being built in the community of Old Crow. I feel like that's an opportunity to expand the scope of practice in the community, and I'm just wondering if there are any plans in place to incorporate a midwife role into the upcoming health centre in the community of Old Crow.

Hon. Ms. McPhee: I'm glad this question came forward; it's an opportunity to say how proud we are of the new health facility that is being completed in Old Crow and the services that can be provided there.

We have the capacity at that location for these kinds of services — midwifery, clinical-type services — to happen there. Of course, births without the safety net of the Whitehorse General Hospital would not be necessarily permitted there yet under this current regime, but the conversations are continuing, and I've described earlier how we hope that there is ultimately expansion of these services into communities. But it will take some evolution, and it will definitely not be — I want to say — quick in that the growth and the sustainability of the midwives and the relationships with other health care professionals, and the services provided throughout the territory on the model that we currently have, needs to be well-supported and needs to be continuing for quite a while and evaluated to make sure that it's being done right before any kind of expansion that you've asked about could be considered.

Ms. Blake: Thank you, Deputy Chair. I don't have any further questions. I would like to again thank the officials for being here today to answer the questions. I am excited to see this bill move forward. I think it's an important service for those who are planning to have children in the territory and those who are currently pregnant.

Since I've come into this role, I've heard from many women who are pregnant in the communities who have indicated that they wanted to deliver their babies in the community. They want their baby's first cry to be in the communities. They want their baby's first experience to be hearing the drums played, hearing the songs being sung by the aunties, hearing the fiddle played, hearing the elder's prayer, and the mom and the baby and the family — so I think this is

very exciting for the territory, and I'm excited for the future of how the delivery of our babies will happen in the coming future and the years ahead.

Mahsi'.

Deputy Chair: Is there any further general debate on Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*?

Seeing none, we will proceed to clause-by-clause debate.

Ms. Blake: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, read and agreed to.

Unanimous consent re deeming all clauses and the title of Bill No. 18 read and agreed to

Deputy Chair: The Member for Vuntut Gwitchin has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

Clauses 1 to 9 agreed to

On Title

Title agreed to

Hon. Ms. McPhee: I appreciate your indulgence, Deputy Chair. I take the opportunity to move that you report Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, without amendment.

Deputy Chair: It has been moved by the Member for Riverdale South that the Chair report Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, without amendment.

Motion agreed to

Deputy Chair: The matter now before the Committee is general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

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: Committee of the Whole will now come to order.

Deputy Chair's statement

Deputy Chair: Before continuing, I will make a statement on comments made on the point of order in Committee of the Whole.

The Member for Lake Laberge said that another member was "overly sensitive." I don't think that it is irrelevant that the

other member is a woman. When members use language that is routinely used to dismiss women, it contributes to a culture of sexism. Members should refrain from using such language.

Bill No. 206: Second Appropriation Act 2022-23

Deputy Chair: The matter now before the Committee is Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any general debate?

Hon. Mr. Silver: I am pleased to rise in Committee of the Whole this afternoon to speak about Bill No. 206. This bill is otherwise known as the first supplementary estimates for 2022-23 fiscal year. Supplementary estimates are about responding to unanticipated needs, and they are used to make sure that the government has appropriate funding to cover evolving emergencies and emerging challenges.

This year, the story is much the same. The 2022-23 *Supplementary Estimates No. 1* is being used primarily to help Wildland Fire to address requirements — to help deal with the heightened fire season that we experienced this summer. It is also being used for flood-related expenses, as elevated water levels threatened Yukon communities for a second straight year.

I would also like to emphasize that these supplementary estimates reflect only what is needed. Overwhelmingly, they represent higher costs being experienced for delivering existing programs, rather than new initiatives or projects.

In total, the 2022-23 first supplementary estimates contain \$26.2 million in additional gross spending. This is made up entirely of operation and maintenance expenditures, and there is no new capital spending. The result is a revised surplus of \$33 million, which is a change of \$6.5 million from \$39.5 million forecasted in 2022-23 main estimates. The first supplementary estimates also show a revised net debt of \$214 million, which is an increase of \$6.5 million from the mains, which coincides with the increase in O&M spending and revenues. While these supplementary estimates show little change in the government's recoveries picture, it does show a notable increase in revenues of just over \$18 million.

The 2022-23 main estimates include a \$10-million COVID contingency fund, which was reserved in the government fiscal framework to further fund potential support without affecting the surplus or deficit position. This appropriation contains no new drawdowns or changes in the COVID-19 contingency fund.

As mentioned, as well, the entirety of the new spending contained in the 2022-23 first supplementary estimates is in operation and maintenance. The bill contains \$26.2 million in new O&M spending. The bulk of this spending can be found in the Department of Community Services. As part of this bill, the department is seeking \$20.2 million to address the ongoing emergency needs as a result of what we have seen for the last two summers with respect to floods and fires. \$16 million of this new spending is required for Wildland Fire costs associated with a more active fire season seen throughout the territory; \$3.8 million is required for flood-related expenses, particularly for response efforts needed in Teslin, Carmacks, Ross River, and Upper Liard.

This includes costs associated with cleanup efforts happening this fall. This bill also includes \$3.2 million in O&M for the inflation relief rebate that the Government of Yukon announced in March. This rebate is in the form of a monthly credit of \$50 applied to all non-government residential and commercial electricity customers' bills for three consecutive months over the summer. This work is in addition to the other recently announced inflation relief items, which I spoke about during the second reading speech.

With respect to other changes in O&M, we will see a \$1.6-million increase in the Executive Council Office, primarily related to initiatives that help support reconciliation, building strong partnerships and relationships with Yukon First Nations.

Lastly, there is an increase of \$1.4 million in the Department of Economic Development's budget to carry forward amounts included as part of the labour market development agreement and the workforce development agreement, as well as an increase in the performing musicians fund. The result of these changes is a \$1.5-million increase to operation and maintenance recoveries.

Moving to capital, I am pleased to say that, on a net basis, there is no new capital spending. On a more granular level, there is \$5 million rolled forward of costs and recoveries related to the Mayo-to-McQuesten transmission line, as more work was completed this year. This is offset by a \$5-million reduction in Arctic energy fund expenditures, as funding is deferred to future years. These offsetting adjustments are the only changes in capital that have no associated changes in capital recoveries as a result.

On the revenue side, the Yukon government will see a substantial increase as part of the first supplementary estimates. In total, the government will see an increase of \$18.2 million, and this increase is made up of three items. The first and most substantial is the \$15-million payment being received as part of the federal affordable housing in the north program, which I mentioned during second reading as well. The second item is a \$2-million increase to the Canadian health transfer for the territory to address the backlog of surgeries as a result of the COVID-19 pandemic. Finally, \$1 million is being received for land sale agreements.

In the interim, while we try to keep my comments primarily to the bill, I also do want to provide some metrics that are contained within the interim fiscal and economic update, which is regularly released to coincide with the first supplementary estimates. The 2022-23 interim fiscal economic update presents updated expectations for Yukon's finances and the economy since March 2022's fiscal and economic outlook.

Estimates for real GDP — gross domestic product — show that the territory's economy has continued to perform well in the face of recent challenges presented by the COVID-19 pandemic. Preliminary estimates show that Yukon's real GDP grew 9.1 percent in 2021, building on an estimated expansion of 5.2 percent in 2022 and marking the second year in a row that the Yukon has led the country in growth. Growth in real GDP is noted in every year of the forecast, as growth of

4.8 percent is expected in 2022, to be followed by similar levels of growth in 2023 and 2024 at 4.9 and 5.4 percent respectively.

The recovery has continued into 2022 with strong rebound and performance in key Yukon industries like tourism and mining. The latest reports also show that the Yukon's strong economy is increasing growth and competition in the labour market.

The Yukon's unemployment rate averaged 3.9 percent over the first eight months of 2022 — well below the 6.2 average reported for the same period of 2021. As a result, the Yukon again has the lowest unemployment rate in the country, with August figures coming in at a record low of 1.7 percent — the lowest unemployment figure in memory.

This tight labour market also means an increase in wages, as the average across the Yukon rose to \$26.85 per hour or the third-highest in the country and well above the national average of \$24.20.

I will sum up my overview of Bill No. 206 by saying that this government is very proud of the supports included in this appropriation. We will continue to do what's necessary to ensure that the Yukon remains the best place in the country to live, and I am very, very proud of the work we have accomplished to date. I look forward to working with all members as we debate this bill, and I do invite members to use this opportunity to seek clarity on the items I identified. I look forward to progress and productive discussions.

Mr. Dixon: I appreciate the opportunity to rise today to speak in Committee of the Whole to the supplementary estimates, as tabled by the Premier. I appreciate the Premier's comments about the budget and his explanation of what it contains.

Of course, the supplementary estimates are a budget document that affects the public finances of the territory. As the Premier noted, they are also typically contained within a broader document that includes the economic outlook for the territory as well. On the whole, budget documents like this — the economic outlook and other appropriation bills, as such — reflect the general direction of the territory, whether it be in terms of our public finances or the overall direction of the territory; therefore, they are also, of course, as we all know, a matter of confidence. The vote on this bill will, of course, be a confidence vote, so it's important for legislators to indicate their ongoing support of the government — or lack of support of the government — with their vote on matters of confidence like this.

Given the broad nature of the supplementary estimates and the fact that they are about the future of the territory, I have a number of questions about that. In the words of one of the reporters recently, in doing pre-session interviews, the elephant in the room is that the Premier has announced his resignation, pending the conduct of a Liberal leadership election at an unknown time in the future. Of course, that announcement certainly weighs heavy on the future of the territory. It certainly has broad implications for the direction of territory. I think that it is worth discussing a bit with the Premier today.

First of all, I think that one of the more notable aspects of the Premier's announcement was the timing. Earlier this year

in May, we put out a release contemplating the Premier's resignation and asking him to do that in the spring so that the Liberal Party could have their leadership throughout the summer and the new leader could be in place for this Fall Sitting and we could carry on with the business of Yukoners. Of course, the Premier chose not to do that. Instead, he chose to make that announcement just a few weeks ago, immediately prior to the Fall Sitting.

Before going any further, why don't I give the Premier an opportunity to explain a little bit of his thinking with that announcement. Why did he choose the timing that he did? Why has he chosen to step aside from his role? Is it because he feels that there is nothing left for him to do, or does he have some other opportunity ahead that he wants to pursue, or is he just done with public life and wants to carry on? These are questions that I have heard from many Yukoners, including public servants whose work is affected by the Premier's leadership and have asked these questions. I will allow a broad opportunity for the Premier to speak about the timing of his announcement and the reasoning behind it.

Hon. Mr. Silver: Although this isn't about any budget debate that we're having today or any bills, I have also been very clear in the media. I have been asked this question quite a few times. I don't mind reiterating that on the floor of the Legislative Assembly. You know, it comes down to timing, really. I talked about how, after the pandemic — the pandemic was hard on everybody; it was a really hard time for everybody. It makes us all contemplate — I remember having conversations with premiers right across the country about these contemplations and how governments were really poised to be able to work together as a nation. I really hope that politics and politicians come together post-pandemic, because we really need that in these trying times that we are all living in, and looking at what is going on in Ukraine, it really does give people pause.

I think that the biggest pause for me was that our ultimate responsibility, whether we have ministerial roles or roles in the Legislative Assembly, is to our constituents. Yourself, Deputy Chair — making sure that you have the finger on the pulse of your constituency is extremely important — for the Leader of the Official Opposition as well. I really had a gut check this summer after the Robert Service School graduation. There were amazing new families in the community that I didn't know. That hurt a bit because the community gave me everything as a teacher and as an MLA, as well as playing music with people and being able to be part of that community. It has been a wonderful opportunity for both, but when you find yourself in a role where you don't necessarily think that you have a finger on the pulse as much because you go back to your alma mater — the school you taught at, though I guess it's not really my alma mater, but the school I taught at — and you don't know the families. You start to question it. Are you still the person you were or not after a pandemic? Are you still the person after all these roles and responsibilities? I have said that. I said that on the radio a few times. It is tough being the Premier. It is very tough being a Premier when you are a rural MLA as well — a lot of travel involved in that. I really did some soul-searching.

I knew that if I was feeling doubt, then I really needed to work this out, so I talked with my mentors and went forward from there.

So, it is just a decision about making sure that the ultimate responsibility, which is being an MLA — I think that it's time for fresh eyes in that position. Three elections later — I think I did very well in those elections. First election and second election — getting the most votes out of anybody who ran in the Yukon in the first election. So, that was a great honour of mine, and it was 11 years. People think about the job as Premier and that's six years, but there have been five years in opposition before that as well.

So, it was about timing more than anything else. Also, when you start thinking about that, if I wanted to be selfish, I would stick on for a long time and then the party would have to scramble. But I know the commitments of the confidence and supply agreement end in January. Hopefully, we can get that extended with the NDP. When you start thinking about election readiness with the other parties, all of these things come into consideration.

What also comes into consideration is the mandate that we have and the responsibility that we have to Yukoners. It's a matter of using the time that we have, focusing in on the time we have. Somebody asked me what my plans are. I guess the member opposite asked me what my plans are after politics. I don't have any; I really don't. I think the best way to tick off the Creator is to make plans. That's where I am right now. I think my partner and I, when the next election happens, will probably take a month to explore our own backyard here. We'll do some camping, and I haven't made any plans past that. But this is definitely the honour of a lifetime being Premier. This team has done a lot of good.

I'm not going to go through all of that today. I'm going to try to answer the questions very succinctly. When I was making my announcement, I had an opportunity to go through a reflective analysis or summation of the work that we've done over the last six years, and I think that we've done a lot of great work with a lot of great colleagues. Somebody asked me what my greatest accomplishment was, and I think my greatest accomplishment was convincing these folks to leave their comfortable lives, their good lives, and join the team to work hard for Yukoners as constituents.

I'll leave it at that for now, but I'm happy to answer any other questions on the topic.

Mr. Dixon: I appreciate the minister's response there, and I appreciate his honesty and forthrightness in that answer.

There were a number of things that he said, though, that I do want to explore a little bit. The first one was the timing.

The Premier noted that it was the graduation at the school in his riding that sort of prompted him — of course, that was in the spring. The announcement that he made — that he wasn't running — was in the fall, in September. It was also notable to some that he made that announcement the day after the Queen had died. I know that some jurisdictions had chosen to exercise a period of media blackouts where no major government policies or announcements were made, and I want to know whether or not — first of all — did Yukon government have

such a policy in place, and did the death of the Queen not convince the Premier, perhaps, to wait another week or so, or did that not factor into his decision-making around that time?

Hon. Mr. Silver: Quite frankly, it didn't. We prepared for this timing — myself personally and my mentors — and knew that it was the date that we picked. It was very unfortunate to see the passing of Her Majesty at that time. You get to a point where you need to make this announcement — John Horgan said it really well too. When you finally know in your head that you need to step down, now you are holding onto a secret. And that's tough; that is really tough. So, you need to get that out because I can't say to people when they say, "Well, let's do this; we need to do it this weekend." And I am like, well, I really need to make an announcement. So, that was important. I do know that I was criticized, as Premier, by the member opposite's former boss, saying that it was in bad form to be doing anything political during that time — just after he jumped on a plane to go to the national convention for the Conservatives on the federal basis.

I take the point from the member opposite. We made a decision to go forward with the original timing.

Mr. Dixon: Thank you to the Premier for that answer.

One of the things that he said just before in his first answer was that one of the things he considered in considering the timing was that he didn't want his party to be scrambling and he had contemplated — what he said was "election readiness" for the parties. It is pretty clear, at least — the fact that the Liberal Party hasn't made any announcement yet around the time of this — that they are indeed scrambling. I am wondering why he didn't communicate with his own party better to ensure that there was a seamless transition between the Premier's announcement and the party announcing the date and structure of a leadership election.

Hon. Mr. Silver: I appreciate the opportunity to explain that more. It's not the Yukon Liberal Party that's planning any election. We hope to go full term actually; however, whether you are in a majority or minority government, there are always factors in opposition. The member opposite talked about confidence bills. We made some efforts with the NDP over the summer to start looking at an extension of the confidence and supply agreement. In talking to the Leader of the Third Party, I didn't want to use our human resources to continue that dialogue while we prepared for the fall session.

All of these things come toward — the Yukon Party is fundraising, and the NDP are fundraising. These are all variables, and maybe we don't get a confidence and supply agreement extension. If we didn't, then we are heading into a spring session with maybe some unknowns. It would be better to have the Premier who is going to be working on the next election at that time. It's as simple as that. It comes down to the timelines of the confidence and supply agreement and whether or not that gets extended and also knowing that the opposition parties are most likely fundraising and preparing candidates, as they should be — absolutely — but, to be very clear, as far as an election goes, we would love to have a full term. We have set election dates, so we have that date set for 2025 and we

really hope to get there with everybody here, but I can't control what the two opposition parties do.

Mr. Dixon: Just to be clear, I think the Premier perhaps misunderstood which election I was talking about. I was talking about the Liberal leadership election. He said the Liberal Party isn't planning any election, but indeed it is. It is literally planning a leadership election, which will not only choose the next leader of his party but the next Premier of the territory. I think it's certainly a matter of interest to everyone — those working in the public service, those in the private sector, and certainly us as legislators — the process by which the next Premier will be chosen.

That was the question that I wanted to ask. Why did the Premier not liaise better with his own party to ensure that they were ready? Because it certainly appears to all of us that they were not. The fact that we are coming on to six or seven weeks now since the Premier made his announcement and we have heard no details about the nature of the leadership election, the rules for it, and certainly not, most importantly, the time — so that's what I meant by "election", and perhaps I would ask the Premier to respond to that.

Hon. Mr. Silver: As far as the process goes, the executive is ready and are working through our constitution and the timelines and all of that. Part of that, as well, is when the announcement is made, then they go through a process of consultation, starting with all of the elected officials — so, having those conversations, and then the party will determine the timing of the next election for the leader of the Yukon Liberal Party.

Mr. Dixon: I appreciate the Premier's clarification of that. I'll also go back to the timing of the announcement, because I think it's hard to think of a more substantive announcement than the leader of a party — the Premier — stepping aside. I just wanted to ask then — because he's raised it a few times — the nature of that announcement vis-à-vis the confidence and supply agreement with the NDP.

The confidence and supply agreement with the NDP on the very first page says — and I quote: "This agreement sets out a new relationship between the two parties, founded on the principle of 'good faith and no surprises'." On page 2, it goes on, in the consultation section, to lay out a very clear set of rules for consultation. It says: "The Yukon Liberal government will conduct meaningful consultation with the Yukon NDP Caucus on ... major policy issues..." — and — "... events ... with territorial ... implications." So, this is certainly something that is of major issue and certainly something with territorial implications. Does the Premier feel that he lived up to the principle of "no surprises" in his communications with the Third Party regarding this announcement?

Hon. Mr. Silver: Yes, as the member opposite would know, making an announcement of this level, as he says, is something that you really have to have confidence in. I told my team the same day that I told the Leader of the NDP. So, as far as consultation goes and as far as events — yes, I do believe so. I believe we have worked inside the confidence and supply agreement. It sounds like the member opposite doesn't agree, but I think, after talking with the NDP afterward about the

rationale — my reasons — we had a good conversation, me and the Leader of the Third Party, the NDP. We committed, as well, even though we didn't necessarily get an extension of the confidence and supply agreement, that there was a willingness to continue with the time that I do have and to continue conversations and then we'll see what happens as far as an extension after that.

But again, just for the record as well, timing — there are a lot of things that come into this. Is there ever a good time to make this announcement? Probably not. I would say that another one of those pieces is I had an opportunity to go back to Nova Scotia this summer, which is where I was born and raised. That kind of wears on you, as well, about where you're from and where you live and what home is. My sister and I had the same ongoing conversation where we always go back to Nova Scotia at the same time — in August, if we get the opportunity to — and we both kind of agree, after about two days being back there, that we love this place, but it's not home.

That was another part too. You think, when realizing that Yukon is absolutely home and you recognize that every time that you go back — I think we did these 10 years in a row, going — to my sister, Gena, who works as a neurosurgeon in Boston — we made the right decisions in being where we are, because we're part of a community that has given us an awful lot. I have been a part of the community in Dawson City, which has given me everything that I have.

So, all of these things — not just the confidence and supply agreement, not just the Robert Service School — there's a plethora of reasons why you make the decision, and you make it as soon as you actually determine that this is the right pathway forward. Is there good timing? No. I will talk with my colleague, the Leader of the NDP, to see if she has any issues with the ending of my career and the beginning of a new Premier, but I haven't heard any necessary concerns on that so far, from my perspective.

Mr. Dixon: The Premier made the announcement at 10:00 in the morning. I know this just because the media was tweeting furiously a few minutes before saying that the Premier had called a snap press conference, and they were all scrambling to attend it. The first tweets or media coverage that I had seen of it looked like they were just a few minutes after 10:00, so at least one from the CBC was 10:07. I think there were some others from 10:06 and 10:08.

So, if the Third Party or anybody happened to be watching social media that day, they would have learned about that from the media. Would learning about this kind of announcement from the media reflect the principle of "no surprises" in the Premier's view?

Hon. Mr. Silver: Again, is there a perfect timing for this? I don't think that there is. I also mentioned that my announcement to my colleagues was that day as well. I spoke to mentor premiers around the country about what they did and how they did their procedures. I talked to mentors whom I have worked with here, as well, and made the decision to, right away, make this public. I would imagine that if I held back and went into some negotiations with the NDP, the Yukon Party would say, "Why didn't you let us know when you knew?" There

would always be a question about the timing. Was it perfect? Possibly not, but, again, when you know something that you need to tell people, you tell them right away, and again, I spoke with the Leader of the Third Party immediately afterward and had a conversation right away.

Mr. Dixon: My question, I guess, is fairly simple: Why wouldn't the Premier just live up to the CASA? The CASA is what is keeping him in office, at least until January. Is he saying that he did notify the Third Party before 10:00, when he made the announcement, or was it after 10:00, when they learned from the media?

Hon. Mr. Silver: Again, I had a caucus meeting that morning and made the announcement at 10:00. So, the only people who knew of my announcement before 10:00 was my caucus.

I would ask the member opposite: Would he wait until the confidence and supply agreement was over, and would he then leave, maybe leaving his party in the lurch a bit, because there are some unknowns at that time? I would be open to suggestions from the member opposite if he thought there was a better way of doing this, but it's kind of a done deal. It has already been announced.

I have talked with the Leader of the NDP about the announcement afterward. I am not going to get into details of that conversation, because that is between two political parties. To date, this is really the first time that I am being asked if I felt that it was done improperly or not, so I haven't really had that question from the NDP. Hearing it from the Yukon Party — I am open to suggestions, though this will never happen to me again — if the member opposite has some suggestions as to what he would do as far as knowing that opposition parties would be fundraising, that there is an increased probability with every session and every confidence vote coming up, that the confidence and supply agreement ending in January — what would he do?

Mr. Dixon: The reason I ask this is that it appears to me that, based on my reading of the confidence and supply agreement, it is likely that the announcement of his resignation fits the description of an event with territorial implications, and the commitment is to provide no surprises and to communicate on policy announcements like that or announcements like that. I would just be worried that, if the Premier violated the CASA, we may be facing a case where the NDP may view that they no longer support the government and could be voting against this very budget we are debating today.

That's why I asked the question. If I had signed an agreement with another party and committed to do something and I didn't do it and didn't live up to that agreement, I would be worried a little bit that they would feel the same way and they would need to withdraw from their obligations under the agreement, which are, of course, to vote in favour of this budget. So, that's why I asked the question. I am happy to tell the Premier my thoughts on when he should have resigned. I made it clear, along with my colleague, in May when we issued a press release saying that he should have announced it in the spring.

But that being said, is the Premier at all concerned that, in violating the CASA, he puts his government at risk to a non-confidence vote that will occur in the next few weeks?

Hon. Mr. Silver: I guess not as concerned as he is. There are lots of things in working with two political parties. That's difficult, right? We are very passionate about our ridings. We are very passionate about our platforms that we commit to, as elected officials, and every day is tough. It really is tough, but I give credit to the opposition party where credit is due. The NDP have taken up that challenge. There is probably a whole bunch of different issues from time to time that are very frustrating to both, yet here we are still having the confidence of the Legislative Assembly — maybe not with the Yukon Party.

Again, speculative questions or hypothetical questions — I could answer those all day, because we are just speculating, but I don't think, based on the conversations I have had with the NDP, that me retiring is going to trigger a non-confidence vote. Again, there two parties and a whole team behind them that would decide that — whether it's this, whether it's a particular policy — there are a whole bunch of reasons why the confidence and supply agreement could be extended, be terminated at the end of its first incarnation or a confidence vote be taken.

Again, to date, this is the most I have been asked about it, and it seems like the Yukon Party are speculating that this is something that they think is a big deal, as far as the confidence and supply agreement being contravened.

With every single page of that, the NDP would make a decision whether or not they believe that, not the Yukon Party. So far, we are still here and we will see. I mean, I can't predict the future, but I have to say that the relationship that I have with the Leader of the Third Party has been very respectful. We are very frank with each other, and I think that "so far, so good" with the confidence and supply agreement. Are there issues? Is it always smooth sailing? No, of course not, because we are in different political parties, but the respect definitely trumps some of the conflicts that we have had so far.

Mr. Dixon: I appreciate the Premier's response to that, and I suppose that it falls to the Third Party to determine whether that is indeed sufficient.

I will turn then to the leadership election itself — the Liberal leadership election — because, of course, it is critical for the ongoing confidence that this House has in the government, because the successor of the current Premier will need to seek the confidence of the House.

We have opined publicly about the need for clear rules around that leadership election — for the selection of the next Premier. The NDP caucus and the Yukon Party caucus issued a joint statement on October 2 of this year which stated that the Premier must clarify leadership rules for Cabinet ministers. The intent of that statement was our common belief that there is, of course, a long-standing convention in Canadian politics that Cabinet ministers who are running for the leadership of a party step away from Cabinet duties during a leadership campaign. That was what I had stated at the time. The quote from the Leader of the NDP was that it is important that the Premier

publicly communicate clear rules before the Sitting started on Thursday — of course, this was before the Sitting — to ensure that Cabinet positions and resources, as well as public funds and resources, are not used to pursue leadership by any MLA.

Can the Premier respond to our joint position that he really ought to set some clear rules for his ministers who will undoubtedly be seeking to succeed him and will undoubtedly be using their positions as ministers to promote their personal brands in efforts to win the leadership of their party?

Hon. Mr. Silver: I think that I have been clear when the media asked me this in response to the joint statement. I am not intending on putting any extra rules onto my ministers.

We'll work within the executive of the Yukon Liberal Party as far as the rules and procedures of membership drive, the writ period — I believe it's a 45-day writ period in our constitution. My colleagues are going to remain focused on delivering on the commitments to Yukoners. I understand what the member opposite is saying as far as convention, but there's convention and then there are rules. We'll follow the rules. We have a mandate letter. All of my ministers have mandate letters, and my focus and their focus is to get this work done. I said in the media as well that my ministers will be bound by doing their work as they always are, whether it's now or running in an election to seek the privilege of being a premier or anybody else who is not a Cabinet minister right now and may be coming from the general public or from our membership who wants to have that — all of them have to conduct themselves in a manner of professionalism. But I made that very clear in the response this summer to the media. It might not be the answer that the opposition wants to hear, but that is my answer.

Mr. Dixon: So, the Premier said that there are conventions and there are rules. I'm very familiar with the convention. It's a long-standing convention. It's generations old, well understood, and we see examples of it almost yearly throughout the provinces in this country and even abroad if you consider the Commonwealth. What I'm not sure about, though, is what rules the Premier is talking about. So, can the Premier explain? When he said that there are conventions and there are rules, can he explain what rules he is referring to?

Hon. Mr. Silver: I think I did. There are the rules of the Yukon Liberal Party and the executive.

Mr. Dixon: Beyond that, in response to our joint statement, the Premier made a number of comments to local media about this. He said in both the CBC and the *Whitehorse Star* — in the CBC article, I'll quote from it. This is a CBC article from October 5. It says: "In an interview with CBC News..." — I won't say the Premier's name — "... said he will not require ministers to do so, as any candidates would already be bound by existing laws. He said his office consulted the Conflict of Interest Commissioner, who did not raise any concerns.

"So I am not going to enforce any new rules, but I will expect anybody who's running for the honour of being in this role to conduct themselves with the utmost integrity,..." — the Premier said.

The *Whitehorse Star* reported something similar. I will quote from the October 4 edition of the *Whitehorse Star*, where

it reads: "I'm confident that anyone seeking the leadership of the Yukon Liberal Party, including current ministers, will do so with integrity in a way that avoids any conflict of interest.' His office has spoken to the conflict of interest commissioner..." — the Premier added.

The Conflict of Interest Commissioner — "... doesn't see any conflicts either, so the Yukon Party can talk about convention as much as they possibly want,' he said."

Can the Premier confirm that this is true? Did he seek the advice of the conflicts commissioner about these rules?

Hon. Mr. Silver: Our office did, yes.

Mr. Dixon: So, the Liberal Party office did or the Cabinet Office sought the advice of the conflicts commissioner?

Hon. Mr. Silver: Yes, I made a decision in my caucus to say, "Make sure that everything is fine." One of our staffers did reach out to the Conflict of Interest Commissioner to check — once the opposition is saying what the rules or conventions are. I know that what I say in here matters. They just looked in to see if we were missing anything. Again, I didn't have that conversation directly with the Conflict of Interest Commissioner, but we're not doing anything wrong by doing it this way. If anything, too, the member opposite did start the conversation by talking about the importance of the budget and the importance of the roles and responsibilities.

It would be very tough, you know, to have more ministerial responsibilities on some ministers who may not be running already. As we know, as a small jurisdiction, you have the responsibility of the same number of departments as a bigger province. Education, Highways — every department still needs to be running, and we take on multiple responsibilities. We will maybe just agree to disagree that the best thing for the Yukon would be to add more responsibilities to those ministers. What if every minister wanted to run? Again, I think that our approach is more based on the reality of a small jurisdiction — a minority government — and a group of ministers who conduct themselves very professionally.

The member opposite might not like my response, but this is the way we're going to handle it. We will take it from there.

Mr. Dixon: The reason I ask is because, typically, when members seek the advice of the Conflict of Interest Commissioner, they provide written advice. I am wondering if the Premier received written advice from the conflicts commissioner about this.

Hon. Mr. Silver: That might be typically so, but not so in this case, no.

Mr. Dixon: So, who from the Premier's office spoke to the conflicts commissioner?

Hon. Mr. Silver: I will get that information for the member opposite.

Mr. Dixon: In the media, the Premier said quite clearly that the Conflict of Interest Commissioner didn't see any conflicts, either. Quite frankly, if I may, it doesn't sound like normal language from the conflicts commissioner. The conflicts commissioner is usually quite deliberate and quite legalistic in his responses. For him to make an offhanded

comment on something as serious as this, I just find a little surprising.

So, I would appreciate taking the Premier up on his offer to provide that information, because I think it is very important to know whom it was from his office who spoke to the conflicts commissioner and whether or not any notes were taken, whether or not any advice that could be shared beyond just the verbal commitment in the newspaper about whether or not there is advice that exists from the conflicts commissioner.

Hon. Mr. Silver: I will tell you what the member opposite could do: He could contact the Conflict of Interest Commissioner himself. Contrary to what the member opposite said today — that only the Premier can do such things — that’s not necessarily the case. Any elected official in this House can call or write the Conflict of Interest Commissioner. It’s well within his purview to do so. If he has questions about the legalities or the rules of the convention from the commissioner’s perspective, he knows exactly how to get that information.

Mr. Dixon: Rest assured, we will have time to get to that issue and the conflict of interest act with regard to the former Minister of Health and Social Services in due course, but today, I am curious. In the *Whitehorse Star* article — and I will quote from it again: “His office has spoken to the conflict of interest commissioner, Silver added.

““She doesn’t see any conflicts either, so the Yukon Party can talk about convention as much as they possibly want,” he said.”

It’s possible, I guess, that the Premier misspoke and said “she” instead of “he” in regard to David Jones, the Conflict of Interest Commissioner. I am also aware that the Public Service Commissioner would, I believe, identify as “she”, so I am wondering if they spoke to the conflicts commissioner, or was it the Public Services Commissioner?

Hon. Mr. Silver: Or maybe it was a misquote, as well.

Mr. Dixon: Okay, thank you. I will take that as the Premier simply misspoke, or perhaps it was misreported by the *Whitehorse Star* — either way, I am unclear.

But I will return to the issue at hand, and that is the nature of having Cabinet ministers actively seek the leadership of a party while continuing to serve as Cabinet ministers. Obviously, this is, in my view, untenable. I think that it is something that has been widely recognized as being inappropriate. It is the reason why you see examples across party lines of different jurisdictions requiring it, whether it was now-Premier Stefanson in Manitoba stepping out of Cabinet to run, whether it was any of the numerous Cabinet ministers in Alberta who ran to succeed Jason Kenney, whether it is the Cabinet ministers in British Columbia — or at least Cabinet minister, I should say, in British Columbia — running to succeed Premier Horgan, all of who stepped aside from Cabinet. The reason is quite clear, that this convention stands that it is inappropriate for people who are sitting Cabinet ministers to seek the leadership of a party because of the potential that they could abuse their positions. We saw this here in Yukon back in 2011, when Jim Kenyon was required to leave

Cabinet to succeed Premier Fentie, and the list, quite frankly, goes on and on and on.

I found it interesting to hear that the former Clerk of the Assembly opined about this, as well, in the media. Dr. McCormick did an interview with the CBC about this, and here is a quote from that interview — and I quote: “There’s a sort of an expectation in Canadian politics that when a Cabinet minister is running for the party leadership, that they will resign their Cabinet portfolios for a couple of reasons: One, because you don’t want the perception to be out there that they’re using their Cabinet position to enhance their leadership prospects. The other thing is that, once a person is involved in a leadership campaign, the time and effort that they’re putting into the leadership campaign is time and effort that they’re not putting into being a Cabinet minister. So the expectation is that they would resign their Cabinet responsibilities.”

This is precisely the point that I have made, that it is unfair to the public service, it is unfair to Yukoners, and it is unfair to potentially — of lesser importance to me — but it is unfair to prospective leadership candidates outside of the Cabinet that Cabinet ministers have access to the powers that they do and the potential to abuse those powers to advance their own leadership campaigns. That is what Dr. McCormick certainly noted, that is what I have noted, and that is what the NDP have noted.

So, I think many of the people in this room have been Cabinet ministers and know how difficult it can be and how time-consuming it can be. To heap on top of that a leadership campaign is simply — in the view of at least Dr. McCormick and myself — unfair to the position of being a minister. That requires effort that does not allow for an additional duty of running to be the next Premier.

So, I would like to ask the Premier a little bit more about that. He has said that there is nothing in the conflicts act about this. Of course, the conflicts act, as far as I know, is silent on this matter, anyway. So, I don’t see how that is relevant.

But does the Premier not see the potential for problems with this situation: having Cabinet ministers actively campaigning to succeed him while also trying their best to serve as Cabinet ministers?

Hon. Mr. Silver: Quite frankly, I do not. Again, what if every single Cabinet minister wanted to run for Premier? Would the member opposite say that we would — what? Prorogue? And what would be the option at that point? Again, I believe that my members have proven themselves to be very open and transparent, and very hard-working as well, and I think that there is an ability for us to be able to conduct an election with the members we have in a very professional manner.

The member opposite speaks of bigger jurisdictions that have hundreds of members. We don’t have hundreds of members. So, taking all of this into consideration, I’m going to respectfully disagree with the member opposite as far as whether or not we should do it the way we’re doing it — but this is the way we’re doing it.

Mr. Dixon: I suppose I will disagree with the Premier. He’s saying: What happens if all Cabinet ministers run? And I

would point again to my original point that this is why the Premier should have done this in May and allowed the leadership to occur over the summer — so they could enter the Legislature with a new leader. That's exactly why my colleague encouraged the Premier to resign in the spring — exactly for this reason. Because it's clear to everybody — certainly in this Legislature, I'm sure — that the Premier has had one foot out the door for some time now. If he had set the timing of the leadership election and his resignation in such a way, then we wouldn't be faced with this issue where you have Cabinet ministers sitting in the Legislature, pondering whether or not to run for leader, while simultaneously also considering the duties of their office.

So, that would be my suggestion to the Premier — that he would simply have been more careful and thoughtful with the timing of his announcement.

Hon. Mr. Silver: This is now starting to make a lot more sense. The member opposite thinks that the work stops when session stops as ministers. That's profoundly — I don't even know what the word is for that. I guess what he's saying is that, in his theory, these individual ministers could do some callous and unscrupulous things if we're sitting, but in the summertime, it's the summertime. He's playing ball; there's not a lot of work going on in the summer for the members opposite, I guess, but that makes no sense to me.

My ministers work harder in the summer months than when we sit in the Legislative Assembly. The work's done when we're sitting in here for a lot of the — for the most part. The preparation work that we do for the variance bills, the variance reports, the bills — to his logic, it would only be the opportunity to act in a certain unscrupulous way during session. I fundamentally disagree with that, but it's good to finally know. I was wondering why he kept on referencing May. The job is 24/7, 365 days a year.

I know, in opposition, you could be the chair of the Public Accounts Committee and not go to meetings because you're in Hawaii, but we work all summer long. We're working at these times. Again, now I think I understand a little better, but again, a minister is a minister all the time. Yes, there are different responsibilities during the session, but they're still ministers, and to his point of the reasons why he's coming up with now, as far as what he fears, I don't think that would — if somebody was — and these folks won't be — but if somebody was unscrupulous, it's not going to be limited to session. I don't really understand the logic anymore if he's saying: Well, you can do this if we're not sitting, and they wouldn't have to go away from the responsibilities — or maybe I'll let him correct the record if that's not what he's saying, but that is a little confusing to me that session versus non-session is like work and not work, because that certainly is not the way that we conduct ourselves over here in the Yukon Liberal Party.

Mr. Dixon: To be clear, the Premier seems to think that this is, in his words, my theory. This is not my theory; this is a long-standing political convention in Westminster parliamentary systems. This is the case in BC. This is the case in Alberta. This is the case in the Premier's home province where he vacationed for a number of weeks, according to him,

this summer. This is not a case where I've invented some rule or some convention or, in his words, cherry-picked a convention.

This is the long-standing position of Canadian-style democracies, at least. That is why you see people like Dr. McCormick weighing in publicly in the way that he did, explaining that this is the long-standing tradition. For the Premier to suggest that I'm making something up somehow because I participate in ball in the summer or something like that is quite frankly ludicrous. It's a long-standing political tradition and one that he has made the conscious decision not to follow or to deviate from. So, to deviate from this long-standing practice is problematic and, in my view, untenable. I have said that over and over again.

I will allow the Premier to perhaps respond to that before we move on.

Hon. Mr. Silver: You know, I have made myself very clear as to what we are doing and why we are doing it. I do believe that the member opposite is cherry-picking. I will quote from Ken Coates, for example — no stranger to Yukoners. Ken Coates is a professor in Saskatchewan right now, and he says — if we are going to be picking professionals who used to work in the Yukon — that Yukon Cabinet ministers shouldn't have to resign their positions. Again, the member opposite can speak about convention. We now know that if the member opposite finds himself in the position of having a government of his own, he would make his ministers step down. I am assuming this by the nod that he is giving me right now. Again, this particular political observer, Ken Coates, said that basically, for the same reason that I just said, if their colleagues step down, their colleagues would have to take on even more — quote: "In a small place, you are basically asking the government to sort of give up on itself." Is that what the member opposite wants us to do? I think so. That would be very politically advantageous to him, that's for sure. Maybe I'm cherry-picking right now too by taking Ken Coates' side of this argument, but, again, the member opposite can continue to push what he would do. I really appreciate knowing that and Hansard will record that, but I believe that we are doing this in a way that is open and transparent in that, when I made my decision, I very quickly told people about it. I agree with Ken Coates when he says that you don't have enough bodies to fill all the positions that you have and that you lose a really important part of continuity and political stability at a time when that is at a premium. It is difficult to govern in a minority, but, for the reasons of the size of our Legislative Assembly, this is the pathway we are taking going forward. Really, for the record, I have not heard a lot of complaints from Yukoners on this issue.

Mr. Dixon: I hadn't intended to proceed with a further line of debate around the Conflict of Interest Commissioner, but since the Premier raised it, I will do so.

As he is probably aware — and will have read from the documents that were tabled in the Legislature earlier today — on September 21, my colleague wrote to the Conflict of Interest Commissioner to raise concerns with the conduct of the former Minister of Health and Social Services with regard to the Old Crow health and wellness project. The response from the

Conflict of Interest Commissioner was also tabled. That was a letter dated September 28, 2022 to my colleague, the MLA for Pelly-Nisutlin. I would encourage the Premier to read that letter, because it is clear that he has not yet. He seems to be under the impression that members in general can ask for advice about whether or not a former minister is in a conflict of interest. That is not the case.

What the Conflict of Interest Commissioner suggests in the letter to us, which we have tabled, is as follows — and I quote: “Section 17(b) does provide that the Premier may request the Commission’s advice about whether or not a Minister or former Minister is or would be in a conflict of interest. That prerogative, however, lies with the Premier; section 17(b) does not provide that another Member may make a request for such advice.”

As I stated earlier today in Question Period, the only person in this Legislature who can ask for the Conflict of Interest Commissioner’s advice on the matter is the Premier. So I will ask the question that I asked in Question Period again today, and perhaps he can explain with a little more length and perhaps in a little bit more of a more robust way why it is that he is refusing to seek the advice of the conflicts commissioner in this matter.

Hon. Mr. Silver: I will chalk this up, again, to the only folks who think that there is a conflict here — the Yukon Party. I do not.

Mr. Dixon: In the Premier’s mandate letters to all of his ministers, he requires that they all proactively seek out the advice of the conflicts commissioner on matters of conflicts of interest. As I have explained, there is at least a reasonable case to be made for advice to be sought in this case, and the Conflict of Interest Commissioner is there for us — for the Legislature, for the Premier, and others — to seek the advice of on these matters.

The Premier is now saying that it is his personal view that — in his interpretation of the act — there is no conflict of interest, but I wonder why he is so resistant to the idea that he might just seek the advice proactively, as he requires his ministers to do in their mandate letters, to seek the advice of the Conflict of Interest Commissioner so that this matter can be put to bed.

Hon. Mr. Silver: To answer one of the member opposite’s questions, I have not seen what the member opposite tabled today yet. They usually surface around 3:00 p.m. and I haven’t seen it. I went and spoke with the media and heard what they had to say in the media about it.

I guess my question to the member opposite is: Is he saying that he cannot go to the Conflict of Interest Commissioner and report or file what he believes is a conflict of interest?

Mr. Dixon: That is exactly what I am saying, and I am not saying it because I have made this up; it is because that is what the Conflict of Interest Commissioner told us by letter, which we tabled earlier today.

Hon. Mr. Silver: We did take a look at section 17, which mentions “all members of the Legislative Assembly”, so what we will do is we will respond once I get a chance to read the member opposite’s letter. I believe that it has more to do

with seeking advice as opposed to actually registering a complaint.

But again, if I am wrong on that, then I will do what I have asked the member opposite to do when he misleads or says something wrong in the Legislative Assembly; I would correct the record immediately. I am still waiting for him to correct the record on a few things.

But again, I will take a look at his letter and I will take a look again at the act as well, but I am staying steadfast by my position that this is not a conflict and we have not done anything in that context of a conflict, and the member opposite should know the ATIPP act — as far as people who then leave Cabinet and their responsibilities to register as lobbyists, the cooling-off period, and all of those things. But again, in my opinion, as far as looking at this situation in the spring and it is being reiterated in the fall, I don’t see a conflict where the member opposite does.

Mr. Dixon: So, a few things there. First of all, it is the conflict of interest act, not the ATIPP act. I know that it was probably just a slip of the tongue by the Premier, but it is important to be precise in these matters because the conflict of interest act is quite clear that only the Premier can request the commissioner’s advice about whether or not a former minister is or would be in a conflict. Again, that’s not my opinion; that is the opinion of Mr. Jones via the letter that we tabled earlier today.

So, if the Premier will accept that for a moment — and he has offered to perhaps even retract his statement. I’m not sure exactly what he offered there. But if he is indeed able to read the letter and determine that what I have said is accurate — an accurate portrayal of Mr. Jones’ comments — will he then seek the Conflict of Interest Commissioner’s advice about this matter?

Hon. Mr. Silver: Let’s be clear. I have no intention of seeking the Conflict of Interest Commissioner’s advice on this because, again, I don’t believe that anything was done inappropriately. I will take a look, as far as correcting the record, at the full section 17 and what the limitations of all members versus myself are and also the responsibilities therein. But again, I have been on record quite a few times saying that I don’t see a conflict here. The Yukon Party does, but, then again, they do have a tendency to attack individuals in the Legislative Assembly; we’ve seen that with character assassination this time last fall. This, to me, is a continuation of that political lean, and I do not see a conflict in the situation. I guess we’ll agree to disagree on that.

Mr. Dixon: So, the Premier is asking that we in the opposition and that Yukoners in general accept his interpretation of the act when we have at our disposal a Conflict of Interest Commissioner whose specific job is to provide legal advice with regard to the conflict of interest act. The Premier and his — well, at least the Minister of Highways and Public Works has, on numerous occasions, challenged us, if we have a complaint, to make it to the commissioner. We have done that. We wrote a letter to the commissioner on September 21 and made a series of comments and asked a series of questions of the Conflict of Interest Commissioner. His response was clear:

that the only person who can seek the advice about this matter is the Premier.

So, I hope the Premier can understand that, while he may be assured in his interpretation of the act, not all Yukoners are, and we certainly aren't on this side of the House, at least in the Yukon Party caucus. All of this can be dealt with and put to bed if the Premier simply writes a letter to the Conflict of Interest Commissioner and asks for his advice. Because then we would have an independent conflict-of-interest lawyer to weigh in and provide us with that advice. If the Conflict of Interest Commissioner weighs in and says that there is no conflict of interest here, I will be more than happy to move on from this. But it takes the Premier, and only the Premier, to make that request. Again, will he make that request?

Hon. Mr. Silver: Just to be clear, is the member opposite saying that they did form a complaint — that they formalized a complaint with the commissioner? I just want to make sure. As the member opposite said, words are important in here. Did the member opposite make a formal complaint about this issue? Yes or no?

Mr. Dixon: We tabled a letter earlier today that we wrote to the conflicts commissioner seeking the advice — the exact advice that we want the Premier to seek. In fact, if he would like, I could read it: “I write in relation to the conduct of a former Minister ... and concerns that have arisen pursuant to the *Conflict of Interest (Members and Ministers) Act*.”

“During debate in the Yukon Legislative Assembly, the current Minister of Highways and Public Works made several statements that indicated that...” — the former minister — “... may have contravened the *Conflict of Interest (Members and Ministers) Act* (herein referred to as ‘the Act’). Upon further questioning in the Legislature, and through public statements in local media, the current Minister has made further statements that have increased the perception of a contravention of the Act.

“By way of letters on July 11, 2022, and subsequent on August 24, 2022...” — which were attached to the original letter — “... I requested that the current Minister provide all records related to meeting agendas, minutes, notes, and correspondence regarding meetings between the former Minister and Yukon Government departments. To date I have received no reply.”

I should note that, since this letter was sent, we have received a reply and were directed to a legislative return, which provided very little information.

I will continue: “Having received no reply to these inquiries, we are left with no other option but to reach out to your office to request assistance. We would like to request that you consider this matter and provide advice. Furthermore, we would ask if you have received or given an exception pursuant to Article 13 of the Act.

“For your review, here is the wording of section 10(4) of the Act:

“A former Minister shall not make representations to the Government of Yukon in relation to a transaction or negotiation to which the Government is a party and in which the former Minister was previously involved as a Minister if the

representations could result in the conferring of a benefit not of general application.”

I won't go on further, Chair, because the letter is quite long. But suffice it to say that we reached out to the conflicts commissioner to ask his advice about whether or not there was indeed a conflict. As he has indicated to us, we are not able to ask his advice about a former minister. Only the Premier can ask about a former minister. So, we cannot table the complaint or make a claim about a former minister. Only the Premier can do that. That's what the new Conflict of Interest Commissioner says quite clearly in his letter that we've tabled.

He makes it very clear that this prerogative rests strictly with the Premier. To quote from the letter: “That prerogative, however, lies with the Premier; section 17(b) does not provide that another Member may make a request for such advice. And, as noted above, section 17(d) does not permit a current Member to make a complaint asking the Commission to investigate whether a former Minister has breached the Act.”

We cannot make a complaint to the conflicts commissioner about a former minister. That is strictly the purview of the Premier. The Premier could set all of this aside if he were just to write to the conflicts commissioner and ask for his advice about this matter. Nobody else in this room can — only the Premier. Perhaps, after the leadership election, one of these other people here will be able to do so, but, as it stands right now, the MLA for Klondike is still the Premier, so he has to exercise the ability to ask for the advice of the Conflict of Interest Commissioner. Nobody else can. Nobody else can.

So, again, I will conclude by asking the Premier to make that request to the Conflict of Interest Commissioner, but we will have to pick this up another time.

Seeing the time, Madam Chair, I move that you report progress.

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

Motion agreed to

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

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, and directed me to report the bill without amendment. Committee of the Whole has also considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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 documents were filed October 19, 2022:

35-1-74

Summary of Findings of the Independent Officer Review — Office of Investigative Standards and Practices – E Division RCMP (McLean)

35-1-75

Conduct of a former minister, letter re (dated September 21, 2022) from Stacey Hassard, Member for Pelly-Nisutlin, to David Phillip Jones, Conflict of Interest Commissioner (Hassard)

35-1-76

Jurisdiction to receive a complaint, letter re (dated September 28, 2022) from David Phillip Jones, Conflict of Interest Commissioner, to Stacey Hassard, Member for Pelly-Nisutlin (Hassard)



Yukon Legislative Assembly

Number 82

1st Session

35th Legislature

HANSARD

Thursday, October 20, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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
Thursday, October 20, 2022 — 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. Mr. Mostyn: It is my honour today to welcome a number of our librarians to the House. We have: Melissa Yu Schott, who is the director of Yukon Public Libraries; Agyekum Dankwah, the community libraries liaison; Sarah Gallagher, an outreach librarian; Alison Lindsay, a circulation supervisor; and Mairi Macrae, who is a programs librarian, also somebody I worked with for many, many years at the *Yukon News* as she was a contributor. Please take a moment to welcome them all to the House.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Canadian Library Month and Yukon Libraries Week

Hon. Mr. Mostyn: Mr. Speaker, it is Canadian Library Month and Yukon Libraries Week, and we pay tribute to public libraries. Our territory has 15 public libraries: the Yukon Public Law Library; the Energy, Mines and Resources library; Yukon Archives; the Yukon University library; as well as the many school libraries in our communities.

Each library is unique, with its own resources, clients, community focus, and programming, yet they share books, online resources, and the passionate dedicated staff, volunteers, and board members to bring our libraries to life. It is my experience that library workers and our volunteer library boards are dedicated, enthusiastic, and creative. When I met with the community librarians and board members recently at their workshop in September, I heard the mountain of possibilities offered by our libraries.

Mr. Speaker, I heard how important our libraries are for the overall health of the community — how they are often the only place to make connections, a kind of social network. They are safe spaces. They can give shelter and connect people with supports. Libraries offer possibilities for lifelong learning and education. They have a large reach, and they come at a relatively low cost and they demonstrate value for money. Community libraries offer good jobs that stay in the communities. The dedicated professionals I heard from made an excellent argument for my department to review the current job descriptions for community librarians and to ensure parity

with the library assistant jobs under the public service. I support the request that came to us from the community libraries and my department is exploring how we can meet this request.

As part of this year's Yukon Libraries Week, I encourage every member of this House to pay a visit to the library. On Monday, Whitehorse Public Library urges residents to bring their devices into the library to get help from staff to set up e-books, audiobooks, and electronic magazines. Yesterday promoted the many e-books and audiobooks that our libraries have on offer. On Saturday, the Whitehorse Public Library's open house offers refreshments, contests, and prizes. Children can work on a word scramble and adults can add their recommendations to a "patron picks" display.

Yukon Libraries is also sponsoring a contest this week, the hashtag "YukonLibraryLove" activity. Take a moment to share online or in-person what you love about your community library to win a prize.

So, please join me in thanking our amazing library workers, volunteers, patrons, and supporters. They truly do provide a mountain of possibilities through Yukon Public Libraries.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to pay tribute to our many libraries, librarians, and book-loving staff during Canadian Library Month and Yukon Libraries Week, celebrated this year from October 17 to 22. There are so many opportunities for Yukoners to explore reading, and dedicated people behind the scenes in each library, who can help people find exactly what they're looking for. The theme for Canadian Library Month this year is "A Mountain of Possibilities". This is such a fitting theme, as libraries are more than just a place to find books. Libraries promote cultural awareness, engage the community, provide educational programs, support freedom of expression, and so much more.

The Yukon government operates public libraries across the territory in many communities. These libraries are set up in a way that allows people to share books between communities. If you can't find what you are looking for, it may be brought in from another library for you.

I would like to give a special mention to our rural librarians and staff. Community libraries are incredibly important to rural Yukoners. Our rural librarians offer services above and beyond: educational programming, summer reading programs, craft programs, workshops, and more.

The Member for Kluane asked me to give his thanks to the St. Elias Lions Club, which organizes a yearly poker run to raise money for their community library — a brilliant way, Mr. Speaker, to raise money for a very worthy cause.

Thank you to all those who keep our libraries in order. Librarians and staff are not only in our public libraries, but in our schools across the territory, the university, the law library, the Yukon Archives, and the Energy, Mines and Resources library.

If you do have a chance to visit your local library this month, please do. Take your children and make sure they have

their very own library card. Enjoy the experiences that our libraries have to offer, and get your kids into reading at an early age to introduce them to a mountain of possibilities.

Applause

Ms. White: I rise on behalf of the Yukon NDP to celebrate Canadian Library Month and Yukon Libraries Week.

Albert Einstein said that the only thing you absolutely need to know is the location of the library. I couldn't agree more. I've held a library card around the world in communities in England, Australia, and France, and across most of western Canada.

Libraries are more than rows of books and computer terminals. They are about more than literacy. Libraries are the hub of communities. They allow people to access and share information. They allow parents the ability to share the magic of stories with their children, seniors the ability to read a paper, and for anyone to be able to access the information from the Internet.

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. You could say that they are, and continue to be, socialism in action. Librarians are community builders. They are our knowledge-keepers.

I laughed out loud when I read that, although Google can give you 10,000 answers, a librarian can give you the right answer, because it's true.

In this age of digital devices, community libraries are still holding strong. In Yukon, we have seen librarians rise to the challenge with interactive programs for youth, focusing on things like graphic novels and innovative ideas like blind dates for books. They also have a pretty great DVD selection and audiobook selection for borrowing.

Libraries and the knowledge they share are so important that, on March 12, 2022, in celebration of the World Day Against Cyber Censorship, the Uncensored Library was released on Minecraft. Minecraft is a video game that is played by millions of people worldwide. This library is an attempt to circumvent censorship in countries without freedom of the press. It connects individuals who live in countries with banned reporting with information that they wouldn't have access to otherwise — countries like Mexico, Russia, Vietnam, Saudi Arabia, and Egypt. It allows people playing Minecraft to access news that they wouldn't otherwise have access to.

Libraries are open to all people, no matter their background or socio-economic class. Libraries are truly public institutions, and librarians the champions of information. Mr. Speaker, I cheered out loud when the minister spoke about working toward parity for rural librarians, because this has been a long time coming.

So, whether you're accessing a local library in the Yukon, or the Uncensored Library through Minecraft, information is power and, knowing that, that makes librarians the superheroes of that power.

Applause

In recognition of Niin k'iit Tsal centre

Ms. Blake: I rise today on behalf of the Yukon NDP and the Yukon Party to celebrate the Old Crow early years program. Today, Niin k'iit Tsal is celebrating their one-year anniversary. Bree Josie, the program coordinator, has done a phenomenal job in developing this program and space for the community.

In just one year, this program has worked with 25 families, supported 30 children, ages zero to five, and supported five families through pregnancy. Niin k'iit Tsal has distributed 200 grocery hampers, 210 boxes of diapers, and over 1,000 books to children of all ages to the community. They have hosted 30 bouncy castle days, 12 story times, 60 gatherings for expecting parents, special events and games on Indigenous Peoples Day, and ran a preschool readiness program.

On top of all of this, the program has also made over 720 family visits, supporting families with young children and guiding them through their child's development. Even in late evenings, Bree is there to help families in Old Crow through emergencies and has delivered everything from Tylenol to food as soon as families need it.

During a visit this summer, I got to witness this work first-hand. I joined Bree in distributing diapers, wipes, period products, and food boxes to families that are a part of her program, and saw the joy and appreciation that families showed for the support they received.

The early years program in Old Crow works closely with the Vuntut Gwitchin Government, the Child Development Centre, Yukon First Nation Education Directorate's mobile therapeutic unit, and Yukon government's healthy families program to build accessible supports to families.

Niin k'iit Tsal is working on plans to add an outdoor space to their play space, and specific equipment inside for children with autism. They are also working on supporting the kindergarten class at Chief Zzeh Gittlit School and the Trinin Tsal Zzeh day home, while also assisting in providing training for those who work with small children in the community.

During my visits to Old Crow, I was able to spend time in this beautiful children's space and witness the number of parents and children who access this program for support and play. It's a welcoming space where the children and parents feel safe and supported. I remember one particular visit when a young mom came in with her two young babies. The babies quickly went to interact with the other children present in the space, while mom continued to bead on a vest that she was beading for her husband-to-be. This is what this program is about: for mom and baby to feel safe and comfortable, to socialize, and to reconnect with our culture.

Congratulations to Bree Josie and the community of Vuntut Gwitchin on celebrating their one-year anniversary of the Niin k'iit Tsal early years program in Old Crow.

Applause

Hon. Ms. McLean: I rise on behalf of our Yukon Liberal government to pay tribute to the Old Crow Niin k'iit Tsal play centre. The Niin k'iit Tsal play centre is part of the Yukon First Nation Education Directorate early years program. The Yukon First Nation Education Directorate launched this

program in October 2021 and opened the play centre in Old Crow in February of this year. This program and play space provide incredible opportunities for the residents of Old Crow. The Vuntut Gwitchin First Nation provided the building and other resources to get this off the ground. The early years program offers indigenous families and expecting parents access to support when they are welcoming a new baby into their lives. The program honours families as children's first teachers and promotes early language skills, bonding, learning, and playing together.

The early years program can connect families with other Yukon First Nation Education Directorate supports, like the mobile therapeutic unit and the First Nation education advocates and other partners. Recently, the early years program and YFNED's mobile therapeutic unit collaborated with the Child Development Centre to share information with Old Crow residents about autism spectrum disorder. The play space houses the early years program in Old Crow and provides a safe place for young residents to play. We know how important children's early years are for their healthy growth and development.

I want to take this opportunity to thank the Yukon First Nation Education Directorate for the important work that they are doing to support families in Old Crow and across the Yukon. I would also like to take this opportunity to thank the community of Old Crow and the Vuntut Gwitchin First Nation for coming together to open this beautiful play centre. I hope that this community space will continue to bring joy and connection into young people's lives. Children are our future, and it takes effort from all of us to ensure that they are well-supported.

Mahsi' cho. Thank you.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McPhee: I have for tabling a letter to the Leader of the Third Party to clarify some inaccurate information that was presented recently in this House.

Hon. Mr. Clarke: I have a letter for tabling from the Yukon Dog Musers Association dated October 17, 2022.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

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

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

Are there any petitions?

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 Government of Canada to re-establish a full-service weather office in a Yukon community to ensure timely and accurate weather forecasts for the territory.

I also give notice of the following motion:

THAT this House urges the Minister of Community Services to hold an in-person meeting with residents affected by flooding in the McConnell Lake area and develop a plan to mitigate issues for the short and long term.

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

THAT this House urges the Government of Yukon to work with rural librarians to discuss concerns around compensation, support, and work environments.

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

THAT Standing Order 45(3.2)(a)c. of the Standing Orders of the Yukon Legislative Assembly be amended by deleting the phrase "Yukon Workers' Compensation Health and Safety Board" and substituting in its place the phrase "Workers' Safety and Compensation Board".

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

THAT Yukon's chief coroner appear as a witness in Committee of the Whole prior to the end of the 2022 Fall Sitting.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to align the Yukon's human papillomavirus vaccine guidelines with the Public Health Agency of Canada's recommended HPV vaccine immunization schedule and ensure that it is available and free of charge.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Early learning and childcare programs

Hon. Ms. McLean: I rise today to provide a statement on the incredible work happening in early learning and childcare programs across the territory.

With our government's initial investment of \$25 million for 2021-22, licensed program operators enthusiastically participated in the new Yukon early learning and childcare funding program, immediately providing affordable early learning and childcare to Yukon families. Our universal childcare system was also supported by the federal government through two funding agreements, contributing an additional \$53.4 million over five years.

Costing less than \$10 per day on average in this first year, families automatically saved up to \$8,400 for each child registered full-time in a licensed program.

I want to take a moment to recognize some of the early learning and childcare spaces in the territory. Across the Yukon, programs are doing amazing work to provide affordable, accessible, and high-quality early learning environments.

There is the Dunya Ra K'ats Inte'Ku located in Pelly Crossing and operated by the Selkirk First Nation, which recently reopened after being closed for two years following a fire.

In Dawson, childcare providers are engaging with the Tr'ondek Hwëch'in to have elders and knowledge-keepers infuse First Nation ways of knowing, doing, and being through a variety of learning experiences, including introduction to the Hän language.

There is the Dunena Ko'Honete Ko daycare in Mayo, operated by the First Nation of Na-Cho Nyäk Dun, creating a more welcoming space by building a wall tent for elders and knowledge-keepers to introduce and share with children the traditional ways of the Dän K'I. At the Kluane First Nation daycare, children and their families participate in drumming and singing with the Kluane First Nation, drum-making workshops, and learning traditional dancing. There is the Watson Lake daycare, which is building a cultural kit resource library, reflecting and celebrating the many different cultures represented in the program. In Old Crow, Elder Elizabeth Kaye is teaching young children the Gwich'in language at her day home.

This is the Dune'na Zra Sanch'i Ku, operated by the Little Salmon Carmacks First Nation, and the Shawkwunlee daycare, operated by the Champagne and Aishihik First Nations, which both provide child-led programming built on connections with the land and the community.

I hold up my hands to these phenomenal programs and educators working in them. They are making a difference in young people's lives and building a stronger, more resilient Yukon. I thank them for this incredibly important work, to do better, to ensure that all Yukon children, no matter where they live in the territory, have the best start to life.

Mr. Dixon: I'm pleased to respond to this ministerial statement on early learning, especially the issues and progress in rural Yukon. The minister has raised some of the ongoing work being done in rural Yukon, so I have a number of issues that I would like to ask about. I will start with early kindergarten in rural schools.

In a ministerial statement in November 2019, the former Minister of Education said that the Liberal government would make K4 available in every rural school. Since then, we have obtained a confidential briefing note that indicates that this has not yet been achieved.

Can the minister tell us when we can expect to see K4 established in Watson Lake and Dawson City? Have the issues that have been raised by the school community in Dawson about this been addressed, and if so, can the minister explain what has been done?

We are also aware that, depending on enrolment, classes in rural schools may be early kindergarten, kindergarten, or a split

combination. Early kindergarten follows the same class-size maximum — 18 students to one teacher — as outlined in the Yukon Association of Education Professionals collective agreement. We have heard that the YAEP has raised concerns about early kindergarten ratios of teachers to students being different from ratios in early learning or daycare settings, so can the minister please explain how that concern that has been raised by the YAEP has been addressed?

Can the minister also provide an update on the current teacher-to-student ratios in the K4 programs in rural Yukon? I also note that the 2019 throne speech included a commitment to investigate the future implementation of the K4 program in Whitehorse, so we would like to hear from the minister about the progress on that.

I would also like to note that one of the most important organizations when it comes to the delivery of services for children from birth to kindergarten is the Child Development Centre. One of the biggest issues facing the Child Development Centre is the fact that they continue to be shuffled from space to space by the Yukon government, to the point where it seems like it is beginning to affect the delivery of their services. Can the minister please update the Legislature on the status of the current space needs of the CDC and whether or not a permanent solution for them has been found? Is the CDC going to be moved again, and how much longer does the minister estimate they will continue to be dispersed throughout town?

I thank the minister for her update and I look forward to hearing her responses to the questions I have raised.

Ms. Blake: I speak often about children and youth in this House. In everything I do in this role, I am reminded of how the decisions we make here will affect our children and youth across the territory. That is why I am very pleased to have two opportunities to speak on the importance of early childhood education today.

Early years programs and day homes are critical to the health and well-being of families across the territory. I would like to thank all the workers at these programs. They are doing the work each day, sometimes over decades, to create a healthy foundation for children across the Yukon. These programs don't just provide childcare. They provide services and products, including diapers, formula, books, connections to health services, justice support, and more.

In many communities, families, especially young and expecting moms, face a high level of risk. Early childhood programs are doing the work to reduce that risk significantly. These programs ensure that women are not living in isolation. They connect families with networks of support. They also ensure that women facing domestic violence always have someone to reach out to and a safe space whenever they need it. All of this work takes away the shame and embarrassment that many families are taught to feel when they struggle to provide for their children.

Early childcare programs are a step toward indigenizing education. These are programs run by communities for communities.

I think about my own experience of my children going to the Kwanlin Dün learning centre. There, they were exposed to language, drumming, praying, elders, and their history. When I was a new parent, I struggled. Most days I didn't know what I was supposed to be doing, and no one had taught me the skills that I needed. The learning centre gave me the skills I needed, not only to work with them, but to work with my children and teach them what they needed to learn at that age. As someone who didn't grow up with a lot of those teachings, this centre helped me to break the intergenerational patterns that caused hardship in raising children.

Children and families in all rural communities should have access to that education too. It is my hope that every Yukon family will benefit from a program like this, no matter where they live. So, I will wrap up with a few questions for the minister.

There are still many families who struggle to afford consistent, long-term childcare. What is this government doing to work toward truly universal — meaning “free” — daycare for families across the Yukon?

Right now, it can be a challenge for folks in the communities to get the training they need. What is the government doing to provide training to workers in the communities that is unique to what each program needs? How is the minister ensuring that each program has funding to maintain and operate safe facilities? As the programs grow, what funding is being offered for them to find new spaces to operate out of?

I have also heard from families in the communities who have cancelled medical appointments because they cannot find childcare. What is the minister doing to collaborate with the Department of Health and Social Services and early childcare programs to address this gap?

I look forward to hearing the minister's response to my questions. Mahsi'.

Hon. Ms. McLean: Thank you for the comments from the members on the other side of the House. In terms of the early kindergarten and the CDC questions, I would bring back statements on both of those. I want to really focus on early learning childcare today, and I take note of the questions that the member of the New Democratic Party has raised, and I will get to them through my statement in closing.

The Department of Education's Early Learning and Child Care unit is leading the implementation of our universal, affordable childcare model and many initiatives to help improve access, quality, inclusivity, and affordability. There has been a lot of talk in the Assembly lately about the cost of living in the Yukon. By saving families up to \$700 per child each month in childcare costs, we are putting more money in the pockets of Yukon families and making lives more affordable for Yukoners.

Mr. Speaker, we are also investing in the accessibility of care in the Yukon. Since April 1, 2021, we have created 200 new spaces for children, including new programs in Whitehorse, Dawson City, and Ross River. In addition, we are providing funding to daycare operators to reduce their

operational and administrative expenses, such as rent, insurance, electricity or heat. The funding provides 37 percent of building expenses for early learning centres in Whitehorse and 43 percent for daycares in early learning centres in rural communities.

We are also investing in the quality of care that children receive by providing post-secondary bursaries for early childhood educators, developing and accelerating early learning professional development, pathways from the Yukon University, and investing in and enhancing Yukon University course offerings for early childhood educators in rural communities.

Fully qualified early childhood educators in the Yukon are now the highest paid in the country and have access to comprehensive benefit plans and can upgrade their level of education while working in the territory.

The Yukon is leading the country in providing high quality childcare at an affordable price for families.

According to the Atkinson Centre for Society and Child Development, the Yukon is Canada's new leader in early learning childcare, and our universal childcare program ticked all the boxes to address affordability, quality, and accessibility.

This last July, I met with federal, provincial and territorial ministers responsible for early learning and childcare in Burnaby, BC. I spoke with my counterparts about how we can continue to build a high-quality early learning and childcare system in the Yukon. Ministers agreed to establish a federal, provincial and territorial forum on ministers most responsible for early learning and childcare — a first of its kind in Canada — and I look forward to participating in that in the future.

Thank you to the First Nation governments and the Government of Canada and early learning and childcare operators, educators and partners across the territory. It is through their hard work that we are now seeing these investments come to life. The Yukon is becoming a national leader in early learning and childcare in our territory for our youngest learners continuing to grow and succeed.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Conflict of interest re Old Crow wellness centre

Mr. Cathers: Now that the Premier has had a chance to review the letter we tabled yesterday from the Conflict of Interest Commissioner, which clearly states that he, and only he, can request advice about whether a former minister failed to comply with the Yukon's conflict-of-interest legislation, will he now agree to write the conflicts commissioner to seek his advice about whether the former Minister of Health and Social Services, Pauline Frost, contravened section 10(4) of the conflict of interest act?

Hon. Mr. Silver: Section 17(d) of the conflict of interest states that the Conflict of Interest Commissioner shall — and I quote: “... investigate complaints made to it by a Member that a Member or Minister is or was in a conflict...”

After reading the response from the commissioner, the Conflict of Interest Commissioner has clarified that this clause only concerns current members. That is fine. The commissioner has also pointed out that the former minister can also seek advice to the commissioner.

If the Yukon Party is so concerned about this matter, they should take it up with Ketz Construction and their employee.

Mr. Cathers: Mr. Speaker, the Premier seems to think that his personal opinion about the interpretation of the act is sufficient. It will come as no surprise that we don't agree. The very reason we have a conflicts commissioner is to seek such advice. The Premier's own mandate letter says: "I will ... actively seek, and abide by, guidance from the Conflict of Interest Commissioner." Yet now, when he is asked to do the very thing he promised Yukoners that he would do, he is refusing.

If the Premier truly believes that his former minister didn't break the law, he has nothing to lose by seeking the advice of the conflicts commissioner. Will he now agree to seek the advice of the conflicts commissioner?

Hon. Mr. Silver: Mr. Speaker, this is much ado about nothing. The issue here has to do with a former minister, who is no longer in office and was subsequently employed by Ketz Construction. The Yukon Party obviously has concerns about Ketz and their decision to hire this particular employee. We do not share those concerns, so I am not interested in contacting the commissioner. It is only the Yukon Party that is concerned about Ketz's decision-making.

The Yukon Party tabled letters yesterday, but they had distorted what the Conflict of Interest Commissioner had said even then. The Yukon Party has been proven unreliable and this is just another example. The Leader of the Yukon Party and the former leader have claimed that I am the only one who can seek advice of the Conflict of Interest Commissioner in this matter. That is not accurate.

The conflict of interest act makes it clear that the former minister can seek the advice of the Conflict of Interest Commissioner. The commissioner himself made it clear in his letter that was tabled yesterday that I didn't get a chance to read on the floor of the Legislative Assembly before today.

Perhaps the Yukon Party didn't read that response in full. This is a responsibility for all members — all former members — to follow the conflict of interest act. That is very clear in the response. I do not plan on seeking advice from the Conflict of Interest Commissioner on this matter.

Mr. Cathers: Mr. Speaker, the Premier is showing a lack of accountability to Yukoners yet again. His continuous refusal to seek the advice of the Conflict of Interest Commissioner is contrary to his own mandate letter and raises the question of why he is reluctant to seek that advice. It appears that this former minister may have broken the law. If he believes that she didn't break the law, he has the opportunity to clear the air. If the conflicts commissioner clears the former minister of any wrongdoing, we will accept that finding. The only reason the Premier has to be afraid of what the conflicts commissioner might say is if the Premier thinks that Pauline Frost broke the law. The Premier is the only person in this

House who can ask the conflicts commissioner to review the situation.

Will he finally do the right thing and agree to seek the advice of the conflicts commissioner?

Hon. Mr. Silver: Mr. Speaker, the members opposite, in the Yukon Party, love character assassination. I am not interested in the conflicts commissioner in this particular case, because only the Yukon Party is making an issue here. We have seen them, without evidence last year, attacking my Attorney General with no evidence as well. This is what they do — absolutely.

Again, it is just beyond the pale, if you ask me. The accusations — without evidence from the member opposite — are astounding. If the Yukon Party is concerned about this matter, they should take it up with Ketz Construction and their employee. The Yukon Party has proven completely unreliable. They have claimed that I am the only one who can resolve this issue; that is inaccurate. The Yukon Party obviously has concerns about Ketz Construction and their employee. We do not share those concerns. It is only the Yukon Party who is concerned about Ketz Construction's employee. Ketz's employee, the former minister, can seek the advice of the Conflict of Interest Commissioner. The Yukon Party should take this up with Ketz Construction and their employee, and if they have any evidence, then they should probably bring that forward, as opposed to just making these accusations.

Question re: Historic sites artifact management

Ms. Van Bibber: Last week, pictures began surfacing on the popular "Yukon History & Abandoned Places" Facebook site of a historic truck dump of the South Canol Road. It appears that the location of dozens of World War II era vehicles has been cleaned up and the historic vehicles have been taken away.

There is a Yukon government sign on the site that indicates that the site is protected under the *Historic Resources Act*. Is the minister aware of what happened to these historic artifacts, and can he tell us if a permit was issued by Yukon government to clean up this site?

Hon. Mr. Pillai: Mr. Speaker, on September 23, 2022, the Government of Yukon became aware that the historic objects from the South Canol truck dump, the heritage reserve managed by the Department of Tourism and Culture, were taken to the Teslin landfill. This reserve is located at the south end of the Canol Road at Johnsons Crossing and consists mainly of World War II era trucks. The nearby interpretive pullout, with additional trucks and historical information, remains intact, and I will continue as we have further questions.

Ms. Van Bibber: A Yukon government sign is posted at the site, which indicates that it is protected under the *Historic Resources Act* and that the site is under surveillance by the Yukon government, so it stands to reason that they would be aware of the activities on the site.

Many Yukoners are quite upset about the damage that has been done to these historic artifacts. Can the minister tell us if the government is looking into options to restore these historic objects?

Hon. Mr. Pillai: Answering the first question, I am aware, and I was briefed on this shortly after it happened. I thank the team at Tourism and Culture for bringing this to my attention — a very sensitive issue.

Again, Teslin Tlingit Council, with funding from CIRNAC, the federal department, coordinated the removal of these historic objects with the understanding that the site is a Teslin Tlingit Council, or TTC, environmental liability. This is a misunderstanding as this reserve is owned and managed by the Government of Yukon.

As a next step, staff will meet with the Teslin Tlingit Council — and I can come back to the House to see if that meeting has occurred — and with the federal government, CIRNAC, to understand why vehicles from this site were removed without consulting the Government of Yukon. I wait for question three.

Ms. Van Bibber: It is indeed very unfortunate that this has happened and that these historic trucks and cars now sit in a heap at the dump in Teslin.

What is the minister doing to ensure that something like this doesn't happen to other historic sites in the Yukon, and will the minister reassure Yukoners that historic artifacts like these don't end up in a dump again?

Hon. Mr. Pillai: Before I go on with additional information on this topic, I think our team consistently goes out and ensures that we look after these sites.

If other levels of government undertake a particular project or process without us knowing, that's a difficult position — to assure Yukoners that it won't happen again. I hope it doesn't happen again. We are going through a conversation — certainly with Crown-Indigenous Relations and Northern Affairs Canada — and we will continue to share the importance of these sites.

It is essential that other levels of government are aware of, understand, and respect Yukon government heritage reserves. Department officials will be reinforcing this message in upcoming meetings.

The Canol-era vehicles brought to the Teslin landfill have now been set aside. The Historic Sites unit is currently undertaking a heritage reserves management priorities planning project to gather information from the public on the importance of the site. That work has been underway, which is even more of a challenge now with this particular situation. The South Canol truck dump is one of 16 sites included in the project.

Again, we do take this very seriously. I agree with the member opposite. It is very unfortunate, and we will make sure that we have the right communication out to the public so this doesn't happen again.

Question re: Food security

Ms. Blake: Often when we hear the words “food security”, people's minds turn to agriculture and local supply; however, food security is much more than that. Imagine that you live in rural Yukon and need to go grocery shopping. You walk to the local store to find that the food delivery didn't arrive. The cost of gas is now over \$2 a litre and the nearest grocery store is hundreds of kilometres away. Most groceries available in rural communities come from the local gas station

where there is neither quantity nor affordability. Food security is about health, dignity, and people not going hungry.

Can the minister tell us just how many rural Yukoners are currently relying on food hampers to feed their families?

Hon. Mr. Streicker: I thank the member opposite for the question. We do indeed have a lot of investment going into agriculture across the territory, and we are promoting it in all corners of the Yukon. I think that is important to note as we work on the issue of food security. Food security also, in some ways, belongs with the Minister of Environment, who deals with harvesting on the land. I should say that, in our programs that we were doing to support Yukoners around the pressures of inflation this year, we donated \$100,000 to Food Network Yukon to continue to support food security across the territory. I don't have the information at the moment about the number of hampers; I will investigate that further.

Ms. Blake: I appreciate that this government prefers to leave the heavy lifting to NGOs, but it is not sustainable. If you talk to folks working to address food security, they will tell you that one of their biggest concerns is the shocking poverty in rural Yukon. Currently, the food bank is supporting more rural Yukoners than ever before. In a time when freight, gas, and food prices continue to increase, that safety net is wearing thin. The already high cost of shipping food to the Yukon becomes even higher when shipping to communities. This is a serious obstacle in accessing affordable, nutritious food in rural communities.

Will the minister work with NGOs and rural food providers to create a subsidy to offset the high cost of shipping food to rural communities?

Hon. Mr. Streicker: I thought I just heard from the member opposite that we shouldn't rely on NGOs and at the end of the question I heard that we should support them more. Luckily, in my first response, I noted that we had given \$100,000 to the Yukon Food Network.

I would also like to say that, when I was at the agriculture demo day and talking with our growers here, across the Yukon, I was informed that previously the amount of food that we grew here in the Yukon was at two percent, and just recently I was told that it is up to 3.9 percent. What that does is it means that we have more local food, and when we have more local food, we have less food having to travel up the highway, and we will continue, of course, to invest in agriculture.

Earlier today in the ministerial statement, I heard the Minister of Education talking about how much we have invested in early learning and childcare, and those are ways in which we are addressing inflation. I talked previously, when I got up, about the rate relief for our electrical bills, and there's a list of what we are doing to address inflation.

Ms. Blake: The minister's answers show just how out of touch his government is with poverty in the Yukon. Low-income Yukoners often survive on a series of social programs that take hours to navigate — from trips to the food bank to NGOs with food programs, all to try to figure out how to try to feed their families. The time tax on the poor is real, and with the cost of food rising, NGOs are now reducing food programs that they can no longer afford to run. That is only going to make

access to food harder and more time-consuming for low-income Yukoners.

What is the minister doing to fix this patchwork that keeps people living in poverty?

Hon. Mr. Streicker: I think that each time I have stood — and I will say it again. What we have done is we have given \$100,000 of additional funding to Food Network Yukon to continue to support food security across the territory. We are investing in our NGOs to support them. We do recognize that costs are higher right now and that there is inflation across Canada — across the world — and we have developed a suite of ways in which we are working to support Yukoners through this difficult time. They include investing in food security.

Question re: Municipality funding and support

Ms. McLeod: A leaked letter from the federal Finance minister to her Cabinet colleagues indicates that federal ministers are to begin looking for cuts in the upcoming federal budget. The letter recognizes that the runaway spending of Liberal governments over the past several years has contributed to the inflation crisis now being faced across the country; however, where these cuts are applied will be important to Yukon communities.

An essential funding stream for Yukon's municipalities was the Investing in Canada infrastructure program, or ICIP. This program is coming to an end soon, with Yukon communities required to identify their remaining priorities by March 31.

With the federal government looking at cuts with the key infrastructure funding stream coming to an end, and with Yukon communities requiring more infrastructure funding, can the minister tell us what the plans are once ICIP is done?

Hon. Mr. Mostyn: I'm happy to talk about investments in infrastructure, which is really what we're talking about this afternoon, and the historic investment that we've seen from the federal government over the last several years, and the great lengths we've gone to make sure that we take advantage of all of that money that the federal government has provided to the Yukon. We didn't hesitate. We took that money and applied it as quickly as we could in investments that have put in new sewer and water facilities, that have fixed our roads, that have fixed our airports, and that have built recreation facilities. We have seen more than \$600 million of investment coming into the territory. Of course, it has been incredible, and it has built our communities from Watson Lake to Teslin to Ross River to Faro, Dawson, Mayo. We've seen fire halls; I was just at fire hall buildings.

This has been an historic investment in the territory. We've never seen anything like it — cranes across the territory. We heard the members opposite talk about inflation and the whole bit. We know that the federal government is turning its eye to making sure that the books are looked after, and we will deal with that as it comes. I thank you very much for the opportunity this afternoon to explain this.

Ms. McLeod: In the letter from the federal Finance minister, she clearly states that any new spending proposals must be paid for with cuts, so Yukon communities are

concerned. With their main infrastructure funding stream coming to an end, they are concerned about what funding will be available to them when austerity hits.

For those who are unaware about how important ICIP is, the types of projects it funds range from waste-water upgrades in Dawson City, to new public works and a fire hall building in Watson Lake. With their federal cousins planning cuts, how will the Yukon Liberals make sure that there continues to be infrastructure funding available to pay for the essentials, like street reconstruction, and sewer and water?

Hon. Mr. Mostyn: The members opposite are doing it again. We're seeing it again. They are peddlers of fear and apocalypse, and that's not what we're seeing here. What we have seen over the last several years is a historic investment in our communities — one that we've heard the members opposite say, "Don't do it" — we did it. My predecessor in this role and I — all of us collectively as one government — have worked very hard to move the territory forward on the infrastructure file. We took advantage of all of the infrastructure money that we received from Ottawa, and it has been historic; it has been incredible.

We have built the territory with that, made it more resilient for climate change, made it easier and safer for people to travel through the territory, and we are going to continue that work. We have a good relationship with our federal counterparts in Ottawa. We are going to continue to build the territory, as we have. Maybe the money — we will see what happens. I am not going to talk about intangibles or hypotheticals this afternoon on the floor of the Legislature. What I know is that we have spent all of our ICIP. We have all the ICIP money committed, and we are going to continue to build the territory as we have for the last five years.

Ms. McLeod: The 2022 federal budget indicated that the government was looking to cut up to \$9 billion, but it didn't say from where.

The federal Finance minister has come to the realization that the Liberals have spent us into an inflation crisis. Unfortunately, this means that essential infrastructure funding for Yukon communities could be put at risk, so what assurances do the Yukon Liberals have that the federal Liberals will not cut municipal infrastructure funding?

Hon. Mr. Mostyn: Wow — I hear the fiscal conservatives across the way talking about fear-mongering on inflation cutting, on actually looking after the books. They can't —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Point of order, the Member for Lake Laberge.

Mr. Cathers: The Minister of Community Services used the term "fear-mongering", which I believe has been ruled out of order in this House. I would ask you, Mr. Speaker, to have him withdraw it and apologize to the member for making that claim.

Speaker's statement

Speaker: There is a point of order, and I would ask members not to phrase their debate in that manner.

Please continue.

Hon. Mr. Mostyn: Thank you, Mr. Speaker. Clearly, I am under their skin.

Listen, this afternoon what I am going to say is this: There isn't an economist in the world who would say that the infrastructure spending that the federal government undertook to invest in our communities across the territory has contributed to inflation. What we are seeing is a historic investment in our communities that is making lives better, making our communities stronger for all citizens of this territory, from Watson Lake to Old Crow, and all points in between.

I challenge the members opposite to find a single resident who will object to the investments we have made in their communities. All communities matter, Mr. Speaker, and we have invested that way.

I will say that the members opposite can consult the five-year community plan that we have launched through this government to show the investment — how it is going to continue on for the next five years at least.

Municipalities have benefited from this infrastructure investment. We are waiting to see what investment comes in the next tranche, and I am looking forward to continuing to move the territory forward and build the territory for the citizens of the territory.

Question re: Infrastructure funding

Mr. Hassard: So, as we have discussed, a leaked letter from the federal Finance minister indicates that the Liberals are looking to make major cuts. This, of course, is because the Liberals have been mismanaging money left, right, and centre, and they have spent us into a runaway inflation crisis. The unfortunate part is that this puts at risk major infrastructure priorities here in the Yukon. Take, for example, the Moon Lake clean energy project, which the territorial Liberals are hanging the future of our energy grid and our greenhouse gas emission targets on. This project is contingent on hundreds of millions of dollars of federal funding, but with the federal government looking for billions' worth of cuts, do the Yukon Liberals think that this is realistic, to expect federal funding for the Moon Lake project?

Hon. Mr. Streicker: I rose in the House and spoke about Moon Lake a couple of days ago. I said then and I will say again that this is a very good project, and our intention is that it is led by First Nations — working with First Nations — and it is a strong project. My expectation is that it will find investment from Canada, from here in the Yukon, and from other areas because it is a very strong and good project. We will have to do the diligence work on it. I disagree with the members opposite; I disagree with their suggestion that this has caused inflation.

We have a five-year capital plan. They have always, always disagreed and decried that five-year capital plan, and yet today, they are standing and saying: "Hey, what are you

going to do in the future?" Well, it is the five-year capital plan. That is how we are moving forward as a territory, and we have a 10-year renewable energy plan with Yukon Energy. Members opposite didn't want to hear Yukon Energy in the spring when we invited them to be witnesses. They said, "No, thanks."

So, all good — I think that this is a good project. I think that we will find the funding for it and I am happy for it to be a project led by the First Nation.

Mr. Hassard: It's no secret that the federal Liberals have been spending like drunken sailors and this has thrown our economy into turmoil. As a result of Liberal financial management, mortgage rates are skyrocketing, food prices are through the roof, and now the Liberals are being forced to cut billions in spending. This means that Yukon priorities could be put at risk. Take, for example, the new Dawson City recreation centre. The new Dawson rec centre is expected to cost \$60 million; however, the project isn't even 50-percent funded. The Yukon government has been left hoping that the federal government will come up with over \$30 million for this project.

With the feds now looking at massive cuts, what assurances can the government give residents of Dawson City that this project will receive the funding that it needs?

Hon. Mr. Mostyn: Once again, we see the members opposite peddling fear. That's not what —

Some Hon. Member: (Inaudible)

Point of order

Speaker: On a point of order, Member for Lake Laberge.

Mr. Cathers: This is the third time in Question Period that the minister has run afoul in this area. He was specifically told previously by you, Mr. Speaker, that "fear-mongering" was not in order. The term "peddling fear" seems to be an attempt to say that in a very slightly different way. I would ask you to have him retract that statement and apologize to this House and you for making it.

Speaker: Government House Leader, on the point of order.

Hon. Mr. Streicker: Surely, we are able to use the word "fear" here, because it feels to all of us that this is the message that is coming across. If this is not appropriate, I would just ask that there be an explanation about what we can use to describe the questions coming from the members opposite.

Speaker's statement

Speaker: On the point of order, I will review the Blues with the Clerk and get back to the members.

Please continue, Minister of Community Services.

Hon. Mr. Mostyn: Thank you very much, Mr. Speaker. So, on the questions about the Dawson City recreation centre, again, I encourage the members opposite to consult the five-year capital plan. We have actually spent all of our ICIP money in the territory. This is unlike some provinces in the country, but we, of course, took advantage of that. We did so with deliberation and deliberately. We have decided to fund

projects across the territory. The Dawson City recreation centre is one of those projects that we have committed to under the Investing in Canada infrastructure program.

It's tremendous, actually, Mr. Speaker, and I'm glad the member opposite brought it up. I was recently up at the Dawson City recreation centre, and as part of our project to move the territory forward, we're going to replace a facility that really should have been replaced many, many years ago. We know that the faux sod-turning event in Dawson that the members opposite partook in, just before an election, to sort of lead the Dawson residents to believe that they were going to do something — they didn't do that. We are actually following through on our commitments.

Mr. Hassard: Let's move on to Whitehorse and the Canada Winter Games. The games are expected to cost at least \$200 million. The City of Whitehorse said that they will throw in \$11 million, and the Yukon Liberals have said that they will invest \$49 million. Meanwhile, the Yukon government has asked the feds to provide \$138 million.

We know that the feds are tightening their belts, so what's the status of that \$138 million? If the federal government tells Yukon that, sorry, times are tight, how is the Yukon government going to prioritize our projects? Will they put new arenas ahead of fixing roads, or a clean energy project, or does the minister even have a plan?

Hon. Mr. Silver: What we'll continue to do is to rely on our five-year capital plan, which the members opposite mock.

But I have to take a little bit of time here to talk about this new, unreliable information from the Yukon Party and the Leader of the Conservative Party of Canada, which is, I guess, where they get their marching orders. To say that spending during a pandemic by a federal government causes the international inflation that we're seeing across the globe right now, and completely not referencing the shutdown and all of the money that the federal government gave to Yukoners during that shutdown, and to not even consider maybe that the Ukraine conflict — the illegal conflict in Ukraine — had anything to do with inflation — but to say that federal funding during a pandemic is causing this inflation? Completely unreliable.

Again, there's not an economist around who is going to actually agree with that — well, maybe the economist in the Yukon Party. Again, “spending like drunken sailors” when it's too much money from the Liberals, and then “cutbacks” and “cuts” when it's too little — the Goldilocks theory next door. It doesn't hold water at all.

We'll continue to work with our partners in municipal governments, the federal government, and First Nation governments to continue to supply the capital assets that we need moving forward. I do hope that the federal government comes in with their fair share for the games, because it's extremely important. These assets are extremely important to Yukoners.

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. 21: Carbon Price Rebate Amendments Act (2022) — Second Reading

Clerk: Second reading, Bill No. 21, standing in the name of the Hon. Sandy Silver.

Hon. Mr. Silver: I move that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now read a second time.

Speaker: It has been moved by the Hon. Premier that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now read a second time.

Hon. Mr. Silver: Thank you, Mr. Speaker. Today, we are debating changes to the Yukon government's carbon rebate act and its associated regulations. As part of this bill, we are also debating changes to the *Income Tax Act*. These amendments would sunset the existing mining rebate for any fuel purchased after December 31, 2022. For 2023 onward, mining companies would claim a modified version of the business rebate through their income tax returns. I will talk more at length about those specific changes in a moment.

First, I would like to go over the historical context to help explain why we are here today discussing these amendments. In December 2016, the Government of Canada, most provinces, and the territories signed on to the pan-Canadian framework, which outlines the need for a price on carbon. That framework, Mr. Speaker, laid out the trajectory for gradual carbon price increases so that, by April 1, 2022, the price of carbon would be \$50 per tonne. In that framework, there was also a commitment that the overall approach to carbon pricing would be reviewed by 2022 to confirm the path forward.

After the pan-Canadian framework was signed, Canada subsequently passed the *Greenhouse Gas Pollution Pricing Act*, which, as the name implies, puts a price on carbon dioxide and other greenhouse gas emissions. The federal act lays out two distinct pricing regimes. First is what is referred to as a “regulatory charge”. This is the price on pollution that most people are familiar with. The second price on pollution is comprised of an access emissions charge on facilities, subject to the output-based pricing system, also referenced as the “OBPS” for short. The OBPS was developed to deal with carbon leakage while preserving incentives to reduce emissions. Certain industries are emission-intensive; however, they must sell their commodities on a world market at world prices. This is the concept of carbon leakage.

Placing a full cost on carbon on a major input or sector that does not have the ability to pass costs on to the final consumer, in essence, drives the industry to relocate operations to other countries. In other words, it displaces but it does not eliminate the emissions.

The Organization for Economic Co-operation and Development review based on the 2020 data showed that half of the top 10 gold-producing countries in the world do not have a carbon-pricing regime of any kind. So, without an OBPS, Canadian mines face competitive challenges. The OBPS sets a

performance standard for each sector under this system. A total of 78 output-based standards have been set under the OBPS. These standards cover more than 30 industries right across Canada, but in the Yukon, of the 30 industries that have been identified, only mining and electrical utilities operate here.

The excess emissions charge is basically the regulatory charge that is applied only on the portion of emissions in excess of a standard. This standard is typically 80 percent of the average Canadian intensity for a similar facility. The problem is that Canada — the federal government — despite expert advice, did not provide equitable access to the OBPS. Canada set minimum thresholds for mandatory participation at 50 kilotonnes, which is roughly equivalent to almost 20 million litres of diesel being consumed on an annual basis. Before 2021, no facility in the Yukon had exceeded that threshold since the Faro mine operated decades ago.

Canada did recognize this inequity for two specific sectors by exempting these sectors outright; that is, fishing and farming. This was not the case for mining. With this inherent inequity in mind, we designed a series of rebates that led the nation in incorporating the agreed-upon principles in the pan-Canadian framework with respect to carbon pricing and recycling. Namely, our plan is designed to ensure a few different objectives: First, we want to ensure that a minimum amount of assets could become stranded and maximize cumulative emission reductions; second, our reporting on carbon-pricing policy is intended to be consistent, regular, transparent, and verifiable; third, our policies are designed to minimize impact on competitiveness, as well as carbon leakage, particularly for emission-intensive, trade-exposed sectors; and finally, our made-in-Yukon program is designed to recognize the unique circumstances in the north. With respect to mining, in particular, our plan treated placer mining like farmers or fishers, and it treated the quartz mining in a way that mimicked the output-based pricing system.

Our plan protected the trade-exposed mining sector while maintaining a marginal price signal on larger operators. We kept Canada informed all along the process in the development of our approach. The Yukon government remained, and continues to remain, transparent and accountable.

This brings us to the 2022 review of the pan-Canadian framework first conceived in 2016. Given the commitment by the federal government in the pan-Canadian framework to work collaboratively on meeting the 2030 goals, it was expected among provinces and territories that the plan for 2022 onward would be developed jointly in a manner that was similar to the original plan.

Mr. Speaker, instead, the federal government announced a new plan entitled, *A Healthy Environment and a Healthy Economy*. In it, they created a new test called the “benchmark assessment”. Canada then assessed every province and every territory that had its own carbon-pricing system, and/or rebate programs, against these new standards. Based on these new rules, approaches that were accepted in 2019 were unilaterally deemed unacceptable.

To say that we are disappointed with this approach from the federal government would be quite an understatement.

Under this new approach, Canada identified that the Yukon must either amend its mining rebate or risk losing the entire transfer of proceeds from carbon pricing. For context, we are expecting almost \$26 million this fiscal year alone to fund our local solution to provide rebates to families, to businesses, municipal governments, and First Nations governments.

This amount will continue to grow substantially, even as we achieve our 45-percent reduction as outlined in *Our Clean Future*. In fact, because of the future pricing changes outlined by Canada, this transfer is expected to be roughly \$60 million annually by 2030.

Losing this transfer would mean that Yukon would be treated like Alberta, Saskatchewan, Manitoba, and Ontario. In these provinces, all proceeds are sent to individuals with no consideration for the impact on businesses and other levels of government. In these provinces, no municipalities, no First Nation governments, or businesses receive a carbon rebate. In Yukon, we felt strongly that a made-in-Yukon solution could continue to provide protection and fairness to the business community and mining, as well, in particular.

Given the decision by the Government of Canada, we have been forced to act quickly, and we did. I would like to thank the Department of Justice and the Department of Finance for their ability to turn our revised plan into legislation so quickly.

I will go through the details in Committee of the Whole, but, as I mentioned in my opening remarks, I will outline our revised plan now. I would like to stress that, with this new plan, we continue to keep our business community, as well as our mining industry, in front of our minds. First, for fuel that is purchased on or before December 31, 2022, mine operators will have until September 30 of next year, 2023, to claim their final mining rebate under the existing carbon-rebate system. This is the normal application timeline for annual mining rebates. Any fuel purchased by an operator after December 31 of this year, 2022, would no longer be eligible for the existing mining rebate.

Following this date, and with the passage of these amendments, the existing mining rebate would end. The mining companies would no longer need to fill out an application to the Yukon government to access their rebate; instead, this legislation is proposing that, effective January 1, 2023, we would create a separating mining business rebate within the overall structure of the business rebate. This means that the rebates would be calculated as part of the business tax return and not through a separate application process. This process would streamline the process for miners because they would no longer have to submit all of their fuel receipts. This process is very similar to the current process for all other businesses in Yukon and would be administered on our behalf by the Canada Revenue Agency.

However, it is extremely important to note that we have designed this new mining business rebate in a way that protects mining businesses while preserving a price signal. Under the new legislation, this would create a new account in the carbon-pricing rebate revolving fund, called the “mining business rebate account”. This account would have all the proceeds from mining debited to this account and all payments to mining

credited from this account. It is a separate account from business. This means that this portion of the business rebate will continue to be revenue neutral from the mining sector's perspective.

Mr. Speaker, over the long term, government would not retain a dime of these revenues for any purpose other than rebating. We have been, and will continue to be, open, transparent, and accountable on this. As with the current carbon rebate framework, we will show all the details related to this new account in all future budgets and Public Accounts.

My final point here in the second reading, Mr. Speaker, and one which I cannot emphasize enough, is that our new plan has been reviewed and accepted by Canada in the timelines dictated by the federal government. This choice is binary. This is up to us; it is up to the opposition to either support the continuation of funding for rebates for families, businesses, municipal governments, and First Nation governments, or not.

Again, I look forward to getting into the mechanics of this new mining rebate during Committee of the Whole. Until then I would like to thank all members for their comments that we will hear today in second reading, and I do look forward to their questions as we debate this bill.

Mr. Dixon: I would like to thank the Premier for his second reading speech because it certainly did provide excellent context for the bill that we are debating here today. The questions that we will have in detail will remain until Committee of the Whole, so I will keep my remarks in second reading fairly brief and I will be the only speaker because we do want to get into Committee on this.

Before I begin, I should also thank the Minister of Energy, Mines and Resources for his offer to the placer mining community to host a forum for the Klondike Placer Miners' Association on Tuesday night, via Zoom. It was a fairly free-flowing conversation that involved the minister answering questions directly from industry, which, of course, will be affected by this upcoming change. Put simply, my take on this is that we are making the best of a bad situation — that we are left with very little choice here. I think that the government acknowledges that there are imperfections with the system that they have proposed.

I heard the minister, at the briefing with industry, indicate that they are open to suggestions going forward to improve the system as implementation goes on in the future, but, given the time crunch and the need to have this legislation passed by November 1, this bill needs to pass in its current form. I think that this is a reasonable course of action for us in terms of proceeding, although I do want to note my disappointment with the federal government on this. I would share the Premier's comments and disappointment as well.

I am a bit surprised that we hadn't heard about this disagreement between the territorial government and the federal government sooner, so we would like to talk a little bit about the intergovernmental exchanges between the Government of Yukon and the federal government on this matter leading up to the tabling of this bill.

We did know that there was a review of the structure of the carbon price set for 2022; however, we did not realize that it was going to require such a profound change to the system that we had here in Yukon, nor were we aware that the timelines that had been dictated by Canada were going to be so stringent as to negatively impact our carbon-pricing system and the rebate program in such a short order of time.

We do look forward to hearing more from the Premier in Committee of the Whole about his exchanges with the federal government. The Minister of Energy, Mines and Resources indicated, in his public meeting on Tuesday night, that the Premier brought this — and I quote — “right to the top”, so I look forward to hearing about how those issues were raised between the Premier and the Prime Minister's office, which I assume means the top of the federal government.

With that, Mr. Speaker, we acknowledge that this is an imperfect bill; we acknowledge that this is an imperfect system, that changes will likely be needed in future, and that the industry, while accepting of the reality that we are faced with, do have concerns with the system. There are concerns expressed about the complexity of the system, concerns expressed about the appropriateness of using the undepreciated asset class that they have chosen, and suggestions from industry around alternatives that could be considered going forward, but unfortunately, none of that is going to play into the debate about the existing bill because this needs to be passed so quickly.

Notwithstanding the comments and questions that we will have in Committee of the Whole, we will be voting in favour of the bill, and we do hope that the government calls the bill with the appropriate amount of time so that it passes before the deadline that the federal government has imposed.

Ms. White: Just in the beginning, I just want to congratulate and thank the folks in Finance who, I am told, got this legislation to us in record time — since, I was told, September 22, which is two days shy of a month right now, which is an incredible thing.

My comments that follow are not a criticism to the work that was done by the folks and the team who wrote this legislation, but mostly I have concerns about other things, and how these pieces fit together.

Today, in this Assembly, we have different pieces of legislation on the docket. We have things like the *Clean Energy Act*, which was a commitment to move us toward a different future.

We have things like *Our Clean Future*, which is a report that says what our goals are and how we are going to get there.

The Yukon Climate Leadership Council's recommendations in *Climate Shot 2030* came out, and they also are trying to get us toward this 45-percent reduction.

I appreciate that the legislation that is coming forward right now is to replace a system that we had. I understand that it can't happen right now, but there is a part of me that feels like we are missing an opportunity. I will explain what I mean by that.

The initial legislation, I think, came forward in 2019, so the Yukon government carbon price rebate and the *Income Tax Act* tied together to do this initial thing with the federal

government. But when we have things like the *Clean Energy Act* in front of us, where we are setting that 45-percent greenhouse gas emissions reduction in legislation, it seems to me that, when we talk about a carbon price rebate, there is an opportunity where we can do more. Because right now, the incentive to change habits is only the cost of fossil fuels. Our current system is that if you use less fossil fuel, you will spend less, but you will still get the same amount of money back.

The reason I want to bring that forward is because the rebate that individuals, businesses, First Nation governments, municipalities, and now mining businesses will receive is a return, so it's not based on changing habits. I think that there is a real opportunity going forward to come back to this legislation, look at it, and tie it in so it coincides with the *Clean Energy Act*.

I say this in terms of understanding, for example — I don't know if we have ever had this conversation, but I grew up on placer claims outside of Mayo with my Tante Gina and my Uncle Hans. I spent time there and, as an adult, I worked in quartz mining situations, so I have seen different things on the ground. But we are not incentivizing those changes right now. We are saying that the money is going to come back. There is an opportunity to say, "Look, if you are able to reduce your greenhouse gas emissions by four percent this year, you are going to get 100 percent back" — and as we go forward. I am happy to get the clarification. I asked during the briefing. That is not the response of the Premier and the Minister of Energy, Mines and Resources — just got my attention. But in the briefing, I asked those questions specifically.

I think that when we talk about measures like this and we talk about moving toward this renewable future, all these pieces of legislation have to go hand in hand.

I went as far as trying to figure out, for example, if we could get a review clause in. I mean, this House is not going to be surprised that I think that legislation that is really important should be reviewed periodically, that it should even be mandated — so, for example, five years, two years, three years, or pick a number — because at least then that gives the members of the opposition — I have been here a long time now in opposition, and those clauses have been really important for me to be able to say that this is a chance — we should go back and open it, we should go back and look at it. We set this up initially and this was set out initially, knowing that things might change.

So, we're at a point in history where there have been a lot of really big challenges put in front of us. We're living in a jurisdiction right now that doesn't look the same. It was plus-10 degrees this morning when I rode my bike from home — in October. That is not the October of my childhood here; it's different. The snowpack is different. The fact that there's a high-water advisory now in the Southern Lakes in October is different.

We had landslides, which we haven't seen before, both in the City of Whitehorse and on the way to Dawson City. We had record wildfire. So, all of these things indicate that what we have been told — and I'm so glad we're past the point where, even 10 years ago, it was a bit of an effort to get anyone to say that, yes, climate change is real. That was challenging. The

Premier will remember, because he was also in the opposition at the time.

So, it's good that now we're in the same boat and we're paddling in the same direction, but I think we can take bigger actions. It has always been my hope that we can put these kinds of pieces of legislation together so they work together. I believe that industry wants to do these things, because they say it — I hear them say it — and they are working toward that. So, partially, it's about how do we incentivize? How can we encourage? How can we push a little bit?

One of the things that the Climate Leadership Council talked about is the council's strategic lens on climate action — so, their key principles. The first one really resonates with me, because it says that individual voluntary action isn't enough; governments must lead. So, they can lead through things like legislation; they can lead through their own actions; they can lead through policies. So, there is that aspect.

I appreciate that this is here now, and I appreciate the deadline, and, just in case I have anyone hanging on the edge of the cliff here, we will be voting in favour of this legislation — absolutely. We understand the importance of it and we will not hold it up, but I also want to encourage us to not wait until an undefined time in the future to try to tackle this in a way. We can have this current legislation when it passes and have it sitting there as we try to develop something different. That is rolling through and encouraging those changes, and making sure that rebates or refunds can be tied to — you know, the bigger the action, the more the return.

I feel like we had a good conversation in the briefing. I hadn't met some of the folks in that briefing yet, so I joked a little bit to say that I am going to ask the political question now and then I will speak to it here. The political question, of course, is: What is the incentive to change? What is the incentive to change here? Well, the incentive that I think we all have is that the climate is changing, but it sometimes needs to be more.

I look back on my own personal actions and I would tell you that I got an air-source heat pump installed in 2016 when the rebate at the time was \$500. The reason why I did it is because, at the time, in conversations with the Energy Solutions Centre, they had anecdotal stories but they didn't have the numbers. I said, "Okay, let's do this. Take the numbers. I will install it, and you measure it and you take the numbers." That showed people the reason why we would want to change toward this technology.

When people can see and when people can feel the benefits of those changes or understand the decisions more, people will move to that. So, I think that we are past the point of individuals making the choices because they are the right choice. Sometimes we have to move people along a little bit. I am hoping in the future that we have an opportunity to develop legislation in the territory that really encourages people along, so they can remain in the status quo, for which the only incentive to changing the habits is the cost of fossil fuels, or we can move it forward a bit.

Mr. Speaker, again, I appreciate the very tight timeline in which this was brought forward. I appreciate that the Premier and his government tried to have this negotiation with the

federal government. They were hopeful that they would get to a positive resolution. I understand that we are here because that didn't happen. We won't stand in the way. I am certainly not going to tell people that they are not getting their refunds. I appreciate that it is here, but I look forward to a time when we can push things along.

Hon. Mr. Clarke: It is my privilege and honour to speak to Bill No. 21, *Carbon Price Rebate Amendments Act (2022)*, for the Legislative Assembly's consideration, as presented by the Department of Finance.

Bill No. 21, the *Carbon Price Rebate Amendments Act (2022)*, proposes to create a new mining business rebate account within the existing general business rebate system in order to meet new federal requirements. To better understand the intentions behind this bill, I want to provide some background. Yukon's current rebate system is the result of significant discussions with Yukoners, governments, and industry. It also aligns with the Yukon government's commitments under the *Pan-Canadian Framework on Clean Growth and Climate Change*. After conducting a review of provincial and territorial carbon-price systems and rebate programs, the federal government has now imposed a new stringency requirement that will apply as of 2023, as we have heard so far during second reading debate here in the Assembly this afternoon. If the Yukon does not meet the new requirements by 2023, then the federal government would take over control of carbon rebates in the territory, which would end support to businesses, municipalities, and First Nation governments. With these requirements, amendments are required to be made to our existing rebate program.

Bill No. 21 proposes to amend the current rebate system to meet the new federal requirements. It also ensures that the existing rebates for Yukon businesses, municipal governments, and First Nation governments are also preserved and protected. The proposed rebate mechanism would apply starting in 2023, and mine operators will continue to operate under the existing framework for fuel purchased before December 31, 2022.

The business rebate will continue to have a super-green credit to support Yukon businesses as they invest in clean energy generation and energy efficiency as we transition to a cleaner economy. The amended approach will also reduce administrative barriers for placer and quartz miners applying for rebates.

Currently, mine operators must file an annual application to determine their carbon rebate amount. Under the proposed changes, operators would be able to claim their rebate at the same time that they file their annual tax return. Despite these changes, Yukon's carbon rebate remains revenue neutral, returning all carbon-pricing revenues received back to Yukoners.

We remain committed to ensuring that individuals, businesses, First Nations, and municipalities continue to receive more on average than they pay in carbon-pricing levies.

The Yukon government continues to support putting a price on pollution as a mechanism to reduce greenhouse gas emissions while ensuring that the territory remains competitive

as we transition to a green economy and then a greener economy.

As a government, we have a responsibility to lead on climate action in our territory. As outlined in *Our Clean Future*, carbon pricing is one of many policies and programs that we have in place to take meaningful climate action.

Rebates support Yukoners and Yukon businesses to invest in low-carbon alternatives, ensuring that the territory remains competitive as we transition to a green economy while protecting vulnerable families. There are many opportunities for Yukoners as we build a green economy in the territory alongside national and international efforts.

As local, national, and global demand for green goods and services increases, there are opportunities for Yukon businesses to supply clean energy and to find ways to use energy more efficiently. Ongoing efforts to use energy and other resources more efficiently will also reduce operating costs for Yukon businesses.

As seen most recently with the release of the second annual report of *Our Clean Future*, the Yukon's green economy continues to grow from investments in local renewable energy, green infrastructure projects, and the adoption of clean technologies. The Yukon also has an opportunity to play a significant role in the national response to climate change, as a sustainably mined, domestic source for critical minerals that are key to Canada's transition to a greener economy.

In closing, it has been a privilege to speak to and support this bill, and I look forward to hearing now from other members here today.

Hon. Mr. Streicker: I just want to say a few words on the bill that is before us here at second reading. I want to first talk about — since this came through very quickly, the Premier asked me, of course, to reach out to the mining industry, both the hardrock mining industry and the placer mining industry. I did that, and I wanted to just make a few comments about my conversations with those miners.

I want to say to Yukoners that, when I first became the Minister of Energy, Mines and Resources, I was certain that we needed to transition our energy economy off of fossil fuels, but I wasn't sure how miners were going to take that. What I can say is that I have found — not universally, but broadly — that the miners I have met with understand this, they want to get there, and they are very innovative. They are entrepreneurs. They understand how to try to make do with less. They are very good at figuring systems out to try to make things work.

Just in recognition of that, I think I will note just a couple of concerns that I heard so that they hear me echo those concerns. For example, one of them was that, in the current system, they collect receipts. In the new year, they issue those receipts. By the way, they gave a great shout-out to the Department of Finance folks, because they said that they would submit the receipts on January 2 and they got something back within 10 days or something like that. It was really quite impressive.

They let me know that using the tax system — of course, they had already put in for taxes, but by the time you get your

taxes in, it is much, much later than January. So, there's a little bit of a delay there — six months, eight months, or something like that. That means that there is a cash-flow issue around this rebate, so they had some concerns with that. They had suggestions about other ways that it might work.

The system that we have in place today was derived from conversations that were held with the Yukon Chamber of Commerce and other chambers around the territory — the business community — how we designed the business rebate was by working very closely with their energy subcommittee. They made the suggestion — we are piggybacking on that system because that is what we can get into the Legislature so quickly.

I appreciate everybody's acknowledgement of the hard work of the Department of Justice and Department of Finance. They did do a lot of quick work.

I did say to the industry that, if they thought there were other ways that we could measure the size of mines or mining operations, I would be open to that conversation and take that back to the Department of Finance. I know that it has to go through, for example, the Canada Revenue Agency. It will need to maintain this price signal.

Let me use that to flip to the other comment that I wish to make. This is in response to questions or comments that came from the Leader of the Third Party. Basically, what Canada has said to us is that you have to have a price signal or they are not going to accept it. So, that is what is there. The reason it's there is because you are not tying the rebate back to the amount of fossil fuel used.

You are making a difference between — I try to use examples of stores where people might see a difference to try to see the difference in size. So, if we take, for example, Bonanza Market in Dawson and try to compare it with one of the big grocery stores in Whitehorse, there is a difference. One is large and one is medium. You need a way to judge the difference in the sizes because one employs a lot of employees and the other employs a number of employees. There has to be a way to get that difference, and that is what the work with the chamber of commerce led to, but it does keep the price signal in there. There is an incentive in what is proposed before us for miners to get ahead by reducing their fossil-fuel dependency where they are able. It is our job to work with them to help them to incentivize that further. That is what the Energy Solutions Centre is working on. That is what the minerals branch is looking at — ways to assist mines to make this transition because we all need to get off of fossil fuels in the coming years. Our goal is 2050, but, as we are debating now, what should we set as a legislated target for 2030?

I do think that the cost of diesel and the volatility of it is a big incentive all on its own, but that's not the point. The point here is that this system that will come into place requires that we meet the benchmark, as the Premier referenced. Canada is saying that all of these programs have to have that price incentive in there to support — if people reduce emissions, they get ahead.

So, that is what is in front of us. I appreciate that it is not — even though the system that we're using was developed in

conjunction with conversations with the business community when we first brought this in, in 2017 or so — maybe that doesn't work as well for the mining industry, and I think we can have that conversation.

What I have said to the mining industry is that, whatever the system is, it needs to be simple, it needs to be fair, and it needs to maintain that price signal so that it will be acceptable to the Canada Revenue Agency and the federal government in this initiative.

Thank you very much, Mr. Speaker. I thank the members opposite for their comments today and their appreciation of how hard it was to try to get this in here to avoid a situation where we would lose some of that rebate going to businesses, to First Nation governments, and to municipal governments. I think those are important things, and I appreciate the support that was expressed today.

Ms. Tredger: I would just like to add a few thoughts to add to the comments of my colleague, the Member for Takhini-Kopper King. Of course, we're talking about a price signal here, and that's the problem that this legislation fixes. When this legislation was brought in two or three years ago, the choice was made that mining companies would not have that price signal. I think we could argue a lot about whether that was a good choice or not; I think we have seen that it was not a lasting choice, not one that was sustainable and compatible with moving forward with climate action, and so I'm glad to see that corrected. I think we're all glad to see that corrected so that, in fact, there is that price signal for all Yukoners and all Yukon companies, and no one industry is being given preferential treatment, or treatment that prevents that price signal from being effective.

What we're asking for — what we're saying — is that this is the bare minimum. That's the bare minimum that Canada has laid out that has to be done, and there is the potential for so much more. For example, we know that there are upcoming targets for the mining industry around intensity-based emissions, but, as of yet, we've heard nothing about what obligations or incentives there will be to help those mining companies meet those intensity-based target reductions. This is an opportunity.

I understand that it couldn't happen in this piece of legislation today because we are on a tight time frame, but I really hope that we can consider it for the future.

What if, instead of just getting your carbon rebate based on your asset size, which has very little to do with what efforts you have made to reduce your greenhouse gas emissions — what if you only got your rebate if you actually met your reduction goals? There are lots of ways to play with that idea. It could be proportional; it could be a portion of. But I think there is a lot of opportunity within these carbon rebates to go beyond the bare minimum of a price signal, which, of course, is a good thing, but it is the bare minimum. We need to do creative, innovative things that will help us go beyond that and meet those intensity-based reduction goals.

I have some follow-up questions for Committee of the Whole, particularly with regard to the Yukon Climate

Leadership Council's report *Climate Shot 2030*. I look forward to discussing those in Committee of the Whole.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Silver: I will just start by thanking all members of this Legislative Assembly for understanding the situation that we are in and for their indication that they will be supporting this legislation.

To address the Member for Whitehorse Centre, I disagree that this is a bare minimum. There is a complicated factor here as to why we started with a dollar-for-dollar rebate for placer miners to begin with. We have had a lot of conversations in the Legislative Assembly about the term "carbon pricing" versus "carbon tax". When we first started to have this conversation about the pan-Canadian framework, I was in my first year as Premier, and I was also chair of the Council of the Federation, so I am the only Premier left from those original conversations. We fought really hard to make sure that the understanding of concepts — you know, don't force the northern communities to do something that is a tax compared to a price — to get the federal government, through the premiers, actually, to recognize the unique circumstances of living and working in the north when it comes to something that we agree with, which is that carbon pricing is the most effective, efficient way of dealing with man-made climate change, to get people on this pathway that is so hard to explain when you go door to door — about polluter pay versus taxpayers pay. It gets complicated in those conversations. At that time, working with the placer industry, there are not a lot of alternatives to the work that they do and what is out there in terms of the equipment they can use. That technology is moving forward, for sure.

But I remember back in the days when we were having this conversation about the pan-Canadian framework, Volvo was making these big claims that they would have all of these heavy-equipment options in electric options by 2020 — I forget what the time was, but it was within short order. They haven't hit those markets. There are supply chain issues. There are all these reasons why you are still going to tax a part of our industry here because there is no alternative. Then, on the other side of it, you can't, as a placer miner, turn around and say, "Well, I will just increase the price of gold and we'll just go from there".

So, my argument to Ottawa when we went and talked with the Prime Minister this May was: What happened to that? What happened to all the work that I did to make sure that northern unique circumstances — carbon leakage — are extremely important? You haven't addressed these issues — when you unilaterally went and did the five-year review without us. Those questions would remain unanswered, and so that really is how we got to a situation where we are waiting for an answer from the federal government on these things.

I started with my colleagues right across the north, the two former premiers — Taptuna and McLeod — in the north. We had a plan to go to the Western Premiers' Conference and then

to the Council of the Federation before we had the pan-Canadian framework to talk about what it means to be northern, remote, indigenous, and Arctic — and to really define that in terms of the territories. We worked really hard, and we got all premiers in Canada to recognize the unique circumstances of living in the north. If we didn't get that, it would have been very, very hard. I mean, what does it mean to be northern? All of Canada — the Toronto Raptors say that they are "the north" for goodness' sake.

So, to define that line and to give the territories "the north" — to give that recognition to us — it has gone a long way for us, on the pan-Canadian framework, on our vaccinations — remember all that when we were front-end loaded with the vaccines — because of the work we did to identify us as being "the north" — and rural and indigenous and remote. So, that was a lot of work, and then to turn around and to do that five-year review without us — and then decide, "We are going to change this to be the price signal for these reasons..." — it puts us in an awkward situation.

From day one, I have always said that we need to put a price on carbon; we need to do our part, even though we are a small jurisdiction. Other folks might have said that we are too small a jurisdiction for it to matter — everybody needs to be thinking about it. It was a lot of work; it was a lot of work to get that recognition, and then to go and say: "Now the price signal is what matters, and we are going to go ahead with this plan by ourselves" — that was really tough. That's a tough thing to swallow.

Again, in looking at the changes that my Department of Finance worked on, day and night, in a very truncated time frame — also the Department of Environment and also the Department of Justice — it is just remarkable how dedicated our public servants are, for one, but it is also remarkable how they used the ingenuity of what we designed to begin with to allow us to have an option where Canada couldn't say no.

The business rebate that we offer in the Yukon right now — we have been told by the federal government — should be offered right across Canada. It is exactly what they want us to do because it is a price signal. It's not just assets, and then collecting all your dollars of assets. There is a whole list of these assets. I will get into the details of that more in Committee of the Whole, but the more environmentally you think about the assets that you accumulate, the better your rebate is. That's our business model, that's now going to be for our mining model, and what's gone now is that unique circumstance of working in the north. What is now gone is carbon leakage, and we still haven't had the answers to those questions.

So, there's a reason why the placer industry and low-kilotonnage quartz miners were in this consideration. Then, when you take a look at the output-based pricing system, we have thresholds. We have a system that is remarkable, actually. It's not just a checkbox; it's actually incentivizing business to think green.

We have seen this; we have seen accolades from tech mine companies and we've seen accolades from international mining saying that this is a good process, because mining businesses that want to do work internationally already understand the

concept of carbon pricing. Canada, they are happy to see, is finally getting together with a system that is understandable and predictable, because that's what they and their stakeholders want. That's what we want for the environment as well.

So, I'll get into more of the details of that as we go, and we will talk a little bit more, as I said, about that classification of assets to show that it's not just about if I buy a truck that I have this much asset so I get this much money back. No, it has to do with what kind of trucks. Things like, in the business rebate, if you have charging stations, that's an asset. If you have charging stations on your business, then that's a good credit; that helps you with the money that you will be getting back. That would apply now for a mining company. There are certain incentives about what they spend. Solar panels — if you are going to be powering your camp on a non-diesel alternative — those types of things. All of these assets give you more money back.

I think as well — and again, this is a conversation for me to have with the KPMA, and I'm sure the Minister of Energy, Mines and Resources is well on his way with this — the conversation, just in general, about incentives and the conversation about how we can make sure that this model works for everybody.

I'm going to leave that for now, though. There are many conversations to come there.

I will cede the floor for a vote on second reading. Again, I want to thank the departments that worked extremely hard on this. It was a fantastic privilege to watch that dedication. Also, I want to thank every Member of the Legislative Assembly for understanding the unique situation that we are in and acknowledging that this rebate is important, not only for the mining community, but for all of our businesses, all of our individuals, First Nation governments, and municipal governments 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.

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. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: 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. 21 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*. 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. 21: *Carbon Price Rebate Amendments Act (2022)*

Chair: The matter before the Committee is general debate on Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*.

Is there any general debate?

Hon. Mr. Silver: I'm pleased to rise in Committee of the Whole this afternoon for Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*. It is my intent this afternoon to walk Committee through certain sections of the bill to explain how the new program would work. Before I get down to business, I would like to thank the officials from the Department of Finance for being here. I have my Deputy Minister Scott Thompson, and I also have Clarke LaPrairie, who has done some unbelievable work on this particular piece of legislation. I thank him and the whole department for the work that they have done.

Conceptually, what we're proposing is to replace the existing mining rebate with a new revenue-neutral mining business rebate. The proposed new rebate is structured in the same manner as the existing business rebate. At its core, the concept is quite simple, but, as always, there are complexities in the legislation, so I'm going to go over those items shortly.

First, I would like to reiterate some of the points that I made earlier about the position of the amendments. With the Government of Canada's recent changes to the federal benchmark compliance assessments, the federal government has provided all impacted provinces and territories with a very small window in which to amend their respective legislation.

We have settled on an approach that treats the mining industry in a manner consistent with all other recipient groups in this truncated time frame. At the same time, our approach recognizes the challenges that are facing emissions-intensive trade-exposed sectors and industries identified in the *Pan-Canadian Framework on Clean Growth and Climate Change*.

The challenge that the emission-intensive trade-exposed industries face, however, is that the prices for their goods are set by international markets. Care must always be taken to avoid carbon leakage where the affected industries move elsewhere to avoid emissions prices or their domestic activities decline in response to the higher costs.

Carbon leakage is basically a lose-lose scenario where industry moves away, resulting in an increase in emissions internationally. We also recognize that, in general, given the current state of technology, quartz mining, today, may have a greater opportunity to reduce emissions than placer mining. By modifying the existing business rebate, we avoid the complexity of a brand-new program design. The other benefit is that the existing rules around tax returns, assessments, and appeals, and matters of enforcement and compliance can therefore all remain in place. That would apply automatically.

The proposed legislation also ensures that we will not have to negotiate any agreements with the Canada Revenue Agency or with Finance Canada. In essence, the legislation ensures that we are leveraging the logistics and administrative mechanisms of an existing program that allows for these changes to be implemented in quick fashion.

In keeping with added benefits, this revised program also ensures that placer mine operators, like other businesses, will benefit from being slightly overcompensated, on average. Given the mix of placer mines compared to quartz mines in the territory, we estimate that aggregate placer miners will receive slightly more in rebates for every dollar that they pay in carbon levies.

Under this proposal, out of the top 15 producing placer mines in the territory, nine will be expected to receive more in rebates than they pay in levies, while six will receive less. This is a similar distribution as we have seen in the general business rebates. Under this proposal, in aggregate, quartz miners will receive almost 75 percent of their carbon levies back in rebates. This represents an increase from what they would be expected to pay under the existing rebate framework, based on experience of the existing program. It is also an amount that preserves an incentive for quartz mines that emit between 10 kilotonnes and 50 kilotonnes of emissions to voluntarily join the OBPS, if they so choose — the output-based pricing system.

With these macro elements of the bill covered, I would like to walk everyone through the specific sections of the proposed legislation. We will start with part 1 of the bill, which amends the *Yukon Government Carbon Price Rebate Implementation*

Act. Sections 1 through 3 of the bill establish the fact that the business rebate account will be divided into a general business rebate account and a mining business rebate account. Likewise, the business rebate factor will be divided into a general business rebate factor and a mining business rebate factor by having a new notional account in the carbon rebate revolving fund. This effectively ensures that the mining sector will be treated on a revenue-neutral basis for the industry as a whole. Establishing what is referred to as a "rebate factor" is the first step in determining the size of the rebate for a financial year.

The mining industry is significantly more emissions intensive than the general business community. By having a separate account, this allows us to establish separate rebate factors to ensure that both the general business rebate and the mining rebate stay revenue neutral.

Section 7 of the bill outlines how these factors are determined. Sections 8 and 9 of the bill effectively sunset the existing mining rebate after this year. Sections 4 and 5 of the bill are the only amendments to the act not directly related to the mining rebates. The previous deadline of November 1 was based on the Canada Revenue Agency administrative requirements. These requirements have changed, as CRA has confirmed that it has some flexibility to alter these amounts throughout the year.

I would like to now move on to part 2 of the act. This part amends the *Income Tax Act*. The previous business rebate, and both the proposed general business rebate and the mining business rebate, are all refundable tax credits defined under section 16 of the *Income Tax Act*. This part of the bill creates a new section, which provides the formula for calculating the mining business rebate. It also modifies the business rebate, due to the creation of the mining business rebate, and renames it as the general business rebate.

This new mining business rebate formula closely mirrors the formula for the general business rebate. An eligible taxpayer calculates the mining rebate by multiplying the mining business rebate factor by the value of its eligible Yukon mining UCC. What is UCC, you might ask? Well, that is the value, or undepreciated capital cost — UCC — of its mining assets in Yukon.

The next step in the process is to apply the mining adjustment factor. So, the mining adjustment factor provides a greater rebate for placer mining operations. As I have explained earlier, placer miners have a higher level of emissions per dollar of asset, compared to quartz, given the inherent differences in operations. This fact accounts for the different mining adjustment factors.

Part 3 of the bill amends the carbon pricing rebate general regulations. These regulations contain variables used in the formula outlined in either the *Yukon Government Carbon Price Rebate Implementation Act* or the *Income Tax Act*. Many of these variables need to be revisited from time to time, as the Yukon moves toward net emissions by 2050. For example, certain groups may decarbonize at different rates, which could require future changes needed to allocation in section 1. Now, the bill amends section 1 of these regulations for two reasons. First, the obvious change is for the addition of the mining

business rebate account, but the second reason relates to mining facilities in the OBPS. I want to point out that we now expect the first OBPS facility in the Yukon.

This change is expected to remove a significant amount of carbon levies flowing into the fund in future years, and this requires some minor adjustments in the allocation in order for each recipient group to receive, in aggregate, more than they pay in levies.

The final details I would like to highlight are in section 15 of the bill, which amends section 16(1). A component of the business rebate is what we refer to as a “super-green credit”, which supports businesses as we transition to a cleaner economy. It encourages future investments in clean technology and equipment by helping businesses with the purchase of eligible assets, such as zero-emission vehicles, which fall under the capital cost allowance classes 54, 55, and 56, and also electric vehicle charging stations, which falls under classifications 43.1 and 43.2. The super-green credit will be equal in dollar amount for both general business rebate and the mining business rebate.

This means that, if a mine or a business installs, as I said earlier today, EV charging stations outside their facilities, for example, then they’ll receive the same benefit.

In conclusion, I would just like to remind members that if we don’t change this program — I think everybody knows this by now — Canada will not only disallow mining rebates but it will also stop all transfers that they are using to fund payments to businesses, payments to families, and annual payments to municipalities and First Nation governments. As I mentioned earlier, we expect that, by 2030, we will receive at least \$60 million annually in federal proceeds. This means that municipal governments and First Nation governments would be without \$2.1 million a year in transfers without this bill. This is money that these governments spend on community projects that benefit local residents as well as all Yukoners.

The business community, including miners, would be short almost \$29 million each year. This is money that goes toward supporting business owners, their families, and the community at large.

I would also like to make a few observations about the placer industry. A 2018 survey identified that roughly half of the employees on placer operations were family members. A typical placer miner might have two excavators, a bulldozer, and a loader. These are relatively small mining operations that were not provided a level playing field when the federal government excluded them any carbon leakage protection in the OBPS.

It is up to us in the Assembly to remedy the inequity that was made, and we’re doing it with a made-in-Yukon solution. With that, I welcome questions from the members opposite.

Mr. Dixon: I appreciate the minister’s opening statements as well as his second reading speech which provided excellent context for the bill before us. I would like to begin by understanding a little bit more about, in the Premier’s words, the unilateral decisions from Canada.

He stated that the decision to create these new standards or rules was a unilateral decision from Canada, and he also noted

that the timelines required for affected jurisdictions to respond were dictated by Canada as well. I would like to ask the Premier if he could provide us a bit of information about when Canada first communicated this to us, how long a timeline they gave to us, at what level those discussions occurred, and which other jurisdictions were affected as well.

Hon. Mr. Silver: I will start with the first question about jurisdictions subject to this. It would be nine jurisdictions that would be subject to this decision. Really, the conversation started in earnest in December 2020. Through communication about the five-year review and the new policies, that is when we started having conversations here. That started in 2020, like I said, but also was finalized in 2021. So, there was lots of conversations among public servants in the federal government and our government.

When we left the Legislative Assembly last spring, I did travel to Ottawa. This was part of my conversations with the Prime Minister. At that time, I was given a recognition that, in the pan-Canadian framework, Yukon stood side by side on the right side of history when it came to carbon pricing. He acknowledged that his former Minister McKenna and I stood and were interviewed on the steps of the Parliament building, and we talked about the importance of carbon pricing and acknowledged the good work that we have done as a jurisdiction. We made a commitment that we would work together on my concerns and questions from the pan-Canadian framework that we worked together on, including the review.

I remember at that time — it was actually the former Premier of British Columbia Christy Clark who started the conversation about the review. It came down to a conversation of how British Columbia, Québec, and California have certain models and have certain projections about costs to industry and to regular Canadians compared to what the emissions reductions would look like. The two different systems may or may not have aligned, so let’s take a look in five years as to the models. The federal government did that unilaterally. They went ahead with that five-year review, so that really was the impetus for us to have that conversation with the federal government.

In the summer, we did wait to hear back from the Prime Minister on this and did not receive a response, which is very unfortunate, because nobody really received that response — of the premiers that I talked. Then Stephen Guilbeault, the federal minister of ECCC — of Environment — did come here in late September and basically said, this is it; this is what we are doing.

That is kind of the history — the timeline — and so we were then forced into a conversation about what can we do to keep this system, and we had very little time to do that; as of the end of August, the beginning of September, still waiting to have a response from the federal government to my questions about why we are turning away from the pan-Canadian framework commitments that were given to Yukon and other jurisdictions.

So, that is a good synopsis of the timeline, and I will leave it at that for now and cede the floor to any other questions.

Mr. Dixon: I appreciate the Premier's response. I just want to be sure that I understand it clearly. Following the Spring Sitting, the Premier travelled to Ottawa, spoke with the Prime Minister, and raised these concerns, but then did not hear back. He said that the Prime Minister did not respond right away, and then he also said that they were still waiting for answers to the questions that he had raised.

So, can I just ask: Did the Premier convey the questions that he indicated are remaining unanswered — did he convey that by writing, or was that verbally with the Prime Minister when he met this summer? Then, the second piece was — the Premier mentioned that the first real notification that we had of this, beyond that, was when the federal minister came to the Environment ministers meeting this fall. I just wanted to confirm that is correct — the first communication about this and the actual details of this, and the timeline, came from the federal minister verbally when he attended the Environment ministers meeting here in Whitehorse not too long ago.

Hon. Mr. Silver: I confirm that, like I said, I had in-person meetings with the Prime Minister. There were meetings here with Environment, the federal and territorial — Minister Guilbeault, when he came up. There was a lot of dialogue between officials as well. These are milestones in the conversations, but you can imagine the complexity of these conversations, but us coming in and having a pause, to say, well, hold on, we're going to talk to the Prime Minister about this. And we're kind of saying, from the perspective of the Department of Environment, keep on doing your due diligence here, but we have some unanswered questions, so — to say that nothing happened in-between wouldn't necessarily be fair to the department officials.

There was lots of dialogue. There was correspondence between my office and the Government of Canada on this issue. There was correspondence between the Minister of Environment and his federal colleagues as well. There were lots of conversations, but these are more milestone times of when we asked why we are veering away from the pan-Canadian framework commitments and hoping to get an answer from the Prime Minister's office and not receiving it, and then going back to having conversations with the Environment departments.

Mr. Dixon: So, the Premier said that he had asked the question, "Why are we veering away from the pan-Canadian commitments," and he said that question did not get answered. Just to be clear, did the Premier write a letter to the Prime Minister with that concern, and do I have it right that the Prime Minister has not yet responded to that letter?

Hon. Mr. Silver: That is correct.

Mr. Dixon: Would the Premier be able to share that letter with us?

Hon. Mr. Silver: I will look into what we can provide to the member opposite, as far as correspondence. There are two governments corresponding, so I will look into what I can provide the members opposite.

Mr. Dixon: I appreciate that the Premier will think about whether or not he can share the letter. Can he tell me the date of the letter?

Hon. Mr. Silver: I don't have that information with me now, but I will endeavour to get back to the member opposite.

Mr. Dixon: I just want to ask again. Did the Premier commit to providing us that information? I missed the tail part of his comment. I will move on, but if the Premier can just confirm that he did indicate that he will provide us the date of that letter, he can at this next opportunity.

The other question I had was that there were further unanswered questions, so is the list of unanswered questions strictly contained in that one letter, or are there other unanswered questions, perhaps from either the minister's office to the federal Minister of Environment, or at the bureaucratic level? What other outstanding questions are we waiting to hear back on?

Hon. Mr. Silver: The date of the letter to the federal government — and again, we met with the Prime Minister in May, and I'll endeavour to get the date of when that conversation was. So, we brought up all these issues at that time. There was another letter sent on September 22. Again, when we know that the federal minister for ECCC is on his way up — and we still haven't heard anything back from the Prime Minister's Office — that's when we asked again about their commitments from the pan-Canadian framework.

There were questions like I talked about on carbon leakage, other commodity-producing sectors — Yukon's mining levy at the time of purchase — and specific questions about the commodity-producing sectors were asked. We didn't understand — and there was really no explanation about the rationale to put a tax on small-scale trade-exposed operators when other commodity-producing industries continue to benefit from measures that did negate, or are exempt, from the federal carbon-pricing signals or systems. We talked about the minister's proposed aviation fuel exemptions for international travel, as well, demonstrating a lack of understanding of the unique situations of working in the north.

Again, as we go back to the pan-Canadian framework and take a look at what we fought for and got through the pages of that document — unique circumstances in the north, carbon leakage, forcing industry that has no alternative into a system — all of these reasons are why we believe that the placer industry — and small quartz that aren't in the OBPS — still, based upon the definition of what carbon-pricing systems should be and are, should still receive the rebates that they had.

Mr. Dixon: So, just to be clear, the Premier said that he had a conversation with the Prime Minister in May, and that a letter was sent on September 22, I believe he said, but the environment ministers met here in Whitehorse much earlier than that — I believe it was the first week of September. Do I have those times right? Can he confirm the date of the letter that he cited?

Hon. Mr. Silver: Yes. Again, these were letters from my office. As I said before, there was correspondence back and forth from our Department of Environment, and when we step in, it's because we have some unanswered questions from the pan-Canadian framework.

Mr. Dixon: My question was: Was the date of the letter from the Premier to the Prime Minister September 22?

Hon. Mr. Silver: Yes, it was. The date on which we went to Ottawa was May 13. Again, these don't bookend the only conversations that we have had on carbon pricing and the pan-Canadian framework. This was department to department. I felt that, at that time, it was necessary because I saw things going in a certain direction, with unanswered questions as to why the federal government decided to do the five-year review by themselves and then decided to impose these new restrictions unilaterally.

Mr. Dixon: Just for context to the Premier's answers here, from what I can gather, the Premier is doing his job and standing up for Yukon businesses and the industry here in the territory, so I am supportive of this. I am just trying to understand the context by which we arrived here. It is very clear that the timelines are extremely tight. I think that it is beneficial for us as legislators, in voting on this, to understand why those timelines are so tight. This was not the Yukon government passing this legislation because they thought it was the best course of action; they are doing this because they have had this dictated to them from the federal government. I think that is important for us to understand.

The Premier talked about some concerns that he had raised with the Prime Minister, or with the federal government, about their general understanding about the realities of this small, unique industry in the north, which is the placer mining industry. Did I have it correctly that the Premier believes that the federal government is out of touch with the realities in the north when it comes to the placer mining industry?

Hon. Mr. Silver: Out of touch? I can't comment on the thinking of the federal government; however, I disagree with the federal government as to the situation that they put the placer mining community in.

Again, without answering the questions as to why this is no longer important to the federal government — the things we worked extremely hard to get in the first incarnation of the carbon pricing act — those unique northern circumstances, the carbon leakage piece, the fact that there is no electric D9 Cats or excavators available now — sure, they are coming in the future; that's great, but to force the placer industry into paying what I would consider a tax, as opposed to a price, because of that situation, I think those are still unanswered questions from the federal government.

I won't speak on behalf of the motivations or the rationale of the federal government, other than to comment that obviously the federal government takes climate change extremely seriously. They are moving in a certain direction in that pursuit, and I am very disappointed that they didn't maintain the policies and the words of the pan-Canadian framework when they decided to unilaterally change in the five-year review process.

Mr. Dixon: I appreciate the Premier's answers there very much.

Going back now to the timeline, I just want to understand the nature of the communication of the timeline from the federal government to us. It was my understanding from the Minister of Energy, Mines and Resources' comments at the KPMA briefing on Tuesday that we needed to pass this bill by

November 1; otherwise, my understanding is that the entire business rebate disappears.

Can the Premier confirm that, and confirm the timeline?

Hon. Mr. Silver: I would say that it would be extremely important — not necessarily completely necessary.

What happens is — and this is part of the act we are looking at right now — being able to not just necessarily set that date, but to have the flexibility, as a minister, to determine what the rates are. If we're changing legislation, and if we set these rates by November 1 — because that is the current deadline with the current legislation — then if we change the legislation, those numbers and figures will change. Right? So, it's really important for us to get those numbers correct, because what it is, is historical data. We will know how much to rebate. We will know how much each of the different pockets — buckets — should be getting back, and that is the information that is pertinent to the delivery mechanism: the money back from the CRA to Yukon. So, to have the most updated information based upon the legislation that we have, those two things align.

If we gave them the numbers based upon current legislation, assuming that this wouldn't pass, then we would be wrong in our assessment, basically, and that causes problems, so it is definitely something that would cause more of a herculean effort for public servants, and extremely important. If we don't, then we will have to have that big conversation with the federal government as to what that means, but yes, I would classify it as not necessarily a "drop-dead" date, but extremely important for us to know, as the Yukon, what is our mechanism, so that the data from our public servants can match that mechanism — whether it is the existing legislation or new legislation.

Mr. Dixon: I had been given to understand that this legislation would affect the broader business rebate. Is that correct? If this legislation does not receive royal assent by November 1, what does it mean for the broader business rebate?

Hon. Mr. Silver: If we don't change the legislation, then it will affect all of the — I call them "buckets", and I probably shouldn't call them "buckets" — different components. So, if we don't pass this legislation, we will be forced to give back the Yukon-made solutions to the federal government. We will be on the federal backstop, and they will determine how to return those funds to Yukoners.

Now, I would assume — and I don't know; it's up to the federal government — but if you take a look at the other regions that are under the federal backstop, they would flow it directly to individuals. So, what would be gone are all of our made-in-Yukon solutions. If this legislation doesn't pass, November 1 is a very important deadline, because it is a milestone. We don't want to blow by November 1 without saying to the federal government: There, even though you gave zero time to do this, we all worked together and we got this done — that would be the best pathway forward. If we didn't — there are lots of "ifs", but if the legislation didn't pass, well then, now we would have to figure out how we are going to figure out the new deadlines, I guess, but more so: Hey, federal government, you now are

responsible for this; how are you going to respond or return this money to Yukon?

We would then, at that time, and again, hopefully getting the support here. We don't have to, but we would urge and push for the rebates that we have now. We would urge and push that the Canadian government gave us such accolades for our business rebates, so please make these whole from your legislation piece. There is no guarantee on that. If I was a betting man, I wouldn't say that this would actually happen, because of the federal backstop in all these other jurisdictions.

Mr. Dixon: I will move to the change in nature of the program that we are making now, which from the perspective of the placer miners, currently they collect their fuel bills for the year, which includes a line for the carbon tax. They total that amount up at the end of the year and rush down to the government building to submit their receipts with the total amounts, and then, in a matter of time, they receive a rebate. How will it work for the industry going forward?

Hon. Mr. Silver: A lot less effort for the placer miners, for sure. During their tax time, they have to register assets anyway, so those registered assets will be the calculation, basically. So, as opposed to waiting all year long and collecting all those receipts, and then submitting those to the government, then waiting for the response, during tax time, they are already talking about assets. It would just be a different formula calculation on the assets that they give already.

As members in this Legislative Assembly would know, there are construction assets and there are mining assets — those types of things — but that would be the process. They are already doing their taxes anyway. They are already classifying and categorizing assets anyway. This will be just a more streamlined part of that conversation.

Mr. Dixon: I will follow up on that. One of the issues that was raised by industry a few days ago on a call with the Minister of Energy, Mines and Resources was that this new system will affect the industry disproportionately, based on the size of the project. A larger project with a significantly higher amount of equipment and newer equipment will obviously have a different level of UCC, as opposed to a smaller, perhaps one-person shop, which is using equipment that could be 20 years old. How does the Premier envision this new system working, in terms of equality within the industry — from large projects to small projects?

Hon. Mr. Silver: Again, with the mechanisms here, the act is proposing to create those new mining business rebates within the general business rebate system for placer and quartz miners.

Currently, miners will file an application during tax time. They must file an annual application to the Yukon government to determine their carbon rebate amount. Under the proposed changes, the operators will be able to claim their rebate at the same time as they file their annual tax returns, as we just discussed. This is the same process, again, that businesses in Yukon would have to do right now. The business rebate has been in place since 2019, and it has been recognized in Canada as a business-friendly mechanism to rebate those businesses impacted by the carbon pricing system. Yukon's proposed

carbon pricing rebate will meet those federal requirements. Again, those will take effect not right now, but in 2023.

Basically, as far as the asset question goes, it's an incentive. By having the rebate just be dollar-for-dollar, there is no price signal. So, every placer miner in the industry — whether they have energy efficient vehicles or not, or machines or not — will get the same dollar-for-dollar back. In this case, again, all money collected by the industry in this classification will go back to miners in this classification, but it will be at a different level.

We talked about the top 15 and how many will get more money back. Some will get more money back and some will get less money back, just like in the business categories, but it incentivizes the companies to buy efficient vehicles in their pursuit.

Is it as good, in my opinion, as what we had in the past? Well, again, there are all these unanswered questions about carbon leakage. I pushed the federal government for a dollar-for-dollar rebate. Now we have to consider something else. It has to be a price signal. By establishing that business rebate, as these folks did, that was the option we were allowed to use, basically. That is what it comes down to.

That one will work, because it already works for businesses in the Yukon in this truncated time frame, and so now it's a price signal being sent to those smaller operator quartz, and all the placer world. Again, all that money will be redistributed back; it just won't be on a dollar-for-dollar basis.

Mr. Dixon: I appreciate the Premier's answer there. That is, indeed, the issue here. The Premier has hit the nail on the head, absolutely. The move from a company simply submitting their receipt on how much they pay for carbon tax and getting a rebate at that amount is very clear and understandable to many people. Moving to a formula as per this bill that includes the undepreciated asset value of their capital is more complicated. I know that the Premier is correct in saying that this is simply going to be done at their tax time, but nonetheless, it's a more complicated notion, certainly, to communicate to industry that, instead of knowing, if I pay X amount in carbon tax, I will get X amount back, moving to a system where I pay X amount in carbon tax, I will get something based on the formula in this bill, which is intuitively, at least, a little bit more complicated.

Just to return to my initial question, I would like the Premier to touch on the disparity between a larger operation with newer equipment, as opposed to a smaller and, to use an example, a one-person shop, using very old equipment. They will obviously have lower capital values; therefore, they will be eligible for a lower rebate. So, I would like the Premier to explore that a little bit and explain that.

Hon. Mr. Silver: In essence, yes, he nailed it; the member opposite nailed it. But again, in that context, if you're a smaller mom-and-pop shop with less gear, you're also paying less carbon price to begin with as well. But you are right, because it is based upon assets now, because that's the price signal piece — right? The consumer of the fuel is now thinking, as they retire old equipment, about energy efficiency as they purchase new.

I said earlier on, under this proposal, of the top 15 producing placer miners in the territory, nine are actually going to receive more money in rebate than they actually put into the system. I'm just making sure the member opposite hears that. There is a scenario as well that some of the top-producing placer miners — nine of the 15 — will receive more money in rebates than they pay in, while six will receive less.

You're right, it is a complicated system, when now you're taking a look at a formula, but again, in the context of a placer miner doing their taxes, it's not going to be necessarily complicated. They're not going to have to necessarily figure out that formula. They'll see what the rebate is from there.

Also, 450 businesses in the general rebate have applied and used this process already. We haven't heard any complaints yet on that system, but if the member opposite is hearing complaints about the system, we will definitely take that into consideration. We are kind of hamstrung here as well with what we can and cannot do, but if there are any suggestions from the KPMA, the Minister of Energy, Mines and Resources is all ears. Also, we have had conversations with the business community as well, but anything on the formula that the member opposite can suggest, we are here to listen.

Mr. Dixon: So, in general, the system is moving from one that judges the rebate based on the consumption of fuel to one based on the undepreciated asset value of their capital. That was a decision that the government made in creating this bill, which I appreciate, and I also appreciate that they have had suggestions already — I heard a few on the line on Tuesday night — of different ways that could be done. I know that toward the tail-end, one suggestion was that gold production could be used to judge the size. Another was about labour costs vis-à-vis WCB costs. There are different ways to consider the size of a project, and the way that the government has chosen here is based on the undepreciated asset costs of their capital.

What I would like to just put on the record, or ask the Premier to put on the record, is what I heard from the minister on Tuesday night, which is that there is a willingness from the government to consider changes to this going forward, but obviously we need to do what we need to do in this Sitting because of the timeline dictated by the federal government.

Can the Premier, just for the record, explain his willingness and openness to hear alternatives to this system and a timeline for review of it as it goes ahead?

Hon. Mr. Silver: Absolutely. Let's get this passed — that would be great if we can support this bill. But I will echo the commitment from the Minister of Energy, Mines and Resources as far as suggestions from industry that we could then take to the federal government that is unilaterally dictating how we can and cannot proceed on a voluntary system of the federal carbon backstop.

Mr. Dixon: A few questions ago, the Premier was explaining why the system will work well, and I just wanted to be clear that it is the position of the current government that the previous system — the status quo right now — is a superior system, and what we are moving to now is a requirement of the federal government that will be a system that is less beneficial

to our industry, but it will be a requirement of the federal government.

Can I confirm that this is the position of the government?

Hon. Mr. Silver: Madam Chair, based on the excellent work of my department, we will be able to consider a bucket that refunds all the money that the industry puts in back to the industry. So, that will stay the same, as opposed to the federal backstop where none of this will happen.

Without the answers to the questions of why carbon leakage is not being considered now and why the unique situations of working in rural, remote areas is not being considered anymore, we are pivoting. In my opinion, as the MLA for Klondike and as the Premier of this government, we did a very effective job of working with the federal government in the pan-Canadian framework to identify what carbon pricing is and should be. I still believe that this industry should be getting a rebate, dollar for dollar, until there are other alternatives for this industry. There are not right now.

You heard the Minister of Energy, Mines and Resources talk about the industry a bit and about how they are conscientious. I think that this is one of those things where, while I would prefer to keep what we had, the new system makes sense inside the context of sending a signal to the consumer so that they will be more conscientious as they retire old equipment. Again, we worked really hard to get the first system in place, so it would be hard for me to say that I wasn't preferential to one versus the other.

Mr. Dixon: Madam Chair, this will be my last comment on the matter. I would just simply add that, as I said at second reading, it appears to me that this is making the best of a bad situation. It is a bad situation created by the federal government that appears to be, in the words of the Premier, out of touch with the realities of the north and our industry here.

I certainly appreciate the efforts of the officials to scramble to come up with this system in such a short period of time. I think it is indeed quite unfortunate that we were dictated such an aggressive timeline from Canada. I am disappointed that the federal government would behave in that way. I am disappointed to hear that there has been so little communication between the Prime Minister's Office and the Premier, relative to the Premier's questions that have been put to the Prime Minister around the departure that the federal government has made from the commitments that they made in 2016 and before and since around finding a carbon pricing system that works for all regions of our country. Like I said at second reading, we hope that this passes expeditiously, of course, because of the outcome that the Premier outlined, but it is unfortunate that we are here today.

I will close my comments by simply saying thank you to the officials. Thanks to the Premier for his explanation, and we hope that there will be a way to resolve some of these outstanding issues with the federal government in due course and that the Yukon government will remain in touch with industry to seek feedback about ways to improve going forward.

Before I close, I just wanted to also remind the Premier that I did hope to see some of the correspondence that he suggested

— in particular, the letter of September 22 from him to the federal government outlining his concerns with this new system.

Ms. Tredger: I am just pulling up my documents. Thank you.

I want to start by thanking the officials, because I feel like I just got into that briefing and grilled them with questions and they answered them all brilliantly. That was really helpful, so a lot of the technical questions I had have already been dealt with and I really appreciate that.

I want to start by talking about some of the recommendations of the Yukon Climate Leadership Council, because there are two that actually deal with carbon pricing. From *Climate Shot 2030*, there is C5, which is: “Allocate revenues collected from carbon pricing greater than \$50/tonne to fund GHG reduction projects and provide targeted support for vulnerable sectors and populations.” The second one is C9, which is: “Using a portion of carbon tax proceeds to establish a business incentive fund for private sector low-carbon projects”.

I know that my colleague, the Member for Mount Lorne-Southern Lakes, has already discussed these with the Member for Copperbelt South in a different bill, but I am really curious about the future of carbon pricing in the territory. I think we can all agree that this is what could be done in short period of time, and that we are all in support of doing that so the carbon pricing program can continue in the Yukon. What I’m really interested in is what is the future of this program? How can it be used to more — I don’t like the word “aggressively”, but more urgently to support climate action.

I have talked a little bit about this climate report already with the Member for Mount Lorne Southern Lakes, and he is looking into them, but I was a little concerned to hear when the Member for Copperbelt South asked about those items before, he said, no, we’re not planning on considering those, because — I’m paraphrasing, so please correct me if I’m wrong; I can already see that I’ve paraphrased badly, so let me try again — this government is committed to the carbon pricing program being revenue-neutral. My understanding is that would not allow for either of these recommendations. Is this government willing to entertain any other ways of working with the carbon pricing program?

Hon. Mr. Silver: I really do appreciate the question. I’m not really prepared here to review what the conversation was between the minister with another bill and another member, so I really don’t have a response at this point to those particular concerns. This is one piece of a suite of different things that we’re doing as a government to tackle climate change — whether it be *Our Clean Future* or different bills that are on the floor of the Legislative Assembly today. The future of carbon pricing? That has a lot to do with the future of the federal government and governments here in the Yukon, as well.

What we’re doing currently is supporting as best we can a federal program where there was none before. We’re also using other mechanisms and other bills to further our commitments to get to the targets that we need to get to.

I can see that the minister might not necessarily agree in full with the analysis of his comments the other day, but there

is going to be more time for that debate with the minister and these particular sections at a later time. Again, I’m not prepared for speaking on his behalf or responding to what his comments in here meant in that context, with all apologies.

Ms. Tredger: That’s fair. I was trying to give some context, but I realize it’s context that maybe just complicates the question a little bit. I’ll just simplify my question: Would this government be willing to consider changes to the carbon pricing model, such that some of the money that comes from Canada could be used toward climate action projects rather than being rebated?

Hon. Mr. Silver: Absolutely. I mean, we are talking about the OBPS rebate, which is specific to the supports of emission reduction. That is exactly what is happening with those bigger conversations of these other thresholds as well. You could also argue — and we had that conversation earlier about this change now and what the businesses do — that all of their actions now to maximize their rebate back is to get them thinking about what they can do for the climate. That is extremely important.

We do know that, in the last election, the NDP platformed on — and I am paraphrasing too — half back, and then half for the government to use for incentives. We went another route with that, and we could debate that as far as which one works the best or what have you, but we are making our decisions inside of the constructs of the federal system and also the economy at the time, and we believe that our model works well. It works even better when the federal government has us involved in five-year reviews to see if targets are being hit, because that is what is most concerning to anybody in the Legislative Assembly who cares about climate change and cares about our climate in the future. It is to make sure that whatever we are putting in has maximum benefit and actual maximum results. That, again, was the reason why all Premiers agreed that, at the time when we were debating the pan-Canadian framework, we needed these check-ins. At that time, the big debate was how expensive things were going to be because of carbon pricing, and there was BC saying: “Our economy is booming and we have had carbon pricing in for a long time”. And then, to be able to say that the coordinated effort between what BC was doing and what Québec and California were doing — these were things about which industry and environmentalists alike were saying, “This is a good system” — and the federal government was coming up with something that was a little more eloquent, I guess, or a little simpler, and both had long-term targets that didn’t necessarily match up. So, again, we should always be reviewing what we do as policies.

I think that every single political party should have a strategy, as far as what they would do if they were going to be the government of the day, and we should all be able to take into consideration the effects. Under any system — whatever measure we use — some are going to get more back than others, based upon what they do. So, that conversation about what a particular sector or business does — that changes the model overnight, based upon the actions of the individual businesses and whether they are miners or any other business working

inside the confines of a carbon-pricing mechanism. So, every time that a particular sector has the ability to be more savvy environmentally, it changes the result of the rebates. And then you take a look at the sectors that still have not come along.

There should always be reviews of these systems because we want to maximize our opportunity. We are at a precipice here of being a country ready to supply the whole world with green technology. What Premier Doug Ford is doing in Ontario with battery technology, what we can provide in critical minerals — we can all work together to quickly transition as quickly as possible to a greener technology future. That's extremely important. Any model or any system from any political party should have the scrutiny to make sure that it is being maximized.

Ms. Tredger: I missed something right at the beginning of that answer about the output-based pricing system. It sounded to me like the Premier said that it is not all directly rebated. Could he clarify about how all that fits in with using the rebates toward climate action projects?

Hon. Mr. Silver: Basically, all money has to be used for progress for reducing emissions in the output-based pricing system.

Ms. Tredger: Thank you, Madam Chair, that is helpful. I had been very focused on the mining bucket and had not looked at that one as much, so I appreciate that clarification.

The Premier talked about the importance of reviewing this policy and this legislation. Does he have a date in mind to do a review of this legislation?

Hon. Mr. Silver: Again, this is a federal backstop. So, in a federal system, the federal government made a commitment to review with us a five-year review. I am not sure where the commitment is right now for that review. We do a lot of statistical analyses of the systems as they come in, so we will be monitoring that, but, again, being on a federal system, we really hoped that we were going to already be in a review system. It is one thing, as one small government, to take a look at the impacts of a federal system, but we need all governments to work together on this. That was the hope — that five-year period from the pan-Canadian framework — that we would work together on that review. We have amazing public servants who have a lot of information and data to provide it. We are very hopeful that, as the federal government moves forward — or whatever federal government we get, moving forward over the years and decades — these reviews involve best bang for buck by us all working together to make sure that our models work to reduce emissions and to hit the targets that we are all hopefully in lockstep together to maintain and to hit in the right time frames.

Ms. Tredger: That wraps up my questions. I believe my colleague may have some, but I'll leave it to her to take the floor, if she does, and I'll thank the Premier, and thank you so much to the officials for the briefing on a very technical subject.

Mr. Cathers: I have several questions for the Premier. Again, as my colleague, the Leader of the Official Opposition, we do recognize the context and timing of this specific piece of legislation, but it does seem a good opportunity to ask a few questions relevant to the carbon-pricing structure overall.

The first one that I would just ask the Premier is — the carbon tax, as it's applied within the territory — and, of course, the federal government collects the tax and then passes on money to the territorial government. Could the Premier confirm what the annual tax revenue is currently from the carbon tax in the Yukon?

Hon. Mr. Silver: The estimate for 2022-23 is \$25,804,000.

Mr. Cathers: I appreciate the answer from the Premier. My understanding — and I would invite the Premier to correct me if I have misunderstood any of this from the briefing — is that currently the carbon tax is at \$50 a tonne, and it's intended to go to \$170 a tonne in 2030. So, could the Premier indicate, at the current emissions levels in the territory, what would the annual carbon tax then be at that rate?

Hon. Mr. Silver: Hypothetically, over \$110 million.

Mr. Cathers: I appreciate the answer from the Premier, and recognize that the government's intention is to see a reduction in emissions, but I do think it's relevant to the conversation and information to Yukoners of what current emissions level that taxation picture would look like.

I do appreciate the answer that it would be \$110 million annually in tax in the Yukon. Could the Premier just confirm that whatever the annual amount would be — whether it's \$110 million or another amount — the goods and services tax would be on top of the carbon tax?

Hon. Mr. Silver: Yes.

Mr. Cathers: I appreciate the answer.

I would just move on to the area of the fuel price and the impact that the carbon tax is having. Of course, this has been a topic of concern for many Yukoners as prices have gone up. While the carbon tax, of course, is only one part of the picture, it is a part of the picture. Could the Premier please indicate, on diesel, gasoline, and home heating fuel, what is the current amount of the carbon tax on each of these three items per litre?

Hon. Mr. Silver: For 2022, gasoline is 11.1 cents. Light fuel oil is 13.4 cents. Propane is 7.7 cents. Natural gas is 9.8 cents.

Mr. Cathers: I would just ask the Premier to confirm the term he used, "light fuel oil". In layman's terms, is that the amount for diesel fuel?

Hon. Mr. Silver: Thanks for the ability to clarify. Diesel fuel or home heating fuel — same fuel basically.

Mr. Cathers: I do appreciate that clarification from the Premier.

The amount of the carbon tax is planned to increase in 2030 to \$170 per tonne. Could the Premier provide the numbers currently on what the Department of Finance estimates the cost per litre would be for diesel fuel and home heating fuel, gasoline, and propane respectively?

Hon. Mr. Silver: What I would love to be able to provide as well is the cost of flooding and forest fires, and all those things that all taxpayers have to pay for in each of these years as well. But, as we put a price on pollution, these numbers, in isolation, would be for 2030: for gasoline, 37.6 cents; light fuel oil would be 45.6 cents; propane would be 26.3 cents; and natural gas, 33.3 cents.

Mr. Cathers: I do appreciate those answers from the Premier. I do think it's important that, whether one is a fan of the carbon tax or a critic of the carbon tax, there be information presented to Yukoners about what the actual impacts are of that so they can make their own judgments based on information.

Moving on to another area — as the Premier will recall, we have debated on a number of occasions the fact that, for Yukon's agriculture sector, while they can apply for an exemption from the carbon tax on the fuel that they purchase directly, for the carbon tax that they end up paying through increased costs of fertilizer, increased costs of feed, increased costs of fencing materials, irrigation equipment, building materials, and so on that they have to purchase, currently the rebate structure doesn't provide them anything back to assist them with those costs.

The reality is that, although the carbon tax that is driving the cost may be applied outside the territory, it is part of what is causing inflation on all of those items that I noted, and part of why I'm hearing from farmers in my riding and elsewhere in the territory that they are having to increase their costs of Yukon-grown products that they're selling here in the territory as a result.

The simple question I just want to ask the Premier is — I understood from the officials at the briefing that there's nothing right now in the federal government's structure that would prevent consideration of actually providing a rebate or some form of money back to farmers based on something hypothetically — like the amount of production — so, hypothetically, a certain amount per tonne of potatoes or per pound of broccoli, and so on and so forth.

Is that the Premier's understanding as well that, as discussions occur of what the Yukon's carbon tax rebate structure may be in the future, there's nothing right now from the federal government that would preclude considering extending additional rebates to the agricultural sector to incentivize production?

Hon. Mr. Silver: Again, any agricultural business in the Yukon has the mechanism, as a business rebate right now, based on assets, as opposed to based on production as the member opposite has suggested. Also, just for clarity, the federal government is the one that determines who is exempt from paying the carbon levy. When it comes to agriculture, farmers are exempt from paying the federal carbon levy on gasoline and light fuel oil used in farming operations — used as the federal definition of "farming activities". The exemption is determined following submissions of the federal tax form and the carbon-levy exemption certificate for farmers.

Propane fuel for farming is included in the list of exemptions. The federal government made the decision to exempt this group to avoid increasing the cost of food for all Canadians. Farmers who buy non-exempt fuel for ancillary purposes can claim a Yukon business carbon rebate on their tax return.

As far as speculating on what the federal government is considering outside of that, I will leave that speculating to others. I will also note that the numbers I gave, whether for

2030 or a current year, for the carbon price that is on the fuel, it is all rebated under this Yukon-made carbon rebate system.

Mr. Cathers: I don't think the Premier — let me try to simplify my question. I think the Premier misunderstood what I was asking.

My question is based on my understanding from officials and I'm just seeking the Premier's confirmation that he is of the same understanding. My question was: If the Yukon government, as this legislation may be reviewed going forward, wished to consider providing an additional rebate to help compensate farmers for the additional costs that they are paying in what is referred to as an "indirect carbon tax", which is part of what is driving up the cost of fertilizer, cost of feed, cost of fencing materials, irrigations materials, building materials, and so on — all major costs as part of their operations.

Is there anything that the government is currently aware of that would preclude the Yukon government looking at potentially expanding and adding additional rebates aimed at helping the Yukon's agriculture sector pay for some of these increased costs to which I referred? These costs are driving up the prices that they then have to pass on to customers, and are making it increasingly hard for them to compete with larger producers shipping food up the highway.

Hon. Mr. Silver: Thanks for the clarification on that question, to the member opposite.

Again, I think this is a concept that is very similar to what the Leader of the Yukon Party suggested, as far as gold output or product output, as far as figuring out a mechanism that is based upon, maybe not assets, but production. Production is what they are getting at.

In either system, it's going to be a revenue-neutral system, and there are going to be people who are going to get more or less, based upon that, because it all comes down to a price signal. As long as the point of a price signal is still maintained from the federal government's perspective, then that is the most important, salient point.

I am more than willing to work with the member opposite as far as suggestions of a system that is produce-based, as opposed to asset-based. Again, it would be revenue neutral. It would have to be a price signal that is being sent. I'm not sure. Again, I still don't want to speculate as to whether or not that is something the federal government would take into consideration, especially in this field. It is different from mining, because it is exempted already — some of the fuel that is directly into that production. I don't know if it would actually be more advantageous on the whole, or to what part or group of that industry. These are things I don't know, but my willingness to take a look at models to suggest to the federal government, I will make the same commitment to the Member for Lake Laberge as I did to the Leader of the Yukon Party. I am willing to look at any suggestion.

Mr. Cathers: I do appreciate that undertaking by the Premier. I would emphasize, from my perspective, the value of increasing local food production — whether it's vegetables, meat, value-added, and so on — includes improved food security, locally grown product that results in more money staying in the Yukon economy, and also, if we are growing and

raising more of our food here locally, it reduces the fossil fuel emissions that are required to ship food grown Outside up the highway.

So, overall, it is a good move from a green perspective, as well as economically and from a food security perspective, and we have all seen some of the disruptions in recent years to the highway system. It has been a reminder that, when the highway is shut down, having food producers, such as — there were times, I know, at one stage during the pandemic, when the most reliable products that were in Yukon stores included Yukon-farmed eggs and Yukon-produced vegetables. That is something that is a reminder of just one of the many reasons that this is valuable.

I will move on to another topic here, but I do just want to thank the Premier for his undertaking to look at that, and note that I do think that recognizing the fact that farmers are paying, through no fault of their own, increased costs for fertilizer, feed, fencing, irrigation equipment, building materials, and the list goes on, and helping them offset that, especially the portion of that which is directly related to the carbon tax, even if it is tax applied outside of territory, would be a good idea that would help reduce the unintended consequences of a carbon tax that has negatively impacted this sector in some ways and could potentially actually help incentivize local food production, based on production.

Another area I just want to move on to, is that we saw in the *Interim Fiscal and Economic Update*, provided by the Department of Finance, on page 10, when it talks about inflation, it also acknowledges — and I quote: “Higher fuel prices have been the biggest driver of inflation.” Now, of course, as the carbon tax goes up, that is also applied on fuel, and I know that those who are fans of the carbon tax system will argue why it is still beneficial. I am just asking for information at this stage to help Yukoners judge for themselves.

With the price per tonne of carbon tax intended to go from \$50 a tonne now to \$170 a tonne in 2030 — which, as the Premier noted, at current emission levels, would see the annual tax amount collected in the territory rise to approximately \$110 million — does the government have modelling that they have done on what impact that will have on inflation overall, and specifically inflation on the price of food, since most of our food is shipped up the highway? And, as I already indicated, even what is grown locally has gone up, in part due to the impact of carbon pricing.

Hon. Mr. Silver: Again, with the carbon pricing that is attached at the pump from the federal government, and with the support of all parties in the Legislative Assembly to pass what we’re doing here today, those increases per litre of gas from carbon pricing are all rebated back to Yukoners, including the amount spent by tourists who come up, also including what our government spends — all of that goes into these buckets, as we’re now calling them, whether it’s business, First Nation governments, municipalities, or individuals.

So, again, just to be clear, that money does get rebated. It is attached, and we talked about the hypothetical numbers in the future, but again, I need to put on the record, as well, that it is all rebated back. Now, is it dollar for dollar? No, it’s not.

There’s a price signal that has to be sent for carbon pricing. If there was a more efficient way of putting a price on carbon, then I’m all ears. If there is a different system that the member opposite would support, as opposed to a carbon price, I’m all ears because I know — and I’m not even being facetious here — that climate change, or the environment, is important to the members opposite, and we’re all looking for solutions that help both our economy and our environment.

We could talk all we want about our small amount of tax that we, as a government, put on at the pump; we could talk about the rebates that are happening from the carbon price that is also put on at the pump; and we could also talk about the incentives that we’ve done, as a territorial government, to make life more affordable with our inflation incentive packages.

To answer the member opposite’s question, we are always looking at all the metrics of cost for Yukoners and comparing it to the realities in other jurisdictions and around the world. I think we’ll disagree on whether or not the federal government’s spending on the pandemic is the root cause of inflation or not — I’ll disagree with him there — but again, yes, we’re always looking at all the metrics when it comes to the money that we put into a budget, as the member opposite would know with his time in the Legislative Assembly as a minister as well.

I recognize and agree that the price of fuel is definitely a lot of money. Right? It is. It was noted in our fiscal and economic outlook for a reason. It’s statistically relevant information.

If it was the one and only thing that was happening here — but it’s not. There are lots of different factors. There are lots of different forecasts for the future as far as whether or not inflation is going to continue or not. We are going to continue to monitor all of these different parameters, but I think we’ll probably fundamentally disagree at the end of the day as to whether or not we should be affecting that price of fuel in the way that maybe the Yukon Party would have us do.

Mr. Cathers: The Premier didn’t actually provide the information that I was looking for there.

I want to be clear that — I know the Premier is going to argue the merits of the system, but what I’m asking is, setting aside our philosophical views on it, coming down to the nuts and the bolts: Does the Department of Finance currently have projections on the impact that increasing the carbon tax to 45.6 cents per litre and 37.6 cents per litre respectively — what impact is that expected to have on the cost of food?

Again, as noted in the interim fiscal and economic update provided by the Premier and his department this month — and I quote: “Higher fuel prices have been the biggest driver of inflation.” That, again, is continuing to be a factor because, with so many of our goods shipped up the highway and even if there’s a rebate after the fact, the Premier can’t dispute the fact that the tax will have to be added on to the cost initially; the rebate will come later. Comparatively I would point out that when the goods and services tax system was put in, that’s one of the reasons why the government of the day and successive governments chose to make some items tax exempt, rather than applying it across the board and relying on rebates later, based on income.

Again, driving down to the nuts and the bolts of the question, if you add carbon taxation and increase the price per litre, higher fuel prices will result in inflationary pressure on the cost of food. The government knows how much the federal government plans to raise that carbon tax per litre. How much is that expected to have an impact on the cost of food? What is the estimated inflationary impact of that taxation?

Hon. Mr. Silver: In a nutshell, as far as forecasts about costs and expenses, they are all in our interim fiscal and economic update. To ask the specific question of is there a direct correlation between the cost of gas and the cost of groceries, we don't do that direct analysis, because it would be different for a lot of different organizations and agencies. Added into that is what the cost is of doing nothing, as far as transitioning from fossil fuels. There are think tanks around the world that are contemplating these things, as we speak.

The transportation industry is part of our business rebate, so we are very mindful of the costs. We are rebating as best we can in the parameters of the federal system. We also have one of the lowest taxes on fuel in the country. We have also talked about all the parameters that we use to make life more affordable in Yukon.

One of the pieces that we haven't even talked much about is our changes to the *Income Tax Act*. With the work that we have done, Yukoners are spending millions of dollars less in income tax every year. As far as direct correlation between — no, to those two specific things, but it's a heightened awareness of the costs and the forecasts as they are listed out in our interim fiscal and economic update. I guess I can leave it at that right now. To answer his question as succinctly as possible, those two parameters directly correlated is not an analysis that I have at my fingertips here.

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 10 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. 21, entitled *Carbon Price Rebate Amendments Act (2022)*.

Is there any further general debate?

Hon. Mr. Silver: We were having so much fun on the break that we forgot the question that was asked before the break. I would ask the member opposite to repeat the question.

Mr. Cathers: The question I was asking the Premier was just raising the issue of what the estimated impact on food prices would be of the increase in taxation, because comparatively, as much as when the Bank of Canada, for example, increases the lending rate, even a relatively small change does have an economic impact and an impact on families.

Setting aside for a moment the arguments in favour or opposed to the idea of carbon taxation, what I am asking about

is with the federal government's plan to increase the carbon tax to \$170 a tonne by 2030, and the significant increase in the cost per litre of fuel that will result from that, has the Department of Finance done any economic modelling to estimate the impact on the cost of food, which may result from that increase in the carbon tax?

Hon. Mr. Silver: As far as micromodelling of these specifics, I wouldn't say that we do that analysis, but what we do is make sure that we deliver bills that present the realities that we are existing in currently, whether that is a pandemic and then having to adjust — to take a look at how that affects our economy, how that affects our communities, or whether it is inflation due to international conflicts or supply chain issues, but to answer the member opposite's specific question, I wouldn't say that there is actually that level of detail of microanalysis that the member opposite is seeking.

Mr. Cathers: I do appreciate the Premier answering my question. I would also encourage them to develop that analysis. Again, I would draw the analogy to the Bank of Canada, which in dealing with a much more complex set of factors to try to predict in the country, does modelling to understand the impacts that raising or lowering the key lending rate would have, as well as the impacts in other parts of monetary policy, such as quantitative easing, for example, which they were doing in a significant amount for a while.

What I would, again, just note is that, just as the Bank of Canada and the federal government do work to predict the impact of adjustments to the lending rate in other parts of the fiscal and economic policy, the Yukon government should work to have an understanding of — with the known tax increases coming from the carbon tax over the next not-quite-eight years until 2030 — what is the estimated economic impact on food and other essentials. I understand the Premier said that he doesn't have that information now. I just want to emphasize that I would encourage him to provide direction to the department to do that analysis, because the increased cost of food, even if there is a rebate later on, will have a significant impact on families and a significant economic impact. Having a sense of what that impact will be, from that significant tax hike, is quite important.

In conclusion, Deputy Chair, as I noted, comparing that model to that of the GST, in the case of the GST, the federal government that implemented it, and successive governments, have chosen to take the model of exempting certain essential goods from the tax, because of recognizing the fact that, if you apply a tax, it will drive up the price, and even if you provide a rebate later, especially for low-income families, that may create a period of hardship, as a result of that new tax.

On this point, I would just urge the Premier to ask his department to do the work, and then subsequently provide information to Yukoners about the estimated impact on the cost of food and other essentials that will result from the known plan to increase the carbon tax by 2030.

Hon. Mr. Silver: Thank you, Deputy Chair. I appreciate the urging from the member opposite.

Deputy Chair: Is there any further debate on Bill No. 21?

Seeing none, we will proceed clause by clause.

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

Clause 5 agreed to

On Clause 6

Clause 6 agreed to

On Clause 7

Ms. White: I'm just going to ask the Member for Klondike to help walk us through this. In clause 7, it talks about sections 14 and 16, and it talks about how the minister is going to determine the rebate factors. There is a long, complicated — maybe not complicated for accountants in the next section where it talks about A plus B divided by — I was wondering if the Premier could walk us through what this calculation means in — I don't know — in standard people terms, just to either help me understand or help people in the future understand what this section is.

Hon. Mr. Silver: Okay, back to the classroom. The formula is A plus B, divided by the denominator of C minus D. So, in this case, A is the portion — the estimate by the minister in the prescribed manner in the balance of the general business rebate account at the beginning of a particular fiscal year. That will be available for distribution for the particular fiscal year. B is the total, estimated by the minister in the prescribed manner, of all amounts that the minister expects to be allocated under section 8(2) to the general business rebate account during the particular financial year. Those two totals will be added together and then divided by C minus D. C is the total estimated by the minister in the prescribed manner of all amounts, each of which will be the eligible Yukon — the ECC to an eligible Yukon business taxpayer for a tax year of the eligible Yukon business taxpayer that ends in the particular fiscal year.

Then you will take that number and subtract from that the total of all amounts, each of which will be the eligible Yukon mining ECC to an eligible mining business taxpayer for the taxation year of eligible Yukon mining business taxpayers — again, for that fiscal year. You are basically taking the totals and then dividing them by those estimates that are specific to the business taxpayer, and D being the mining taxpayer.

Ms. White: This is when the Premier's previous career as a math teacher is more helpful than my previous career as a red seal baker. When we are looking at those factors — I appreciate the walk-through — and we add A and B together and we divide it by C minus D, what is that final number? What does that final number signify?

Hon. Mr. Silver: As someone who is baking, you need to know fractions really well, for the record. You would probably kick my butt on that.

Basically, that's the rebate. It will be calculated in the rebate, and that is per thousand dollars.

Clause 7 agreed to

On Clause 8

Clause 8 agreed to

On Clause 9

Clause 9 agreed to

On Clause 10

Clause 10 agreed to

On Clause 11

Ms. White: In this section, we are talking about adding additional definitions. Under the definition in (1)(b), it talks about “‘eligible Yukon mining asset’, of a taxpayer for a taxation year, means property that...”

I was wondering if the Premier could walk me through (c). (c) says, “... unless it is cross-border transport equipment, is situated in Yukon at all or substantially all times in the taxation year at which it is used principally in carrying on an eligible Yukon mining business, and...”

Could he help me understand that point?

Hon. Mr. Silver: A good example would be the Tungsten mine, where you have an overlap between jurisdictions. It comes down to how much of the year is that asset being used in the Yukon.

Ms. White: I appreciate that example. Just below that, it says, “‘eligible Yukon mining business partnership’, at any time, means a partnership that, at that time

“(a) has at least one member that is a person resident in Yukon or an eligible Yukon mining business partnership...”

I guess my question is, if, for example, it's an Outside company that comes in to work a claim, does it require only one Yukon resident to both work and live in the territory? What does this mean as far as eligibility?

Hon. Mr. Silver: We all know the requirements to being a Yukon resident — six months of the year. I know many Yukoners, Dawsonites, born and raised — third generation, that type of thing — who winter outside of Yukon. So, basically this comes down to ownership. You need to have somebody who is a Yukon resident in this business partnership to qualify.

Ms. White: I thank the Premier for that.

So, in that same thing, when we go to eligible Yukon mining business taxpayer — so, understanding that, in order to be a resident of Yukon, you have to be — it is actually not six months; it is actually six months plus a day; otherwise, you don't qualify for health coverage and all the rest of it. So, is the assumption then that the business or the partnership is paying income tax in the territory in order to collect the carbon rebate?

Hon. Mr. Silver: Yes.

Ms. White: I thank the Premier for that.

The reason I am seeking the clarification is it would seem like a weird loophole if we were having people leave the jurisdiction to pay their income tax in another area, and we were sending a rebate with them. So, I just wanted to clarify and make sure that, in order to collect the rebate, you are paying taxes in the Yukon. The Premier is just giving me the thumbs-up, but if he wants to say anything — I just wanted to be clear that a business is paying taxes in the Yukon in order to collect the carbon rebate.

Hon. Mr. Silver: I will verbalize thumbs-up.

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Ms. White: So, this section is talking about — if I go back to the initial carbon calculation — so, the initial calculation had the business rebate amount at 51 percent; Yukon First Nations at one percent; municipal rebate at three percent; and personal rebate at 45 percent. So, that was in the initial legislation, and so we are clearing that; we are amending it, and this one says: general business rebate account is 36, and we are adding the new one, which is the mining business rebate at 12 percent, municipal 3.5, personal is 45 percent, and Yukon First Nation is 3.5 percent.

So, I was hoping that the Premier could walk us through how that division or how those calculations were made. Personal is staying the same and everything else has changed, including, of course, the addition of the mining.

Hon. Mr. Silver: These percentages reflect our ability to make sure that the rebate is more per sector than what was given for that particular column or sector. If a large mine becomes part of the output-based pricing system, that will affect these numbers, right? But then, for whoever is still left in there, we want to make sure that bracket still gets more out of it than what they put into it. That is what these percentages reflect. As different columns or different categories become more efficient or less efficient, that will affect these numbers as well — or as the prices go up or down.

So, these are basically us being able to account for the historical trends that we notice and making sure that each one of these pockets gets more money out than they put in.

Ms. White: I thank the Premier for that.

With the previous legislation, with the business rebate account at 51 percent, was Yukon at that point taking a percentage of that and putting it into mining businesses? I am just trying to figure it out. I am trying to understand it, as it is a significant difference. There is the 36 percent compared to the 51 percent. The Premier has just said it's to ensure that each of those industries, or each of those payers, receive more than they put in. I am just trying to figure out how.

If I look at 51 percent, okay, that's where the 12 percent comes in, and I understand. I'm just trying to understand the re-jigging. If it was initially 51 percent, I'm just making sure that the businesses folk are still represented in the same way.

Hon. Mr. Silver: It would be different if a quartz mining company is in construction stage; they get to choose, because they are probably not at those thresholds of five kilotonnes, so they would be in that business bucket. Right?

Depending upon who is in that bucket would determine the threshold numbers that we have here. Again, the ultimate goal is to make sure that complete composite of businesses, or First Nations, or municipal governments all have a threshold of just more than they put in. That's why these numbers will change compared to previous numbers. It's based upon who is in those buckets on that particular year.

Ms. White: The Premier just said, "on that particular year" — so, a fiscal year — but the numbers, these percentages,

will stay the same, and it will just represent differently, or are these numbers that are going to be included in legislation going to change?

Hon. Mr. Silver: Those numbers could change, based upon discretion. That's what gives us the ability to make sure that each one is acceptable in the amount of the 100 percent that is collected through the Canada Revenue Agency. I have to go back and correct the record. When I talked about the formula, I did say that it was based upon per thousand, but, no, it is per dollar.

Clause 13 agreed to

On Clause 14

Clause 14 agreed to

On Clause 15

Clause 15 agreed to

On Clause 16

Clause 16 agreed to

On Clause 17

Clause 17 agreed to

On Clause 18

Clause 18 agreed to

On Title

Title agreed to

Hon. Mr. Silver: Deputy Chair, I move that you report Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, without amendment.

Deputy Chair: It has been moved by the Member for Klondike that the Chair report Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, without amendment.

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. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, and directed me to report it 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.

Hon. Mr. Streicker: 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. Monday.

The House adjourned at 5:26 p.m.

The following sessional paper was filed October 20, 2022:

35-1-65

Fifth Report of the Standing Committee on Rules, Elections and Privileges (October 20, 2022) (Mostyn)

The following document was filed October 20, 2022:

35-1-77

Animal protection act, letter re (dated October 17, 2022) from Mandy Johnson, Vice President, Yukon Dog Musers Association to Hon. Nils Clarke, Minister of Environment (Clarke, N.)



Yukon Legislative Assembly

Number 83

1st Session

35th Legislature

HANSARD

Monday, October 24, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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
Monday, October 24, 2022 — 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

Speaker: Before proceeding with the Order Paper, the Chair would like to remind members of the practices of this House regarding the tabling of documents and “correcting the record”.

As noted in the statement by Speaker Clarke on November 4, 2020, a Member of the Legislative Assembly cannot claim to “correct the record” of what another member has said in the House.

In addition, the rubric “Tabling Returns and Documents” is not an opportunity for debate, either in the form of comments made by a member while tabling a document or in the content of the document itself.

As members cannot do indirectly that which they cannot do directly, documents that are tabled cannot be used to “correct the record” of another member.

On Thursday, October 20, 2022, the Minister of Health and Social Services tabled a letter dated October 20, 2022 that she had written to the Leader of the Third Party. The content of the letter was designed to correct in the official records of the Assembly, by way of tabling the letter, things that the Leader of the Third Party had said during debate in the Assembly. The letter also sought apologies for the things that the Leader of the Third Party had said in the Assembly.

For the reasons that I have stated, this letter has not been accepted into the working papers of the Assembly, and I will return it to the Minister of Health and Social Services.

Speaker's ruling

Speaker: On Thursday, October 20, 2022, the Member for Lake Laberge rose on a point of order during Question Period and stated that the Minister of Community Services had used the word “fearmongering” in his remarks and that the word was unparliamentary in the context in which it was used. The Chair found that there was a point of order.

Later, during that same Question Period when the Minister of Community Services accused opposition members of “peddling fear”, the Member for Lake Laberge rose on a point of order noting that the terms “peddling fear” and “fearmongering” were very similar. In addition, in speaking to the point of order, the Government House Leader asked if “peddling fear” was to be ruled out of order, then in what way could “fear” be used?

First, “peddling fear” and “fearmongering” are seemingly one and the same because they both imply intentionally selling fear; therefore, as applied to members of the Assembly, the terms are not in order.

Second, the Chair will rule on language used in this House as it comes up and will view it in the context in which it was used. In the Legislative Assembly, context is very important. It is the Chair’s responsibility to view each situation based on the context at hand. The Chair doesn’t deliver rulings in advance, but I will maintain order within the Assembly so that members remain respectful in their remarks.

Finally, I will note that during points of order, some members feel the need to editorialize events when speaking to a point of order, or else they make comments after they have cited the Standing Order they feel is being contravened. Such comments are a continuation of debate, or just taking a dig at another member and are not in order. Please keep your points of order to the facts only.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Mr. Speaker, could we please welcome several guests here today for the tribute on energy efficiency? From the Energy branch and the Energy Solutions Centre, from our left to right, we have director Shane Andre; energy program officer, Josée Migneault; senior energy planner, Judy Booth; manager of Low Carbon Transition, Heather Semotiuk; energy program officer, Shraavan Adiyodi; and senior energy advisor, Paul Reikie — if we could welcome them all, please.

Applause

Hon. Ms. McPhee: Thank you, Mr. Speaker. I ask my colleagues to help me welcome a number of guests here today for the third reading of the midwifery bill. We have with us Natasha Phillips, the senior policy advisor with Health and Social Services; Caitlin Kerwin, the director of Strategic Policy and Planning with Health and Social Services. We have Elizabeth Morrison, the clinical manager at the midwifery clinic; Laura Stewart, the medical office assistant; Katrienne Walton, a registered midwife; Kayla Gagnon, a registered midwife; Alethea Stobbe, the director at the clinic; and Anna Starks-Jacob, legislative counsel who worked on this matter. Thank you all for being here.

Applause

TRIBUTES

In recognition of energy efficiency

Hon. Mr. Streicker: Mr. Speaker, yesterday, snow was dusting our mountaintops, and today it’s is full on. With that in mind, I rise today to pay tribute to energy efficiency. Canadians recently recognized Energy Efficiency Day on October 5, Energy Star Day on October 12, and Sustainability Day on October 19. These commemorative days have one thing in common: They recognize our shared commitment to energy efficiency and sustainability. Energy efficiency is the cheapest, quickest, and cleanest way to meet our energy needs, avoid

wasteful pollution, and reduce energy costs. Smarter energy use reduces the amount of electricity needed to power our lives. This helps to reduce, and even avoid, generating emissions that pollute our air and warm our climate.

I can proudly say that Yukoners are actively implementing energy-efficient practices and making homes and work spaces healthier, safer, and more comfortable. For example, 245 high-performance new homes were built in the Yukon over the past two years. These new homes are roughly 50-percent more energy efficient than current building code standards. By using less energy, the homeowners of high-performance homes enjoy significant savings and have peace of mind knowing that they have reduced their carbon footprints.

Another way that Yukon residents are becoming more energy efficient is completing retrofits to their homes and buildings, switching to renewable heating systems. To date, Yukon homeowners have installed 98 smart electric-heating devices, including heat pumps and electric thermal storage units. These renewable heating systems are very efficient, with some units reducing demands for electricity during peak times in the winter. I celebrate the early adopters for showing us that we can reduce our environmental impacts while living in comfortably heated homes during the Yukon's deep winter.

Mr. Speaker, I want to acknowledge that First Nation governments, municipalities, businesses, and non-governmental organizations are part of this change as well. They are implementing energy-efficient upgrades to their administration buildings, community and recreation centres, and residential and commercial buildings throughout the Yukon. These are major projects and I want to applaud everyone for their commitment to going efficient.

Finally, Mr. Speaker, I want to acknowledge that, on average, Yukon residents apply for 2,100 good energy rebates per year. These rebates are for smaller energy-efficiency actions like purchasing Energy Star home appliances or doing minor upgrades around our homes.

Thanks to all Yukoners for taking energy-efficient actions, big and small. Through our collective actions, we reduce our energy demands and greenhouse gas emissions and build a more sustainable Yukon.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize the importance of energy efficiency both in our daily lives and our finances and in the effects that our energy consumption has on the environment. Methods, materials, construction, and appliances have evolved significantly over the last few decades. Efficiency is top of mind for those looking to purchase or build new homes or working to remodel older homes to retain heat better through insulation, roofing, siding, or overhauling aging heating systems.

There has been a lot of good work done through the Energy branch of the Yukon government to promote energy savings and upgrades through good energy rebates and other initiatives. It is great to see the number of people adding solar panels to their homes or investing in new efficient windows and doors. It

has certainly been hard to handle the drastic increase to power bills along with increases to all other aspects of life in recent years, so any adjustments toward efficiency will be helpful to homeowners moving forward.

Energy Star Canada is a partnership between the Government of Canada and industry to bring highly efficient products to the forefront in Canada, ensuring that they are available and visible to Canadians. Energy Star Day took place recently on October 12 and brings awareness to saving energy in homes and with new builds throughout the country.

Thank you to all those who work to promote energy efficiency and help to reduce consumption in their own homes.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to Energy Efficiency Day and Energy Star Day. On a snowy day like today, we all look forward to coming in, out of the cold, into cozy, warm buildings. In a place as chilly as the Yukon, those buildings don't stay warm by accident. It takes energy, and that energy comes at an environmental cost. We have a responsibility to use that energy efficiently. Energy efficiency is critical to meeting our climate change goals and protecting the Earth for generations to come.

There are fantastic people working on this goal all over the Yukon. Thank you to the Energy Solutions Centre, which helps Yukoners make changes, big and small, to their homes and businesses to be more energy efficient. Thank you to everyone who has put in the money and effort to increase their own energy efficiency. We also need to acknowledge that renovating your home takes money and time, which is not a possibility for many people living in poverty. Climate action means making energy efficiency an obtainable goal for everyone.

To address the climate crisis in a serious way, we must ensure that programs and policies are designed to support Yukoners and their institutions and will adequately address the problems before them. So, as we celebrate Energy Efficiency Day and Energy Star Day, I commend all those working to make homes and businesses more energy efficient and reducing the carbon footprint of their daily lives.

Applause

In recognition of Brain Cancer Awareness Day

Hon. Ms. McPhee: I rise today on behalf of the Yukon Liberal government to acknowledge that October 24 is Brain Cancer Awareness Day. This year is the fifth annual Brain Cancer Awareness Day held here in Canada.

Brain cancer starts with brain tumours, and out of the 120 different types of brain tumours, one-third are cancerous. Although brain cancer has had decades of research, malignant brain tumours are some of the deadliest forms of cancer, and research is extremely underfunded.

Brain cancer kills more adults under 40 than any other form of cancer. Currently, Canada has one of the highest rates of brain cancer even in the world. If you don't know someone who has directly had this devastating type of cancer, then you likely know someone indirectly — someone like the beloved

Canadian singer Gord Downie of the Tragically Hip. Gord Downie had glioblastoma, one of the most insidious and fatal diseases. Downie's death drew media attention to this disease and raised awareness of brain cancer across the country and across the world.

Every day, 27 Canadians are diagnosed with a brain tumour. Eight of these Canadians will learn that their tumour is malignant. Malignant or not, brain tumours forever change the lives of those affected, and treatment options are often invasive and are somewhat limited. The nation-wide brain tumour awareness campaign Hats for Hope aims to raise awareness during International Brain Tumour Awareness Week, which will take place October 29 to November 5, 2022. You can show your support by wearing a hat, taking a selfie or group photo, and sharing it on social media using #hatsforhope and tagging @BrainTumourFdn.

Special toques can be purchased at www.hatsforhope.ca. Proceeds from these stylish toques will be donated to the Brain Tumour Foundation of Canada, directly benefiting the brain tumour community through information, education and support funding, research, and better patient care. Since 2019, the Brain Tumour Foundation of Canada has sold thousands of Hats for Hope toques with a tag in either English or French, and they have been raising funds as well for the awareness of brain cancer through this campaign. Over the years, this campaign has helped reach millions of people on social media.

You can also show your support by making an online donation to the Brain Tumour Foundation, where you can learn more about this terrible disease and how you, too, can help.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party caucus and the NDP caucus to recognize today, October 24, as Brain Cancer Awareness Day.

Cancer of the brain is one type of cancer that is not spoken about as much as breast, prostate, or other cancers, but many are diagnosed each day with this cancer. Canada currently has one of the highest rates of brain tumour incidence in the world. As the minister mentioned, an average of 27 Canadians are diagnosed every day, and of those, eight will be cancerous. While others are often non-malignant, they too can have serious, negative, life-altering impacts on people.

There have been no new discoveries in this area for at least a decade. Fundraising is important to help fund research efforts and provide support services, information, and assistance for patients and survivors.

I would like to give a special mention to the incredible efforts of Yukoner Dayna Magnuson, who very sadly lost her battle with brain cancer last October. Dayna worked with the Brain Tumour Foundation of Canada to raise awareness. She rallied the community to bring the very first official Brain Tumour Walk to Whitehorse in 2019. On the foundation's webpage, there is a Dayna page, stating — and I quote: “It is with great sorrow we announce the passing of Dayna Magnuson (Large). Dayna fought her battle with cancer with grace and dignity, she passed away comfortably at home with her husband Raymond by her side, surrounded by loving family

and friends. Dayna's wishes were, in lieu of flowers, donations be made in her honour to Brain Tumour Foundation of Canada.”

For her unwavering efforts, Dayna was recognized with a national Volunteer Distinction Award in 2020 by the foundation. This year, the Brain Tumour Foundation of Canada celebrates its 40th anniversary, bringing hope to individuals facing brain cancer and brain tumours. Thank you to everyone who has supported the foundation over the last four decades and who continue to show their support through the walk and other fundraising opportunities. Let's keep Dayna's wishes in mind as we acknowledge this day.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Cathers: I have for tabling today an excerpt from a report by the Canadian Medical Association and Deloitte entitled *Measures to Address Health System Challenges: Review of Canadian, Provincial and Territorial 2022 Budgets*, and the excerpt that I am tabling is relevant to the Yukon.

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

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

THAT Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended for the duration of the 2022 Fall Sitting by deleting all instances of the words “Government Bill” and substituting in their place the words “appropriation bill”.

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

THAT this House urges the Yukon government to work with provincial governments and the federal government to establish a harmonized national licensing pathway for doctors which includes a streamlined process for verifying the credentials of foreign-trained doctors and helping them complete any additional training that may be needed in a timely manner.

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

THAT this House urges the Minister of Tourism and Culture to engage the Carcross/Tagish First Nation, the Yukon Chamber of Mines, and the Yukon Heritage Resources Board to explore the designation of the Venus mine mill on the south Klondike Highway as a heritage site.

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

THAT this House urges the Government of Yukon to establish regulations requiring drivers to equip their vehicles with winter or mud-and-snow tires yearly from October 1 to April 15.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Nisutlin Bay bridge

Hon. Mr. Clarke: I rise today to provide an update on the work to replace the Nisutlin Bay bridge.

The current Nisutlin Bay bridge has served Teslin and our territory for almost 70 years and it is time to replace this critical piece of infrastructure.

This past Friday, I was in Teslin to celebrate the next chapter of the Nisutlin Bay bridge with the community. It was incredible to see people come together and recognize all the hard work that has made this project a reality.

Bringing a project of this size to fruition is no small job. The Nisutlin Bay bridge replacement project is the largest capital project in the history of the Yukon. After carefully evaluating bids, the \$160-million contract was awarded to Graham Infrastructure LP earlier this year. I'm happy to see Graham Infrastructure begin work on this project.

They have the experience to do this job and have committed to hiring Yukon-based businesses, locals, contractors, and tradespeople throughout the life of this project. This will ensure that benefits of this project are flowing directly to the community.

Mr. Speaker, the community input has played a pivotal role in the design of the new bridge. The new bridge will also better meet the needs of the community by providing a safe crossing and support active transportation by including wider shoulders and a lit walkway. In addition, it will also have a trail underneath the bridge that will be able to accommodate foot traffic as well as off-road vehicles like snowmobiles.

Another element of the bridge that I am most looking forward to seeing is the Tlingit artwork that will be incorporated into the design. The bridge is central to the community, so it was important that we reflected local cultural components where possible.

Mr. Speaker, the future of this project is very exciting, but I want to acknowledge that we would not be here today without the collaboration and partnership of the Teslin Tlingit Council and the Village of Teslin. In the spring of 2019, the Yukon government and the Teslin Tlingit Council signed a historic project charter for the project. Through this agreement, we worked collectively to design a structure that would not only serve the needs of the community but also be economically, socially, and environmentally sustainable. I am proud to say that we have achieved that together.

Mr. Hassard: Thank you, Mr. Speaker, as I rise today to respond to this ministerial statement.

I would like to have seen this ministerial statement come this past spring rather than now, but I guess we should expect nothing less from this Liberal government and this minister.

This project, of course, is of vital importance to the Yukon as it provides the main link to the southern world for Yukoners and Alaskans alike. However, as we watch the snow fall, it begs the question that I have asked repeatedly: Why is this project so far behind that it is only beginning?

As the Liberal government touts the Nisutlin Bay bridge as the largest capital project in Yukon's history, one has to ask: Why were permits not in place months ago? Why is there not concrete in the ground now? Why is the government still trying to develop an aggregate source so late in the game? Well, Mr. Speaker, the answers are simple. It is a lack of planning on behalf of this Liberal government, and I would certainly hope that, in the minister's closing remarks, he actually apologizes to the contractors in the community for causing so many holdups. The people and the equipment have been in place and ready to go for weeks and weeks, waiting patiently. Hopefully, now they can finally get on with replacing this vital piece of infrastructure.

Ms. Blake: This summer, I attended the Teslin Tlingit Council's general assembly over three days. At the general assembly, citizens spoke about the potential harms that this construction project will bring to the community. Without government support, the increase in population may limit the community's access to services, from food at the store to community safety resources. Citizens also shared serious concerns for the safety of the community before, during, and after the construction period. These concerns are directly reflected in the missing and murdered indigenous women and girls inquiry's findings, which shows that development projects and their camps increase harm against indigenous women and girls.

How is this government ensuring that indigenous women and girls are not going to be collateral damage for this bridge? What work has the minister done with the First Nation and the contractor to provide education and resources to the workers to create a safe environment both in and outside of the camp? I have also heard concerns about the risk of substances being brought into the community as a result of this project. Given that this government has declared the substance use health emergency almost a year ago, what work has the minister done with the community to ensure that proper resources are put in place? In the contract that this government offered, will the contractor be required to maintain a dry camp?

The Teslin Tlingit Council is ahead of the game. They have been expressing these concerns long before the ground broke on this bridge project. They also have solutions that they proposed to this government. One of the recommendations that came out of the general assembly was for this government to provide resources and funding for three additional community safety officers. Currently, Teslin has three community safety officers in place. By doubling this resource, citizens and residents of Teslin will have more support in adapting to the

major changes that this bridge project will bring to their community.

Will the minister commit to funding three more community safety officers in the community of Teslin? I look forward to the minister's responses to the concerns and calls to action from the Teslin Tlingit Council citizens.

Hon. Mr. Clarke: Thank you for the comments from the members opposite with respect to this vital infrastructure project. The Nisutlin Bay bridge project is significant for the community of Teslin, the territory, and, in fact, Canada. I am pleased to see this project being led by Graham Infrastructure, whose can-do attitude, along with their commitment to involving the community, will see this project get built in a way that benefits everyone.

When it came to the procurement process, the department worked closely with the Teslin Tlingit Council and the community to ensure that the contractor was, in fact, a good fit. In the fall of 2021, we brought both contractors that qualified for the project to Teslin to meet the community. This provided an opportunity for residents to ask the potential contractors questions and learn about employment opportunities. Once the contract was awarded, we hosted another open house in May 2022 with the successful contractor, Graham Infrastructure. During this event, we provided information on project timelines, potential employment opportunities, project safety, and traffic management plans.

We are moving this project forward in the right way. In 2014, the Yukon Party completely fumbled this project. They had a seemingly general inability to work with First Nations and that included, at that time, the Teslin Tlingit Council. Last week, the Member for Pelly-Nisutlin provided misinformation about this project to the House, claiming that there was no water licence in place. That is inaccurate; the water licence was issued in August. The Yukon Party has proved to be unreliable, and this is yet another example. The residents of Teslin learned that the Yukon Party was unreliable when they couldn't get this new bridge done.

Thankfully, our government has built strong government-to-government relationships with Yukon First Nations, including the Teslin Tlingit Council. We signed a project charter with the council in 2019 that is ensuring that this project moves forward in a way that benefits the community. I can't express how valuable it is to have community involvement in the process. The Nisutlin Bay bridge is central to Teslin and it is important that they see themselves reflected in the project.

Thank you to the Teslin Tlingit Council, the Village of Teslin, Graham Infrastructure, and the hard-working staff at the Department of Highways and Public Works for their collaboration on moving forward the largest capital project in our territory's history. I look forward to seeing this bridge come to life over the coming years, which will serve the Yukon, Alaska, and Canada for generations to come.

Speaker: This then bring us to Question Period.

QUESTION PERIOD

Question re: Nurse recruitment and retention

Mr. Cathers: Last week, the Yukon Employees' Union issued a press release outlining concerns they have with how out of touch the Minister of Health and Social Services seems to be regarding issues affecting nursing in the territory.

The title of the release stated that the Minister of Health — quote: "... Misreads Nurses' Temperature." The release was particularly critical of the Minister of Health and Social Services' comments here in the Legislative Assembly, saying that the YEU was not prepared to — and I quote: "... legitimize the political opportunism demonstrated by..." — the minister — "... in the Legislative Assembly."

Can the minister explain this breakdown between her and the nurses? Does the minister really think that picking a public fight with nurses will help with recruitment and retention efforts?

Hon. Ms. McPhee: I think what Yukoners should remember, and the member opposite as well, is that I wasn't picking any public fights. What I did do was respond to questions here in the Legislative Assembly. I responded to those questions in a forthright manner. I responded to those questions with respect to how we are supporting nurses in the Yukon and how we have, in fact, put forward a proposal to be considered by the Yukon Employees' Union to support not only retention of the amazing nurses we have here in the territory, but the recruitment of new nurses.

There were a number of things that were inaccurate in that media release, which, I note, was done by the Yukon Employees' Union, indicating that they weren't interested in a media negotiation, but they in fact did a media release and had a number of facts in there that were incorrect. I look forward to mentioning those in a few moments.

Mr. Cathers: Mr. Speaker, the minister is making her fight with nurses worse by calling the union's release "inaccurate". Their press release said that the Minister of Health seems misinformed about the nature of consultations between YEU and the Yukon government regarding nursing recruitment. In particular, they said that what was being proposed by Yukon government was — I quote: "... an insult and won't solve the problem of short staffing." The release also pointed out that the minister has — I quote: "... failed to show true leadership too many times."

What is the minister doing to repair the relationship with Yukon nurses that was further damaged by her comments in the Legislative Assembly last week and probably again by her comments in reply to my first question?

Hon. Ms. McPhee: I am very interested in making sure that this Yukon government shows its commitment not only here in the Legislative Assembly, but with real action on the ground, making sure that our nurses understand how much we appreciate the work that they have done on the front lines here in the territory to bring us through COVID. As it continues, their work is absolutely critical. We need to make sure that our nurses understand that this appreciation is real. It is tangible. It is by virtue of taking action to make sure they have a significant

financial benefit to the work that they have done so far and the work that they will continue to do.

Mr. Cathers: It is clear to everyone that we need to be doing much more to recruit and retain health care professionals in the Yukon. This Liberal government has the worst record on physician recruitment in the entire country, and it has dropped the ball on nurse recruitment, too.

Following the pandemic, many nurses are feeling burned out and underappreciated. Those feelings were made worse by public comments from this Minister of Health and Social Services. Unfortunately, those comments have led to a very public breach in the relationship between Yukon nurses and this government — and, in particular, this minister.

Will the Premier consider having a different minister lead this work with nurses so that consultations can get back on track?

Hon. Ms. McPhee: Just to name a few of the concerns that were brought forward in the media release that has been brought here today by the member opposite — I think it's critical for our nurses and for all Yukoners to know that the Yukon Employees' Union called the bonus packages that we have brought forward — the proposal that we brought forward — for nurses — indicated that it was only for new hires. Not true — it is not only for new hires. They indicated that it was only one time. Not true — the plan is to have the cost of these significant bonuses put into our budget for the next three years.

I also indicated — and I think this is absolutely critical for our nurses and our community to know — that this proposal was brought forward at a meeting and rejected by the Yukon Employees' Union at that same meeting.

So, Mr. Speaker, the leadership of the Yukon Employees' Union unfortunately didn't even ask the nurses what they were interested in having pursued by the union on their behalf. The people most affected by these proposals were not even asked.

Question re: Community nursing

Ms. McLeod: Earlier this year, the Carcross community health centre was reduced to emergency services only for about two weeks. This is just one example of the significant challenges facing community nursing programming in many rural communities.

Can the minister tell us how many communities have faced serious reductions or closures, like Carcross did, as a result of shortages in community nursing?

Hon. Ms. McPhee: I certainly appreciate the opportunity to speak about nursing here in the territory to nurses and to Yukoners — about these very important services.

This fiscal year, we are investing \$17.74 million in the Community Nursing branch. The Community Nursing branch has 52 FTEs for registered nurses. Community Nursing is currently experiencing a very high vacancy rate of over approximately 40 percent. Normally, it would stay somewhere near five percent. It is critical that we make sure that Community Nursing staff are looked after, because they look after us. Community Nursing staff continue to work tirelessly to provide Yukoners with health care services and to play an

integral role in our ongoing response to COVID-19 and to the substance use health emergency.

Ms. McLeod: We have received a confidential briefing note through ATIPP that indicates that the Community Nursing branch is experiencing critically low nursing levels. Here's what the confidential briefing notes says — and I quote: "Currently, the Community Nursing branch is experiencing critically low nursing levels, which is anticipated to result in some service disruptions at health centres in some communities."

Can the minister tell us a little about what steps have been taken to ensure that rural Yukoners have access to health care in the face of these anticipated service disruptions resulting from gaps in Community Nursing?

Hon. Ms. McPhee: I know my colleague mentioned it last week. I am presumably looking at the same note that the member opposite has. It's not confidential in any way. It is not marked "confidential", mostly because it isn't. As a result, I can certainly read from the exact same note, if that is of interest. I can indicate that we continue to work with the Public Service Alliance of Canada to work out an agreement going forward. Those negotiations unfortunately are not happening at the moment, but we continue to work on benefits for nursing staff going forward — all of our nursing staff.

Community Nursing staff certainly are recognized — that they are the health care provider for many, many Yukoners at our community nursing stations. We must recognize and provide burnout protection for these nurses. It is a real and pressing issue here in the Yukon and in Yukon communities. We support Yukon nurses who have sacrificed so much of their personal lives and family lives, and their time on their jobs, over the past two years. We continue to work with community nursing to eliminate shortages.

Ms. McLeod: Mr. Speaker, the confidential briefing note obtained through ATIPP goes on to point out that — quote: "Despite ongoing recruitment and retention efforts, there continues to be barriers to ensuring the Yukon has access to an adequate supply of nursing staff."

Can the minister explain what these barriers are and what the government is doing to address them?

Hon. Ms. McPhee: Mr. Speaker, unfortunately, the Yukon Party again proves unreliable, insisting that this is a confidential briefing note. I am not sure what the point of that is.

We are working very diligently to continue to mitigate the increased pressures that are resulting from local, national, and global shortages of health care providers. The Department of Health and Social Services has taken several actions to attract and retain nurse practitioners. In fact, I mentioned them in response to the first question. We are looking at financial support for our nurses, our registered nurses, our licensed practical nurses, our registered psychiatric nurses, and health care aides in all Yukon communities. I certainly hope that we can resolve that quickly so at least our appreciation for what nurses have done for this community can be shown.

Question re: Gender-affirming health care

Ms. Tredger: More than a year and half ago, this government announced that it was expanding trans health care in the territory. When this announcement was made, people were very excited. This was supposed to be the most comprehensive coverage available in Canada and these are often lifesaving interventions. But other than that original announcement, information has been very hard to find about the reality of that program. There is nothing on yukon.ca. There is no list of treatments that are available and no directions for how to access them. We are hearing that even health care providers are struggling to navigate the policies.

Will the minister commit to making information about gender-affirming care publicly available on yukon.ca?

Hon. Ms. McPhee: Mr. Speaker, the member opposite is correct. Back in March of 2021, this government — the Government of Yukon — announced changes to significantly improve access to gender-affirming health care, including surgery, for Yukoners. It continues to be one of the most advanced programs of its kind anywhere.

Since that announcement, work has been continuing and must first be done to ensure that the delivery and the access to these additional services can be appropriately provided. They are not, for instance, provided here in the territory, and as a result, partnerships must be built with the health care providers who do produce and do provide this kind of care. That kind of care for Yukoners is absolutely essential. We continue to uphold our commitment while ensuring that these changes don't create unforeseen avenues perhaps, for instance, to something like private health care. Yukon is leading the country in these commitments and I look forward to them continuing.

Ms. Tredger: Despite the lack of information, trans Yukoners are still doing their best to access care. I have talked to multiple people who have done everything right. They have gotten referrals and assessments from psychologists, psychiatrists, and doctors. They have been assessed by surgeons and given the green light. They have spent years jumping through hoops, but right at the end, the process has stalled. They are stuck waiting on funding approval from this government. They have had radio silence and no indication of how long they will have to wait to get an answer. Evidence shows that the longer trans people wait for care, the higher their risk of depression and suicide. Wait times can literally be a matter of life and death.

So, can the minister tell us: When it comes to approving funding applications for gender-affirming care, are there timelines? What are they? And are they being met?

Hon. Ms. McPhee: As I have noted, we continue to uphold our commitment while ensuring that these changes don't create any unforeseen issues. We need to build partnerships with the service providers for this kind of care to be provided to Yukoners. Yukon is leading the country in our commitments to advancing gender-affirming care access and we recognize that it does come with challenges. We're working diligently to explore options to create a path forward, hopefully by the end of 2022. We can see that is fast approaching.

The department recognizes the importance of these services for the transgender and gender-diverse community and the growing number of people awaiting access to care.

We look forward to resolving this matter as soon as possible to ensure that we can deliver the support that is needed by these Yukoners. We continue to implement recommendations from the LGBTQ2S+ *Inclusion Action Plan* to enhance health equity here in the territory.

Ms. Tredger: The minister has mentioned exploring options a few times. I've heard that's being done right now. What's critically important is that people can still access gender-affirming care while that review takes place.

Will the minister commit to trans Yukoners that their applications will still be approved while the policy is being developed?

Hon. Ms. McPhee: I just want to be clear: It's not about building policy; it's about building partnerships with the providers of this health care. We have to, frankly, determine how it can be properly paid for.

We continue to implement recommendations of our LGBTQ2S+ *Inclusion Action Plan* to enhance the health care quality here in the territory. We remain committed to working with our partners, including community organizations, to advance gender-inclusive health and social care here in the territory.

In June 2022, we supported Yukon councillors from both government and non-governmental organizations to attend training from the World Professional Association for Transgender Health. We continue our commitment to these Yukoners who require this medical care that must take place outside of the territory, and we continue our commitment, as I've noted, with a resolution by the end of this year to determine how we can best provide that care.

Question re: Mining project oversight

Ms. White: Mr. Speaker, over the years, the Yukon has had its share of mining controversies — from Wolverine to Keno, Ketz River, or Clinton Creek. As an answer to that, governments have set regulations for mines and it's the inspectors on the ground who ensure these regulations are being followed. In a time where most Yukoners can remember some sort of environmental disaster occurring due to mines not following regulations, mining inspectors have a really tough job.

What is the minister doing to ensure that mining inspectors have adequate resources and supports to carry out their important work?

Hon. Mr. Streicker: What I will say is that I agree with the member opposite that our Compliance Monitoring and Inspections group does a really great job. Our natural resource officers conduct inspections, and they are responsible for the enforcement of legislation regulating our natural resources, including mining. This year so far, they have carried out over 600 inspections related to public lands, forests, waters, and mineral resources — including the *Civil Emergency Measures Act*. So, they do a lot of work and they have a great relationship with the sites where they go to work. I can say that we do

resource this group, of course. I will have to investigate further if the member opposite is looking for something specific, but generally this group is doing very good work, and I thank the member for her question.

Ms. White: During a July inspection of the Alexco Keno Hill mine, inspectors found a number of infringements. Three months later, the mine was sold and changed hands. After that first inspection under new ownership, many of these infringements hadn't been addressed yet. The situation had actually gotten worse. The inspector found unattended fires burning during wildfire season, unacceptable disposal of waste, and a hole in the discharge pipe that has been waiting months for repair.

Can this minister tell Yukoners how a mine with so many ongoing infractions is allowed to continue to operate and what measures are in place to make sure that the new owners deal with these issues in a timely manner?

Hon. Mr. Streicker: I can say that I was informed, as I typically am when there are issues at our work sites, including at mines — but I know that, for this mine site, there was an inspection. The last one was roughly a month ago and they have one coming up for next month. So, inspections are ongoing. There are often issues that are identified. I have talked with the new owners of the mine, and they have assured me that their intention is to be good stewards of the land and that they will be a responsible company. I believe that, seeing their track record internationally, and I have let them know that we take this seriously and they have let me know that they do too.

Ms. White: So after purchasing the mine in Keno, the CEO of Hecla said — and I quote: “At the end of the day, we are going to care for the environment.” Well, I guess today isn't that day, because the first inspection of the mine has been done, and things weren't looking great. During the inspection, it was found that Hecla disposed of four vehicles by backhoeing them into an underground tunnel — not only a violation of their reclamation and closure plan, but also a violation of their water licence.

In this Assembly, the Minister of Energy, Mines and Resources has said: “Our goal is to build a mining industry in the Yukon that supports responsible mining practices...”

So, does the minister consider ongoing environmental violations as responsible mining practices, and, if not, how does he plan to address them?

Hon. Mr. Streicker: I certainly stand by the comment that we believe in environmentally responsible industry. I will say that when I met with Hecla just in the last couple of days, they invited to take me to their mine site over near Juneau, Alaska to show me the care with which they take — they are brand new owners. I am not sure that this incident was under their watch. I am happy to hear from my inspectors about the timing issues.

The mine has said to me, and said to our inspectors, that they are taking responsibility to make sure that this is cleaned up appropriately. I will hold them to that comment, and I think it is their intention to do so. I am happy to investigate it further.

Question re: Campground development

Mr. Istchenko: Many Yukoners raised their eyebrows when the Minister of Environment announced that the Yukon government is considering the development of a new campground that would have over 150 sites and would be within a two-hour drive of Whitehorse.

For context, in my riding, the Kusawa Lake campground has about 50 sites. That means this new campground will be more than triple the size of the Kusawa Lake campground.

Can the Minister of Environment tell us which locations have been shortlisted for this massive new campground?

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you to the member opposite for the question. I think even in the Spring Sitting this last spring, I indicated that it was unlikely at that time that a site would be identified that would be able to accommodate 150 sites. I take the member opposite's point that it would be significant infrastructure.

The Government of Yukon has assessed potential options for a new or improved campground near Whitehorse. Since 2020, we have been discussing site criteria and possible locations as well as partnership opportunities with six Yukon First Nations. This past year, the Yukon Parks branch shared preliminary feasibility study findings with the Champagne and Aishihik First Nations, Kwanlin Dün First Nation, and the Ta'an Kwäch'än Council. We are excited about the potential of an improved campground that will provide additional sites and recreation options for Yukoners and visitors alike. This will help us to meet our strategy goals.

Reconciliation and partnerships are two of the commitments outlined in the *Yukon Parks Strategy* and are pillars for this government. Mr. Speaker, we will continue to advance reconciliation through collaborative management with First Nations and we will prioritize building meaningful relationships.

Mr. Istchenko: Last fall when I asked the Minister of Environment about these plans for the new campground, he said — and I quote: “I have also been told that there is a possibility of this plan being divided into separate and discrete but smaller sites that may be identified...”

So, the minister has spoken a little bit about it, but I am looking for a little bit of an update about these smaller locations that he is suggesting and which campgrounds he is actually looking at.

Hon. Mr. Clarke: The Government of Yukon operates and maintains 42 road-accessible campgrounds that provide over 1,150 campsites. More than one-quarter of Yukon's population camps in our campgrounds every year.

As members opposite well know, the 2022 service camping season ran from May 1 to September 30 of this year. A new record for campground use by Yukon residents was set in 2021, at more than 36,000 campsite nights. Data for 2022 will be available later this winter. We hosted over 52,000 people for over 48,000 campsite nights at our road-accessible campgrounds in 2021. While still approximately 20 percent lower than pre-COVID numbers in 2019, the total campground occupancy in 2021 was up approximately 16 percent compared to 2020.

The 2022 camping season was another busy year for our territorial parks. This was the second year of the new longer camping season that we introduced through the *Yukon Parks Strategy*. As well, in 2022, we implemented a new online daily camping permit. This option allows campers to prepay for camping online and save \$2 per night compared with paying in cash. These are exciting times at Yukon campgrounds.

Mr. Istchenko: So, it looks like the minister is still unable to let us know which locations he is looking at, but as all Yukoners who use campgrounds know, the most popular sites are adjacent to bodies of water.

So, can the minister assure Yukoners that any new campground or campgrounds will be adjacent to a body of water and will have a boat launch?

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you for the question from the member opposite.

What I can advise is that we will certainly keep the House apprised as to the discussions that are ongoing with the three Yukon First Nations that I have identified — that we are having very fruitful discussions with — and, once again, confirm the likelihood that there will not be 150 additional sites at one location as I did indicate in the spring of this year.

However, in 2022, we made a number of improvements to Yukon campgrounds. New playgrounds were installed at Pine Lake, which I just saw in the last few weeks — absolutely awesome work done at Pine Lake, in the member opposite's backyard — and Yukon River and the Klondike River campgrounds. A boat launch at Tagish River bridge was replaced, with additional boat-launch replacements currently underway at Twin Lakes, Frenchman Lake, Nunatuk, and Ethel Lake campgrounds that are scheduled to be completed for the spring of 2023.

As well, in partnership with Singletrack to Success, a new trail at the Conrad campground was developed. I had the opportunity to visit the Conrad site this summer as well.

In addition, a new trail was designated at Twin Lakes campground and we completed a new trail at the very popular Tombstone Territorial Park, and a new pedestrian bridge was installed at Fox Lake campground in September to access walking —

Speaker: Order, please.

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. 18: *Midwifery Integration Amendments Act (2022)* — Third Reading

Clerk: Third reading, Bill No. 18, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 18, entitled *Midwifery Integration Amendments Act (2022)*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Health and Social Services that Bill No. 18, entitled *Midwifery*

Integration Amendments Act (2022), be now read a third time and do pass.

Hon. Ms. McPhee: I am very pleased to present these amendments which respond directly and specifically to my mandate from the Premier to fully integrate midwifery into Yukon's health care system. I am also so pleased to welcome our guests today. They are the professionals responsible for delivering these services — pun intended — to Yukoners and they have taken the time to be here today as we present Bill No. 18 at third reading.

This amending bill, while brief, is a key component of supporting the integration of midwifery and enabling midwives to work to their full scope of practice. From a safety perspective, it is integral that all health care providers understand their roles and responsibilities. The amendment to section 63 of the *Care Consent Act* provides that clarity.

Continuity of care is an important part of high quality and safe care. Amendments to the *Employment Standards Act*, which are also contained in Bill No. 18, will ensure that midwifery clients aren't required to see another care provider to obtain the necessary certificates to access leave related to their pregnancy.

As primary care providers, it is important to ensure that registered midwives are able to respond appropriately, in the interest of public health, when their clients are diagnosed with a communicable disease.

Amendments to section 2 of the *Public Health and Safety Act* will make it clear that registered midwives and primary health care nurses have the same obligations as other primary health care providers to report communicable disease cases to the medical officer of health for appropriate follow-up. By approving these amendments, which are all contained in this bill, we will be supporting registered midwives to provide high-quality, funded, and regulated midwifery care to Yukoners.

I would like to reiterate that we are here today because of a shared commitment and desire by many, and their dedication, to ensure that Yukoners have access to the same high quality and high level of midwifery-led care that is available across this country and that all health care providers are working collaboratively and together to contribute to the best outcomes for families. We know that safe health care is only possible when health care services are well integrated into the health care system.

On April 15, 2021, the midwives regulation under the *Health Professions Act* came into force. That regulatory framework and scope of practice for midwifery services provides a broad scope of practice for Yukon's registered midwives. The midwives regulation reflects the feedback that we received from a variety of local and national experts, as well as individual Yukoners, and the reality of Yukon's birth numbers and current model of maternity care. The timeline for bringing these regulations into force prior to the launch of services also reflects recommendations we received from experts. It allowed us to proceed with building the model.

Time was needed to take those regulations and use them to develop program policies, procedures, and other professional

processes and to support the integration of midwifery into the existing health care system — Mr. Speaker, not an easy feat. That is just what happened. Over 30 Yukoners are now accessing midwifery-led maternity care at our clinic in the Yukon. Yukoners now have a choice of birth location and maternity care provider. The amendments in this bill help support registered midwives in providing that care and reaching their full scope of practice.

Going forward, we know that there are many more conversations to be had. We are committed to having those conversations as we continue with the work to integrate and grow the midwifery program here in the Yukon Territory. We want to thank all those who have contributed their time and energy to date and realize a strong, collaborative, and well-integrated midwifery program. As I noted at Committee of the Whole, I believe, when I was addressing this Legislative Assembly, there are people who have been dedicated to working toward the implementation, the realization, and the integration of midwifery services into Yukon health care for many, many years — maybe decades for some of us. We know that there is still work to do, but we are here today to celebrate the last amendments that are contained here in Bill No. 18 to realize a full scope of practice.

We appreciate that, as we go forward, we will learn more, and we will continue to enhance and support a Yukon integrated, free midwifery care program here in the territory. We appreciate the support that I expect from the Members of the Legislative Assembly for this bill and to enhance and support this very important work.

Mr. Cathers: The Yukon Party continues to support the midwifery program being made available to Yukoners. I did speak to this legislation earlier at second reading as well as in Committee, so, rather than repeating my remarks, I would simply refer people to my previous comments regarding this legislation.

I would like to thank the staff for their work in developing this and implementing the program. I note that we look forward to seeing midwifery options in the Yukon expanded further.

Ms. Blake: I am pleased to speak again in support of this bill. Midwifery is a critical part of advancing public health services, addressing health inequities, and indigenizing health care. I want to take this opportunity to thank the midwives and staff at the midwifery clinic, many of whom are here today. Thanks to the care that all of you provide, more Yukon parents and babies will get to enjoy a safe, culturally inclusive birth. I am hopeful that this bill will open the doors to one day allowing every pregnant Yukoner to have the choice to give birth in their community with their family and loved ones nearby.

Ms. White: I just want to add my congratulations to this. When I was first elected in 2011, at that point in time, we were advocating for midwifery. At that point, it had already been advocated for in this House for a long number of years. It is exciting to know that we have gotten to this point where every birthing person will have this access. It is a good day.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McPhee: I have had the true honour of addressing this Legislative Assembly on several occasions where we have had groundbreaking work brought to this Legislative Assembly — new laws and new support for Yukoners — and this is one such day that I add to my list which I am very proud of — but it's not me. I just happen to be the person who stands here and addresses the Legislative Assembly and helps to pass this this bill which will enhance the services and hopefully complete the full scope of practice for midwives here in the territory.

My thanks — and our thanks, as a Legislative Assembly, as lawmakers — must go to the folks who worked tirelessly behind the scenes with respect to first developing a regulation and ultimately all of the work that went into negotiating with partners to make sure that they fully understood the scope of practice and what we were trying to achieve here with the midwives clinic — all of the individuals who worked to staff that clinic, all of the individuals who came forward to staff that clinic to provide those kinds of health care services to Yukoners — and all of the folks at Justice — not only at Health and Social Services, but also at Justice, which I have the honour of also representing here in the Legislative Assembly — to draft the regulation, ultimately, and then these amendments to bills that will give the final bit of wind under the wings of our midwives and all associated professionals. Truly, the thanks must go to them because they are the front-line folks and they are the people who are providing care, helping Yukoners, and helping new moms, new parents, and new pregnant people to all access a free and integrated service that will enhance their lives.

Thanks to all of you who have done that and who will continue to do that on behalf of all Yukoners.

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 third reading of Bill No. 18 agreed to

Speaker: I declare that Bill No. 18 has passed this House.

Bill No. 21: Carbon Price Rebate Amendments Act (2022) — Third Reading

Hon. Mr. Silver: I move that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now read a third time and do pass.

Speaker: It has been moved by the Hon. Premier that Bill No. 21, entitled *Carbon Price Rebate Amendments Act (2022)*, be now read a third time and do pass.

Hon. Mr. Silver: Mr. Speaker, I would like to start today by thanking members of the opposition for their thoughts on this bill. Mr. Speaker, it was the provinces and territories — not the federal government — in 2016 that insisted that there be a five-year review to evaluate carbon pricing. It is highly disappointing that the pathway forward from 2022 to 2030 wasn't developed in the spirit of collaboration. In Committee of the Whole, I heard and responded to points that we could have used the rebate program differently. You know, Mr. Speaker, it is clear that we all want to reduce emissions and address climate change. Given the time crunch and the unilateral position of the federal government, there unfortunately wasn't time for that type of design work.

However, I want to reiterate that carbon pricing is just one tool — a very effective tool — in the tool kit with a host of options to address climate change. The *Our Clean Future* strategy continues to be the primary avenue for looking at the wide range of options at our disposal, but I will list a few other areas where we are taking current action.

Our government continues to review the Yukon Climate Leadership Council's recommendations found in their report, *Climate Shot 2030*. This House is currently debating the *Clean Energy Act*, which, as you know, Mr. Speaker, would set targets related to achieving net zero emissions in Yukon by 2050. Our appropriation acts dedicate significant resources to climate change action; so does our five-year capital plan. We are incorporating a climate change lens into our decision-making strategy. Finally, specific to mining, we are currently working with industry on mining intensity targets and on policies to determine how to use the proceeds from the federal output-based pricing system, or OBPS, to reduce emissions from the large emitters in the territory.

I had not made this point during our previous debate, but we would also lose access to future proceeds of the OBPS without passing this bill — for the record. It is critical that we maintain this aspect of the rebate, as well as rebates for all eligible groups.

Finally, I would like to conclude by going back to the placer miners. As I said in Committee of the Whole, these are generally family-run businesses. Often they are not very large in size, and they contribute greatly to our Yukon communities and also to our economy. It is important that we support our local economy, especially rural Yukon, when we focus on reducing emissions in a viable manner.

I urge all members to support this bill, and thank you for your time today, Mr. Speaker.

Mr. Dixon: Mr. Speaker, it is a pleasure to rise and speak to this bill at third reading. I will point readers and those following to my comments made at second reading in Committee of the Whole where I asked a series of questions of the Premier. At both of those opportunities, I noted some concerns that we have with the bill and that the Premier did, in fact, note that some of those concerns were shared.

As I said at second reading, I believe that this is making the best of a bad situation. Unfortunately, as the Premier explained in Committee, the short timelines for this were dictated by the federal government; therefore, a very small window was provided for the Yukon government and other jurisdictions to make changes following the changes that the federal government was making. That leaves us in a situation where we need to make the changes outlined in this bill quickly in order to preserve the rebates for Yukon businesses, particularly the placer mining industry.

I will conclude with that, Mr. Speaker. We will support the bill at this point, at third reading. We look forward to its passage. As I said at second reading and in Committee, we hope that the Yukon government remains open to engaging with industry to look at ways to improve the system going forward. It may indeed be the case that the system that is developed by this bill turns out to be appropriate and sound. I do know, from hearing from industry representatives, that there is some concern about the way that the new system will account for the size of placer mining operations. So, as I suggested, I hope the government remains open to hearing from industry about ways to improve the system going forward.

I thank the Premier for his candor in Committee of the Whole, and I look forward to voting on this bill.

Ms. Tredger: As we previously indicated, we will be supporting this bill. I believe that it is an improvement over the bill before this amendment. We understand that, in the short amount of time that was available, this is what could be done, and we are glad it was done, but we do hope that, in the future, we can look at making this stronger so that it supports climate action more strongly and it supports people bringing down their emissions even more. We hope to see that come in the future.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Silver: Thank you, Mr. Speaker, and thank you to my colleagues across the floor. I will leave it at that for now. I just want to say thank you. I appreciate folks acknowledging the situation that we are in and working on this together, collaboratively, for what is the betterment of Yukon First Nation governments, municipal governments, and our business sector, including the placer miners. I really do appreciate everybody's ability to work together on this amendment.

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. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 17 yea, nil nay.

Speaker: I think the yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 21 agreed to

Speaker: I declare that Bill No. 21 has passed this House.

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

Commissioner Bernard enters the Chamber accompanied by her Aide-de-Camp

ASSENT TO BILLS

Commissioner: Please be seated.

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

Clerk: *Midwifery Integration Amendments Act (2022); Carbon Price Rebate Amendments Act (2022).*

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

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order, please. Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee will recess for 15 minutes.

Recess

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

Bill No. 17: *Clean Energy Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*.

Is there any further general debate?

Mr. Kent: I would like to welcome the officials back to the House today to support the minister during Committee debate on Bill No. 17.

When we left off last time, we were talking about Moon Lake and where we were at with respect to that particular project. One of the questions that I asked about was cost estimates and federal funding. The minister spoke — I am just going to paraphrase. He mentioned at the time that there were no preliminary cost estimates done for the project, but then, when we got to Question Period and a question about federal infrastructure spending in light of some of the austerity budgeting announcements by the federal Minister of Finance, the minister was a little bit more bullish on the project, suggesting that he felt it would be funded. So, perhaps he can let us know why he was a little bit more bullish in Question Period about funding for this project, especially in light of the fact that there are no cost estimates. We don't even know what we would be asking the federal government for at this point.

Hon. Mr. Streicker: What I think I said during Question Period is that it is a good project. I do believe that. It is a good project because it provides us both capacity and energy. It provides us winter energy, which is really important. It also provides the ability to store energy. So, right now, what happens is that, in the summertime, we watch water flow through the Whitehorse Rapids. We don't take that energy because we don't need it. Our usage in the summer is low but our usage in the winter is high, and if you have a project where you can pump the water up and you store it, then it makes every one of our renewable energy projects, like wind and solar, more efficient and more effective, and so it is a very good project.

It is also, I think, a good project because our anticipation is that it would be First Nation-led. When I have met with the federal government and looked at energy projects, the ones that I think they are keenest on are ones that are led by our communities, and this is a great example. So, that is why I think that it is a good project. I don't want to speculate at this point on the cost, but, of course, it was chosen as a project based on several physical characteristics, like the fact that it has pump storage and that it is not too far away from our grid and questions like that.

There are reasons why we anticipate that this is a good project. I will just echo what I heard the member opposite say during our last time together here in Committee of the Whole — that this is an important project.

Mr. Kent: Yes, it obviously is an extremely important project when it comes to meeting the goals that we have set out in *Our Clean Future* and the enhanced goals that are being considered in the legislation before the House now.

We talked last time about some of the potential timelines — approximately two to three years for licensing and assessment work, potentially two to four years for procurement and construction — but again, one of the questions that I had asked at the time of the minister was when we would have some sort of a cost estimate. Obviously, we don't have that right now, but as we move toward the timing as set out by Yukon Energy Corporation in their renewable energy plan and where we need to be by 2030, when does the minister believe we will be in a position to seek funding partners, including the federal government, on this project?

Hon. Mr. Streicker: I know that this project is in the early stages. We have always noted that it is part of, like, a 10-year plan — renewable energy plan — and was roughly a 10-year project from concept to build-out. I think that in a year or two is when we will start to have some idea of the cost. I know that there were potentially going to be some dollars invested in some of the feasibility work.

We know that there are quite a few different federal funds that align with the Moon Lake project and its intended outcomes. Of course, we will work with our partners to explore those. I can say that the Carcross/Tagish First Nation is in good dialogue with the Taku River Tlingit First Nation, whose traditional territories overlap the site. One of the next phases about it is to firm up some of the ideas around it, such as some of the general concepts of what we are talking about, and then that will allow us to do some costing. I think that it is coming.

Mr. Kent: When the minister says that this will be a community-led initiative, I am assuming he means that the First Nations — the Carcross/Tagish First Nation as well as the Taku River Tlingit — will jointly lead the project. Does that mean that they will take sole ownership, or will there be some sort of a partnership between Yukon taxpayers or Yukon ratepayers and the First Nations as far as owning this particular project, once it is operational?

Hon. Mr. Streicker: The ownership, at least in principle, is that the energy generation would likely be owned by the First Nation or First Nations — I leave that for them to discuss further. If Atlin is a good example of what we might be looking at, then we would look to have an energy purchase agreement. Then, I imagine, it would be the Yukon Energy Corporation that would take it to the Yukon Utilities Board for their review, so we would purchase the energy coming into our grid.

Mr. Kent: I am going to move on from the Moon Lake project and seek a little bit of an update from the minister with respect to the Atlin expansion project. In the Yukon Energy Corporation document and from having witnesses here in the past, we have a good understanding of what this will add for capacity and what some of the costs are, but I understand from my colleagues who attended the Yukon Development Corporation briefing on the supplementary budget that there is a \$60-million funding gap on this project currently.

I am just wondering if the minister can confirm that for us — that what we heard at the briefing with Yukon Development Corporation is correct and that there is a \$60-million shortfall currently with respect to this project.

Hon. Mr. Streicker: There is still a funding gap, and it is estimated to be in the range of \$60 million. I have had quite a few conversations, both with the Tlingit Homeland Energy Limited Partnership, the Taku River Tlingit First Nation, and the Carcross/Tagish First Nation. The Government of British Columbia was actually just down in Atlin about 10 days ago to announce some of their funding in the partnership. Of course, I remain in conversation with the federal government.

There is a funding gap, and we are working to close it.

Mr. Kent: Can the minister give us an updated cost estimate, then, of this project as we stand right now?

I know there has been some indication of what it would cost as we have moved through debate and having witnesses appear, but I am looking for the most recent numbers that the minister has. With respect to the \$60-million funding gap, is there any indication of who is going to help close it?

I guess one other question in this series would be: How much money has the Yukon government and the Yukon Energy Corporation committed to the project so far — beyond the power purchase? How much has been committed to this in capital dollars?

Hon. Mr. Streicker: The overall project cost right now is estimated at \$315 million. The Yukon government at this point has committed \$50 million. Yukon Energy Corporation does not have funding committed, but they are, of course, working on the energy purchase agreement, which I believe is in front of the Yukon Utilities Board right now.

Mr. Kent: One of the other questions in there was: Was that \$60-million funding gap — have we any idea who the First Nation corporation is looking to in order to help close that gap?

I guess I will just leave it at that and then ask a follow-up here shortly.

Hon. Mr. Streicker: I believe that the Tlingit Homeland Energy Limited Partnership is even travelling to Ottawa right now for conversations with the federal government about the funding gap. I think that they have had conversations with us and also with the BC government. I think that there are a lot of different opportunities for closing the gap.

I just got an update on the energy purchase agreement — that the Yukon Utilities Board issued its report to the Minister of Justice on October 18.

Mr. Kent: So, is the \$50 million that the Yukon government contributed to the project a grant to the project or does it give us any equity share in the project? Or is it just a straight grant to the Tlingit Homeland Energy Limited Partnership to move the project forward?

Hon. Mr. Streicker: The \$50 million is a grant. I think I have spoken about it here in the House before. It doesn't give us an equity stake, but what it does do is make sure that the price at which we are purchasing that energy is reasonable for Yukon ratepayers.

Earlier today, I heard the Member for Kluane talk about our electricity rates going up, but that is not correct. It may be true that people are using electricity more, but the rates have not changed in recent years — not since the last general rate application, which, I believe, was 2016-17. In that rate application, of course, the most significant cost was for the liquefied natural gas plant. The rates have been holding pretty steady. The energy purchase agreement was very favourable for rates, so our thinking is, we put this in as a grant and it will help keep the cost down for Yukoners on rates.

Mr. Kent: Can the minister tell us, with that \$50-million grant, what the rates will be and what they would have been without that \$50-million contribution from the Yukon government?

Hon. Mr. Streicker: It is roughly 13 cents a kilowatt hour. It's important to note that there are some differences around those rates, and I will get more detailed information, but that's the high rate. For example, if there is an excess of energy produced beyond a set amount, there is a lower rate. There's also a lower rate for summer, if that's used. There are differential rates, but the winter energy rate is 13 and a half cents per kilowatt hour.

The member also asked about what difference the \$50 million makes. I think it's difficult to tease it, because there is also significant federal funding that is already committed to. I will have to check, but I think it's over \$100 million. I will check on the amount that the federal government has committed to.

That, combined with the grant from the Yukon government and the grant from the BC government, collectively brings down the cost of the project, and that, in aggregate, is what leads to the lower and favourable energy purchase agreement rate.

Mr. Kent: So, the minister referenced 13 cents per kilowatt hour as potentially the higher rate. I understand that there are different rates set throughout. So, the question that I had was: That \$50-million grant from the Yukon government — if we weren't in a position to grant that money, what would have been the difference in that high rate? It's 13 cents now with the \$50 million; what would it have been without that \$50 million?

Hon. Mr. Streicker: These are hypotheticals. I can try to investigate it further, but I can say with certainty that the whole package is predicated on how much money the First Nation will be borrowing for this project. They need a certain amount of return. If, for example, they had to borrow an extra \$50 million on top of the money that they're borrowing now, it's fair to think that they would need to increase that energy purchase agreement rate significantly.

So, I don't want to speak in the hypothetical. I know that the strategy all along was to get that rate down and to make sure it came in, if at all possible, below the 20 cents per kilowatt hour for diesel, which is sort of our upset price. It is coming in at two-thirds of that price — 13.5 cents per kilowatt hour versus 20 cents per kilowatt hour. It is significant, but I have not asked for analysis to be done on "what if" scenarios.

Mr. Kent: I can appreciate that, but when answering an earlier question, the minister said that this \$50-million grant was made as a grant rather than an equity share, because it would keep the costs lower. He referenced 13 cents per kilowatt hour, so I will look forward to getting some information from him, hopefully, on what those costs per kilowatt hour would have been without this \$50-million grant that the Yukon government has made.

The minister referenced 20 cents per kilowatt hour as the cost of diesel. Can he tell the House what the current cost of hydro is? How much are we paying right now to generate hydroelectricity on the Whitehorse and Aishihik and up at Mayo?

Hon. Mr. Streicker: The cost of hydro is historically under 10 cents a kilowatt hour, but of course, that is, in part, because the dams have been around for many, many decades, but I would have to investigate to get a more detailed number.

Mr. Kent: I look forward to getting that information from the minister.

The \$60-million funding gap with the project, is that affecting — I am sure that it is, but I will just get the minister to confirm what that has done to the project in how delayed it is from the original estimates of when this would come online.

Hon. Mr. Streicker: The current projection is for the fall of 2025, which is roughly one year past the original planning timeline.

Mr. Kent: Can the minister remind us how many of the rented diesels this project was designed to take offline? Obviously, we have at least another year of requiring those rental diesels. I just can't find in here how many rented diesels this project would allow us to take offline.

Hon. Mr. Streicker: The project will eliminate the need for four rented diesels and generate around 3.4 gigawatt hours

of electricity each year. It is expected to reduce greenhouse gas emissions by an estimated 30,000 tonnes per year.

Mr. Kent: So, four diesels will have to stay online for at least an extra year now because the project is delayed by that year, as they look for funding.

I think that the minister mentioned at some point that, right now, there are some discussions between the Taku River Tlingit First Nation and the Carcross/Tagish First Nation. Obviously, we talked about what was going on with respect to Moon Lake. Are there discussions going on as well about the Atlin project and what is happening with it? Is that something that is ongoing between those two First Nations as well?

Hon. Mr. Streicker: I misspoke a second ago. If I said 3.4 gigawatt hours, it's 34 gigawatt hours. So, I was just off there. Thanks for the chance to correct the record.

Yes, I think I have talked about this before. The Taku River Tlingit First Nation and the Carcross/Tagish First Nation have been in direct conversations. They asked us to support them in that through the Executive Council Office, which we have done, and those talks are going very well.

Mr. Kent: So, with respect to the budget that the minister mentioned for this project — it's \$315 million — does that include the transmission line — obviously, the new transmission line — from Atlin to Jakes Corner and then the transmission line upgrades that are required from Jakes Corner to Whitehorse?

Hon. Mr. Streicker: The \$315 million is all in — so including transmission.

Mr. Kent: As I mentioned, there will be a new line from Atlin to Jakes Corner, and then that line from Jakes Corner to Whitehorse was built and, I believe, is owned by ATCO. Can the minister give us a breakdown of what the cost requirements are to upgrade that line from Jakes Corner to Whitehorse? Is it fully on as part of this project, or is ATCO going to assume any of those costs?

Hon. Mr. Streicker: My understanding is that the line upgrades in terms of the funding is part of that cost that I listed.

The work will not be carried out by — so that the transmission line from Atlin up to Jakes will be a new transmission line, which is owned by the First Nation. As part of this project, they will tie into the Yukon's grid at Jakes Corner. We need to upgrade the line between Jakes Corner and Whitehorse, or maybe even the Carcross Cut-off, in order to take that higher load. That work is costed, but it will be carried out and funded by the project, but the work will be led by the utility.

Mr. Kent: Of these future potential projects that Yukon Energy identified in their 10-year draft renewable electricity strategy is the Southern Lakes transmission network. Obviously, it has that Atlin to Jakes Corner connection and has upgrades, I believe, from Whitehorse to Teslin along the ATCO line, a proposed upgrade and expansion from Whitehorse to Carcross and on to Moon Lake and then coming down the Tagish Road as well, and then a future sale opportunity potential to Skagway. I am wondering if the minister has any cost estimate and timing numbers for this Southern Lakes transmission network expansion.

Hon. Mr. Streicker: The transmission work for upgrades to the Atlin project and for work down to Carcross and Moon Lake — all of that transmission line together would be around \$100 million. If we were to extend the transmission line beyond Moon Lake and get down to Skagway and do a tie-in with Skagway, that would be a further \$60 million. Those are our estimates at the moment.

Mr. Kent: I'm reading the documents, and these upgrades are obviously necessary for the Moon Lake project to be a success. They are necessary for the Atlin hydro project to be a success and to reduce our greenhouse gas emissions. It also says that it will enable the connection of future community-based renewable projects in southern Yukon as well as create the opportunity for future sales of surplus renewable electricity to Skagway.

When I look at page 8 of that Yukon Energy document, it says "Keys to success". The first one, of course, is the federal funding requirement. As outlined in this document, every project in this plan is needed. It says: "We cannot pick and choose. The cost of projects in this plan are estimated to cost in excess of \$500 million, our largest investment in the electricity system. Federal funding for the plan will be key to keeping the plan affordable for customers and minimizing risks." So, that is understandable.

But when I look at the numbers that the minister has given me — \$315 million for the Atlin project and then another \$160 million or so for some of the transmission stuff — obviously we are pretty close to that \$500-million estimate without having Moon Lake or any of the other smaller projects in here. Recognizing, of course, that this document is almost three years old, does the minister have an upgraded estimation for the costs of the projects that are identified in here?

Hon. Mr. Streicker: He can ask me in a lot of different ways. I don't have an estimate for the Moon Lake project at the moment. Once we get even early class estimates, I will do my best to share that information.

I can say that there is significant federal funding. I would like to thank the federal government for their investment — and the BC government and the Yukon government, for that matter — and I would like to thank the First Nation governments for their investment and their involvement in this work. I think that this is all important, but I don't have an estimate today for Moon Lake.

Mr. Kent: I guess that leads me to this question: When the Yukon Energy Corporation made this estimate of the costing in excess of \$500 million in January 2020, what they were basing that on? If the minister doesn't have an updated estimate or some sort of a cost estimate for Moon Lake, what was the Yukon Energy Corporation basing this \$500-million estimate on?

Hon. Mr. Streicker: I will ask the Yukon Energy Corporation about where that figure comes from. I will say that whenever I see a figure rounded to the nearest \$100 million, it is a very rough and crude estimate. I think that we should take it as an indication of significant investment, but not use it as an exact number.

I will ask the Yukon Energy Corporation for an understanding of that number from two years ago.

Mr. Kent: I guess that leads to this question: When the minister first saw this document as he assumed responsibility for the Yukon Development Corporation and the Yukon Energy Corporation — as I said, the costs were estimated to be in excess of \$500 million — did he not have an idea?

I will just move on. I don't think that we're going to get a response. I look forward to getting a better sense of what the Yukon Energy Corporation was basing this on three years ago and if they have any updated numbers today with respect to the costs, given that Atlin has come in at \$315 million and the minister had estimates, I think, for the Southern Lakes transmission at \$160 million, including the expansion to Skagway.

I do want to move on and ask the minister some questions with respect to the potential for tying into the BC power grid. I've had a number of discussions, as I'm sure the minister has recently — and his colleague, the former Minister of Energy, Mines and Resources — with mining companies that obviously want to move to renewable sources and are going to be faced with these mining intensity targets, but they are looking for some sort of a clean energy supply to help them get there. I don't think what we have coming on board with Atlin and others will potentially be able to meet that demand. I'm curious; has there been any resurrection of talks with respect to connecting to the BC grid? — recognizing, of course, that a significant investment was required — but connecting to that grid. I guess that's the first question with respect to this: Is this something that Yukon government is perhaps considering again, or is it something that is completely off the table?

Hon. Mr. Streicker: I don't think that it has ever been completely off the table. I think a grid connection to British Columbia is not cheap. When I first started hearing about this, long before I was elected, the number that used to get thrown around was \$1 billion. Several years ago when the previous Minister of Energy, Mines and Resources was talking about it, the number was \$2 billion. Now I think it's more; I don't know what the number is, but I think it's significantly more.

Just going back to the document, the “Keys to success” from Yukon Energy's report, what it says in the report is that the estimated costs are “in excess of \$500 million”. So, it's not \$500 million; it's “in excess of”. The numbers that they were working with at the time for the Atlin project were \$200 million to \$250 million. That has gone up. We are now at \$315 million. So, I'm sure that the estimate for Moon Lake, in even its roughest estimate, will be higher than it was a year ago or two years ago. We know that the Southern Lakes transmission portion of that is \$100 million. Sure, we could talk about the Skagway portion, but that isn't, I think, in the first stage that we're talking about.

With respect to the grid connection, there definitely is a conversation that continues to be considered. I don't have a decision that has been made, but what I have given as direction for the utilities and for us, as a territory, is that, whenever we can enhance, through projects, the stages of connecting to BC — which would include, for example, the upgrade of the

transmission line between Jakes and the Carcross Cut-off — that is a good project because it will help us, as well, with the possibility of making a grid connection to BC. It is still being considered, but not as in having engineering done on it.

Mr. Kent: I am looking at an April 2019 *Whitehorse Star* article, and the title of it is: “YG rules out tying into B.C. power grid.” The minister has mentioned that the cost has incrementally gone up. I think that the number almost four years ago — three and a half years ago — was \$1.7 billion, I think. So, as I said, obviously it is an expensive investment but something that we have been hearing from the mining community about. I just want to be clear: As I understand it from the minister, there are no active discussions with BC or BC Hydro about connecting the Yukon to the BC power grid at this point.

Hon. Mr. Streicker: I appreciate that the member is reading an article where it was reported that it was ruled out. Maybe all that meant at the time was that we weren't pursuing it to the point of budgeting it. Do we continue to have dialogue about this possibility? Yes.

For example, the federal government recently announced that the Yukon will be in the next phase of the Regional Energy and Resource Tables, where, I am sure, we will be talking about renewable energy, critical minerals, et cetera. I think that there will be a conversation about the possibility of a grid connection to BC. I think that the Premier has had conversations over time with Premier Horgan. I have had conversations with my counterparts from the British Columbia Cabinet. Again, this is not a conversation as in: Let's do the engineering and costing. Let's think about this concept, as we move forward as a territory. There are a lot of important considerations, and it is an ongoing dialogue.

Mr. Kent: I will look forward to engaging the minister another time with respect to that tying into the BC grid and get a sense for what we are at in present time. As I mentioned, this was a snapshot from April 2019, where it was ruled out, and I think the focus at the time was to take a look at the grid-scale battery instead — but, that said, we can revisit that.

The minister did mention the energy and resources roundtable and that we have joined the agreement. Reading from a *Whitehorse Star* article on October 17, 2022, one of the quotes, I believe, from the federal minister — and I will read from this article — and I quote: “In the case of Yukon, one of those, obviously, is critical minerals...” — one of those economic opportunities is critical minerals — “... which is looking at how we can actually create a structure from a regulatory perspective, how we can use financial tools to help us expedite some of the work that needs to be done to bring more critical minerals on stream.”

I mean, the most recent example that we have of a mine that wants to bring critical minerals on stream is the Kudzu Ze Kayah mine near Ross River. As that project made its way through the environmental assessment phase, the federal government missed timelines — we have talked about it here.

I know the Premier put out a press release, disappointed about some of those timelines and some of the actions of the federal government at the time. So, I'm curious what the

structure, from a regulatory perspective and using financial tools to help expedite some of the work on, I guess, future projects — not so much Kudz Ze Kayah, as it has moved into the licensing phase now, with the quartz mining licence and a water licence, of course. There is also the court action that's being talked about with respect to that as well.

But I guess the question for the minister is: In discussions with Minister Wilkinson, what is this new structure from a regulatory perspective that will help expedite work to get critical minerals on stream?

Hon. Mr. Streicker: I will say a few things about this. First and foremost, we have signed on to the critical minerals strategy. We do believe it's important. When I was in St. John's, Newfoundland this year for the ministers of mines conference, we were talking with all of our counterparts across the country about this. One of my comments was: This doesn't mean we should be bypassing any of our regulatory steps, for example, with YESAB or the Water Board — those are important steps — and also our agreements under land claims and our responsibilities in government-to-government conversations. So, that isn't what this about. The member opposite mentioned an example that might be there — for example, facilitating the port or if we were to facilitate energy dialogue, which then could be used to support these mines. So, there are different ways in which we can invest in order to support the activity while respecting the regime of the Yukon.

I'll leave it there and I'll see where we go with this, although I do think this is no longer really about the *Clean Energy Act*, but I appreciate that the member is just trying to gain information — I understand that.

Mr. Kent: With due respect to the minister, I think this is all about the *Clean Energy Act* in expediting — getting critical minerals on stream. Obviously, in the *Clean Energy Act*, there's a goal of net zero by 2050, and ensuring that we have critical minerals to build the infrastructure and the things that we need is going to be extremely important.

Just a quick question on this roundtable: The minister mentioned in this article that he is anticipating the first meeting later on this fall. Does he have any idea of when the timing of that meeting will be?

Hon. Mr. Streicker: Critical minerals will be important for getting to net zero for 2050, especially for Canada, but it won't assist us to get to net zero. It will be to assist the world or it will be to assist the country to get there. But I do agree with the principle that critical minerals are important, but we don't have actions, for example, under *Our Clean Future* to invest in critical minerals in order to bring down our emissions; that is not there.

I agree with the member opposite that we need to get to net zero by 2050. I agree with that. I think that where Canada can assist with the country, that is important, too. In terms of timing of the regional tables, I know that our officials are getting together next week to start some of the early conversations. I have not heard directly from Minister Wilkinson yet about when we will be sitting down, so I don't have a date in front of me yet, but I do know that there is dialogue happening as early as next week.

Mr. Kent: I just want to ask the minister a quick question: He said that the mining of critical minerals won't help us get to net zero, but don't we need those critical minerals? It says in this article that I'm reading that mining critical minerals for made-in-Canada electric vehicles and batteries — obviously, there is a number of these critical minerals that are important throughout all of the renewable energy and zero-emission vehicle opportunities and supplies that we need as a territory, as a country, and as globe in order to get there, so I'm just kind of looking for some sort of clarification on the minister's comment that the mining of critical minerals won't help the Yukon get to net zero.

Hon. Mr. Streicker: I think what I said was that there isn't an action under *Our Clean Future* where we have identified emissions reductions to get us to 2030 that relates to this.

There is the broader and deeper notion that critical minerals are important for the whole of this transition. In fact, I think that when we put out the joint press release on the regional roundtable, we talked about this as a generational opportunity and responsibility.

This is very important in that overall picture for Canada. What I am also saying is that we don't have specific actions under *Our Clean Future* that will get us to the emissions reductions for 2030 that we are shooting for.

Mr. Kent: Some of the actions that are under *Our Clean Future* include the purchase of electric vehicles and subsidizing those purchases. Obviously, critical minerals are required for that work to be done. I will agree to disagree with the minister on that. He and his colleagues have said that there are supply chain issues that currently exist and challenges that exist. I think critical minerals will play an important part in us getting to 2030, as well as to net zero.

Another part of that article on the roundtable says advancing "... the realization of economic opportunities..." — we have spoken about mining critical minerals. Also in there is "... building small modular reactors..." When I look back at a November 2021 article on CBC, the minister says that he acknowledges that the potential for nuclear power in Yukon is a bit of a long shot, but he says it's one that can't be ignored.

I am wondering if he can give the House an update on what work has gone into the small modular nuclear reactors and if it's still advancing or if that work has been put on the back burner.

Hon. Mr. Streicker: So, with respect to small, modular reactors for the Yukon — it is likely to be ultra small, if it were to come into reality. We have a memorandum of understanding with the federal government, Ontario, and New Brunswick, which are carrying out the bulk of this research work — largely because Ontario and New Brunswick have experience with nuclear, and so we are getting information around that work and are involved with it. I think that we have also engaged with a professional researcher around the Yukon context and expect a report out later this year about how that will look for the Yukon or what the pros and cons are. The work is ongoing with our memorandum of understanding with the federal government

and the other provinces, and we will have some insight shortly for the Yukon context.

Mr. Kent: I appreciate that from the minister and we will look forward to getting further information as we move along.

One of the other opportunities mentioned in this article around the joint energy and resource table agreement is with respect to the use of hydrogen in several regions across the country. We have seen the Prime Minister and the German Chancellor talk about a hydrogen agreement in Newfoundland and Labrador, and we have heard other smaller announcements in the national news about hydrogen opportunities in other areas. I am just curious if the minister is looking at any potential opportunities for hydrogen use in the Yukon.

Hon. Mr. Streicker: It's a similar situation where we are investigating hydrogen. We have hired a professional to do some analysis for us here in the Yukon. I will note for Yukoners that hydrogen is not typically thought of as an energy source; rather, it is an energy storage system, which is an important need for the Yukon. It may become an important piece of the puzzle. There is potential there for long-haul transportation. If that comes to fruition, it likely is important for our mines as well, but we don't usually — some people think of hydrogen as an energy source. I just want Yukoners to know that typically it is more of an energy storage system, and we still need some form of renewable energy to produce the hydrogen.

Mr. Kent: I look forward to hearing some of that as well. Looking at Canada's national hydrogen strategy, there are some potential uses for the north, it says, around transportation and heating, as well as power production and some industry opportunities as well. We will look forward to additional information on hydrogen potential from the minister as we move forward.

I do want to ask the minister a few questions around biomass. A number of weeks ago, the minister admitted to local media that he was feeling nervous about firewood and fuelwood supply for this upcoming winter. Obviously, they have introduced the \$50-per-cord — up to \$500, I think it is — rebate for individuals who are purchasing from some commercial suppliers. I guess the challenge that we still see and that others see — and people we're hearing from on the ground — is around supply. Can the minister give us any indication of where we are at with adding additional supply and what the timing of that will be?

Hon. Mr. Streicker: I know that late last week, for our major harvester down in Watson Lake — we learned that there were some issues with their BC permits or areas that they were harvesting at the north of the Stewart-Cassiar Highway. So, the new executive director at the Wood Products Association and the head of the forestry branch went out with that local harvester to identify some areas in the Yukon. We issued a permit, I believe, for just under 1,000 cubic metres that the harvester had identified as a good area.

There are a suite of initiatives that we are working on around supply. I can list off a few of them. They include: working with the Yukon Wood Products Association to provide an online list of suppliers; working on wood-storage areas,

which is important around creating stockpiles because we haven't had those as buffers; as the member noted, we introduced the consumer rebate, which deals not with supply but with inflation, but we are looking at an incentive program around supply; we are working on a fuel break in the Haines Junction area, which will allow us to have harvesting more year-round, which is one of the questions that the members opposite were asking about in the spring; we have been working with First Nations directly at the recent Yukon Forum, and I have just written to all the First Nations and had a few conversations about some follow-up work; we've been working with the Government of British Columbia to explore opportunities to increase timber harvest areas along the north of the Stewart-Cassiar in support of our major harvester in that area; we're working with Wildland Fire Management to explore opportunities to increase the likelihood of wood reaching market from our fuel abatement activities; and we're looking at the possibility of greenwood harvest and storage in conjunction with the wood-storage possibility or even a possibility, I think, around kiln dry. I will say that I have asked the branch to work very — I put a lot of focus on the supply-side issue, and they have been doing a lot of that work this fall.

Mr. Kent: One of the things that the minister mentioned there is developing some incentives around supply. Can he give us an idea of what those are?

Hon. Mr. Streicker: If the member opposite would just indulge me a bit, we should have an announcement sometime this week.

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Bill No. 17, entitled *Clean Energy Act*.

Is there any further general debate?

Mr. Kent: The minister mentioned before the break that there will be an announcement on the supply incentive this week, so we look forward to hearing what that is all about.

In the list of action items that he was going through prior to the break as well, he mentioned something about kiln-dried wood. Can he clarify? Is he talking about drying greenwood to be used as fuel wood or firewood, or is that for something to be used in the milling side of things for some of the smaller mills that we had operating here?

Hon. Mr. Streicker: I was talking mostly about storage of greenwood to let it season, but I have had some conversations with industry folk about the possibility of using kilns to dry wood, and it could be for either or both, potentially, of firewood or timber, but the investigation that I heard industry working on was around using biomass waste, or other biomass material, in order to run the kilns themselves. So, I know that there was a conversation around this as a possibility. I think that it included Economic Development. I would have to follow up

further. It is not the main initiative that we're working on; the main initiative is around the storage of greenwood to allow it to season over time.

Mr. Kent: So, back in 2016, the Liberal election campaign platform promised a couple of things around forestry. One of them was to develop a forestry plan for southeast Yukon. That hasn't been done, so I am just wondering if the minister could give us an update on that, because that will certainly help advance the biomass opportunities, not only in southeast Yukon, but other places in the Yukon as well.

Hon. Mr. Streicker: I do know that the Whitehorse and Southern Lakes Forest Resources Management Plan was, I believe, finalized, and we are not working on implementation of that plan. We are going to be including in that a notion of — or considering wildfire protection. We have wildfire plans coming for each of our communities; in particular, we have been looking at the south end of the City of Whitehorse. The plan for Whitehorse and Southern Lakes' forest resources will also need to be considering caribou winter habitat.

Mr. Kent: So, my question for the minister was with respect to a 2016 platform commitment made by his government with respect to developing a forestry plan for southeast Yukon, and I'm looking for an update on that.

Hon. Mr. Streicker: I thought I was answering that question. I can go back and check with the department and find out if there is any further information about how that plan is developing, but I'm not sure what I'm missing.

Mr. Kent: When the minister was answering the question, he was talking about the Whitehorse and Southern Lakes forestry plan, which has recently been signed off. I do have some questions about that forest resources management plan, but the specific commitment in the 2016 Liberal platform was about southeast Yukon, so in and around the Watson Lake area. Obviously, that work did not get done, and I'm just looking for an update from the minister on where we are at with that work.

Hon. Mr. Streicker: My apologies, Madam Chair. I misheard the member. I have now heard "southeast Yukon". Pardon me.

So, we have quite a few timber harvest plans approved for southeast Yukon with quite a volume of wood available and having undergone environmental assessment. There is about 3,000 cubic metres of timber volume currently available around Watson Lake, but as I've said just earlier today, we were out meeting with the major harvester in the area, who has expressed concerns both about the quality of those stands and access to those stands. So, the branch, along with the Wood Products Association and I think the Liard First Nation, flew the area to identify other possibilities and, just last week, issued a new permit for 1,000 cubic metres.

We are in discussions with the Liard First Nation to establish an agreement between the parties that aims to advance shared sustainable forest management priorities, and my understanding from my last conversation with the forestry branch was that those conversations were going very well.

Mr. Kent: We'll explore that further with the minister another time.

The minister did reference the Whitehorse and Southern Lakes Forest Resources Management Plan and that it is signed off, and in the document that is part of the executive summary, it says that the first priority is to establish an implementation agreement and identify areas for timber harvesting and fuel abatement. I'm just curious if that work — if that agreement — has been established and if those areas have in fact been identified.

Hon. Mr. Streicker: As I said in my previous answer when I got the location wrong, that implementation plan is underway right now.

Mr. Kent: So, do we have any idea when these areas will be identified for timber harvesting and fuel abatement? The work is underway. I'm getting the sense that the agreement has not been established, but I'm looking to be able to give industry a sense of when those areas for timber harvesting and fuel abatement will be made available.

Hon. Mr. Streicker: So, in terms of the wildland fire plan, that planning work has been done and there has been abatement work that has been ongoing. We have been working with Wildland Fire Management and some local harvesters in order to identify opportunities from that for fuel wood and possibly for timber.

With respect to how the implementation planning is going with respect to the Whitehorse and Southern Lakes Forest Resources Management Plan, I will have to talk with the department to see how that work is evolving. I have not inquired about it recently; I will endeavour to do so.

Mr. Kent: I know that we have touched on a number of these action items, but I just want to turn the minister's attention to the *Our Clean Future 2021 annual report*, starting on page 60. It is Appendix A, I believe, which is the "Status of all Government of Yukon actions". I am not, obviously, going to go through all of them. There are quite a few here, but a few of them jumped out at me, and I am just looking for some responses from the minister to see where we are at.

The first one that I did want to ask the minister about is action item T6, which is: "Require new residential buildings to be built with the electrical infrastructure to support Level 2 electric vehicle charging beginning on April 1, 2021". I understand that the status of that is that it has been completed. Does that also apply to off-grid communities? Is that a requirement of residential buildings territory-wide or, like applying to put in electric heat in off-grid communities, is that something that is not required in those communities now?

Hon. Mr. Streicker: The requirement for this came in as of April 1 this year. I will have to inquire about our off-grid communities.

Mr. Kent: I wanted to move over to T13, which is to "Develop Yukon-specific design guidance and a plan for active transportation facilities by 2024 to guide investments in active transportation infrastructure into corridors near communities." HPW is the lead department on that, but the status says it's a change of course, so I am kind of curious what has been changed with respect to that action item.

Hon. Mr. Streicker: So, with respect to the previous question, the new requirements do not apply to off-grid communities out of the code.

For this question on T13, the difference in the change of course was just around — the biggest change is about the guidelines in how we are investing, and it is about providing more robust guidelines for that investment.

Mr. Kent: I am happy that the minister clarified that those new residential building requirements are not in place for off-grid communities like Watson Lake, Old Crow, or the north Alaska Highway. When we get into the Highways and Public Works debate, perhaps we can follow up a little bit more on that active transportation guidance.

I wanted to jump down to T20, which is to develop and implement a system by next year, 2023, to coordinate carpooling for Yukon government staff travelling by vehicle for work within the Yukon. Again, it is a Highways and Public Works lead and a change of course. I am curious about the cost of implementing this system and whether or not it has been developed. Perhaps it is all covered in the change of course that is identified here in the status.

Hon. Mr. Streicker: This is about trying to help people to share a vehicle if they are heading in the same direction, so I don't think it would cost money; I think it would save money. But the change, as I understand it, is that we originally anticipated that we would get this in place earlier. We just had to adjust our timeline on it, but I don't know of costs that would come from this. Maybe the member has some thinking that I'm missing and he could help me understand.

Mr. Kent: I was assuming that there would be some costs for putting in place this system to coordinate carpooling for Yukon government staff. I mean, obviously, I think that there would be some sort of human resource cost or system development cost, but if that's not the case, then we can certainly move on.

A few things around legislation — when I move to page 64, E3, it is to update the *Public Utilities Act* by 2025 to ensure an effective and efficient process for regulating electricity in the Yukon. It shows a Justice and Energy, Mines and Resources lead, and the work is in progress. Are we still on track to meet those timelines for getting the *Public Utilities Act* to the floor of the Legislature in 2025?

Hon. Mr. Streicker: Just going back for a second — we are not envisioning a big system around the carpooling. It's more around supporting and facilitating it, so I don't know that we are thinking about hires or anything like that.

I think we originally thought it might come in during 2021 but, of course, we were in the middle of COVID, and at that point, it was trickier for people to be carpooling. I think that was part of what pushed it out a bit.

With respect to the work under E3, which has us looking at the *Public Utilities Act*, I believe that this work is ongoing. My understanding is that it is on track. This is really about trying to align the vision that we have under *Our Clean Future* and the renewable energy strategy to make sure that the *Public Utilities Act* is helping to move us in that same direction.

Mr. Kent: I will jump over to action item E11, which is to develop legislation by next year to regulate and encourage geothermal energy development in the Yukon. Is this on target? I don't believe I have seen any engagement on it. I may be mistaken, but if the minister can give us an update — it says that the status is in progress, but next year will be here quicker than we think.

Hon. Mr. Streicker: I know that we have done engagement on it. I spoke this morning with the deputy minister, asking about the status of this action item. He committed to getting back to me shortly about timelines, but we were still discussing 2023 as the timeline. As everyone here in this House will know, legislation is always complicated and always has to go through quite a few steps. But if I hear differently, I will make sure to let colleagues know.

Mr. Kent: I'm going to jump ahead to recommendation I6, which is to include new provisions in quartz mining licences by this year, 2022, that will ensure critical mine infrastructure is planned, designed, and built to withstand current and projected impacts of climate change.

I guess the question that I have around this is: Who will determine whether that critical mine infrastructure meets those projections to withstand the current and projected impacts of climate change? Is that going to be done within EMR? Is there some external source? Again, I shared this action item with some individuals in the mining industry and they had similar questions as to who will set the criteria or who will set the thresholds that are envisioned here.

Hon. Mr. Streicker: So, if the member were to look back to page 51 of the 2021 report, he would see that it says that we've continued to work on the guidelines that will ensure the critical mine infrastructure is planned, designed, and built to withstand current projected impacts of climate change.

The department is letting me know that they believe that this work is on track to finish by the end of this year.

Mr. Kent: I'm looking for one more update on an action item. It's on page 70, L10, which is to support the Government of Canada's work to develop a northern climate hub by 2030 that will support access to climate data and projections for the north. Environment is the lead department and it's in progress.

I'm just curious if the Government of Yukon is working with the Government of Canada on a particular location and, with that in mind, a location within the Yukon for this northern climate hub.

Hon. Mr. Streicker: This is talking about us supporting a federal government initiative, which we are doing. I know that the federal government, in its work around this, is working with each of the territories. So, rather than think of it as one centralized thing, it is likely to be something that lives in each of the territories, but that is still to be determined. They have funded sort of a research position that is helping with the development of this and, yes, that work is ongoing.

Mr. Kent: Thank you. I appreciate that, Madam Chair.

I am just going to switch gears here to one last item, and it is the 2021 Yukon Liberal Party platform. It is on page 18. It is called "The Climate Crisis — Our Clean Future". It says — and I quote: "The Yukon's approach to addressing climate change

needs to be comprehensive and forward-thinking. That's why we released *Our Clean Future*, a plan that contains 131 actions over the next ten years and represents a pan-northern approach to tackling climate change.

"Our plan reduces greenhouse gas emissions by 30 percent, ensures Yukoners have access to affordable renewable energy, outlines actions to adapt to climate change and creates opportunities for Yukon companies to be part of the green economy."

Then it mentions that in 2021 and 2022, they will spend \$50 million supporting the Yukon's green economy.

So, this was in March-April 2021 — this 30-percent rule — and then you fast-forward to the confidence and supply agreement with the New Democrats, and that 30 percent went to 45 percent. I am just wondering what evidence or what science was used to increase that amount from 30 percent to 45 percent, because there is a significant gap, I believe, in the documents that we have talked about here over the past number of days and to date here. I can't figure out where the science is or where the evidence is to bump that target from 30 percent to 45 percent, outside of the confidence and supply agreement, which was reached between the NDP and the Liberals to ensure that the Liberals could remain in government until at least the end of January 2023.

Hon. Mr. Streicker: Well, I am going to say a few things here. The first one is: Where is the evidence around this? I guess, broadly, it is coming from the Intergovernmental Panel on Climate Change, which is talking about the need for us collectively to reduce our emissions. I sometimes hear the argument that: Well, we shouldn't have to get there as fast as others — but my perspective is that it is important that we all do this. I will also say that, through the Intergovernmental Panel on Climate Change, they talk about the fact that we have already passed certain tipping points from a climate perspective, and that research work was taken by the United Nations, and in the dialogue under the United Nations Framework Convention on Climate Change, that 45-percent reduction by 2030 is really what we need, in the preponderance of cases, to keep the temperature increase globally — or to have a chance to keep it — under 1.5 degrees. I think that there is a lot of scientific evidence out there around this.

We already know here in the north that we have warmed much more than that 1.5 degrees, because the poles — in the Arctic in particular — are warming faster. The north is warming faster than other parts of the world. I also know, through all of that broad body of scientific evidence, that we are all trying to get to net zero by 2050. Here in the Yukon, I hope that we do our part. I will also say all along that *Our Clean Future*, even when it first came out, talked about what we have identified as actions and that there was more that we needed to do. That is why we put into it an adaptive management piece that we would seek to go further.

I will also say that I have heard — I appreciate that the member opposite is looking at the platform from the Yukon Liberal Party. I read his platform, as well, ahead of this meeting. I will say that, within his platform — and I want to

acknowledge it — there is the goal to hit net zero by 2050. I appreciate that.

I also note, within their platform, that they would agree with the 10-year renewable electricity plan by Yukon Energy. I think I have already said this — when I was in the debate talking about the environment in the 2021 election, their colleague, who is someone I have worked with in the past and who has been the director of the Climate Change Secretariat previously and was running in the election, said that they support *Our Clean Future*. I thank them for that.

I disagreed, and I will continue to say this, because as part of their platform, they said we should build a liquefied natural gas plant. No, I don't think we should; I think that's a mistake.

I think we should work to build the renewables that will get us off the rented diesels and get away from fossil fuels. So I disagree with that strategy, and I have been very vocal about it, but I don't see, within their platform, what the plan is to get to 2050. There are a few things in here, but some of them, I think, are not going to get us there, including building an LNG plant, which, by the way, is the thing that pushed our rates up the highest for electricity in the most recent rate application.

The final thing I'm going to say is that the members opposite offered to support the confidence and supply agreement. Their leader said: Yes, we support this; we would work to achieve it with you. So, in that, the members opposite agreed to this interim target of 45 percent. I agree with them. That's a good thing to do.

For the past several days since we have been in Committee of the Whole discussing Bill No. 17, the *Clean Energy Act*, I hope that what the members have heard is that there is a group of people with the Department of Energy, Mines and Resources, the Department of Environment, the Department of Highways and Public Works, and across many branches who are working extremely diligently to achieve these actions. Every one of them has a strategy around it on how to achieve it, and they adjust. We put out an annual report just to talk about where we're getting to in all of these actions. So, I think there is a sincerity on the part of government to achieve this, and I would like to thank those public servants for all of their hard work.

The point I'm trying to get to here is: I hope that the members opposite continue to live up to their support for the 45-percent target, which I heard through their support for the confidence and supply agreement. I think it's the right thing to do. I think the science is pretty clear on it.

Mr. Kent: Rather than going back and forth on political nuances here and what we support and what our plan was, obviously the minister is correct. We supported *Our Clean Future*. We supported the renewable energy plan. *Our Clean Future* — we essentially are in the same position that the Liberals are with respect to the target for greenhouse gas emission reduction of 30 percent by 2030. So, this was in March and April, as we all went around and talked to constituents and talked to Yukoners about our plans, and that plan was to reduce the greenhouse gas emissions by 30 percent. Then, a month later, the Liberals signed the confidence and supply agreement with the NDP to change that to 45 percent.

Now, again, when that was changed to 45 percent, *Our Clean Future* was still the document we were working with. It had a number of actions — as it says here, the plan contains 131 actions over the next 10 years to get us to that 30-percent target, but no mention in the platform when we talked earlier on in debate about modelling; I don't think the modelling is available yet to get us to 45 percent. The 2021 annual report has a significant gap to get us to where we need to be at that 45 percent.

So, I don't see where there's — unless the minister can convince me, but to be frank, he hasn't done a very good job of convincing me that we'll be able to be there with our discussions around electric vehicles. The goal is 4,800. We have 160, I think, or something on the road right now. The Minister of Highways and Public Works is talking about supply chain issues and other things affecting that. So, it seems like they're kind of hedging their bets on where we get with respect to electric vehicles.

We spent a significant amount of time talking about the 10-year energy plan. In many cases — as with Atlin and Moon Lake — it appears to be behind and overbudget. In the case of Atlin, there is a \$60-million funding gap that needs to be closed. We don't even have any cost estimates at this point for Moon Lake, according to the minister. The biomass and the forestry planning and the fuel wood are in a mess right now on the supply side. The minister talked a lot here earlier today about some of the things that they are trying to do to address it, and I hope that they do get it addressed, because so many Yukoners rely on firewood and firewood delivered by commercial vendors, and they are going to rely on it to stay warm this winter.

So, again, I just do not see in here where there is any evidence or science that occurred in that approximately one month between election day and the signing of the confidence and supply agreement that would mean that we are in a position to confidently say that we can increase this greenhouse gas reduction from 30 percent to 45 percent.

Do I hope we get there? Absolutely. Do I hope that something happens or that we are able to meet some of these targets and exceed 30 percent? Absolutely. But I do not have the confidence to say that we should be passing Bill No. 17 here today, which targets 45 percent, when the minister, quite frankly, hasn't made the case that we can make it to 45 percent.

We have spent a lot of time in here, and I thank him; I thank his officials. I have asked a lot of questions, and I was hoping to get to the point where the minister would be able to give me some confidence that we would get to the 45-percent target that is in this legislation, but unfortunately, he has not made the case to me with respect to providing a plan or a model or anything that would suggest that we can get to 45 percent.

We have *Our Clean Future* and the models there to get us to the 30 percent, and still there was a little bit of a gap, but there is an increasing gap now with the 45-percent goal. Unfortunately, the minister has not made the case to me, and I suspect to some of my colleagues, that 45 percent is attainable. As I said, I hope that we can exceed 30 percent. It is something that we need to focus on and do, but when we're putting

something down in legislation, I think that 30 percent is a more obtainable goal.

With that, I will close off general debate. Obviously, the minister may have a response, but I am willing to move into line-by-line debate at this point.

Hon. Mr. Streicker: Of course, 30 percent is more obtainable than 45 percent. Yes, that is true, but what is catching me off guard is that the Yukon Party agreed to support the confidence and supply agreement. I heard them say that. Part of that agreement was this 45-percent target, so now I'm wondering whether they are not supportive of that. That is catching me off guard, because that was clearly part of that agreement.

Can we achieve it? Yes, we can. Is it easy? No, it is not easy. Will it take a lot of work? Absolutely. Now I'm concerned that after we get out of Committee of the Whole and eventually get to third reading on this, when we get to that vote, I will see where the members opposite land. They may vote against it, which will make me believe that they don't think we can get there. That worries me, because I think we need to get there. I think it is important. I worry for the issue of climate change, then, under their leadership.

Look, we are investing \$80 million this year in this budget on *Our Clean Future* and all of the actions. We formed a Climate Leadership Council to work to identify actions that we can implement that will help us bridge that gap. It's not modelling to 45 percent; that's not the way this works. You model each action through an economic model to understand what the potential for reduction is and to treat it fairly and then add that to all the other analyses that we have done. That work is ongoing.

Part of *Our Clean Future* says to make this commitment. The reason that you would make this commitment is in order to set a responsibility that goes beyond any one government and make it move through time. That's what we are trying to do here today. I think it's critically important. I appreciate that there is a different perspective. I appreciate that the members opposite think that 30 percent is easier. I agree with that, but the question is: What should we set as the target?

We have agreed to 45 percent. I thought the members opposite had done so too when they said that they supported the confidence and supply agreement, but now I think the Yukon Party is saying, "No, we didn't really mean that." Okay — no problem.

I hope that we as a Legislature support this, and I look forward to moving it on. I appreciate, certainly, all of the questions that came forward. Again, I would like to thank the departments for their incredibly hard work on this issue.

Thank you.

Chair: Is there any further general debate on Bill No. 17, entitled *Clean Energy Act*?

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

Mr. Kent: Of course, this is the clause in the act that sets the emission target at 45 percent. As the minister mentioned and as I mentioned, the Liberal platform had that target at 30 percent. We agreed with that. We agreed with the renewable energy targets, but we feel that legislating 45 percent, given the information presented by the minister over the past number of days of debate — so much of the uncertainty around some of the bigger picture items that we have talked about, and again, I mentioned everything from electric vehicles to Moon Lake and Atlin — that, at this point, we are not willing to support the 45-percent target, so I do have an amendment to the bill.

Amendment proposed

Mr. Kent: I move:

THAT Bill No. 17, entitled *Clean Energy Act*, be amended in clause 5 at page 3 by replacing, in subclause (1), the term “45%” with the term “30%”.

I do have a signed copy and copies for the members who are present.

Chair: The amendment is in order. It has been moved by the Member for Copperbelt South:

THAT Bill No. 17, entitled *Clean Energy Act*, be amended in clause 5 at page 3 by replacing, in subclause (1), the term “45%” with the term “30%”.

Is there any debate on the amendment to clause 5?

Mr. Kent: We have had a significant amount of discussion about this in the past 10 or 15 minutes or so. Again, as I mentioned earlier, the Liberal platform in 2021 said 30 percent. It is part of *Our Clean Future*. The plans are there. We feel confident that we can reach that 30-percent goal and less confident, obviously, that we can reach the 45-percent goal, even more so with the conversations that I have had with the minister over the past few days that we have been in debate on this bill — as I mentioned, on everything from electric vehicles to some of the clean energy projects that are being proposed by the Yukon Energy Corporation, which are looking like they are having either budgetary issues with the funding gap on Atlin, some planning issues with respect to Moon Lake — or, again, trouble with targets. The target is 4,800 electric vehicles by 2030 and we are at 160. I think that there are challenges throughout that we have talked to the minister about.

Quite frankly, he hasn't been able to convince me in any way that we can meet that 45-percent target or that we should legislate that 45-percent target. Do I hope that we exceed that 30-percent target? Absolutely, but am I comfortable legislating that to 45 percent? No, I am comfortable legislating it at 30 percent, which was contemplated in the Liberal platform, contemplated in *Our Clean Future*, and is something that we support going forward.

With that, I am hopeful that the colleagues will agree to change the target from 45 percent to 30 percent, but I guess I will wait to hear from them on this amendment that I have proposed and as we get toward a vote.

Ms. Tredger: I heard a question earlier, during Committee of the Whole, about this 45-percent target. I know that the Member for Mount Lorne-Southern Lakes answered it, so I may be repeating part of his answer — I didn't hear all of it. In the *Paris Agreement*, it was said that, in order to keep global warming to more than no more than 1.5 degrees Celsius, emissions needed to be reduced by 45 percent by 2030 and net zero by 2050. That is where this comes from. That is what we have been told needs to be done in order to keep — I am reading directly from the UN climate change website right now: “... in order to avert the worst impacts of climate change and preserve a liveable planet, global temperature increase needs to be limited to 1.5° C...” There is more there, but that is basically it in a nutshell. That is what we need to do.

The Member for Copperbelt South has said that he hopes we get more than that. Hope isn't enough. We need to take action; we need to do it. This isn't optional. If we have any chance, we need to do this. It is going to be hard; of course, it is going to be hard, but it's not optional.

I think it will surprise no one that we will not be supporting this amendment.

Hon. Mr. Streicker: I am glad that we are here. I am glad that we are here having this debate; it is an important debate. Where do you stand? So, as we think about this issue, we have agreed, I think, unanimously in this House that it is a climate change emergency. So, we have given it, I would call, our highest level of importance. We understand that every time we go out and talk with Yukoners about things that are happening that are so strange. Just two days ago, three days ago, Southern Lakes hit its peak. Laberge is still going back up right now. I have just never seen this in all the time — and we just hit the peak because basically that dusting of snow that I talked about in the tribute at the beginning of today's session — we got here. We finally got a bit of cold temperature up in our mountains, because what was happening was that precipitation was coming down as rain. It wasn't sticking up in the mountains. It was running down, and as of September 26, we started raising our lake levels again. We hit our peak a few days ago. Normally, the peak is in August. Last year, it was in July, and this year it's at the end of October or near the end of October. It is very unsettling to our citizens to think about all of this change. As a person who hasn't been involved in this science for decades, I know more change is coming, more risk is coming, because if we work hard and get to the 45-percent target, which we absolutely can do, there's still going to be a lot of change that comes.

The member asked what science is out there. It's the biggest amount of science I have ever seen. The Intergovernmental Panel on Climate Change is across the globe. All of these researchers from so many different countries putting in — we just had the sixth assessment report come out, in which this was all laid out. Their fourth assessment report was awarded the Nobel Prize in fact, the Nobel Peace Prize, I

think it was. That's how serious the science is. So, I am very confident in that science.

The member opposite has suggested that we can't get there or said that it's harder to get there than it is to 30 percent. That is correct. It is harder to get to 45 percent, but of course, the science tells us that we need to go further.

He talked about Atlin being delayed. Yeah, it's delayed by a year. He talked about our zero-emission vehicle sales not being enough. We're the third-highest in the country — third-highest — not good enough for the members opposite.

The members opposite agreed to support the confidence and supply agreement, which had within it that we would hit a 45-percent target. So, I'm left to decide whether they were sincere about that or whether that was just a political play to gain power. It is disconcerting to think that it was not a sincere commitment.

What the Member for Copperbelt South is saying is that I did not convince him of the ability to reach 45 percent. Do you know what I heard in that four days of debate we have had back and forth? I was so impressed with the departments, because there were 130 — maybe now as many as 140 — actions in *Our Clean Future*, and on every one of them that they asked, we had an update on what is going on, how we are getting there, how we are improving it, if that's the right thing to do.

One of the actions that we had within *Our Clean Future* was to bring together some local expertise to present suggestions on what actions we should take to fill the gap. They have given us that report. I tabled that report — or the Minister of Environment — one of us tabled that report here. We are now doing the diligence on that report. I have asked the departments to give me actions that we can do right away from that and ones that will need a little bit more work to cost out. I called the actions that we should do right away “no regrets” actions. I think that the difference here is in intention.

Years ago, when I was a researcher working on climate change and the Leader of the Yukon Party was the Minister of Environment, there was an update to the then-action plan on climate change. I remember talking to the Climate Change Secretariat when that plan came out. I remember saying, You know this plan is not real; you know that the plan does not get at — I appreciated that there was a plan. I appreciated that it was being updated, but I knew it wasn't real, because it didn't really consider transportation — transportation being roughly half of our emissions.

I knew it wasn't real, and yet I worked hard with the government of the day to try to help them improve that report. Today, I feel concerned that the members opposite are not sincere about their intentions around how we address climate change. I am concerned, because they agreed to the confidence and supply agreement, and within that agreement was the 45-percent target. Today, it sounds to me like, through this proposed amendment, they are working to water that down.

Chair: Is there any further debate on the amendment to clause 5?

Some Hon. Members: Count.

Count

Chair: A count has been called.
The Chair will ring the bells and conduct a count.

Bells

Chair: All those in favour, please rise.

Members rise

Chair: All those opposed, please rise.

Members rise

Chair: The results are eight yea, nine nay.

Amendment to Clause 5 negatived

Chair: Is there any further debate on clause 5?

Clause 5 agreed to

On Clause 6

Ms. White: Clause 6 is “Sector specific interim greenhouse gas emissions reduction targets”. Subsection (1)(a) says, “The Minister may, from time to time and after engaging with representatives of a sector, including the mining sector, recommend to the Commissioner in Executive Council

“(a) the setting, amending or revoking of a reduction target for greenhouse gas emissions for the sector for a year and subsequent years;”

It goes on. So, if the minister can explain to me the intention behind this clause — and I guess my concern always is that the minister talks about intensity-based targets and I talk about firm targets. To know that the minister may change those and there may be another minister in that chair at one point in time who just completely removes all targets — and I want to understand what this is about.

Hon. Mr. Streicker: This is the ability to set a mining intensity target through OIC, but I will just say very plainly and publicly here that my intention would be to bring it back as a part of this act and to debate it here on the floor of this Legislature and make it part of the *Clean Energy Act* so that, if it were to be revoked by some future minister, it would require it to come back to this House.

Ms. White: Just to build on that, what is the mechanism within this that says that an OIC set by government would have to come back to this House for debate?

Hon. Mr. Streicker: What this is enabling is to allow for the possibility of an order-in-council to be set where that target could be established.

What I am saying is that, notwithstanding that possibility, the intention that I am giving right now and making very publicly is that we would bring back this act with that mining intensity target so that it goes through this House rather than just through me as minister or through Cabinet as an order-in-council.

Ms. White: I appreciate the minister saying that his intention as minister is to bring back this act for us to set the mining intensity, but what I'm asking for is — at this point in time, I have been in this House with two separate Yukon governments under two separate parties. I think that, at this point, I am at five ministers of Energy, Mines and Resources. So, I guess what I am asking about is assurances. What is built

in that says that we then tie that intensity — that the minister just said — the mining intensity target, for example — into legislation, as opposed to a minister through an order-in-council being able to make those adjustments?

Hon. Mr. Streicker: What I can say, Madam Chair, is that we intend to make the target very public all along. That is what we're doing right now with the engagement with the sector. That is what we are doing through *Our Clean Future*. So this is an enabling clause. It doesn't mean that we will use it, because I am making the commitment that we come back with that target and put it straight into the legislation or into the act directly. Of course, regulations are part of legislation too. But to be very, very clear, the intention is to put it into the act. It's not here today because I don't have that target as of yet.

Ms. White: The point that I'm trying to make to the minister — and we have used terms like “future proof” in this Assembly now, talking about ensuring that things are protected in the future. My question then is: If governments change, which they do, I want to know that, in the future, another Minister of Energy, Mines and Resources can't walk back a target that has been established or that we can't say to mining: Your intensity target where you're aiming for 25 percent — there is an election, and it comes back and we're down to five percent. So, what I want to know is how this legislation protects what we are trying to do here, which is reducing our greenhouse gas emissions.

Hon. Mr. Streicker: This act protects the 45-percent target that — let's say clause 5 at the moment. We could have, for example, a different sector target some day that is not related to mining — it's related to something else. It could be intensity-based; it could be otherwise. There could be individual targets as we work to get more and more detail in our plan over time, as we use the adaptive management approach. This enables that to happen. However, if we come and make it part of the act, then, in order to change that act, it would need to come back to this House, and I am making the commitment that the mining intensity targets will be brought forward as part of this act. I have been trying to say that all along. The timing is just that the mining intensity target is being worked out right now to the end of this year, and we wanted this act in as quickly as possible. My commitment is to bring it back with an amendment as soon as I have that intensity target in place — or as soon as the government has done its work on the intensity target.

Clause 6 agreed to

On Clause 7

Clause 7 agreed to

On Clause 8

Clause 8 agreed to

On Clause 9

Clause 9 agreed to

On Clause 10

Clause 10 agreed to

On Preamble

Preamble agreed to

On Title

Title agreed to

Hon. Mr. Streicker: Madam Chair, I move that you report Bill No. 17, *Clean Energy Act*, without amendment.

Chair: It has been moved by the Member for Mount Lorne-Southern Lakes that the Chair report Bill No. 17, entitled *Clean Energy Act*, without amendment.

Motion agreed to

Hon. Mr. Streicker: Madam Chair, seeing the time, I move that the Speaker do now resume the Chair.

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee has considered Bill No. 17, entitled *Clean Energy Act*, and directed me to report the bill without amendment.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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 5:26 p.m.

Written notice was given of the following motion October 24, 2022:

Motion No. 498

Re: seeking advice of the Conflict of Interest Commission (Hassard)



Yukon Legislative Assembly

Number 84

1st Session

35th Legislature

HANSARD

Tuesday, October 25, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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 25, 2022 — 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. Mr. Pillai: I would like to ask my colleagues to welcome some individuals who are here with us in the Legislative Assembly today. We will be doing a tribute to Nun cho ga. I would like us to welcome: Mr. Grant Zazula, from the Department of Tourism and Culture; Jeff Bond, from the Yukon Geological Survey; Derek Cronmiller, as well from the Yukon Geological Survey; and Brooke Rudolph, executive director of the Klondike Placer Miners' Association.

Applause

Hon. Ms. McLean: I would ask my colleagues to help me to welcome a special guest, Ayesha Ahmad, here today for a tribute on the Yukon Period Pantry.

Applause

Mr. Cathers: I would like to ask members to join me in welcoming a constituent of mine, Peter Wojtowicz, to the gallery here today.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of woolly mammoth calf Nun cho ga

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to Nun cho ga, the mummified woolly mammoth calf recovered from the Klondike goldfields on the traditional territory of the Tr'ondëk Hwëch'in.

On June 21, 2022, Brian McCaughan and his team at Treadstone mining uncovered what turned out to be the first near-complete and best-preserved mummified mammoth specimen ever found in North America, while working on Eureka Creek. This is a culturally and scientifically significant discovery for Tr'ondëk Hwëch'in and the Government of Yukon.

Tr'ondëk Hwëch'in elders visited the recovery site shortly after the recovery to honour their ancestor and bestow a traditional name, Nun cho ga, which translates to "big baby animal". The Yukon has long been a leader in Beringian research with a world-renowned fossil record of ice age animals, including the mummified wolf pup Zhùr, which made

global headlines in 2016. An initial examination of Nun cho ga suggests that the calf is female and roughly the same size as the 42,000-year-old infant woolly mammoth discovered in Siberia in 2007.

Geologists from the Yukon Geological Survey and, as well, from the University of Calgary who recovered the frozen mammoth on-site suggest that Nun cho ga died and was frozen in permafrost during the ice age over 30,000 years ago. These amazing ice age remains provide an extremely detailed glimpse into a time when the woolly mammoth roamed the Yukon alongside wild horses, lions, and steppe bison.

Since she was uncovered in the permafrost this summer, Nun cho ga has created quite a stir in the Yukon and beyond. In the months and years to come, much work will be completed to respectfully preserve and learn more about Nun cho ga and share these stories and information with Yukoners and the global scientific community. The successful recovery of Nun cho ga was possible because of the strong partnership between the mining community, Tr'ondëk Hwëch'in, and the Government of Yukon's Department of Environment, the Yukon Geological Survey, and the Yukon paleontological program.

A special thanks goes to the Treadstone mining team for their conscientious and enthusiastic cooperation throughout. Our thanks also go to Jeff Bond and Derek Cronmiller of the Yukon Geological Survey, and Dan Shugar, Jackson Bodtke, and Holly Basiuk from the University of Calgary, for quickly and diligently ensuring that the mammoth was safely removed from the mining site and that important peripheral data was collected.

Of course, our continued gratitude to Tr'ondëk Hwëch'in Chief and Council, elders, and heritage staff for their guardianship and guidance as we work together to respectfully care for this miraculous creature. Without partnerships such as these, a discovery of this magnitude would not be possible.

We are thrilled about the discovery of Nun cho ga and the promise of further cultural and scientific value that lays ahead. She is an unprecedented find who has much to tell us about the Yukon's fascinating ice age past. Thank you.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to pay tribute to a baby woolly mammoth. Eureka — no, not a gold find, but on Eureka Creek south of Dawson City, Yukon, a mummified female baby woolly mammoth was unearthed.

It was found around noon by a mine operator in the goldfields on the longest day of the year, June 21, 2022. It was also a Yukon holiday, National Indigenous Peoples Day. Work was immediately halted, people notified, scientists came, and amazement and wonder were expressed by all involved. It was one of the most important discoveries in North America. To find a near-complete, months-old mammoth with skin and hair. This find is only second in the world for such a complete specimen.

Treadstone mining owner, Brian McCaughan, was equally excited and stated, "There will be one thing that stands out in a

person's entire life, and I can guarantee you this is my one thing."

When Government of Yukon paleontologist Grant Zazula and others arrived, they could not believe what they were seeing and knew they were involved in a find that was of world interest and very rare.

They recovered the animal and transferred it to Dawson City where the Tr'ondëk Hwëch'in community gathered with leaders and elders to witness her and pray. It was very moving and spiritual for all those who were present. It was here that she was named Nun cho ga, or "big baby animal" in the Hän language. Between the Tr'ondëk Hwëch'in government, the Yukon Department of Environment, the Yukon Geological Survey, and the Yukon palaeontology group, all will ensure Nun cho ga is treated with respect, and yet will give us so much information on how her world must have been 35,000 to 40,000 years ago.

To the miners and all who work in the remote areas of Yukon and who are so aware of the importance of these finds — and although it closes work for a bit, it gives the world a window into the magic of yesteryears — thank you for all you do for the science world.

The government departments that worked tirelessly to ensure we have these treasures preserved and documented for Yukon and the world, we appreciate you sharing your skills — well done. To the people of Tr'ondëk Hwëch'in, for the respectful way Nun cho ga was introduced to the world and for the prayers given for her so we can learn from her for future generations, thank you.

Applause

Ms. Blake: I rise to pay tribute to Nun cho ga and the wonderful community of people who came together to preserve this amazing discovery. We give thanks to the placer miner worker who first saw Nun cho ga coming from the permafrost. This wonderful person immediately recognized that this was something important and took the right action. Thank you.

We give thanks to the scientists and the field staff who got the message of this discovery. As luck would have it, there was a team close by, which immediately headed to the site and took steps to protect Nun cho ga and the site where they were discovered. We give thanks to the volunteer in Dawson City who was able to provide the freezer space to protect Nun cho ga from further harm. So much could have been lost without that.

We also give thanks to the Tr'ondëk Hwëch'in First Nation elders and members who came together to pray, to give thanks, and to name this big baby animal, Nun cho ga. The First Nation recognized the importance of this find and has taken on the responsibility of being the guardians and protectors of this beautiful baby woolly mammoth.

Lastly, we give thanks to Nun cho ga for revealing themselves to the world. This amazing gift will keep scientists, Yukoners, and people around the world learning more every day of what our land looked like, who roamed on it, and what grew on it.

Thank you, Nun cho ga.

Applause

In recognition of Yukon Period Pantry

Hon. Ms. McLean: I rise on behalf of our Yukon Liberal government to pay tribute to the Yukon Period Pantry. Two young women, Ayesha and Abeer Ahmad, recently established the Yukon Period Pantry, which is the first of its kind in Whitehorse. It operates on a "take what you need and give what you can" basis. It is solely supplied by community donations from businesses and individuals. I would like to do a special shout-out to Riverside Grocery for the largest initial donation to this very special project.

The Yukon Period Pantry is located at 407 Black Street in front of the Yukon Aboriginal Women's Council, which is hosted at no cost to the project. Also, I am told that there are many volunteers and partners that provide storage and monitoring of supply levels; however, Ayesha and her sister stock the pantry personally every day.

The Ahmad sisters hope that this will encourage period pantries in other Yukon communities as, unfortunately, period poverty is a reality for many Yukoners. Period poverty refers to financial barriers that women, girls, and gender-diverse people experience related to the affordability of menstrual products. It is estimated that northerners pay more than double the price for menstrual products as compared to our southern counterparts.

Although Canada removed the sales tax in 2015 from menstrual products, the high cost of these essential items is out of reach for low-income women and gender-diverse individuals. The Government of Canada recently launched a \$25-million menstrual equity fund that will help address some of these problems. Along with the Yukon Period Pantry, other initiatives are underway across the territory. With funding from Indigenous Services Canada and Yukon government, the Council of Yukon First Nations is distributing period products in schools throughout the Yukon. Back in 2020, Blake Lepine, a local artist and a member of the Carcross/Tagish First Nation, raised over \$5,000 to purchase menstrual products for local high schools and non-profit organizations. I am encouraged by the leadership of our citizens to address financial barriers experienced by women and gender-diverse Yukoners. You can follow the Yukon Period Pantry on Instagram and Facebook, and you can also volunteer there or make a personal donation.

I ask all members to join me today in recognizing the Ahmad sisters and their leadership to establish Yukon's first period pantry.

Applause

Ms. Clarke: Salamat. I rise on behalf of the Yukon Party Official Opposition to recognize the efforts of two sisters and a team of volunteers who have launched the Yukon's first period pantry to bring menstrual hygiene products to those who are unable to afford or access them.

Menstruation is a normal part of life for half the world's population. Unfortunately, for many, so is period poverty. I know what poverty means, as I have seen and lived poverty. Where I came from, young girls used clean cotton underwear or face towels folded in half, and used them for their period. These are not disposable products. They are washed and cleaned. Social and financial constraints affect so many, and the

cost of menstruation can be detrimental — not only the financial cost, but the cost to mental health and dignity for those who have barriers to accessing products.

This Yukon-grown initiative by the Period Pantry team is incredible. Co-founders Ayesha and Abeer Ahmad saw a problem, and they decided to fix it. People can access the Period Pantry at any time, anonymously, in front of the Yukon Aboriginal Women's Council at 407 Black Street. It is stocked daily with donations from local businesses and individuals.

I would also like to give a special mention to another initiative, one that allows for the purchase and availability of period products in schools across the Yukon — a partnership between the Council of Yukon First Nations, Indigenous Services Canada, and the Government of Yukon. This collaboration helps to ensure menstrual equity among students and is a welcome addition to our schools. Thank you to the entire Period Pantry team.

When I was chair of the Yukon Advisory Council on Women's Issues, I wanted to see menstrual products free all over the Yukon. The efforts of these caring Yukoners have paid off, and I am happy to stand in recognition of a wonderful initiative that I hope will spread to more Yukon communities. Thank you.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to pay tribute to period pantries and all the people making them happen.

Period products aren't cheap, and they are more expensive in rural and northern communities. It's pretty miserable if you can't afford them. I have heard stories from people who used rolled-up toilet paper as tampons for years. Having access to period products is about dignity.

So, thank you to the people and organizations who are restoring that dignity by making period products available to everyone in the Yukon, free of charge.

Congratulations to Abeer and Ayesha Ahmad for starting the Yukon Period Pantry here in Whitehorse. This mutual aid project has empowered more of us to care for each other in a meaningful way. Anyone can access the products they need at the beautifully designed, little red period library just outside the Yukon Aboriginal Women's Centre.

Thank you to Council of Yukon First Nations for their work in distributing period products throughout rural Yukon communities where the cost of products is even higher, and thank you to all of their community partners who connect people with the products they need.

Freely available period products are an important measure when it comes to fighting poverty and gender discrimination. We are proud and grateful for the work that has been done to make period products accessible in the Yukon.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Streicker: I have for tabling a letter from the Yukon Agricultural Association.

Mr. Istchenko: I have a letter for tabling from the Yukon Outfitters Association addressed to the Minister of Community Services and the Minister of Environment, dated October 24.

Mr. Hassard: I have for tabling a document from the Municipality of Skagway regarding the port.

Mr. Cathers: I have for tabling a letter from the Yukon Agricultural Association to the Minister of Environment and the Minister of Energy, Mines and Resources regarding the Yukon *Animal Protection and Control Act*.

Ms. White: I have for tabling letters from the Liard First Nation, Little Salmon Carmacks First Nation, Kwanlin Dün First Nation, Teslin Tlingit Council, and the Council of Yukon First Nations in support of proposed amendments to the *Oil and Gas Act*.

Ms. Blake: I have for tabling a letter from the Council of Yukon First Nations and the First Nation of Na-Cho Nyäk Dun in support of Bill No. 305.

Speaker: Are there any reports of committees? Petitions.

PETITIONS

Petition No. 13 — response

Hon. Ms. McPhee: Mr. Speaker, I rise to respond to Petition No. 13. I thank the member opposite for tabling that petition, and I thank all those who considered this issue and signed the petition.

The Yukon pharmacare and extended health benefits program is available to individuals over the age of 65, and their spouses if they are over the age of 60, to assist with the cost of prescription drugs, medical supplies and equipment, dental care, hearing aids, and optical services, all as outlined in the pharmacare plan regulation and the extended health care benefits regulation.

Rates for certain benefits under the Yukon pharmacare and extended health benefits program have been increased since 1999. Just one example is the coverage for lenses and eye examinations, which were increased as recently as October 2022. While coverage for other benefits, including dental and some pharmaceutical coverage, have not kept pace with the cost of goods and services, we are committed to ensuring that Yukoners have access to services and supports. Our work to expand access to health care for Yukoners is being guided by the recommendations in the *Putting People First* report.

Effective August 1, 2022, we increased the coverage for an eye examination amount. Given the impact of inflation and what it is having on the cost of materials, effective

October 1, 2022, we increased the coverage for basic lenses. These increases were informed by discussions with local small businesses and Yukoners to address costs.

Under the extended health care benefits regulation, we currently provide coverage for the cost of dental care, including dental restorations, dentures, and preventive services, upon approval by the director of an application made by a dentist, subject to the following limitations: the amount received by any one eligible beneficiary should not exceed \$1,400 for any two consecutive years; a review of those amounts is committed to; coverage includes a complete denture, a reset, a partial denture, or for an arch or a reset. Dental services are paid in accordance with the fee guide, which is developed and updated annually by the Yukon Dental Association.

The Yukon pharmacare program currently provides coverage of the total cost of the lowest priced generics of all prescription drugs listed on the Yukon pharmacare formulary, including the dispensing fee. Eligible Yukoners enrolled in the pharmacare and extended health benefits program do not need to pay for approved drugs listed on the formulary should they meet the medical criteria for having that kind of coverage. All Yukoners enrolled with the Yukon health care insurance plan can access critical medical services and treatment through a primary care provider.

We have made significant investments in our growing orthopaedic and ophthalmology programs, which is of importance for Yukon's aging population. The orthopaedic program provides a range of surgeries to Yukoners, including completing our very first in-territory hip replacement surgery in late 2021, and those surgeries continue here in the Yukon. Ophthalmologists provide cataract assessments and surgeries at the Whitehorse General Hospital here in Whitehorse, and we continue to work together to reduce the wait times for both of these services. Of course, you can still access those services under our medical travel program.

We have increased supports available through the medical travel program for those who need to leave their home communities to access medical services, including by introducing a medical escort policy and by doubling the medical travel subsidy. As part of our work to implement a territory-wide dental program, policies are under development to increase support for seniors who meet the eligibility of the new program and are not covered by one of the other programs.

Our strategy to improve services for Yukon seniors exists in the *Aging in Place Action Plan* and continues to be implemented. Implementing the recommendations of the *Putting People First* report, which includes recommendations related to the delivery of pharmaceutical and extended health care benefits, is a key priority and our pathway forward for improving services.

Speaker: 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 meet with the City of Whitehorse and Whistle Bend green street residents to find a solution that meets the contractual obligations in the government's sale agreements with homeowners.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to address the drainage issues on Whistle Bend green streets in advance of potential spring flooding of lots and homes.

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

THAT this House urges the Yukon government to work with provincial governments and the federal government to establish a harmonized national licensing pathway for nurses which includes a streamlined process for verifying the credentials of foreign-trained nurses and helping them complete any additional training that may be needed in a timely manner.

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

THAT this House urges the Government of Yukon to meet the obligations of the Department of Education under the student protection policy at the Gadzoosdaa student residence by:

- (1) immediately addressing staffing issues through prompt recruitment;
- (2) meeting with the executive councils of Yukon First Nations that send students to the Gadzoosdaa student residence; and
- (3) increasing the staffing budget of the Gadzoosdaa student residence to support adequate staffing of the residence.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Better Buildings program

Hon. Mr. Mostyn: I rise today to highlight the launch of the Better Buildings program. Through the nation-leading climate change plan, *Our Clean Future*, we made a commitment to Yukoners to support energy-efficient upgrades to buildings and homes. It is not only an important step in fighting climate change and reducing our emissions but will also add value to Yukon homes and buildings, while saving Yukoners money on energy costs.

The Better Buildings program is now available to rural, residential, and commercial property owners, including in unincorporated communities. This program makes energy retrofits more accessible for property owners. Twenty-five percent of the assessed value of the property to a maximum of \$50,000 per home and \$100,000 for commercial buildings is available to support retrofit projects. The money is recouped through a local improvement tax added to the annual property

tax bills over a five-, 10-, or 15-year term at the Bank of Canada interest rate — the lowest interest rate in the country. This low interest rate will help give property owners the flexibility they need to take on energy-efficient retrofit projects to reduce their energy use and save money.

The Better Buildings program relies on the assessed value of the property and up-to-date property taxes, unlike a commercial loan or mortgage. Property owners who might not be able to afford an energy retrofit improvement through other means will be able to do so with this program. The loan is associated with the property; this means the cost and benefits stay together.

When the property is sold, any amount owed under the local improvement tax could transfer to the new owner. The new property owner would continue to benefit from the low energy cost while repaying the funding through property taxes. This is similar to the rural electrification, telecommunications, and domestic water well programs.

We are grateful to the Association of Yukon Communities partnership and with their municipal representatives who worked with us to improve the program design. As part of the program delivery, there is a one-time administrative fee of \$500 to help defray the costs to set up the program. Municipalities can now review the regulations and decided whether to make the program available in their communities. We look forward to municipalities signing agreements to participate in opening the door for a Better Buildings program in their communities.

The Better Buildings program is another tool to help us reach the target of retrofitting 2,000 residential, commercial, and institutional buildings by 2030, as part of *Our Clean Future*.

Ms. McLeod: Thank you for the opportunity to respond to today's ministerial statement regarding the Better Buildings program. I know everyone in this House supports efforts to address the effects of climate change, and this program is one of those efforts. First, I would like to commend those behind the scenes who have worked for over a year to get this program up and running after some concerns were raised by us and by municipalities.

Speaking of municipalities, I also need to thank the Association of Yukon Communities for their work to help with the establishment of the working group that has led to today's official program announcement.

Mr. Speaker, this program has been the subject of debate in this Assembly last fall and in the spring. Hopefully, with the program now in place, the minister can answer some questions that we brought up previously. If a client defaults on a program loan, who will be responsible for collecting the money? How will it be handled? Municipalities had concerns about the administration burden of the program. Can the minister tell us how that has been lifted from the shoulders of municipalities?

The Minister of Energy, Mines and Resources told this morning's media briefing that 2,000 buildings will be retrofitted under the program by 2030. Will that target be achieved if not all municipalities sign on? With other inflationary pressures, some residential and commercial

property owners may not want to take on more debt. What does the minister say to those Yukoners who have already reached their financial limits?

In closing, I want to thank all those who helped to make this program a reality, and we do hope that this is a successful program that achieves its stated goal of reducing greenhouse gas emissions.

Ms. White: The Yukon NDP wishes to thank those who have worked so hard to make the Better Buildings program a reality, from those who developed it, the municipal leaders who brought forward their concerns, and the AYC working group that helped the minister cross the finish line. We are delighted to know that the Liberal government listened to the concerns raised by municipal leaders and that today we have a program that is supported across the territory. We agree that an energy-efficient home makes sense, both for the dweller and for the planet.

Mr. Speaker, I love energy efficiencies and the technology and practices that can really make a home work for people. I accessed the Yukon home improvement loan back in 2013 for just this reason. My 1958 duplex was built by the army and it was a lot of things, but it certainly wasn't energy efficient. I sought out energy improvements to make it more comfortable and to reduce my own environmental footprint. I used up the maximum allowance of \$35,000 insulating and re-siding three sides of my modest home. Even at the time, I raised concerns that being able to borrow \$35,000 wasn't enough. Now, if we really want folks to make changes to their homes and make them more efficient and cost effective, they need to be able to borrow the money.

In 2016, the Yukon Housing improvement loan amount was increased to \$50,000. As I had already paid down a portion of my loan, I went back and applied again because I really didn't want to be dependent on oil to heat my home. I had an air-source heat pump installed and, Mr. Speaker, it's great, but it wasn't cheap. I needed to upgrade my electrical system to 200 amps, install a new power pole, and pay for both the removal of my old furnace and fuel tank and the installation of my new system.

Maybe folks are curious as to why I am mentioning all of this. Well, all of that work cost me nearly \$30,000. That means that, so far, I have put in at least \$65,000 that I borrowed from the Yukon government toward making my home more energy efficient and kinder for the planet. Last year, my tax assessment came in below \$100,000. With the current plan, accessing 25 percent of that means that I wouldn't be able to even access \$25,000. That amount would not have even nearly covered the cost to insulate the three exterior walls of my duplex or to install my high-efficiency heating system.

Mr. Speaker, I live in the City of Whitehorse and my tax assessment is less than \$100,000, so where does that leave rural Yukoners? It is my hope that, now that the program is rolling, if changes are required, there will be the political will to listen to the experiences of Yukoners and make the required changes to make this program truly work.

Hon. Mr. Mostyn: I thank the members opposite for their responses to this ministerial statement this afternoon. It is very important. I am glad to see the commitment made on the opposition benches to improving how the territory does when it comes to reducing greenhouse gases.

To the member of the Third Party, I will say, as I have said to many I have worked with in government — the concept of perpetual improvement. Government can't — and often doesn't — launch projects that are 100-percent sound right out of the gate. Very few institutions ever do. What you have to do is get the program out of the gate and then improve it as you go. I think that this is a very important concept in these days — to make sure you are adept, you assess, and you take action to improve the projects that you launch when you launch them.

To the Member for Watson Lake, thank you. She had a couple of questions. We worked very, very hard with the Association of Yukon Municipalities and municipalities across the territory when launching this program. We worked very well together. We had a committee struck that worked through some of the issues, and we had buy-in from the Association of Yukon Communities, and I was glad to have the president of the Association of Yukon Communities with me this morning when we made our announcement. I really do appreciate the work that we saw from the Association of Yukon Communities and municipalities across the country in instituting this program. We have actually put in a fee program, which will help compensate municipalities for the work they do in collecting the money through this program.

We heard from municipalities that the rural well and electrification program that the Yukon Party put in didn't go far enough, so we have actually improved the money that we are spending on municipalities to make sure that they get the money back for instituting this program on our behalf.

The Better Buildings program is a truly innovative program that will help Yukoners make their homes more efficient and help our territory meet our commitments under *Our Clean Future*. Specifically, as I said before, it will help us reach our goal of retrofitting 2,000 residential, commercial, and institutional buildings by 2030. These upgrades will also reduce greenhouse gas emissions, protect owners against rising energy costs, and improve a home or building's longevity and value.

Last week the *Better Buildings (Energy-Efficiency Retrofit) Local Improvement Tax Regulation* was introduced, giving life to this program. Energy-efficiency retrofits now count as local improvements, and participating municipalities can levy the local improvement tax with annual property taxes to remit to the Government of Yukon.

I am happy to say that the Village of Haines Junction is the first municipality to sign the Better Buildings program agreement. As well, the Town of Watson Lake, the City of Whitehorse, and Teslin have all committed to supporting the program.

As I have said before, property owners and participating municipalities and rural property owners throughout the territory are now eligible to apply. I encourage you to do so and get your property assessment done in advance so that, when

your municipality actually does sign on to the program, you can get the work done quicker. You could probably be first in line.

Mr. Speaker, I look forward to seeing more municipalities sign on to the agreement and be able to offer the Better Buildings program to Yukoners living in their communities. As the cost of living and affordability are top of mind for many Yukoners and Canadians across the country, it's important that we provide people with the support they need to continue to reduce their emissions, save money, and invest in their homes and businesses.

I, once again, thank the municipalities and the Association of Yukon Communities for their support of this initiative.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Nurse recruitment and retention

Mr. Dixon: Yesterday, the Minister of Health and Social Services criticized the Yukon Employees' Union for negotiating in the media and for blocking nurses from reviewing the package that her government has put forward. Here is what she said to the media — and I quote: "Almost \$10 million in proposed bonuses for the nursing package, bonuses for our community nurses, for our government nurses, which is, unfortunately, at this point — as I'm sure you read in the YEU president's release — being blocked by them." The minister went on to say that the nurses haven't been made aware of the offer made by her government, suggesting that the YEU did not share the proposal with its members.

Can the minister explain her comments? How does the minister feel the YEU is blocking nurses from viewing the bonus package that the Yukon government was proposing?

Hon. Ms. McPhee: I am very pleased to be able to stand and speak about our support for Yukon nurses, nurses employed by the Government of Yukon, and our work to make sure that they are properly supported so that they can provide the health care that we need.

The health human resources crisis is significantly impacting Yukon's health care sector, and especially the nursing workforce. Health care provider burnout remains real and a pressing issue here in the Yukon Territory. In communities across the Yukon, nurses continue to play integral roles in the pandemic and the ongoing substance use health emergency, not to mention the daily care of Yukoners.

As providing greater flexibility and hard-earned time off continues to present operational challenges, many nurses are choosing to work through an agency and some nursing contracts instead of being employed full-time. These are all challenges that we are working to meet with respect to our nursing staff.

We have invested this fiscal year in the Community Nursing branch. We have also allocated an increase of three FTEs for nurse practitioners to serve Yukoners.

Mr. Dixon: It appears that the minister is backing away from her comments to the media yesterday.

After criticizing the YEU in the Legislature for negotiating in the media, the minister went up and spoke with the media.

During that media scrum, the Minister of Health and Social Services shared the financial values, the term length, and many of the details of the package that they are proposing. Here is what she said — and I quote: “There would be immediate retention bonuses paid out to our current nurses, and then there is extra for working in the communities, there’s extra for signing bonuses for new nurses that would come — there’s a variety of items in that package.” She then went on to indicate that she was — and I quote: “absolutely” committed to discussing salaries when negotiations resume.”

Does the minister appreciate the irony of her criticizing the YEU for negotiating in the media in the Legislature and then going up and literally negotiating in the media with the media themselves?

Hon. Ms. McPhee: Thank you, Mr. Speaker. Our government is nothing if not transparent and open. We work very hard to have media scrums after Question Period — the first government ever, that I am aware of, in the history of the Yukon Territory to do that. Those are done on a daily basis. The opportunity is there for the media to choose who they would like to speak to — also an opportunity for our government to be open and transparent. We respond to those media scrums for the purposes of providing information and answering questions that the media might have and that come as a result of information that is brought through Question Period.

I noted yesterday, for the media, that the media release put out by the Yukon Employees’ Union actually was the response to bringing this to the media, and, of course, they will have questions as a result of that.

I responded to a question here in the Legislative Assembly, which I clarified for media. That is how this topic arose. After that, the Yukon Employees’ Union put out a media press release to say some things that they wanted to say to the media. They are completely and utterly entitled to do that, but that, I think, is where the irony lies.

Mr. Dixon: So, to recap, so far, the minister has accused the YEU of not sharing the government’s proposal with nurses and of blocking the nurses from reviewing it. She has then gone on to share the details of the proposed package with the media, including the financial amounts and details of the contents of the offer. She has even told media that she is willing to discuss new items such as wages and what she called “appropriate salaries”. She has done all of this while criticizing the YEU for negotiating in the media and for not representing its members.

Does the minister really think that this is a productive way to negotiate? Is she confident that this will result in an agreement that is in the best interests of both nurses and Yukoners in general?

Hon. Ms. McPhee: I am very pleased to be able to stand to speak about the importance of nurses and nurses in our communities, and the support that this government has for those nurses. My comments with respect to whether or not the YEU took that information to their nurses was completely based on something that exists in the media release that was given, indicating that the recruitment package proposed — and I quote: “Recruitment package proposed by the employer began and ended at the same meeting.” That is what I pointed out to

the media yesterday. That did not involve consultation with Yukon nurses.

The Yukon nursing community must be supported by this government and all of our community. We continue to work with the Yukon Employees’ Union and the Public Service Alliance of Canada to reach an agreement on incentives that will address and support the recruitment and retention of nurses in the Yukon. I have no doubt that the Yukon Employees’ Union and all of its members are interested in supporting nurses going forward. We need to discuss the details of how we might do that. We have put forward a package that I think supports Yukon nurses and brings forward the importance of them in our community.

Question re: Gadzoosdaa student residence staffing

Mr. Hassard: The Gadzoosdaa residence is where many students from rural Yukon stay while in Whitehorse to attend high school. For many years, the Gadzoosdaa residence has operated on a staffing model that allowed students to experience a more home-like approach to dorm living. However, we have recently learned that the Department of Education is changing the staffing model for the residence. According to the Gadzoosdaa Advisory, which is a committee that makes recommendations on dorm-related topics, the Department of Education is requesting a change in the staffing model to reduce costs. In the words of a presentation to the advisory from September, the money — and I quote: “is no longer available.”

Can the Minister of Education tell us why this change is being made?

Hon. Ms. McLean: At the heart of this, it is about supports to families when students have to leave their communities to attend school in another location. We are very committed to providing safe, caring, and enriching living environments for rural students pursuing learning opportunities in Whitehorse.

We are working closely with the Gadzoosdaa Advisory committee. That is the body that we work with, which is made up of representatives from Yukon First Nations, the F.H. Collins staff, the Department of Education staff, and the Gadzoosdaa student residence, and we are working with them. We have recently asked for a meeting through our superintendent to explore some of the issues that may be arising at the Gadzoosdaa residence. The well-being of students is at the heart of all of the work that we are doing to support students when they have to leave their community. I will continue to expand on my answer as we go forward.

Mr. Hassard: I certainly hope that we get more of an answer out of the minister the next time she’s on her feet.

The presentation to the advisory committee makes it very clear why the current model has had success. According to the presentation, the current staffing model allows students to access recreational and other off-site activities, such as part-time jobs. This has led to success in getting kids to school and the positive activities and community engagement after school. Unfortunately, the presentation also makes clear that the

staffing model proposed by the Department of Education, due to budget constraints, will significantly limit those activities.

Under the proposal — the new model — there will only be two staff on hand during the critical 3:00 p.m. to 11:00 p.m. shift, which is when most after-school activities occur. Can the minister tell us why these changes are being proposed by her department?

Hon. Ms. McLean: Again, at the heart of this are good supports for families and for students who are having to leave their communities to attend school in other locations. We know that there have been some concerns raised regarding service delivery models, resourcing, and supports. We are going to continue to work with our partners to address these concerns through a student-centred approach. We absolutely share with our partners the commitment to the health and well-being of every student. We will continue to work in a good way with our partners through our Gadzoosdaa Advisory committee. At this current time, there are 21 folks identified who represent different organizations on this committee that is made up of Yukon First Nations, F.H. Collins staff, Department of Education staff, and the Gadzoosdaa student residence. We will continue working with our partners through this advisory committee. Again, the superintendent for schools has reached out to the advisory committee to schedule a meeting, and I look forward to the results of that.

Mr. Hassard: There is concern that the changes being proposed by the Department of Education will have a negative impact on these students who are living away from home to pursue their education. Whether they be a part-time job, playing on a sports team, or even just going to the Canada Games Centre for some exercise, after-school activities are important to the physical and mental health of these students.

The staffing changes proposed by the department will make access to these important activities very difficult, or even impossible, in some cases. The proposed changes will also make things more challenging for the staff who will now be limited in the support they can provide to students.

Will the minister herself, rather than the superintendent, agree to meet with the advisory committee and engage with the Yukon Association of Education Professionals before making these changes to the staffing model at the Gadzoosdaa residence?

Hon. Ms. McLean: Again, we are committed to supports for families when students have to leave their communities to attend school in another location. I have stated a couple of times already today that we are very committed to the health and well-being of every student, and we will continue to work with the Gadzoosdaa Advisory committee, and any other partners who would like to work with us on this. I have been in receipt of some communication directly from partners who request a specific meeting with me. I am absolutely willing to work government-to-government with First Nations that are directly impacted and are directly involved in the advisory capacity of this important residence for our students.

I agree that recreation and outside-of-school activities are very important to the health and well-being of our students. I will continue to work with our partners through the committees

and in any other way that I need to, to support students. They are at the centre.

Question re: Kudz Ze Kayah mine project assessment

Ms. White: In June of this year, the Yukon Environmental and Socio-economic Assessment Board found that the planned Kudz Ze Kayah mine would have significant adverse effects. The Ross River Dena Council and the Liard First Nation made very clear that they felt that the footprint and additional risks of the project would be too large and did not support the project going forward. The Liberal government, on the other hand, felt that it didn't matter that the affected First Nations did not give their consent to move forward with this project.

Can the minister tell us why his government doesn't think that these two Yukon First Nations should have the right to consent on what happens on their traditional territories?

Hon. Mr. Streicker: As a government, we are committed to continuing consultation with Kaska First Nations regarding the Kudz Ze Kayah project, and that supports our commitment to build strong relationships with First Nations and meets our obligations. We also, as a government, support responsible mineral resource development in the Yukon. Our belief is that the Yukon has a robust and effective assessment and regulatory regime that continues to uphold responsible development in the territory.

Ms. White: So, our concern is that it is indigenous women who are going to bear the brunt of this project. YESAB's decision document said — and I quote: "... the Project is likely to result in significant adverse effects to personal safety with respect to workplace harassment and community violence against women and gender and sexual minorities..." This government read those words and still approved the project.

Does the minister think that the safety of indigenous women is a fair price to pay for this project to go ahead?

Hon. Mr. Streicker: We believe, always, that it is important to make sure that our communities are safe, including the women in our communities, with these projects. I will say that whenever I have met with communities and whenever I have met with the mining industry and we have talked about making sure that projects are done safely, I have noted recently, from reading recommendations from the Yukon Environmental Socio-economic Assessment Board, that they often put these points in place. We often have conversations with the Women and Gender Equity Directorate about using the GIDA principles, as we look at projects, and running those assessments. The main point here is that with all of our projects — whether they be mines, whether they be forestry projects, whether they be schools, whether they be any of the projects that we do — we believe that we will always work to make sure that our communities are safe.

Ms. White: Let me just read that quote again from YESAB: "... the Project is likely to result in significant adverse effects to personal safety with respect to workplace harassment

and community violence against women and gender and sexual minorities...”

When this government read those words — that, if approved, it is likely to lead to community violence — they decided that it would be fine, because after women and gender-diverse folks face violence, the government will offer to provide counselling services and a shelter.

So let me be clear. Counselling and shelters do not undo abuse. This carelessness for women’s safety and well-being is unacceptable. Can the minister explain to Yukon women why this government is comfortable putting them at risk of abuse?

Hon. Mr. Streicker: I think I just stood a moment ago and said that I believe that all of our projects need to focus on the safety of our communities. I will continue to stand by that.

I know that the Government of Yukon and Government of Canada reached a joint decision that completes the assessment phase of the Kudz Ze Kayah project. That’s not the end of our work. From there, we talked about additional measures based on the Yukon Environmental and Socio-economic Assessment Board recommendations, which ensure First Nation participation in that work, so we will work with Yukon First Nations and communities, and they will help inform the future of this project, and we will work to ensure that there is safety in our communities.

Question re: Whistle Bend development

Ms. Clarke: Earlier this sitting, I asked the Yukon government to conduct adequate consultation with residents on green streets in Whistle Bend. The Minister of Community Services answered that it was the city’s responsibility, saying: “The city planned the neighbourhood and we built to the specifications laid out to us by the City of Whitehorse.”

But residents have been informed that the city manager has a different opinion. The city manager wrote: “Detailed design (including grading specs) and all aspects of construction (including surface works) are managed by YG CS.” Will the minister now accept responsibility for their role in this, and immediately call a meeting with the City of Whitehorse to find a solution to the green streets fiasco?

Hon. Mr. Streicker: I believe it was me who stood and talked about this issue. I will check the Blues to make sure what both the Minister of Community Services and I said.

What I have said all along is that we work with the City of Whitehorse at all times — or whichever municipality we are working in. The city does the high-level planning. Out of that, it is the Department of Community Services that does the development work. After that, it is the Department of Energy, Mines and Resources that sells those lots.

In this instance, the member is asking whether we have talked with the City of Whitehorse. Absolutely we have. I spoke with the mayor a couple of weekends ago. We set up a meeting. We have a meeting scheduled for this week. I have talked to the department and checked to make sure that there is dialogue happening with the residents. I am told that there is and that there are public meetings that are ongoing.

There is an issue here. It was that, in the original design, there was supposed to be a three-metre winding paved way that

would make it more pedestrian friendly. However, it was a concern raised about safety and access for fire trucks that led to a change. I will share more information as we go forward.

Ms. Clarke: Well, here are the facts, Mr. Speaker. The sales agreements that my constituents have are between them and the Government of Yukon. The contract for the paving of the green streets was issued by the Government of Yukon; yet, when I asked about this, the minister blamed the city. Since then, the city manager has clarified that it’s being managed by YG. My constituents are getting tired of being bounced from one government to the next.

So, will the minister accept responsibility and direct Yukon government officials to find a solution that works for residents?

Hon. Mr. Streicker: I think I have said all along that we will continue to work with the residents. I will say it again, right now: We will continue to work with the residents.

There is a concern. It was raised by the fire chief. The fire chief said that there’s a problem with access. So, that is an important issue. We do need to care about the safety of residents. We will get to the bottom of the responsibility piece. What the mayor and I discussed when we last talked about it was making sure that we find a solution, working with residents, working with the City of Whitehorse, working with Community Services, and working with Energy, Mines and Resources to find a good solution, and then we will worry about how we got into this situation now.

What I can say is that this is about trying to make sure that the residents are safe. I hope that the member opposite also feels that this is an important issue to address.

Question re: Skagway marine services

Ms. Van Bibber: Earlier this month, the Municipality of Skagway issued a tender notification for an emergency project that will include the demolition of the ore loader. According to the tender documents, the ore loader, which Yukon mining companies rely on to export their product, will be demolished starting in March 2023.

Can the minister tell us what plans are in place to ensure that Yukon mining companies can continue to export their product after March 2023?

Hon. Mr. Pillai: The Government of Yukon recognizes that the Skagway ore terminal is an extremely valuable export option for the Yukon mining industry, facilitating access to international markets. This is something that we have echoed to over half a dozen federal ministers as well as to industry leaders across the country, understanding that this is our access to tidewater. As the world talks about the importance of critical minerals, it’s paramount that Skagway has the appropriate infrastructure in place to ensure that Yukon critical minerals can move out to international ports.

I want to thank the officials in Skagway. They have worked very closely with us over the last number of years, and definitely through 2022. There is one company at this particular time, Minto, which is shipping through that area. It is the only company that is currently using the infrastructure, and the talks are ongoing between Minto and Skagway, supported by the Government of Yukon.

We facilitated a meeting just about a week ago. Minto's CEO and vice-president were there, laying out a number of different options, and I look forward to question two and three to get into more detail.

Ms. Van Bibber: The minister has told us that the Yukon government is spending over a quarter-million dollars on the planning and design for this project. Does that investment give the Yukon any influence over the timing of the ore loader demolition? Will the minister encourage Skagway to reconsider the timing and work with the mining companies to find that solution?

Hon. Mr. Pillai: I appreciate the question, but I think the premise of the question would seem as though we have not urged folks in Skagway to be flexible and to collaborate with us. That has been what we have been talking to officials in Skagway about since the start of these discussions — again, going back a couple of years.

I want to be respectful to the folks in Skagway and echo their concerns. The concerns in Skagway are connected to legacy contamination in the port of Skagway. As we see over \$1 billion being allocated to Faro to clean up that project, there was no money allocated to Skagway. I think Yukoners need to be aware of that and respect our brothers and sisters in Skagway. That is the starting part of the conversation.

So, we have to be very respectful about what we decide to partner with them on. At this time, we spent, I believe, US\$261,000, and that money is being spent on design. We're looking at what the best infrastructure should be, whether that is a container system or, potentially, a modern ore loader.

Again, I look forward to question three — lots to discuss here and a very important topic.

Question re: School replacement

Mr. Kent: According to the Yukon government's budget and announcement about the replacement of Whitehorse Elementary School, construction is set to begin next year. Can the minister tell us if there is a design for this new school in place yet, and what the budget and completion date for the new school will be?

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you for the question. I think the question was whether there is construction that would occur next year? In any event, the member opposite will well know that construction for this school is happening as we speak and that the structure is in place, and that great progress has been made on this. I am a little bit puzzled by the question. I mean, the school is being built. We're very excited about having a new era school, the first elementary school being built in the territory in the last 25 years, providing a state-of-the-art school for the burgeoning community of Whistle Bend, which will allow elementary school students to access a school where they can engage in active transportation by bike, walking, with their parents or in groups. This is a good news story.

Mr. Kent: The minister misheard the question. The question was with respect to the replacement of the Whitehorse Elementary School, not the Whistle Bend school. The questions

were around whether or not the design was in place for the new school, and if there is a budget and completion date set yet.

As far as the public knows at this point, the school is planned to be built on or near the three softball diamonds on Range Road. This will obviously significantly disrupt softball for the next number of years here in the City of Whitehorse, and, indeed, in the territory. Has the government identified options for new ballparks and begun consultation with Softball Yukon?

Hon. Mr. Clarke: I apologize to the House for having misheard the question, contrasting Whistle Bend with Whitehorse Elementary. Our government is investing in Yukon's education system by building new schools or renovating existing ones, so that they meet the needs of Yukon students for years to come. In addition to new schools, like the one in Whistle Bend, which I spoke about in my last answer, and Burwash Landing, we will continue to replace or renovate existing schools on a priority basis.

Whitehorse Elementary, as we have heard, is the highest priority for replacement, because of the accessibility, lighting, acoustic issues, age and condition of the building, its energy use, greenhouse gas emissions, and the need for significant seismic upgrades. The new school will be much more energy efficient and could see a reduction of up to 260 tonnes of greenhouse gas emissions, compared to the current school.

The new school is currently in the early planning phases, which is being led by the Department of Education. In relation to the specific question from the member opposite, there will be a lot of consultation with respect to this matter, and there is awareness that Softball Yukon fields are heavily used, and that if any of the fields need to be taken up for the construction of the new Whitehorse Elementary School, we will certainly be having discussions with the executive at Softball Yukon.

Mr. Kent: The construction of the new school and the ongoing operation of the new school will undoubtedly create new traffic pressure in the area. As most members well know, Range Road is already a very busy artery in the city. What consultation has occurred with the City of Whitehorse and residents of Takhini regarding the change in traffic volumes that this project will have?

Hon. Mr. Clarke: Once again, this project is obviously a few years out, but more details on the design and building location on the Takhini educational land reserve are being investigated. We will be working with the project advisory committee and the community to determine the best way to use the site.

We are also planning for the project advisory committee to include representatives from the Whitehorse Elementary School Council and the school community, the Ta'an Kwäch'än Council, Kwanlin Dün First Nation, the City of Whitehorse, the Government of Yukon representatives, and community associations or organizations. The project advisory committee will provide us with input on key aspects of the school's planning and design, including ways the school can help to meet community needs, in terms of functionality, culture, and community space.

As we have heard in general debate with respect to the general concerns about traffic within Whitehorse generally, of course that is a discussion we all, as Yukoners, and as Whitehorse residents, will have to engage in over the next two years in order to promote active transportation, reduce single-occupant vehicle use, and to try to come up with innovative solutions to deal with traffic issues all around Whitehorse.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

Ms. White: 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 26, 2022. They are Bill No. 306, standing in the name of the Member for Takhini-Kopper King, and Bill No. 305, standing in the name of the Member for Vuntut Gwitchin.

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 26, 2022. It is Motion No. 498, standing in the name of the Member for Pelly-Nisutlin.

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

ORDERS OF THE DAY

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 19, entitled *Technical Amendments Act (2022)*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 19: *Technical Amendments Act (2022)*

Chair: The matter before the Committee today is Bill No. 19, entitled *Technical Amendments Act (2022)*.

Is there any general debate?

Hon. Ms. McPhee: Madam Chair, I am very pleased to rise today to speak about our government's proposed *Technical Amendments Act (2022)*. I am joined today by the assistant deputy minister of Community Justice and Public Safety, Jeff Simons, and I welcome him to the room, and by Abdul Hafeez, our senior policy analyst who worked on this particular bill. I welcome them and thank them both for attending today to support the questions that we may have.

The technical amendments bill before us today includes amendments to three pieces of legislation. They are to the *Land Titles Act, 2015*; the *Condominium Act, 2015*; and the *Corrections Act, 2009*. The proposed amendments in this bill come at a critical time for a few reasons that I will point out.

Firstly, the Corrections branch has a large and very complex portfolio that we believe warrants two individuals who are dedicated to each of their teams. The amendments in this technical amendments bill to the *Corrections Act, 2009* will enable two directors to dedicate their time and efforts to their respective areas. The mandates of both branches will be fulfilled to best serve our clients. I can indicate that those are a director of Corrections within the correctional facility and at community corrections.

Secondly, while the amendments to the *Land Titles Act, 2015*, may not appear to be significant, it is important for our government, and for me, to note that it is part of our government's mandate to modernize our systems. The proposed amendments will allow for the operational requirements of the electronic Yukon land titles registry system to be met as we continue to modernize our land titles office. This is a significant benefit to Yukoners who are registering land titles in that land titles system and to the professionals who work with government on the modernization of the Land Titles system and the electronic-accessible version.

Lastly, the *Condominium Act, 2015*, recently came into force on Saturday, October 1, 2022, and it is important that we fix any errors or inaccurate references immediately in order for the act to be current and serve Yukoners well. Through this proposed amendments, our government is ensuring that Yukon legislation is accurate, up to date, and serving Yukoners to the best of our abilities. I look forward to providing more information or answering any questions that the members may have during debate at Committee of the Whole.

Mr. Cathers: Madam Chair, to begin with, I would like to ask the minister to explain section 27 of this act.

Hon. Ms. McPhee: I am wondering if the member opposite is referring to section 27 of the *Technical Amendments Act (2022)*, which is "Validation respecting director of corrections." Is that the reference?

Mr. Cathers: Yes, Madam Chair, that is the reference.

Hon. Ms. McPhee: Thank you. This section refers to the fact that any action completed or omitted by a member of the public service acting as the director of Corrections, commencing October 15, 2021, and continuing until these amendments come into force, is validated by this provision. It is known, often, as a — I forget the name — the ability to transfer or — thank you, Madam Chair, for that moment, because I was not thinking of the term that I was looking for,

which was a “transition clause”. It indicates that any action commenced or done by the director from October 15, 2021, and continuing until the amendments come into force and effect, is validated by this provision. It also, in section 2, indicates that any action completed or omitted as a result of relying on section 1 is validated. Lastly, in section 3, it notes that provision of this act that provides for a right to a review of appeal of a decision made under this act is not impacted by sections 1 or 2 — so, not affecting the rights of individuals, not the directors.

I think that what is really being asked about is the retroactivity of this clause, or the transition clause that has been included in section 27, and it has been used to split the director of Corrections’ role — why is that being used in that way? I think that is the question being brought by the member opposite.

The branch holds a substantive portfolio, as I mentioned earlier, that would benefit from having two dedicated directors. The former director has not acted in this role since early October 2021. Since that time, we have had a number of individuals fulfill the responsibilities to ensure that any technicalities in decision-making don’t impact the Corrections operations. All gaps are attempting to be filled. Where there are more decisions, and ultimately, the responsibility of seniors in the department as well, because a number of individuals are fulfilling that responsibility, the retroactivity transition clause has been included.

There have been times when one person is acting, and times when two individuals are acting. Currently, there is only one person who is acting as the director of Corrections, although this amendment included in this technical bill is, of course, to make two positions.

Mr. Cathers: Would the minister agree that a principle of governance is that government shouldn’t act without the legal authority to take an action?

Hon. Ms. McPhee: Yes, all governments and organizations should have the authority to make the decisions that they do — yes.

Mr. Cathers: It appears in this case that, in fact, what happened is that the government, under this minister, took some actions that the act did not authorize, and that in section 27, in what the minister has tried to not draw attention to in calling this the *Technical Amendments Act (2022)*, that, in fact, the key clause in this is section 27, where — after the fact — retroactively the minister is taking action to address the fact that actions were done without proper lawful authority to do so since October 15, 2021.

It’s hard to see how this section is anything other than government retroactively fixing the fact that they took an action that they didn’t have the lawful authority to do. The minister referred to this as a “transition clause”, but as the minister should know very well, transition clauses in legislation are forward-looking. They speak to going forward into new legislation and ensuring that, in a transition period from one act to another, or as provisions are brought into effect, there aren’t gaps that occur, or where provisions authorized under previous acts are not enacted in future legislation, and so on.

Can the minister indicate why, with this legislation — so, again, we are seeing legislation that, after the fact, comes in and says, “Everything done or omitted to be done on or after October 15, 2021...”, and later in that clause, “... is declared for all purposes to have been validly and legally done or omitted to be done.”

What that is saying in the middle of legalese is that, in fact, some of the actions taken by government were not “validly and legally done”, and that is concerning. The Minister of Justice is the Attorney General. She has an obligation in that role to ensure that not only her own department, but government collectively, complies with the law. In this case, as well, the appointment of the director of Corrections — or, in the case of this legislation passing, of the two roles — my understanding is that those appointments are order-in-council appointments. Order-in-council, for laypeople listening, means that Cabinet has to approve that appointment. It also means that the Minister of Justice is personally responsible for signing the recommendation to Cabinet for an order-in-council for either of these positions.

Can the minister explain to this Legislative Assembly how we could end up with a situation where the minister — over a year after the fact — is coming forward to this House and asking the House to retroactively make everything done in this area over the past year lawful?

Hon. Ms. McPhee: I think I have been very clear about the purpose of this legislation. I can indicate, of course, that I don’t agree with the description of what is happening here, brought forward by the member opposite.

This is an appropriate legal remedy to a situation that has evolved. It is designed to support the actions of the public service members. Resourcing has been difficult, and we have had to have individuals acting, and have not yet put a permanent person in place — or two persons in place, which is what this anticipates. Government wants to ensure that the actors and individuals who have taken on these very complex and important roles have done so in good faith, and that this section supports their efforts.

I have been extremely clear that this is about supporting our public service in an operational way. I am wondering if the member opposite is, therefore, based on their comments, not going to support this *Technical Amendments Act (2022)*. I can provide a bit more information, after the resignation of the director back in October 2021, about the person in the position. That is certainly described in the current act, that we required a series of acting — individuals acting in that role — and we had not previously envisioned the appointments under the act. The amendments put forward here today will amend and fix that situation.

There was an appointment of an individual in place until April 2022, and actors were in place under that appointment. It was while the experts were drafting the successor appointments that the need for separate appointments was flagged and the amendments followed from this. Validation is rare, but it is used in other jurisdictions. It has been used in other pieces of legislation. While it is certainly something we like to avoid, it is, on paper, very clearly an opportunity to support the

individuals who took on this role and who have been acting in this role — a single role, as I have described. I think that will suffice.

I should just reiterate, of course, that we have been very clear about what is happening here and that we are bringing this forward in a technical amendments act for the purpose, not as intimated here in this discussion, which is some untoward purpose.

This is clearly a support of the individuals who have taken on this role, who have supported the department, and who have taken the individual career moves to explore the directors' positions and to support their colleagues through the work until we could manage to get this section and this technical amendment before the Legislative Assembly.

Mr. Cathers: Again, Madam Chair, as I have to remind the minister, this is not a transition clause, as she has characterized it. Those look forward, not retroactively. The minister even agreed with my statement of the fact that government shouldn't act without the legal authority to take an action, and in this case — despite her attempts to characterize this as a minor matter — it is clear that the only reason we are seeing this clause 27 is, in fact, that the government believes they need to pass legislation retroactively to October 15, 2021, to address the issue and ensure that everything done, or omitted to be done — and I quote: "... is declared for all purposes to have been validly and legally done..." Government does not table legislation with that wording if everything was done according to the way it should be.

It goes further on, in section 27(2). It again states — and I quote: "Everything done or omitted to be done in reliance on a thing validated under subsection (1) is validated and is..." — and again, the emphasis is mine — "... declared for all purposes to have been validly and legally done or omitted to be done."

Madam Chair, this is not a minor matter, as the minister characterizes it, nor is it a case, as it might be with most personnel decisions that the minister is not directly involved in — because with any appointment that is an order-in-council appointment, it requires the minister to sign the documents going to Cabinet and to be personally responsible for ensuring that the matter gets on the Cabinet agenda.

In response to one of the minister's attempts to dodge responsibility and hide behind employees, I would note that, of course, we do support employees doing their work, as the minister well knows, but the minister is personally responsible for this failure by the government and by the actions of staff under her watch, for an appointment that she bears personal responsibility. She is personally responsible for the government's unlawful actions between October 15 and the present.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: I have two points of order, Madam Chair. The first one is — I think we have heard from the Speaker and from the Chair that we are not supposed to

personalize this debate. The words "personally responsible" were used.

I also heard the member opposite speak about whether the Minister of Justice was acting lawfully, suggesting that she isn't, which is also out of order.

Chair: Member for Lake Laberge, on the point of order.

Mr. Cathers: I don't believe there is a point of order. I was noting what the legislation itself says, and it is the legislation — not me — that indicates what the government has done since October 15, 2021.

Chair's ruling

Chair: I would ask that members refrain from using the words "personally responsible" in reference to the minister.

Please be mindful of not personalizing this debate.

Mr. Cathers: Thank you, Madam Chair, I will, of course, respect your ruling on that matter, and I will reference — as you indicated I should — the principle of ministerial accountability. The principle within our system is that there is ministerial accountability for the department for which they are responsible. As I noted in this particular case, it goes a further step beyond the normal principle that everything done under a minister's watch is something that they have responsibility for. We recognize the fact that ministers are not involved directly in every decision. However, when the decision, the action, or the failure to take action directly relates to a responsibility that is specifically the minister's under law, then the principle of ministerial accountability becomes very directly relevant to the actions or failure to act of the specific minister.

In this case, with the minister herself being a lawyer as well as the Attorney General, this should not be treated as a minor matter — that the government has now had to take the step of coming forward with legislation that goes retroactively to October 15, 2021, to, again — and I quote — ensure that things are "validly and legally done".

This is a serious matter. An additional question I would ask the minister is: When did she become aware that the position of director of Corrections was vacant, and what steps did she take to ensure that someone was placed in that position in an acting role and in a lawful manner?

Hon. Ms. McPhee: The member opposite is questioning the legality of section 27 of the *Technical Amendments Act (2022)*, and while I appreciate his opinion on the matter, it is lawful. Validation, which is what is occurring here, is a legal tool being done out of caution to ensure that if any problems come forth in transition, they are addressed legally. It is not uncommon, for instance, in the concept of insurance. Validation, which is being done here, isn't saying that the individuals were not authorized. It is legally permitted. It is a tool — not often used, but a legal tool — being used in this case to write the legislation to actually describe what is chosen through the operations of the branch in Corrections — of what is needed to complete the work that is required here. It is in support of public servants. Madam Chair, it is lawful.

I appreciate that the member opposite doesn't think it is or wants to question its legality, but it is a legal tool. It is properly being used here.

Mr. Cathers: Well, Madam Chair, the minister is attempting to do a sidestep on the main point and suggest that this legislation in front of us is legal. I agree. The legislation in front of us is legal; however, it is correcting for the actions that occurred since October 15, 2021, that were not lawfully empowered by existing legislation. The minister agreed with me on the principle that government shouldn't act without the legal authority to take an action. But the fact is that we would not see this legislation in front of us if everything that had been done in this area over the past year-plus had been done with the lawful authority that should have been in place.

If the minister wishes to split the role of the director of Corrections into two director roles — with the director of correctional facilities and the director of community corrections, as is outlined in this legislation — that is a policy matter as well as a legal question. But had she wished to do so, we could have, and should have, seen this legislation before that change was made at an operational level — not after the fact, correcting the fact that they took that action without the proper lawful authority.

Because, again, I would encourage those reading and listening to not just take my word for this, but look at what section 27 of this act says. I would note again that there is absolutely no need to retroactively make something that government has already done legal if government was complying with the law. If something is done without lawful authority by government, even if the action was not taken for malicious reasons, as I have no reason to believe this was, the fact that it is done without lawful authority is still a serious matter.

As noted again, this section, which is entitled innocuously "Validation respecting director of corrections", specifically says: "Everything done or omitted to be done on or after October 15, 2021, to and including the date of the coming into force of this section..." — and it goes on to say, after a lot of legalese — "... is declared for all purposes to have been validly and legally done or omitted to be done."

Now, Madam Chair, if government had been acting with the proper lawful authority for the actions it took, there would be no need to retroactively change the law and correct for their choice. The minister is responsible for, as Minister of Justice, to take an action that was not fully authorized in law. This is a pretty big oopsie, if this is what the minister is trying to describe it as. It is a serious mistake, and because of the fact, as I noted, that the Minister of Justice is directly responsible, as minister, for signing off on recommendations to Cabinet for the appointment of a director of Corrections under the current act, since that is an order-in-council appointment, the minister cannot push this downhill and attempt to blame staff for these actions.

The question comes down to: Why did the minister authorize this action, and if she didn't authorize it, when did she become aware of it and what did she do? The third question,

of course, is why we didn't see legislation splitting these two roles before that happened, instead of about a year after the fact.

Hon. Ms. McPhee: At the risk of prolonging this conversation, which I think has come to a natural end — I appreciate that the member opposite doesn't like my answer, but, nonetheless, the validation described in section 27 is a valid legal tool. The previous act came into force and effect in 2009, I believe, and that would have been perhaps even under the member opposite's watch as Minister of Justice — certainly under that government. It was silent on whether any person could act in the role of director of Corrections, it was silent on whether multiple persons could share that role, and it was unhelpful with respect to the realities of operating the department of corrections. That's why we're here, and that's why this part exists. All of the technical amendments act — the Corrections references — exist because the act was previously silent on whether someone could act, or whether multiple persons could share the role. The resignation of the person in this role triggered the need for acting people to take on the role.

The *Corrections Act, 2009* did not speak to a solution; it certainly didn't speak to a solution that existed operationally, because it was silent on whether or not those things could happen, and it was very specific with respect to the director of community corrections.

Sometimes, in government, the ADMs take on a role like that. It was not possible for the ADM of Community Justice and Public Safety to take on that role. The operational decision was made that it required two persons to provide the qualified management while the amendments were developed. As I have said a number of times, validation is a legally acceptable practice as a correction, and it is being made here as soon as possible.

I should indicate as well that section 27, as drafted, does provide support for our public service, whether or not over the last period of time, the ADM was acting in that position — not taking on the position, but acting in that position — where there were other individuals who stepped up to the plate to take on the responsibilities of this very important role — clearly very important, given the way it was drafted in the original corrections act but too stringent in that it did not permit acting individuals in that role. It did not permit the concept of how those responsibilities could and should be split, as needed, in the operations of the Corrections department. I, again, can reassure the member opposite that it is an appropriate legal tool in order to support the public service who stepped up to the plate in the last year while this could be adjusted and while it could be amended in the *Technical Amendments Act (2022)*.

Mr. Cathers: If this weren't a serious matter, the minister's explanation would be comical. The minister, first of all, suggested that I may have been the Minister of Justice in 2009. It doesn't take much research to figure out that I was not. She tried to blame the original act — the *Corrections Act, 2009* — as having a gap in it that she claims was the source of the problem. But, Madam Chair, there is a real problem with the minister's attempted logic in that. If the problem dated back to 2009, the retroactivity clause that she has introduced here in the infamous clause 27 would be backdated to 2009, not to

October 15, 2021 — when, I remind the minister, she was the Minister of Justice and had been in that role for quite a while.

So, to be clear, as the minister is sometimes attempting to sidestep this and speak to the lawful nature of Bill No. 19 — on that, I agree with the minister. Bill No. 19 is lawful. However, she would not be tabling this legislation with the infamous clause 27 if it wasn't for the fact that government's actions from October 15, 2021, to present were clearly not lawfully authorized by the act.

We know that this minister is infamous for failing to accept ministerial accountability.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: That feels again like personalizing debate, talking about the infamy of this minister. I also hear the member opposite again stating that the government is working outside of the law, which I believe is out of order. I think this is all under 19(i) in the annotated Standing Orders, talking about not personalizing debate.

Chair: Member for Lake Laberge, on the point of order.

Mr. Cathers: On the point of order, Madam Chair, I don't believe there is a point of order. The Government House Leader clearly didn't like the terminology I used, but we don't need to recap here on this point of order the motion that this Legislative Assembly passed last fall regarding the minister's dodging accountability. I believe that speaks —

Chair's ruling

Chair: Order. I will ask that when members stand on a point of order, they don't editorialize or debate, which was ruled on by the Speaker yesterday in the House. Again, I ask that members not personalize debate, and please be respectful during debate.

Mr. Cathers: Again, I understand that the Government House Leader is taking offence to the questions that I am asking, but this is regarding a serious matter. If government takes action that it doesn't have the lawful authority to do, that is an issue. Unfortunately, what is very clear is that we would not see section 27 of this legislation if government didn't need to retroactively correct a failure to act with proper legal authority — retroactively to October 15, 2021.

As I noted, as well, the minister suggested and attempted to claim that the problem at hand was related to the *Corrections Act, 2009*, but again, if the problem dated back to 2009, as the minister asserted, then this clause of Bill No. 19 would be retroactive to 2009, not to October 15, 2021.

The minister has attempted to suggest that everything is fine here, but I would ask the question: Since the government didn't act with proper lawful authority, who does the Minister of Justice think should be accountable for that failure to act with lawful authority?

Hon. Ms. McPhee: I don't agree that the government acted without lawful authority.

Mr. Cathers: Well, that is interesting, but it is literally arguing that black is white, because the legislation tabled by the minister is very clear about the fact, under section 27, that some things that happened since October 15, 2021, were not validly and legally done or fully authorized. It's not only a failure to act with lawful authority, but after the fact, the minister is simply refusing to acknowledge that the government did so. That is a real failure in accountability. It speaks, as well, to what we heard from the Child and Youth Advocate in her damning report on the Hidden Valley school matter regarding both the minister and her colleague, the Minister of Education, in which that minister was found by the Child and Youth Advocate not to have complied with another piece of legislation, the *Child and Youth Advocate Act*. This is a serious pattern of this government.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: Under 19(b), it says that we should be speaking to matters that are before this House, that they are to be relevant. Under 19(g) in our Standing Orders, it talks about the integrity of members and that we assume that everyone is acting with integrity, including acting legally and with authority.

I find this debate moving away from the technical amendments act that we have before us.

Chair: Member for Lake Laberge, on the point of order.

Mr. Cathers: On the point of order, I was pointing out a lack of compliance with legislation, and simply connecting it to another case where the government did the same thing.

Chair's ruling

Chair: This is a dispute between members.

Please continue with debate, Member for Lake Laberge.

Mr. Cathers: Thank you, Madam Chair. Again, what I want to point out for members is that it is incumbent upon ministers to uphold the law and the legislation for which they are responsible. That is especially the case for the Attorney General, who also has a broader responsibility to her Cabinet colleagues and to government.

This is unfortunately, as I noted, not the first time we have seen a case of this government — this Cabinet — failing to comply with the law. In fact, it's not the first documentation even this sitting.

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: I am going to now quote from our annotated Standing Orders: "As such members may not, pursuant to Standing Order 19(g), accuse one another of acting based on motives that are unworthy of a member of the

Assembly. This would include any suggestion of illegal or unethical behavior.”

Madam Chair, it’s not a suggestion. The member opposite continues to state that it is his belief that the member is acting — my colleague is acting — illegally, that the government is acting illegally. Our Standing Orders say no suggesting that, not even stating it.

Chair: Member for Lake Laberge, on a point of order.

Mr. Cathers: To begin with, the annotated Standing Orders are not, in fact, the Standing Orders. They are an interpretive document. I think that the Government House Leader objects to the questions but does not actually have a point of order in this matter.

I did not — as he stated that I did — accuse another member of acting with — I think he said “malicious intent”. I simply noted a lack of compliance with the legislation, which, in fact, the act we are debating says. It’s not just me, Madam Chair.

Chair’s statement

Chair: I will review Hansard and come back to members on this point of order.

Mr. Cathers: Thank you, Madam Chair. We were interrupted by the Government House Leader, but I was asking the minister for this matter: Where there is a failure to act with lawful authority, who does the minister think should be responsible and accountable for that?

Hon. Ms. McPhee: I believe I have said pretty well all I can say with respect to this matter. This is lawful action. There is no insinuation otherwise but from the other side. I can assure the members of this Legislative Assembly that careful thought went into resolving an issue that existed in section 5 of the *Corrections Act, 2009* where it allowed for the minister to appoint a director of Corrections, indicating that it should be a single person.

Operational requirements were that this should be changed. We are here to do that. I look forward to the support for this technical amendments act so that we can correct this situation and make sure that the public servants who have risen to the occasion and taken on this position, or who are considering taking on this position — or, in the operational requirements, perhaps two positions — are supported.

Mr. Cathers: Well, it appears that the answer to my question is that the minister doesn’t think that the minister is responsible for this.

I would ask, then, another question: With regard to the choice to split these two roles, did the minister authorize the split before people were hired? If not, when did the minister first become aware of it?

Hon. Ms. McPhee: There is currently only one person in that position. We are here to describe the fact that, in our view and in the view of the individuals who manage and do this work, it requires two individuals to properly address and complete the tasks required by this job. As such, the sections are here in the *Technical Amendments Act (2022)* to make those options possible.

Mr. Cathers: We were informed by officials at the briefing that, at one or more points during the past year, there were two people fulfilling the role in this director position. One was acting notionally in the director of Corrections role and the other in facilities. Again, the question is: When that occurred, did the minister authorize that split at the time to have two people in the director role? If not, when did she become aware of it?

Hon. Ms. McPhee: What the member opposite is describing is an operational decision. When the contemplation of the legislative change was brought forward, I became aware of the sections that would be contained in a technical amendments act and, as a result, I am here today to present them to the Legislative Assembly.

Mr. Cathers: The minister seems to be very resistant to answering that question of when she became aware that a split had occurred, even if that was just a temporary split. Again, as the minister knows very well, to refer to a personnel matter as just an operational decision when the minister is empowered and entrusted under the act to make appointments to that role through an order-in-council — or, I should say, to ensure that she goes to Cabinet to seek the authorization under an order-in-council to make that appointment — the minister is directly accountable — or should be — for a failure to take the proper steps.

So, again, when did the minister become aware that there were two people in the acting role?

Hon. Ms. McPhee: That is an operational decision. When the changes were brought forward in the *Technical Amendments Act (2022)* — and the proposed changes that might be included in such an act — I certainly authorized that work. The folks at the Department of Justice did the appropriate policy work, did the appropriate research, and did the appropriate drafting, and we are here with the *Technical Amendments Act (2022)* to resolve some issues in several pieces of legislation. I look forward to the support of this Legislative Assembly to do that.

Mr. Cathers: This is the type of things that causes citizens’ concern — where they are told repeatedly that ignorance of the law is no excuse. Yet, if it is government that makes the mistake, government — the Minister of Justice — can retroactively go back and change the law retroactively for over a year to ensure that what they did without lawful authority becomes lawful. Again, I am not disputing the lawful nature of Bill No. 19, but it is to correct for something that occurred that clearly was not lawfully authorized or else we would not see the wording that we do in section 27(1) and 27(2) of this act.

I will try again. The minister has consistently refused to answer. When did she become aware that the split in these roles had occurred?

Hon. Ms. McPhee: I think I need to clarify what the member opposite has just said about — now we’re trying to change the law retroactively. That is not, in fact, what section 27 says. We are trying to now amend the *Corrections Act, 2009* so that there can be more than a single director named, and in the event that this person is the director of Corrections, the current act does not provide for any acting provisions; it doesn’t

provide for any opportunities for someone to be in that position other than the named director. I think I have explained this several times. I'm concerned about making sure that I don't just repeat myself, but the questions are the same.

To clarify, we are not trying to change the law retroactively. What section 27 says is that, in the event that the individuals who have taken on this role, as required to make sure that the Corrections branch continues to work and serve Yukoners — in the event that something comes forward in relation to a decision or an action, or an omission of an action, that any of those individuals took during this relatively short period of time, that would be considered to be validated by the provision of section 27.

Mr. Cathers: This is quite the debate. The minister just again asserted that this is not about changing the law retroactively, but that's exactly what Bill No. 19 does. It changes it retroactively to October 15, 2021.

There would not be the language we see in here about declaring that it is for all purposes to have been validly and legally done if the government had the lawful authority to do what they did. That is referenced under not just one section, but under two subsections of clause 27.

I am going to ask the minister — we see here, from the legislation that she tabled, the problem that Justice is trying to correct — the problem the government is trying to correct — goes back to October 15 of last year. When did the minister first become aware of that problem?

Hon. Ms. McPhee: I think I have answered that question to the best of my abilities. At the moment, I do not have a date. I do not anticipate that I could ascertain that date, but let's be clear, this was an operational decision. Since the individual left the role in October 2021, there needed to be action taken by this government to make sure that Corrections, in whatever form — inside the Whitehorse Correctional Centre or otherwise in community corrections — that Yukoners continue to be served by that position by individuals who were acting in that position, either one at a time or more than one at a time, or sometimes the ADM. That was required to serve Yukoners. What we are trying to do now is to make sure that the authority allowed in the *Corrections Act, 2009* is broader than when it was drafted in 2009. I look forward to the support for this technical amendments act.

Mr. Cathers: It is interesting here. Again, the minister keeps asserting that it's not about changing the law retroactively, although clearly, that is what section 27 says.

Noting that the problem began on October 15 of last year, I asked her when she became aware of it. She indicated that she can't tell us when she became aware of it. Will the minister agree to tell this House, no later than third reading of this legislation, when she first became aware of that problem?

Hon. Ms. McPhee: I believe I have answered that question.

Mr. Cathers: Well, the minister must have a very interesting dictionary if she considered that an answer, because she dodged the question and chose to refuse to answer it.

Again, we are talking about something serious — government acting beyond what the law allowed them.

Whether that was knowingly done or not — as I noted, government is fond of telling people that ignorance of the law is no excuse. As I mentioned, only government has the opportunity to go back after the fact and retroactively make what it did lawful, but we would not see this section 27 going retroactive to October 15 of last year and making specific reference more than once to declaring, for all purposes, that it had validly and legally done or omitted to be done, if there wasn't a serious problem here. The problem clearly began on October 15, 2021.

Again, the question for the minister is when she became aware of that. She indicated that she can't tell us that here today, but in my last question I asked her — and I will again give her the opportunity — will she undertake, if she is genuinely unable to tell us the date she became aware of the problem, to provide this House that information no later than third reading on this legislation? I would accept that through either a legislative return or through the minister, either in Committee or in third reading, rising and telling the House, clearly and specifically, when she became aware of this problem that clearly began under her watch on October 15, 2021.

Hon. Ms. McPhee: I think I'm going to return to what I originally said some time ago now with respect to these amendments. The Corrections branch is a large and complex portfolio, and we believe that it warrants two individuals, at least at this time in operations, who are dedicated to each of their teams and the roles in Corrections by enabling two directors, which is what is being sought here with the changes to the *Corrections Act, 2009* many of which have not been noted by the member opposite. I'm happy that they are concentrating on section 27, but there are a number of changes to the legislation of the *Corrections Act, 2009* that will enable two directors to dedicate their time and efforts to their respective areas. The mandates of both branches will be fulfilled to best serve our clients.

We have been extremely clear about the purpose of this legislation. We have been extremely clear about the legality and the lawfulness of the provision in section 27, the validation and support it brings for the individuals who have taken on this role in the past number of months.

I appreciate that we differ — that there is an opinion on the other side of this legislation that is not shared by the team who has brought this matter forward. I appreciate that opinion can be expressed here, but it is exactly that — opinion. I can disagree with that opinion. I assert that there has been appropriate work to bring this matter forward as soon as possible. It is for the purpose of correcting a provision in the *Corrections Act, 2009* that does not, by virtue of the legal opinions we have, contemplate more than one director or an individual acting in that role. That is simply not operational for the purposes of serving Yukoners.

Mr. Cathers: The minister can, as she has done all afternoon since we began debate on this legislation, attempt to dismiss my concerns and questions as an opinion, but, Madam Chair, I have the law on my side.

It is very clear in this legislation that the government is retroactively correcting something to make up for the fact that

they were acting without lawful authority — retroactively to October 15, 2021. The minister again is attempting to avoid a responsibility for what occurred. As one of my colleagues pointed out to me, this House was sitting in October of last year. The minister could have corrected it at that time, or subsequently, it could have been corrected by the government in the spring.

So, another question on this — and again, the minister has shown a lack of willingness to answer questions all afternoon — is when the minister became aware of it — and why has it taken over a year for government to bring forward legislation to correct for the fact that they were doing things that were not fully authorized by the law?

Hon. Ms. McPhee: At the risk of prolonging this line of questioning — well, there is always a challenge in defending oneself in this role. I want to be clear that, just because the member opposite doesn't like the answers that I'm providing, it doesn't mean that I am not providing those answers, and anyone who can read Hansard and anyone who is listening will see that I am clearly trying to provide answers to the questions that are being presented here, and I am, in fact, doing that.

I don't know if there are other questions, but I would be happy to address those.

Mr. Cathers: Again, the record will show that the minister is choosing not to answer reasonable questions. People do expect, as they should, ministerial accountability from government. We have seen a concerning pattern of this Liberal government that they seem to fail to recognize this principle.

Ministers are not above the law and should not act as though they are above the law, nor if a noncompliance of law occurs, should they be dismissive of that issue —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: Madam Chair. You have indicated that you are going to take a look at this and come back to this House. Could I request that we ask members not to suggest that people are acting above the law, as representatives in this Legislature, until such time as you come back with your decision.

Chair: The Member Lake Laberge, on the point of order.

Mr. Cathers: Again, Madam Chair, I know that the Government House Leader has risen repeatedly regarding this, but I am pointing to what is in the legislation that is at hand, and expressing my view on it, which, in my opinion, is the only conclusion to arrive at, on reading section 27 of that act.

Chair's statement

Chair: I caution members not to accuse other MLAs of breaking the law or of not following the law. I may also return with a ruling at a later point.

Please continue debate.

Mr. Cathers: I think that I will wrap up, at least for the time being, on this and hand this over to the Third Party. We

are seeing the minister consistently sidestep the questions. Again, with regard to it, Madam Chair, when legislation is brought before the House, it is typically deemed in order for members to note what is in that legislation, and section 27 of this act is quite clear. That section makes it clear that the government is retroactively correcting something that began on October 15, 2021, and if that were not the case, then we would not see this section of the legislation.

Ms. White: I am delighted to be asking questions, because I actually think that this is a real opportunity. I worked at Corrections for two years between 2009 and 2011, and actually, I was elected out of Corrections. I was there as a life skills coach and cooking instructor, and I had the real privilege of working with the woman who I worked with. You know, if there was ever a chance to go back and do programs, or look at things in a different way, I would say that the program I had the privilege of being a part of was something that was really positive. It was a real building block for the people who I worked with.

One of the concerns — again, this is based on my two years within the system and what I learned when I was there — and challenges, of course, back when I was still in Corrections was that we had the Greyhound bus. That meant that, if someone was released from Corrections on a Friday, for example, they might still be able to get back south. They could go from Whitehorse toward Teslin or Watson Lake, but what we really saw when I was there was that when people were released from the facility and they lived in rural communities, there was a real struggle. There were oftentimes when folks would ask not to be released on a Friday. They would ask to be released on a Monday, because they were worried about breaching and about coming back. We can talk about having someone's requirement to be sober when you have an alcohol addiction, or to stay away from people when you have nowhere else to go, but it just doesn't make sense.

When I look at this, when we talk about the director of community corrections and the director of correctional facilities, I see this as an opportunity, because what I see when I see this is one person who is able to look outside of the City of Whitehorse and is able to focus on what supports are needed in communities. I think that this is a real opportunity. I was hopeful that the minister could expand a bit. Is there a definition of what a director of community corrections would do? What roles would that person take on and how do we see that position supporting folks in rural communities?

Hon. Ms. McPhee: Thank you for the opportunity to address this question. When conversations I was involved in began, one of the questions I had was making sure that there wasn't a division of some kind. If one person was involved in community corrections and one person was involved in the Whitehorse correctional facility, the director of community corrections would be responsible for directing, managing, and evaluating all aspects of correctional services and the practices therein in the Yukon that take place outside of the Correctional Centre. So, the director of community corrections will work closely with the director of facility-based corrections. I think that is absolutely critical. It is a priority in going down this road

to coordinate interrelated activities and programs and to promote the successful reintegration of clients, having an opportunity to focus on this. It is something that I have expressed. It is a very important priority for me. I, too, have been involved with the Correctional Centre and with individuals coming from the Correctional Centre in my past career, and the support that we must provide to those individuals for successful reintegration of clients who are leaving the Correctional Centre and returning to a community or to Whitehorse.

The position will be accountable for fair and transparent treatment of clients. I think the priority is that there will be a bridge between the services provided inside the Correctional Centre and those of community corrections. Examples of duties and responsibilities that the community corrections director will have will be to lead the operation of the community corrections branch, and to manage and implement budgets, plans, and strategies for the branch, to provide services and programs that meet client needs, public safety needs, and reflect best correctional practices and legislated requirements, make recommendations to address re-offending behaviour or related issues, if that occurs, and to work with First Nation governments, community groups, and government personnel in relation to the programs and services that are provided, to ensure that those services and community activities — branch activities — meet the mandates and the government's goals.

We want that individual to participate in intergovernmental committees and to maintain working relationships with other departments, with First Nation governments, and with non-governmental organizations to identify and address community justice issues in the Yukon in accordance with best practices, community and cultural requirements, with input from all those partners.

The person will work with other Justice partners on development, planning, implementation, monitoring, and program evaluation initiatives, such as evaluation of therapeutic courts, which is not necessarily a focus that has been maintained, or able to be done to the extent that it should be done.

I note that the director of community corrections, in all of that sort of list of things and responsibilities — and those are just some examples of duties and responsibilities — will be responsible for making sure that our out-of-Whitehorse Correctional Centre programs are expanded to serve the community.

The difficulty at this point, in my view, is transition, is after-care, is individuals who are returning to communities — either after a short stay or a long stay at the Correctional Centre — and making sure that the supports that are necessary for that person to reintegrate well, to be supported, and to be a contributing member of their community, in a way that they, no doubt, wish to be, is a priority going forward. Many conversations with our Yukon First Nation partners about how individuals can return, and should return, to communities are ongoing.

Ms. White: I thank the minister for that.

So, just based on the minister's answer, at this point, that position is evolving and working toward what that community outreach will look like. Will that position work, for example, with mental wellness and substance use? The minister remarked on housing and programming, and I know that one thing that I am told in every community is that, without having access to safe and sober housing, it is always going to be hard. It is going to be impossible, actually, to change. So, if the minister could just let me know what other government departments or positions this person will be working with.

Hon. Ms. McPhee: This individual in that role will be required to cooperate and have integration with — I am going to say Health and Social Services.

Earlier, as I was speaking to the response, it reminds me of the concept of housing with supports, which is a priority for the Yukon Housing Corporation and for the partnership — the MOU that exists — between the Yukon Housing Corporation and the Department of Health and Social Services, because it is only housing with supports that will allow us to provide wraparound services. We have had some very good examples where those kinds of wraparound services, for instance, have resulted in virtually no — I don't have it up to date — vacancy or evictions from a particular housing project here in Whitehorse for well over a year was because those wraparound services existed in that way. That is a strong indicator of success for individuals who have stability in housing and have stability in programming.

We have always taken a one-government approach. That has been a priority for our work, because what we know is that working in silos does not work. Housing works with Health and Social Services, and Health and Social Services works with Justice. All three of those work with Education. They work with Community Services and with Highways and Public Works on infrastructure projects. They work with Energy, Mines and Resources to make sure that our communities are safe. Community justice works in those roles as well. I don't at all mean for this to sound dismissive in any way, because it is not, but it is critical that all departments work in unison, and in a level of conversation and action by the officials in those departments, and ultimately, by the people who do that work on the ground for the purposes of making, not only this role, as it will be described, successful, but more importantly, successful for the individuals who are involved with Corrections.

Ms. White: I thank the minister for that. I guess my last point is: I wish that person in that position luck, because this can change the life of many people in a really positive way, depending on what they are able to do. I wish them that speed and going about it in a good way to make those partnerships and make those successes. I hope that the example that the minister used here about the success of not having folks evicted in the last year from a supported housing situation, that we will be able to mirror that in communities. At this point in time, Yukon communities desperately need that support as well.

I look forward to a ministerial statement on this person getting started and what that looks like.

Hon. Ms. McPhee: I would also appreciate this opportunity to describe this as an opportunity — a challenge absolutely — an opportunity for the department of Corrections, for Community Justice, and the responsibilities that exist under that unit in the Department of Justice to expand and to achieve many of their innovative dreams going forward in the service of Yukoners who are involved in the corrections department and with the corrections system.

As I've described earlier today, some and much of this work has been done, particularly with respect to the visioning of the requirement to do this, the decision to bring forward these changes to the *Corrections Act, 2009* to allow this to occur, and to, ultimately, support the individuals who will take on these challenges. Thank you for the comments.

Chair: Is there any further general debate on Bill No. 19, entitled *Technical Amendments Act (2022)*?

Seeing none, we will now proceed to clause-by-clause debate.

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 19, entitled *Technical Amendments Act (2022)*, read and agreed to.

Unanimous consent re deeming all clauses and the title of Bill No. 19 read and agreed to

Chair: The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 19, entitled *Technical Amendments Act (2022)*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 to 33 deemed read and agreed to

On Title

Title agreed to

Hon. Ms. McPhee: Madam Chair, I move that you report Bill No. 19, entitled *Technical Amendments Act (2022)*, without amendment.

Chair: It has been moved by the Minister of Health and Social Services that the Chair report Bill No. 19, entitled *Technical Amendments Act (2022)*, without amendment.

Motion agreed to

Chair: The matter before the Committee is general debate on Bill No. 20, entitled *Animal Protection and Control 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: Order, please. Committee of the Whole will now come to order.

Bill No. 20: *Animal Protection and Control Act*

Chair: The matter before the Committee is general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Is there any general debate?

Hon. Mr. Clarke: I am just inviting the officials to the Assembly, and will wait for them to take their seats. To my left, I would like to welcome Dr. Mary Vanderkop, the chief veterinary officer for the Yukon, and to my right is Kirk Price, the director of Agriculture.

It is my pleasure to speak today to Bill No. 20, entitled *Animal Protection and Control Act*, before Committee of the Whole. On October 18, 2022, I delivered a second reading speech about the *Animal Protection and Control Act*. This modernized statute will provide a comprehensive, enforceable legal framework for managing all aspects of animal protection and control in the Yukon.

I would like to take a few moments to express my sincere thanks to those who have worked on getting us to this stage today: as I mentioned previously, Dr. Mary Vanderkop, chief veterinary officer; Kirk Price, director of Agriculture; Diane Gunter, director of policy; Ksenia Jack, director of policy; Drew MacNeil, senior policy analyst; Samantha Cotterell, policy analyst; Erin Loxam, communications analyst; Jesse Walchuk, agriculture development officer; and Katherine Hartshorne, legislative drafter and counsel.

At a high-level summary, the *Animal Protection and Control Act* will fill the current gaps in Yukon's legislation, enabling effective management for exotic animals, high-risk animals, and feral animals, and address the growing concerns about animal hoarding.

It will provide greater authorities and powers for enforcement officers aligned with clear roles and responsibilities between the departments of Environment and Energy, Mines and Resources, which may reduce administrative burdens and resources required to control escaped livestock. It will empower communities to take ownership of animal control enforcement and reduce public safety risks in Yukon communities.

It will clarify and expand on the standard of care the owners are required to provide for their animals, including setting requirements for killing animals humanely, thus raising the bar for animal welfare. It will create an effective framework for managing animal rescues and other animal-related businesses, in turn reducing the extent to which the public would need to rely on civil litigation to address concerns with their operations.

The *Animal Protection and Control Act* modernizes the legal framework for animal protection and control in the Yukon. It fills the existing gaps and challenges we currently face around enforceability and will improve animal welfare and care standards in the Yukon to keep pace with other Canadian jurisdictions. The act allows for regulating specific species of animals, permitting and prohibiting ownership of animals of designated species — typically, exotic animals will be defined in regulation.

I would like to assure Yukoners that this legislation is not a tool to ban or restrict ownership of breeds of animals, such as dogs. Prohibited species are those that threaten public safety or the integrity of the environment, such as large carnivores, venomous reptiles, or invasive species. This approach is comparable to legislation about exotic pets in most other jurisdictions in Canada and was strongly supported by Yukoners.

There will also be a restricted species list where owners will require a permit to own these species of animals. This would include animals such as skunks and raccoons. To be permitted to own a restricted species, one would have to follow the conditions set in regulation, such as ensuring the animal has the needed vaccinations and is spayed or neutered.

These conditions will ensure that these lower risk animals have proper control or care needed. An allowed species list will also clarify that some animals considered wild by nature in their country of origin can be owned as pets here without any restrictions — for example, canaries and hamsters. There is also no authority under the act to regulate the number of any domestic animals, including livestock, that can be owned, nor to require permits to be owned.

As we move forward in the development of the regulations under the *Animal Protection and Control Act*, we will engage with affected Yukon stakeholders, like pet store owners, on which species will be allowed, restricted, or prohibited for ownership in the Yukon.

There will also be further engagement on the regulations related to cosmetic prohibitions. The new act also meets the expectations of Yukoners by regulating animal-related operations through a permitting process. The intention of this permitting requirement is not to interfere with the operation of these facilities, but to bring comfort to Yukoners that welfare standards are being met, and inspected for, in these facilities.

The Government of Yukon has been working for several years to develop this new legislation. There were two phases of engagement. In 2018, we engaged Yukoners through a public survey, receiving over 900 responses, and held 10 community meetings to establish values and broad concerns. The second targeted phase took place in 2019 and through 2021 to discuss specific issues with the livestock sector, veterinarians, dog mushers, pet stores, rescues, and others directly impacted by potential changes. The public input demonstrated substantial support to improve animal welfare standards and set control requirements across the territory. Boarding facilities, pet stores, and animal rescues are in support of regulations, demonstrating that their operations merit the trust that their clients place in them.

We know that there are existing populations of feral horses in the Yukon and, in the past, there have been both feral cats or dogs in some communities. This act provides a suite of tools that had not been authorized in the past. Although there is no immediate plan to intervene with any feral population, these tools would allow for management of feral populations through surgical or chemical sterilization to control the number of animals without methods such as capture and destruction. It

also enables the ability to adopt new methods that might become available in the future.

The new legislation prohibits a number of methods of killing, including slaughter without a prior or simultaneous loss of consciousness. We have been in direct contact with religious communities in the Yukon, and they are aware and support that we will be prescribing nationally accepted guidelines that will allow this method to be used for the purpose of ritual slaughter to produce and allow for kosher meat.

Yukon's penalties and fines concerning animal welfare and control were lacking. This new legislation brings Yukon penalties and fines up to par with other jurisdictions across Canada. It is important to keep in mind that enforcement under this legislation is complaint-driven, with the first focus always being on bringing everyone into compliance. We have included alternative penalties for this very reason. It is generally not about punishment, but about raising the awareness of individuals of their responsibility to care for and control the animals that they own.

I would like to provide clarity on a concern raised by the member of the opposition during second reading. The act allows only a member of the Royal Canadian Mounted Police to enter a place, including a dwelling, without a warrant. The officer would only enter without a warrant in extreme circumstances where it is not feasible to obtain a warrant and that immediate action is required because the officer believes that an owner is not meeting a standard of care or providing an adequate quality of life for the animal.

The warrantless entry is consistent with section 4.2 of the Yukon's current *Animal Protection Act*. This is not a new provision. To the best of my knowledge, a warrantless entry pursuant to section 4.2 of the current *Animal Protection Act* has not been exercised. I would like to reinforce that, under the new act, it would only be exercised in exigent circumstances and actionable at arm's length from the Government of Yukon only by the Royal Canadian Mounted Police.

This action is comparable to other jurisdictions across Canada, such as the *Provincial Animal Welfare Services Act* in Ontario, which came into effect in 2019. In Ontario, an animal welfare inspector may enter a place without a warrant and search for an animal if the inspector has reasonable grounds to believe that an animal in the place is in critical distress and the time required to obtain a warrant may result in serious injury or death to the animal.

It is also comparable to Manitoba's *The Animal Care Act*, which allows an animal protection officer who believes that there is an animal in distress in a dwelling to enter and search the dwelling for the animal, with police officers, without a warrant if there are exigent circumstances or conditions, and obtaining a warrant would not be practical.

In comparison to the *Child and Family Services Act*, this provision enables only RCMP to enter without a warrant; whereas, section 39 of the *Child and Family Services Act* grants authority to a director or peace officer to enter, without a warrant, any place using reasonable force, if necessary, to bring the child into the director's care.

The bill before you is clear — that telecommunications methods are an option if an officer believes that it would be impractical to appear personally before a judge to apply for a warrant. This is consistent with the *Criminal Code of Canada* and supports situations where warrants are needed to access a rural property not close to Whitehorse, where a judge would, or might be, available. Allowing for telewarrants is not new in the Yukon. It is currently provided for under the *Wildlife Act*, and the *Animal Health Act*. It is also provided for in other jurisdictions, like British Columbia's *Prevention of Cruelty to Animals Act*, Nova Scotia's *Animal Protection Act*, and Manitoba's *The Animal Care Act*.

During second reading, there was also reference to section 17 of the *Animal Protection and Control Act* where an animal protection and control officer who is lawfully in a place may seize, without warrant. That is different from warrantless entry. This is the power of an officer, but it is only about being able to use the power to seize without having to get a warrant to seize when lawfully in a place already, such as with an entry warrant, or invitation, or following up on an order.

Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate risks that uncontrolled animals pose to public health and safety, the environment, and property.

In closing, I would like to emphasize that we do not intend the act to come into force before the regulations are developed and passed, and that we will be engaging with affected stakeholders as the regulations are developed.

I would like to sincerely thank members for their time and their anticipated valuable contributions to the discussion around this bill.

Mr. Istchenko: Thank you, Madam Chair, and I would like to thank the officials. I would like to thank Kirk and Mary for joining us today and providing information on the *Animal Protection and Control Act*.

The Yukon Party is supportive of taking appropriate measures to keep our domestic animals safe and to ensure that, in the case of animal abuse or neglect, the government can step in to ensure that the animal is cared for appropriately. There certainly did need to be some changes to some of our very old legislation. Merging the old *Animal Protection Act*, the *Dog Act* and the *Pounds Act* into one piece of legislation is a convenient step.

I would like to note that it has taken awhile for this legislation to be tabled in this House. The high-level consultation occurred from October to December 2018, as the minister has said. The feedback is quite old. The “what we heard” document was released back in 2019, which now seems very long ago. The “what we heard” document outlines that there is still work yet to be done. It states that there needs to be more consultation with Yukon First Nations, municipal governments, and local advisory councils. The document also listed some next steps that need to happen, but there have been some disruptions since then.

I guess I will start with my first line of questioning. I would like to ask the minister to share what process happened after the “what we heard” document was released. More clearly, for the minister, what next steps did the government take to address those items that weren't clear and needed more discussion with First Nations, municipal governments, and local advisory councils?

Hon. Mr. Clarke: I anticipate, in providing my answers over the next days, that I can certainly provide some of the additional detail from the record of engagement. To start, robust public and stakeholder engagement on the development of the *Animal Protection and Control Act* has been ongoing since 2018. Public input across the territory demonstrated the substantial support to improve welfare standards and set control requirements for animals.

As the member opposite indicated, there were two phases of engagement. In 2018, we engaged Yukoners through a public survey, receiving over 900 responses. We held 10 community meetings in Carmacks, Mayo, Teslin, Tagish, Pelly Crossing, Dawson, Old Crow, Whitehorse, and Carcross. The second targeted phase took place in 2019 to discuss specific issues with the livestock sector, veterinarians, dog mushers, pet stores, rescues, and others directly impacted by potential changes.

Yukon First Nations and communities are supportive of improving, and where possible, jointly enforcing new standards in communities. Boarding facilities, pet stores, and animal rescue organizations are supportive of regulating the operations of these organizations. The agriculture sector wants recognition that they meet national standards of care and control for livestock.

While we certainly concede that the majority of the public engagement occurred before the pandemic, key facts on these issues have not changed. If anything, the need for new legislation has grown. We are being respectful of the effort and time spent by partners and stakeholders by acting on the input received. In fact, we have just reached out specifically to the Yukon Muslim and Jewish communities to ensure that the nationally accepted guidelines allowing the religious slaughter of animals to produce halal or kosher meat is supported.

With respect to the targeted engagement, which we anticipate occurring between the hopeful passing of this legislation and the enacting of the regulations in 2023, the departments will be meeting with veterinarians and breeders. We heard a question from the Leader of the Official Opposition with respect to cosmetic surgery with respect to certain dog breeds. There will be a targeted engagement with respect to that. I am advised by my officials that, with respect to livestock control and standards of care, there have been many meetings over the past few years.

With respect to the First Nation engagement, I have the indication of where the First Nations stood with respect to the engagement and consultation in 2019, and there is a summary of that. I think, to the points I made previously, we view that it is not likely that those positions have changed, but the discussions are ongoing. We certainly will redouble our efforts to confirm our advice and the input from First Nations, but I

would also just note that there have been decades of demands from First Nations for better local enforcement. Of course, there was a tragic death in the community of Ross River, resulting from a pack of wild dogs, and that, among other events, has been the push for our government to tackle this matter.

We know that the members opposite, the former government, the Yukon Party government of 14 years, had some opportunities to open up the various pieces of legislation, but they did not take the opportunity that was afforded to them to consolidate the various acts, and that's what we are doing.

I know that there have been concerns expressed from dog mushers. I can advise that mushers were consulted. We certainly acknowledge that there is an increase in public scrutiny around the sport. They were supportive of a regulatory framework to ensure individuals live up to the high standards that most in the sport endorse.

The *Animal Protection and Control Act* does not specify details about how animals, including sled dogs, are kept or managed. There is a focus on the state of the animal — well-nourished, hydrated, and socialized — not whether there is food or water present.

We expect the standards of care included in the document, *Mush with P.R.I.D.E.*, would be referenced in the regulations that will be developed for the new act. These would apply to sled dogs, whether kept for racing, working, or recreational purposes. These standards are applicable to other working dogs housed outdoors as well.

I do have significant detail with respect to the “what we heard” document from the meetings, which I certainly can begin to provide to the House. Of course, we have the summary of the “what we heard” document, but I will leave it there for now and continue my response.

Mr. Istchenko: So, we are talking about — or, I was asking about — the “what we heard” document. In the “what we heard” document from 2019, it states that there needs to be more consultation with Yukon First Nations, municipal governments, and local advisory councils. I did hear the minister speak a little bit about First Nations, but my question was: What were the next steps? What next steps did the government take to address those items that weren't clear and needed more discussion with the First Nations, the municipalities, and the local advisory councils?

Hon. Mr. Clarke: I've just been advised, and, of course, it's accurate with what the member opposite has indicated, that the “what we heard” document was from 2019, so I think these are the ongoing follow-ups, but the overall theme being that the feedback that both the Department of Environment and the Department of Energy, Mines and Resources have received from early 2020, which was the onset of the pandemic, is that the messages haven't really changed, but that meetings have occurred with local advisory groups and councils, that the veterinary services attend First Nation communities and have continued their consultation, and all that has done has confirmed the decades of demand for dog care initiatives. Also, with respect to veterinary services that are ongoing, over the course of those two years or so — two and something years —

that there have been consistent meetings with livestock control and standard of care. So those meetings have continued, but the message that comes from the “what we heard” document is substantially the same from those targeted meetings.

Going forward, in drafting the regulations, the focus will be on the groups that I indicated. The meetings continue. As I said in my initial speech, there is targeted engagement and targeted consultation, which will continue until we get it right.

Mr. Istchenko: It would be good then, I guess — and if the minister doesn't have it today in this House — if he could table in this House the times and dates, and who the department met with after the “what we heard” document that we have been speaking about. I am hoping that he can answer that.

I will continue on with the “what we heard” document because it is the same theme here. It outlines quite a few questions left over for other important animal organizations — the humane society and rescues — in the Yukon. There are next steps that are outlined in the “what we heard” document. Can the minister indicate what processes took place with the humane society and the rescues? Did the government go back and consult and engage with those organizations as the “what we heard” document committed to?

Hon. Mr. Clarke: The specific question with respect to the humane society — yes, the department has met with the humane society and has canvassed the outline of new methods of partnership under the new proposed legislation. The department has also engaged with individual owners of rescues about options to issue permits, and they indicated that they were in favour, but, as indicated, there would likely be further discussions. The department is in contact with both the humane society and individual owners of rescues.

Mr. Istchenko: For the minister, there are going to be other members of the House who also want to ask questions on this legislation — some of my colleagues, and I am sure members from the Third Party. I think it is key that we understand in this House dates and times, and who they met with. I think that it is key that we have this information so that we can make decisions.

Will the minister commit to providing, as soon as possible, basically — while we are up debating this — some information on dates and times that he met with the humane society or the rescue organizations — animal organizations — and also First Nations, municipal governments, and the local advisory councils?

Hon. Mr. Clarke: I will certainly make best efforts to provide an update on the meetings and consultation, but perhaps I will take this opportunity to indicate to those listening today as to the nature and breadth of the actual consultation that took place. That is contrasted — I did a bit of research. One of the times that there was an act to amend the *Animal Protection Act* was in 2008. At that time, consultation occurred in the spring of 2008 for the fall of 2008.

It was more approximate, but my understanding is that the consultation was less rigorous, and we will certainly get into that, perhaps, at future dates.

For the record, I will indicate the nature of a consultation that actually did take place. There was a committee meeting in

— these are all in 2018 — in Carmacks on November 5; in Mayo on Thursday, November 8 at the Mayo Curling Rink and Lounge; in Teslin on Tuesday, November 13 at the Teslin recreation complex; in Tagish on Wednesday, November 21 between 6:30 and 8:30 at the Tagish Community Centre; in Pelly Crossing on Monday, November 26, 2018, between 4:00 and 6:00 p.m. at the Selkirk old community hall; in Dawson City on Tuesday, November 27 between 1:00 and 3:00 p.m. and 6:00 and 8:00 p.m. at the Downtown Hotel conference room; in Old Crow on Wednesday, November 28 between 6:00 and 8:00 p.m. in the community hall; in Whitehorse on Monday, December 3 between 6:30 and 8:30 p.m. at the High Country Inn in room B; and then in Carcross on Tuesday, December 4 between 10:00 a.m. and 12:00 p.m. at the Carcross Learning Centre.

Then it continued. There was a meeting with the Champagne and Aishihik First Nations on November 14, 2018. There was another meeting of dog owners, including Yukon Quest and the Yukon Dog Mushers Association, on November 15, 2018.

There was a meeting with the RCMP on October 29, 2018. There was a meeting with dog mushers, including Muktuk Adventures, the Dog Powered Sports Association of the Yukon, and the Wilderness Tourism Association of the Yukon, on August 1, 2019. There was a meeting with the Kluane First Nation on October 16, 2019. There were meetings with the livestock health and wellness subcommittee on October 25, 2019, and December 2 and 7, 2019. There was a meeting with the Yukon Fish and Wildlife Management Board on October 22, 2019. There was a meeting with the Klondike Farmers' Forum on September 26, 2019, and December 10, 2019. There was also a meeting with the Agriculture Industry Advisory Committee on October 24, 2019.

I can advise about some of the high-level highlights. The consultation was significant and expansive and it went across the Yukon. I take the member's point that there may be some additional work that can and will be done over the course of the next four or five or six months or so, but the issues remain. I can certainly advise what some of the results were — I can do that, but it is not necessarily evolving technology, or that some of these issues were going to be somehow stale-dated. I don't disagree that it will benefit from looping back with target stakeholders, but the Department of Energy, Mines and Resources and the Department of Environment expended a lot of energy and resources and spoke to a lot of people and received a lot of feedback.

So, with respect to animal control, after all of these community visits and all of these different stakeholder engagements, what they heard was that people wanted a territory-wide requirement for owners to control their animals at all times; the freedom to allow their dogs off-leash, so the control doesn't mean that the dogs must always be on a leash; better tools to enforce animal control in the communities; animal control to apply to all owners of pets, livestock, and working animals; and that cats be confined to minimize their impact on wildlife. That was the high-level animal control summary.

What we heard clearly on animal protection was for animals to be recognized as sentient beings, capable of feeling, and not just as property. People want the well-being and interest of animals to be protected; higher standards of care for animals that exist now in the Yukon; standards of care that apply to all animals, pets, livestock, and working animals; that there be no unreasonable regulatory burden on legitimate uses of animals, like mushing, farming, fishing, and hunting; and the enforcement of animal protection laws. That was the high-level on animal protection from that comprehensive community engagement and consultation.

With respect to enforcement, what we heard clearly was that people wanted more enforcement of animal protection and control requirements; enforcements that will deal with animal hoarding; remove animals from situations of abuse or neglect; and, in some cases, prohibit a person from owning animals. There was consensus that people wanted higher penalties, particularly for training animals to fight or otherwise supporting animal fighting; fines to escalate for repeat offenders; more effective enforcement tools for local governments and communities; and the increased capacity for enforcement.

With respect to animal organizations, the information that was synthesized was that people want rescues and pet stores to have a permit to operate, and their physical facilities to be inspected; a regulatory framework that doesn't impose a significant burden on these organizations or jeopardize their operations, because they value the work of animal organizations; a standard in place for the care of sled dogs, specifically; some level of regulation or inspection of boarding facilities, so that they can feel comfortable — by "they" I think it means Yukon citizens — leaving their animals in their care; and limit the number of companion animals that someone can own without requiring a permit. That is to address animal hoarding.

With respect to feral animals, the high-level concerns were for the Yukon government to have the legal authority to manage feral animals; proactive management approaches, so that domestic animals don't become feral; feral animals to be destroyed only when it is done to protect the health of wildlife, the integrity of the landscape, and/or public health and safety. Interestingly, the majority of respondents at the time — 72 percent — support the Yukon government creating the authority to control feral populations. Only 11 percent were opposed, and the other 17 percent were either not sure or did not answer the question.

From the comments and discussions in community meetings, it was clear that people want action to control feral populations; however, people much preferred proactive approaches to responsive ones. Media coverage of several escaped wild boars in the summer of 2019 likely contributed to the large number of comments we received about managing wild boars. Respondents generally advocated for proactive fencing requirements to keep wild boars in the Yukon, rather than destroying escaped wild boars once they were on the landscape.

Some respondents considered feral horses to be wildlife that belong on the Yukon landscape. Most, however, considered the horse to be a threat to the health of wildlife, because of diseases they can carry, and also their impact on the landscape. People were also concerned about the threat feral horses pose to motorists. Some respondents advocated for immediate removal of all feral horses from the landscape. Respondents expressed that, if action was going to be taken to remove feral horses from the landscape, the meat should not be wasted. There was some support for allowing the harvest of feral horses or other animals that might establish a feral population.

With respect to exotic animals, the high-level “what we heard” from the 2019 engagement — which involved travel to at least 10 communities and many in-person meetings with affected persons at that time — the loose consensus on exotic animals was to prohibit ownership of exotic animals that pose a risk to wildlife, other animals, the landscape, or to public health and safety. Also, for exotic animals owned in the Yukon to come from sources that do not support an illegal trade in wildlife in other jurisdictions, and to prevent exotic animals from establishing a feral population — that is, animals that could survive a winter and thrive in the Yukon — and a simple regulatory framework allowing for ownership of common exotic pets, which I mentioned previously — animals like budgies and hamsters — that don’t pose any risk.

The survey comments and the comments in community meetings were much more clarifying. From “what we heard”, people want a system in the Yukon that prevents animals from being owned in the Yukon if those animals could present risks if they escape, including disease risks to wildlife, risks to public health, or a risk of establishing a feral population and impacting ecosystems in the Yukon; does not over-regulate the sale or possession of common household pets that do not pose risks; allows for exotic pets to be owned with a permit when certain conditions are met; does not support an illegal international trade in wildlife; and provides clarity on what animals can be owned as pets or livestock, either with or without permit. Few respondents were entirely opposed to any pets, other than cats and dogs, being allowed.

Concerns expressed in comments and at a public meeting included that the source of exotic animals can sometimes be problematic — that is, for example, animals taken from the wild and being sold. Some owners acquire exotic pets without knowing how to properly care for them or without ensuring that there are sufficient supports in the Yukon — that is, access to specialized diets and veterinarians with the required expertise. Some exotic animals can pose a safety risk — for instance, tigers. Some exotic animals can pose a disease risk to wildlife, other domestic animals or the public; and some exotic animals have the potential to survive and thrive on the Yukon landscape — for example, racoons and skunks.

Some of the follow-up from “what we heard” was —

I will continue this on a subsequent answer, because I might be short of time here, but there was a phase 2 engagement summary, and I will certainly endeavour, during the course of this sitting, to provide as much detail — we have a detailed

engagement summary. I take the member opposite’s point that members opposite want more recent — but, like I said, the conclusion reached is that the positions have not significantly changed.

There was a follow-up meeting with the dog mushers — as I said, Muktuk Adventures, Dog Powered Sports, Wilderness Tourism Association of the Yukon — and what we heard from that meeting, which was in the late summer of 2019, was they supported the standard that it will help with public education and misunderstandings about mushing practices, that having dogs chained is a normal, healthy practice and does not mean that there is anything wrong with the care of the dogs. There was a proposal for a move to an outcome-based approach for animal welfare to ensure that dogs have what they need to maintain adequate body condition and hydration.

As I stated previously, the use of *Mush with P.R.I.D.E.* standards as a starting point could develop Yukon-specific standards for mushing dogs — a proposal to set baseline standards and avoid having to physically see a veterinarian. That was their wish, which is seen to be difficult in remote areas. That group did not want redundant permitting.

There was a follow-up meeting with the Kluane First Nation on October 16, 2019. Some of the points that they made were: there was a need to control the number of dogs; the owners needed to control their animals; if trapping animals, there needed to be rules around when to check traps; Kluane First Nation was seeking funding for enforcement; the fine for the first-time neglect offence should be higher; there should be enhanced enforcement — however, this might cause culture and other clashes in some areas — and animals should be kept on their own property if they are not on a leash or tied; and dogs running loose on highways, in front of businesses, and visiting other people’s homes is a continuous problem. That was a follow-up with the Kluane First Nation.

As I indicated, there was comprehensive consultation. The record will likely reflect that there were some challenges that existed by virtue of the global pandemic with respect to regular, in-person meetings because, obviously, that was a factor, but the actual consultation period — the consultation process — for this legislation was — and I will continue with the “what we heard” document and some of the follow-up that occurred, and I will endeavour to provide as much information as I possibly can because I know that some concerns have been expressed with respect to — that there ought to be ongoing targeted consultation. As I have indicated a number of times already, the government is committed to that targeted consultation prior to enacting any regulations.

Mr. Istchenko: I thank the minister for that. The minister did say that he would make best efforts to get this information. So, when I listen to the minister outline all of the different meetings in 2018, unless I wasn’t hearing correctly — I did miss a couple — there were a couple of communities that were missed, and I believe a First Nation. If the minister just doesn’t mind tabling the documents that he is speaking to, tomorrow in this House, we can read through them — all members can — and I thank him for that.

So, I want to keep going here. I want to move on to another question.

Many Yukon businesses rely on animals to help them operate here in the Yukon. One of those groups is the outfitters, which is, I would say, almost one of our oldest industries in the Yukon. They sent a letter to the minister. In that letter, which I tabled earlier today, the outfitters association notes that their industry relies heavily on working animals to conduct their business, mostly dogs and horses. However, the association also revealed that — and I quote: “... we were not consulted on the contents or details of this legislation.”

They go on to request that the government pause the bill to adequately consult. They note that — and I quote: “We need legislators, regulators, and policy makers to understand our needs so that the resulting species-level standards of care are practical and appropriate for our continued use of working animals.”

That is deeply concerning that the consultation missed a large industry in the Yukon, so could the minister outline how the Yukon Outfitters Association was missed in the consultation?

Hon. Mr. Clarke: What I would say, just in the time that I’ve been in the position of Minister of Environment, there is certainly a lot of communication that occurs with the outfitters. I have likely met with them in person at least twice, and I know that my department is liaising with them on a lot of issues, including setting quotas and setting new policies and procedures — policies for the operation of the outfitting concessions. So there is frequent engagement with outfitters.

Whether there has been actual consultation specifically with respect to the *Animal Protection and Control Act* — it seems that there may not have been specific engagement, but that’s certainly not for want of there being a lot of communication with outfitters over the course of the last 18, 19 or 20 months. We certainly recognize the value that they provide to the territory in that industry, and we are certainly continuing to have fruitful relationships with them.

So, that would be part of the targeted consultation with respect to the regulations. I understand that our officials have a call in to the outfitters.

One cannot assume anything in this business, and I know that to be the case — you cannot assume anything in this business. But, as I said, outfitters are in regular contact with the Department of Environment on a number of issues, and we have good lines of communication. Those communications will continue.

We do anticipate that they will be consulted about the potential regulations in this act and recognize that they have working animals and horses. But also, what I would say about outfitters is that we certainly presume, as responsible businessmen and ethical hunting business persons and as ethical hunters, that they are treating their horses with respect. They are an asset for those concessions. I don’t really anticipate there being any particular red flags or any pitfalls in discussions with outfitters. They run ethical practices, so we have no particular concern with that. As I indicated, we are in regular contact with outfitters, and we will continue those lines of

communication to receive their input with respect to the working horses that they have in their operations.

Mr. Istchenko: The purpose of consultation is to get information from organizations. It’s not for the minister to make assumptions.

This law affects their business directly. Does the minister not think that it would have been a good idea to consult with them?

I’m going to continue on with my line of questioning here when it comes to some of the technical questions for them in there. This is important. This is their livelihoods. This is how they make a living.

I have a couple more of these things regarding those working animals, and I hope the minister can provide a bit of clarity. Under section 30, “Duties of owners”, it says: “The owner of an animal must (a) comply with the standard of care applicable to that animal...”

I’m hoping that the minister can provide a bit more information on the interpretation of “standard of care”, because, for working animals, as it applies to horses or mules that may be used outside, certain requirements might make it difficult to continue doing business. While operating in the wilderness, outfitters and tour companies typically don’t have manmade shelters or barns at some of their camps.

That’s why it is important that we get a clarification for us, but also for the outfitting and those other businesses, on exactly what “standard of care” means.

Hon. Mr. Clarke: I just wanted to emphasize that we have no intention of — with respect to the regulation-making process, we have no intention of impacting outfitters, so that the animal care standards result in unintended consequences that could negatively impact the needs of your business. We have no intention of doing so.

So, standards of care exist for various species, including horses. There is a national standard that we expect can be adapted for the Yukon to be referenced in regulation. The details would be decoded on through consultation with industry, but just indicating that the regulation-making powers allow not only for different rules for specific types of animals, but also animals associated with a specific, or a specified, activity and a specified use of an animal. There is the capability of the recognition of the working horses that the outfitters have.

I can also advise, with respect to agriculture, that the recommendation that was developed through industry was that the national Codes of Practice for the care and handling of farm animals be adopted.

This is a recent letter that has been received from the Outfitters Association. As I indicated, we do have regular contact with the outfitters and a good line of communication, and we do not have any intention of there being unintended consequences that would somehow negatively impact their business operations, as they are currently. We look forward to those conversations.

I am just reviewing my notes. Just to be clear, the important part of regulation-making is, as I indicated, that the regulation powers allow, once again, not only for different rules for specific types of animals, but also animals associated with a

specified activity or specified use of an animal, which would seem to squarely fit with the outfitters.

I am cognizant of the fact that we will be receiving letters of concern during the course of the review of this legislation during the course of the Fall Sitting. We are doing our best to respond to these letters and turn them around very quickly and to provide substantive replies. I have directed my department to do so, and we have done so, so far. We have already drafted a number of letters in reply, and I know that my officials will be in dialogue with the various stakeholders to answer any questions that they may have.

I look forward to further discussions and further debate in Committee on the *Animal Protection and Control Act*; however, seeing the time, Madam Chair, I move that you report progress.

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

Motion agreed to

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

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 19, entitled *Technical Amendments Act (2022)*, and directed me to report the bill without amendment.

In addition, Committee of the Whole has considered Bill No. 20, entitled *Animal Protection and Control Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:27 p.m.

The following documents were filed October 25, 2022:

35-1-78

Draft Yukon animal protection and control act, letter re from Cain Vangel, President, Yukon Agricultural Association to Hon. Nils Clarke, Minister of Environment and Hon. John Streicker, Minister of Energy, Mines and Resources (Streicker)

35-1-79

LFN support for amendment to Yukon *Oil and Gas Act* ("YOGA"), letter re (dated November 19, 2021) from Chief Stephen Charlie, Liard First Nation, to Kate White, Leader of the Third Party (White)

35-1-80

Section 13 of the *Oil and Gas Act*, letter re (dated October 18, 2021) from Dan Yetthi Hede Chief Nicole Tom, Little Salmon/Carmacks First Nation, to Kate White, Leader of the Third Party (White)

35-1-81

Section 13 of the *Oil and Gas Act*, letter re (dated October 26, 2021) from Chief Doris Bill, Kwanlin Dün First Nation, to Kate White, Leader of the Third Party (White)

35-1-82

Support letter to private member's bill section 13 of the *Oil and Gas Act*, letter re (dated December 7, 2021) from Eric Morris, Naa Shaáde Háni, Teslin Tlingit Council, to Kate White, Leader of the Third Party (White)

35-1-83

Proposed amendments to the *Oil and Gas Act* (Yukon), letter re (dated October 18, 2022) from Peter Johnston, Grand Chief, Council of Yukon First Nations, to Kate White, Leader of the Third Party (White)

35-1-84

Bill No. 305, truth and reconciliation statutory holiday, letter re (dated October 18, 2022) from Peter Johnston, Grand Chief, Council of Yukon First Nations to Annie Blake, Member for Vuntut Gwitchin (Blake)

35-1-85

Truth and Reconciliation Day, September 30, letter re (dated October 17, 2022) from Simon Mervyn, Chief, First Nation of Na-Cho Nyäk Dun to Annie Blake, Member for Vuntut Gwitchin (Blake)



Yukon Legislative Assembly

Number 85

1st Session

35th Legislature

HANSARD

Wednesday, October 26, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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 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 26, 2022 — 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 remembrance of victims
of shooting incident in Faro**

Speaker: Can we please stand?

Today, I will ask everyone to stand for a moment of silence for those who lost their lives in Faro in a tragic shooting incident one year ago today.

Moment of silence observed

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: Today, I would like to ask my colleagues in the Legislative Assembly — there are a number of individuals who are here today from Yukon's Indian community. I would ask folks, after I go through our list of guests, to give them a warm welcome.

Today with us is Cyriac George, George Puliken, Aromal George, Thomas Jacob, Noble Jacob, Boaz Jacob, Anu Johnson, Ash Mohandas, Inderjit Singh, Navdeep Kaur, Raman Grewal, Lovejot Kaur, Johnson Devassy, Ravi Bhullar, and Satnam Gill. As well, with us today is Sam Taneja, known to many of us as "Sam".

I hope I have caught everybody today, and let's give all the folks here today a very warm welcome.

Applause

Hon. Mr. Clarke: For the 30th anniversary of the Wolf Creek research basin tribute, we have in the gallery today: Heather Jirousek, director of the Water Resources branch; Anthony Bier, intermediate hydrologist; Jonathon Kolot, hydrology technologist; Alexandre Mischler, hydrology technologist; Nicole Novodvorsky, operations manager; Ella Parker, program advisor; and Priyank Thatte, assistant deputy minister, Department of Environment.

I would also like to welcome Leslie Gomm, partner of the late Ric Janowicz, who was responsible for initiating the Wolf Creek research basin project.

Applause

Ms. White: Merci, M. le Président. Alors, j'invite mon collègue à souhaiter la bienvenue à la classe de Karine Bélanger et David Pharand.

This class is grade 10 FACES — alors en français — and it is fun because David is one of my dearest friends and he is

just about finishing up the YNTEP program. He has been working on concepts of reconciliation and indigenous sovereignty, and he has brought his class today.

Applause

Mr. Dixon: I would like to ask my colleagues to join me in welcoming Neil Gillis to the gallery. Neil is a resident of the Annie Lake Road area and he has come to observe the proceedings today.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Diwali celebration

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to the Diwali festival. Also known as the "Festival of Lights", Diwali is one of the most important festivals in Hinduism, although it is also celebrated by Jains, Sikhs, and other groups. Originating in the Indian subcontinent, Diwali is a five-day event, which always falls between mid-October and mid-November each year, centered around the new moon during that period.

The festival is a time for feasts, prayers, and fireworks as people illuminate lamps and candles to symbolize the triumph of light over darkness and good over evil. I think that today, with your earlier tribute, this is a very fitting conversation. This year's event concludes today, having begun on October 22 with a feast with music and dancing at the Mount McIntyre Recreation Centre. I would like to provide a very special thank you and shout-out to Arunpartap Singh Lalia, who is new to the Yukon in the last couple of years, but helped to organize a very successful event. Celebrations also took place here in the Yukon at the Gurdwara Akaljot Sahib, the northern-most gurudwara in Canada, on October 23 and 24. Today's celebration marked the third night of Diwali, the darkest day of the lunar month and when the majority of Diwali celebrations and fireworks occur. The Festival of Lights is about spreading the message of friendship and togetherness, a festival of hope, success, knowledge, and fortune. I believe that this message is one that we can all share.

As today marks the final day of this year's festivities, I want to wish a happy Diwali to all those who celebrate. I would also like to recognize the executive of the Whitehorse Malayali Association for organizing Onam festivities recently. Onam is a 10-day harvest festival which originated in the state of Kerala and is celebrated by the Malayali community around the world. The festival marks the homecoming of King Mahabali, who returns each year to bestow happiness and prosperity.

Onam celebrations consist of many cultural events, including boat races, singing, dancing, flower offerings, prayers, and feasts. Yukon's Indian community contributes much culturally to the territory and these celebrations are a great example of Hindu and Sikh traditions and Christian traditions thriving in the north.

Applause

Mr. Dixon: I rise on behalf of the Yukon Party Official Opposition to wish everyone celebrating across the Yukon a very happy Diwali. Across the country and indeed the world, Diwali is being celebrated by not just Hindus, but Jains, Sikhs, and Buddhists who will get together with their loved ones to celebrate the ultimate triumph of good over evil and of light over darkness.

Of course, Diwali is also known as the “Festival of Lights” and is marked with the lighting of lamps. So, to all of those celebrating as you light your diyas and lamps, I hope you can reflect on the lightness that dispels the darkness and hope for a peaceful and prosperous future.

It is said that the lighting of these lamps is an invitation to mother Lakshmi into the home so that she may bless the home and bring prosperity to the whole family. Diwali is also a source of great warmth and joy as people gather with friends and family to feast together and share in the many blessings received.

Here in Whitehorse, I understand that there have been a few gatherings, and I know that there was a celebration hosted at the local restaurant Ricky’s on Saturday night. Of course, thank you to Sam for hosting that. I want to acknowledge that it was organized by Renu Kumar and Anita Bhullar. I’m told that there was wonderful food, gifts and, dancing well into the evening.

I also want to acknowledge that for many Sikhs, an important part of Diwali is the celebration of the Bandi Chhor Divas which is known as a day of liberation, a celebration of freedom and of standing up for human rights. As Yukoners, we are so fortunate to join in these celebrations and to recognize the diversity and inclusion that makes our home such a wonderful place to live.

So, on behalf of the Yukon Party, happy Diwali to all, and may your homes be filled with joy, peace, and prosperity.

Applause

Ms. Tredger: I rise today on behalf of the Yukon NDP to wish everyone a happy Diwali, happy Deepavali, and happy Bandi Chhor Divas.

Here in the Yukon, the days are growing colder and darker, and it’s the perfect time for a festival to celebrate light, both literally and metaphorically. For Hindus, this celebration of light is about protection from spiritual darkness, about the victory of knowledge over ignorance. For Sikhs, Bandi Chhor Divas celebrates the fight against political injustice. It is a reminder of our moral obligation to push back against injustice wherever we encounter it.

These are values to celebrate and uphold here in the Legislature and across the territory, this week and always.

The number of people celebrating these sacred days has grown in the Yukon in recent years, and it brings me great joy to know that such a beautiful festival is thriving in our territory. Happy Diwali, happy Deepavali, and happy Bandi Chhor Divas.

Applause

In recognition of Wolf Creek research basin

Hon. Mr. Clarke: I rise today on behalf of the Yukon Liberal government and on behalf of the Official Opposition to pay tribute to the Wolf Creek research basin, which celebrated its 30th anniversary this year. Thank you all for being here today and for the work that you do in supporting the research efforts of the Wolf Creek research basin and on climate change and water resources generally in the Yukon and Canada’s north.

The Wolf Creek research basin was established in 1992 as part of Indian and Northern Affairs Canada’s Arctic environmental strategy in partnership with Environment Canada’s National Hydrology Research Centre. I want to acknowledge the pioneering efforts of Ric Janowicz, John Pomeroy, and Sean Carey, who are responsible for establishing the Wolf Creek research basin project.

Ric Janowicz knew 30 years ago that there was something special and important happening in the Yukon that would greatly impact our understanding of climate change in Canada’s north. To truly understand the effects of climate change, he had the foresight to know that scientists then, now, and into the future would need an observation area to measure changes in hydroclimatic conditions in the north.

As a result of the Wolf Creek multidisciplinary monitoring project that was created in 1992, initially the project focused on the water cycle in northern climates. Over the years, the research has expanded into multiple sciences to include climate and climate change, vegetation, forestry, fisheries, and wildlife. Research generally at the Wolf Creek basin has helped us understand the impacts of freeze-and-thaw patterns on our waters and the sensitivity of our alpine vegetation and habitats to climate change.

Important hydrological cryospheric and atmospheric research continues in the basin to the present day. Research is supported by the Department of Environment’s Water Resources branch, McMaster University, and the Centre for Hydrology at the University of Saskatchewan through its Global Water Futures program, the largest water and water-related climate research initiative of its kind in the world. The Wolf Creek basin has also become an internationally renowned climate change research area.

The data produced is used in cold regions around the world to understand, plan, and prepare for the impacts of climate change. Your commitment to scientific knowledge is supporting us to make better decisions for our future.

The Wolf Creek research basin, through the cooperation and partnerships of governments, First Nations, and academics, is an example of how we have come to work together to understand and address the biggest challenge of our time.

Mr. Speaker, I had the honour of attending the anniversary celebration this past summer, and I am honoured again to stand in this House today to pay tribute to the 30th anniversary of the Wolf Creek research basin. This important project has proven the Yukon’s leading role in studying climate change. Thank you to Ric Janowicz, John Pomeroy, and Sean Carey for establishing this important project and to all scientists, the employees of the Water Resources branch, McMaster University, and others who have contributed to making the

Wolf Creek research basin a truly special example of innovative research and collaboration.

The Wolf Creek research basin has supported and will continue to support scientists, policymakers, local residents in the Yukon, and others around the world to understand and respond to climate change impacts in northern regions.

Applause

Ms. Blake: I rise on behalf of the NDP to pay tribute to the Wolf Creek research Basin. I must admit that I had not known anything about the incredible work being done in this watershed until today. Like many Yukoners, I am only familiar with Wolf Creek for its beautiful campground amenities that help to bring family and community together. I have been visiting the basin for over a decade to hunt and fish in the Coal Lake area. I had no idea of the scale of research being done there.

I was very excited to learn about the important work being conducted across the beautiful alpine area. In 1992, Ric Janowicz and Dr. John Pomeroy understood the need for better hydrology and water-quality data to help with things like flood forecasting. The Wolf Creek basin, with its easy logistics and established access road, made for an obvious candidate. They pushed to establish the first forecasting system of its type north of 60 and one of the most complex models in the world at the time.

They didn't know, at that time, that their work would last more than a few years, let alone become such an important research hub. I was struck by the quality of students and researchers conducting research at the basin. As one of the longest tenured research sites in Canada, the data provided by the basin's many gauges and stations is clearly attracting a variety of bright researchers with a diversity of experiences and new ideas.

Much of the work being conducted in the basin relates to our changing climate — 30 years and counting of hydrology and water-quality data tells an important story. It tells us how the Whitehorse area is rapidly changing and the impact that has had and will have on our homes, local wildlife, and more.

I am grateful for all of the researchers working to better understand the impacts of this. We don't always recognize the importance of scientific research like this, but I can tell that the results of this work will be used to fuel new policy for decision-makers for years to come, from protecting fish populations to flood forecasting and prevention to the important role of wetlands in storing carbon and water table regulation. I hope that their work is used to protect this beautiful region and others for future generations.

From now on, when I travel through the area by quad or snowmobile, I will look at the snow, creeks, and wetlands in a new way. I will appreciate them for their contributions to science and to helping us better understand the world we live in. Mahsi'.

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 annual report for 2021, which is tabled pursuant to the *Hospital Act*, section 13(3).

Mr. Hassard: I have for tabling a letter from the TTC — the Teslin Tlingit Council — to the Premier regarding the Gadzoosdaa residence.

As well, I have for tabling the minutes and the PowerPoint presentation from the September 22 Gadzoosdaa residence advisory meeting.

Mr. Kent: I have a letter for tabling from the Minister of Community Services to me, as the MLA for Copperbelt South, dated August 25, 2022, regarding flooding in the McConnell Lake area.

Ms. White: I have for tabling today a letter in support of section 13, from the Ross River Dena Council, and a letter that I sent out to First Nations when I was seeking information on re-adding section 13.

Ms. Blake: I have for tabling a letter from the Teslin Tlingit Council and a letter from the Ross River Dena Council in support of Bill No. 305.

Ms. Tredger: I have for tabling a press release from the Porter Creek gender and sexuality alliance, also known as the "Rainbow Room", dated October 11, 2022.

Speaker: Are there any reports of committees? Petitions.

PETITIONS

Petition No. 14 — response

Hon. Mr. Streicker: I rise today in response to Petition No. 14 regarding our rural residential subdivision in Golden Horn. My apologies, Mr. Speaker; I don't have my notes with me at this moment, but I will give my reply at the moment, and I will table the full reply for all members opposite.

I want to thank the Member for Porter Creek South for bringing forward this petition. I also want to thank the members of Golden Horn for their petition. I really appreciated their suggestion around amending the local area plan and the development area regulations. I think it's a great suggestion that what they are suggesting is on the rural residential zones — both rural residential 1 and rural residential 2 — that they reduce the minimum lot area size to two hectares. That change is a good one to look at. I think it's an important opportunity to consider.

Of course, whenever we go to amend any local area plan or development area regulations, we have a process that we would need to follow, which includes engagement with First Nations — in this case, the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council — but also allow for broader public input. I do appreciate that there were quite a few folks with their names on that petition, but what I will suggest is that, based on

their suggestion and the opportunity they provided, we will seek to engage with the residents of Golden Horn and the First Nations to come up with the best possible local area plan and development area regulations and take this to its natural next steps.

Again, thank you very much to the residents of Golden Horn for bringing forward this petition.

Speaker: 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 Yukon government to work with provincial governments and the federal government to establish a harmonized national licensing pathway for teachers that includes a streamlined process for verifying the credentials of foreign-trained teachers and helping them complete any additional training that may be needed in a timely manner.

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

THAT this House urges the Minister of Health and Social Services to ensure that people who have already signed up for the government's Find a Family Doctor program are given priority in being selected as patients at the new bilingual health clinic.

I also give notice of the following motion:

THAT this House urges all ministers to ensure that their own actions and the actions of their departments comply with all Yukon laws, including but not limited to the *Child and Youth Advocate Act* and the *Corrections Act, 2009*.

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

THAT this House urges the Government of Yukon to work with the Ross River Dena Council and Ross River citizens to officially change the name of the community of Ross River to its original Kaska name, Tu Lidlini.

Speaker: Are there any further notices of motions?
Is there a statement by a minister?
This then brings us to Question Period.

QUESTION PERIOD

Question re: Housing support programs

Ms. Clarke: On January 31 of this year, the Yukon government issued a news release about increasing the financial support for a project to renovate and refresh the former High Country Inn and convert it to supportive housing. That news release said that renovations on the building are underway and the project is expected to be completed by the fall of 2022.

During their presentation to city council in August of last year, the Safe at Home Society said that the first residents were expected to move into the building in September 2022. It is now

October. Can the minister tell us if residents have begun to move in?

Hon. Mr. Pillai: First, to answer the question, I don't believe that any residents at this time have moved into what was known as the Coast High Country Inn, but I will give a bit of background on the project and an update.

It was announced last spring that the Safe at Home Society was the successful recipient of funding from the Canada Mortgage and Housing Corporation — which they had applied for — to deliver 55 units of permanent, supportive housing for vulnerable Yukoners; \$10 million of that money was through the northern carve-out of the national housing co-investment fund from CMHC, and then another \$5 million on top of that was under the City of Whitehorse rapid housing initiative project stream.

I think it's important to state that the City of Whitehorse really doesn't occupy the space of housing. They don't have a housing department, but the money was available through CMHC for municipalities, so it flowed through the City of Whitehorse. That's why they were involved.

An additional \$1.02 million was committed by the Yukon Housing Corporation for further support for this project under the housing initiatives fund.

This project, when completed, would be looking to support vulnerable folks here in Whitehorse.

Ms. Clarke: Residents were supposed to start moving in last month. In the January 31 news release, the Yukon government said that renovations were underway; however, we have heard from several contractors that renovations were halted during the summer.

Can the minister explain why these renovations were halted, and can the minister please provide more details about why this project is so delayed?

Hon. Mr. Pillai: I want to first take a moment to commend Safe at Home for taking this on. What will happen in this discussion with the opposition is — they will paint a brush — really, it will be on Yukon Housing Corporation, but the reality is that I commend folks who go out and volunteer to try to make lives better for Yukoners. That's what Safe at Home has been undertaking.

The reason for the delay, for Safe at Home — they are currently assessing the costs required to bring the building up to code. There is a change in usage, and that increase in cost is what they are reviewing at this time with CMHC — including more substantial energy-efficiency updates. I think they have applied to different sources to make the building more energy efficient as well.

They will identify what additional funding sources are, so we anticipate that we should have a fulsome understanding. I know that they are in discussions now — that's what I can say — and they are the lead organization, and this is their project. Entities at different levels — whether it be CHMC, as a Crown corporation, or Yukon Housing Corporation — want to support them as best as they can.

I would urge the opposition, specifically my critic, to ensure that they are not disparaging toward this organization.

We need more people to get up and take this on, and we need the partners to solve this problem.

Ms. Clarke: When Yukon Housing Corporation appeared before city council on August 30, 2021, the project budget was just under \$15 million. At the time, we understood that \$10 million was for the purchase of the hotel and \$4 million to \$5 million was for renovations.

Can the minister tell us if this project is on budget? If not, how much does the minister anticipate this project going overbudget?

Hon. Mr. Pillai: Again, I think, to be respectful to the organization, I hope that the member opposite reached out to the organization and had a fulsome conversation before Question Period today. If not, I urge the individual who is my critic to do that. I would say that, in this particular case, I don't have visibility as to what the total cost will be. What I do know is that CMHC and the Safe at Home Society, as I have been briefed, are in a position where they are reviewing extra costs associated with this project and then, based on that information, will be looking at what the next steps are going forward.

This is something that, I believe — this type of housing was really focused on vulnerable families — primarily women and children who are fleeing violence. We think that there is still a substantial need for this. I am here to support Safe at Home in any way we can at the Yukon Housing Corporation, and I know that my colleague, the Minister of Health and Social Services, also feels the same way.

We will wait for the information that they are collecting, and then we will look at how to go forward in supporting them in their endeavours to help vulnerable Yukoners.

Question re: Housing support programs

Mr. Dixon: I would like to follow up with the Minister responsible for Yukon Housing Corporation on this project. Everyone certainly agrees that there is a need for this type of housing. There is no doubt about that, but we are concerned about the significant project delays and increases in costs.

Will the minister please confirm whether or not the initial estimate of \$4 million to \$5 million for renovations of this project is still accurate, and is his department aware of any increases?

Hon. Mr. Pillai: What I can state for the House is that we believe that the costs have risen above the original budget — very clearly, that is what we have been told. We do not have the exact number that is associated with this at this time, and as I stated in the first set of questions, there is a series of due diligence being undertaken by Safe at Home. I believe that the technical work would be done by the contractor that they have hired to do the work, and I know that CMHC is supporting that, but we are, again, waiting to get that number and waiting to get information from the organization on how they would like to look at next steps.

Mr. Dixon: I would remind the minister that the capital funding support from the Yukon Housing Corporation was contingent on Yukon government's final approval of the capital costs, operational plans, and long-term financial and program viability for this project. So, it was the Yukon Housing

Corporation that conducted the due diligence — or should have — prior to the funding being approved.

The funding parameters for the rapid housing initiative suggest that, while the CMHC will cover up to 100 percent of the capital construction costs for approved projects, they also require that projects be completed within 12 months of the funding approval. Now, since the minister has admitted that this project is going overtime and overbudget, is the minister at all concerned that, by breaching the program parameters from CMHC, that may be putting this funding at risk? Has he communicated to the CMHC that the project is delayed, and is he worried about the funding being in jeopardy?

Hon. Mr. Pillai: There was a series of inaccurate comments that were made by the Leader of the Official Opposition. So, let me try to wade through it. First of all, this is a situation that is being led by an organization — an NGO — not the Yukon Housing Corporation. Second, the due diligence, as I understand it, concerning the acquisition was undertaken by CMHC on this particular project. That is what I have been informed, and that was looking at the structure and the actual building.

At this point, I am not writing to CMHC, because CMHC is leading the process with Safe at Home at this particular time. So, I believe that CMHC is in a position, because they undertook the original due diligence on this — are looking for solutions, hand in hand with Safe at Home. That is what I am aware of. That is what has been stated and briefed up to me.

Again, I will state that we are here at Yukon Housing Corporation to support the work of NGOs, such as Safe at Home, and I know that they are looking for a solution to some of the extra costs that have been identified in this project. We are waiting for them to complete their work so that we have a fulsome understanding on how they would like to go forward.

Mr. Dixon: Mr. Speaker, the minister seems to be taking issue with my comments that the long-term financial and program viability for this project were reviewed by the Yukon government, so due diligence was, of course, done by the Yukon government through the Yukon Housing Corporation. The reason I know that is because the minister wrote that in a letter to Safe at Home Society on August 25, 2021, which is a letter I would be happy to table.

Mr. Speaker, it's clear that this project has gone overbudget. It's clear that this project has gone over the allotted timeline, and the parameters for federal funding require the project to be done within 12 months.

So, my question for the minister is simple: Is he concerned about federal funding drying up because of the breach of the parameters of the federal funding? Furthermore, I would ask the minister if he could tell us whether or not he thinks that this project is still viable and does he have or have not any second thoughts about this project.

Hon. Mr. Pillai: When we're talking about viability of this particular project going forward, as stated in that letter, we're looking at: What is the programming and how will the programming be paid on-site? That's the focus. It's the go-forward of what is the delivery of programming to the individuals — the vulnerable individuals who are in there.

So, we've been comfortable with the go-forward focus by the organization. The challenge is the renovations. So, again, I'm not in fear that CMHC is going to — and I'm sharing with the House and I'm sharing with Yukoners — I'm not concerned that the funding is going to dry up, because they're at the table with the organization, hand in hand, looking for solutions. That's who is at the lead.

I don't have the costs or the cost increase yet, as I stated in pretty much the first five questions. What I'm waiting for is the information and full scope of what the change is in the project. It would be inappropriate for me to answer if I still think this is viable or it still should go forward without having that information. When I have that information, I will bring it to the House and be accountable and transparent with Yukoners, but at this time, we have an organization and a Crown corporation that are leading this work, and we're looking for solutions for new increased costs on the project.

Question re: Health care services

Ms. Blake: Earlier this week, this government sent out a press release about the new bilingual Constellation clinic.

While we are happy that this is finally moving forward, Yukoners still have questions.

In the release, there is a link to a form where people can apply to be considered for this clinic. The Find a Doctor waiting list already has thousands of people on it, many of whom have been waiting for years. Now it seems like they will have to fill out a second application.

This government already knows who is waiting for health care and how long they have been waiting. Can the minister tell Yukoners on the Find a Doctor wait-list if they will be automatically considered for the new Constellation clinic?

Hon. Ms. McPhee: We are committed to improving care for Yukon's population, including the Yukon's francophone population, and are expanding access to primary health care services for all Yukoners through the Constellation Health Centre.

We continue to make progress, and we have announced this week that the Constellation Health Centre will be a primary health care clinic, the first of its kind here in the territory, and it will serve as a model for the care to build upon in the future.

In addition to delivering high-quality health and wellness services in both French and English, the centre will provide an additional access point for primary health care services. The process, as described in the news release, for individuals is to register. Individuals who have put their name on the list to be matched with a Yukon primary care physician will not automatically be registered at this clinic.

Ms. Blake: Most Yukoners just want access to basic health care. This is a publicly run clinic, and the government already has a list of people who have been waiting for years to get primary care. Imagine being one of the people on the Find a Doctor wait-list. Imagine that you have done everything right: You have put your name on the wait-list, just like this government said you should; you have waited years for the chance to get medical help without waiting for hours in emergency, and then you happen to miss a government press

release, because not everyone spends all day checking for government announcements. So, you didn't know that you had to do a second application to be considered for this clinic, and now you are back to waiting and hoping that you will win the health care lottery. Will this government notify people on the Find a Doctor wait-list that they must apply for this clinic?

Hon. Ms. McPhee: The new collaborative care clinic is a recommendation of the *Putting People First* report and will be fully integrated into the broader health care system — incredibly important move going forward.

It will add another access point for primary health care services for Yukoners, including the growing francophone population, and it will reduce some of the current pressures on our health care system. We have been working with our partners, including the francophone community and other health system partners, to ensure that this clinic responds to the needs of the community. It is but one solution going forward to address our health care issues here in the territory and provide service for Yukoners.

Ms. Blake: For the Yukoners who have been lucky enough to hear about this application form and are applying, there are still questions. The application form says — and I quote: "A team of professionals will review and prioritize applications." That leaves a lot of questions about how people will be prioritized. Unlike the Find a Doctor application, the Constellation clinic application asks people to disclose their pre-existing medical conditions. Many Yukoners are afraid to share the extent of their health care needs on their application in case it disqualifies them from this clinic. Yukoners need reassurance that they will get equal access to primary care, no matter what their needs are.

Can the minister tell Yukoners how they will be prioritized for the Constellation clinic?

Hon. Ms. McPhee: This fiscal year, we budgeted \$1.7 million for the development of the Constellation Health Centre. The centre will offer services in both French and English, as well as in other languages through virtual care options. It will be staffed by a number of health care professionals to provide wraparound services to clients.

As noted, starting at the end of October, people will be able to apply online to be a client. Applications will be reviewed and prioritized by a team of professionals at the clinic. Acceptance or wait-list status will be based on the current capacity of the clinic's primary care providers, alongside pre-established determinants to ensure an equitable and balanced client onboarding. If someone is not initially accepted, they will be added to a wait-list and notified when space becomes available.

The matching of individuals with the services provided is a key element of the application process and is one that will serve Yukoners well.

Question re: McConnell Lake flooding

Mr. Kent: In early May, I noticed on social media that a family living on the south Klondike Highway north of the Annie Lake Road was having flooding issues from a nearby lake for the second consecutive year. At a site visit later that week, I was told that McConnell Lake has traditionally drained

south. However, for the past two years, it has drained north and is causing significant damage to a number of properties in the area.

I reached out to the Minister of Community Services a number of times about this and wrote him on behalf of the residents in late July and received a response on August 25. He said in that letter — and I will quote: “Regular communication has been ongoing with the residents since May of 2022.” However, area residents say that communication has been sparse and believe that their concerns are largely being ignored.

So, can the minister explain the discrepancy between what he told me and what I have heard from residents regarding communications?

Hon. Mr. Mostyn: I will say that this year has been a challenging year for a lot of people across the territory. It is one of the worst flooding seasons we have had, and this comes on the season last year, which was also exceedingly bad. There was flooding throughout the territory this summer, and the member opposite is absolutely correct. I have heard from McConnell Lake residents through the extraordinary MLA they have in that region, who has been in contact with me. We have been out at the site. I know that EMO — the Emergency Measures Organization — has sent people out there. We have had pumps helping the residents out there. I have flown over the site and seen the flooding that has occurred in that place, in the single tour I took this year of the flooding across the Yukon. It is indeed — there are certainly houses there that are surrounded by water, and this is extraordinary. We are seeing things like the flooding we are seeing right now on the Southern Lakes; we are seeing the flooding around McConnell Lake that is hard to explain — which is why, as I said in my letter to the member opposite that I sent in August, we have hired an engineering firm to assess what is going on in that area. We expect to have the engineering firm complete their work early in 2023, and I hope to get back to residents after we have seen that information to actually come up with a plan to help them.

Mr. Kent: So, I would encourage the minister to visit the site on the ground like I did. It is quite a sight and he will really get a full idea of what the situation is that these residents are facing. So, the residents are desperate for a solution to this so that they can stop worrying about flood damage to their property. According to the minister, and as he mentioned, there is an engineering study underway and a report due by February 2023 to recommend options and identify any permits or licences required. Meanwhile, the residents are worried about what next year will look like.

So, earlier this Sitting, I tabled a motion urging the minister to meet in person with the residents, to listen to their concerns, and develop a mitigation plan for the short and long term. So, will the minister agree to meet with these individuals as soon as possible?

Hon. Mr. Mostyn: I want to thank the member opposite for the suggestion. As I have said in his letter, we have an engineering study currently underway that is going to identify some of the unusual circumstances affecting the few property owners in that area.

Until we have that information, I really am not at liberty to say what sort of measures we are going to take to fix it or if it is even fixable. We have to let the engineers do their work and find out what is actually happening in that region that historically has not seen flooding like this. This is another extraordinary situation in a whole litany of extraordinary circumstances we are seeing across the territory this year and last year. I will work with the Emergency Measures Organization and with the engineers to ascertain what is happening. At that point, we will certainly have something to say to the residents of that area.

Question re: Hotel room shortage

Ms. Van Bibber: We have heard from several people in the tourism industry that this summer there was a severe shortage of hotel rooms, and the lack of hotel room supply hampered the industry. We have even heard there is a squeeze for upcoming events, like Geoscience happening in November.

Last December, the Minister of Tourism and Culture issued a press release congratulating a local real estate developer on the construction of a new 100-room hotel on Main Street. Since he issued a release on this project, I wonder if he can provide an update on it. Will those 100 rooms he announced in December be available in time for the upcoming tourism season?

Hon. Mr. Pillai: I can say that I agree with the member opposite that we do need new hotel rooms in inventory. We have just gone through a process at Tourism and Culture — essentially a request for information to look at models and options for a new convention centre. We also hope that undertaking will spur interest in increased development in the hotel sector.

I do think, based on interest and demand, that there is a real opportunity here for one or two — multiple — potential new hotels to be built in the Yukon.

What the member opposite is referring to is a local company owned by many Yukoners and many First Nations which stated they were going to build a hotel. We commend folks for taking that on, but what I cannot do today is become a spokesperson on this project, because I would again urge both — again, this line of questioning — I would urge the members opposite, and specifically my critic for Tourism, to reach out to the company that’s building it. I would say that would be the best source of information versus asking the Minister of Tourism and Culture.

I’m going to commend anybody in the private sector who will take on a risk and build, but again, the most accurate information will come there.

Ms. Van Bibber: The proposal of the new 100-room hotel was exciting for many in the tourism industry, especially since we lost the High Country Inn last year. In his December news release, the minister said the new development — and I quote: “... represents a significant private sector investment in the recovery of the Yukon’s tourism sector.”

What does the minister think the project’s delay means for Yukon tourism?

Hon. Mr. Pillai: Again, I think that investment in hotel rooms is a good thing. I think that it's needed. I think we have seen a lack of true investment in new hotel rooms or doors over the last number of years. We're going back pretty far. I commend folks — the team behind the Raven Inn who have done an exceptional job of taking on their project and to open right before the whole scenario of COVID came, and now they're thriving. I commend them.

Again, I'm going to commend and I'm going to support — as a person who has responsibility for Economic Development and Tourism and as a person who has actually worked in the private sector — I will state that I support folks undertaking this and this work.

But again, I urge the member opposite — I would say that anybody in the opposition who I've seen attend events, the chamber events, from time to time and speak with organizations and that kind of thing — the best way — and I think the member knows this well — the best way to get that information is to, when we finish Question Period this afternoon, pick up the phone and give the company a call, and they'll probably get an update on what's happening with that project.

Question re: Seniors housing

Ms. Clarke: The Auditor General's report on housing that was tabled earlier this year found that, from 2015 to 2021, the wait-list for eligible social housing applicants grew significantly and much more rapidly than the population did. The number of applicants on the wait-list increased by 320 percent — from 112 to 463. We know that the demand for seniors housing has particularly increased. Can the minister tell us how many of those on the current community housing wait-list are seniors?

Hon. Mr. Pillai: I appreciate this line of questioning, because I think that it is extremely important that we dig into exactly who is on the wait-list and from what background they come, so I will do my best to answer very specific questions. I have asked the Yukon Housing Corporation to dig in. The wait-list, as of yesterday morning, was 507 people. We try to monitor this at all times, but it is also very important to understand what percentage of individuals on that wait-list have been in the Yukon for less than 24 months — is it new people moving to the Yukon — and how many of those individuals have been long-time Yukoners who are now seeking to move onto the wait-list. They may even be in a position where they have a home or a condo, but they are looking to be on that list and to, again, look for a different type of housing in the future.

There are several factors that are contributing to the growth of the wait-list. Between 2016 and 2021, yes, we were the fastest growing province or territory anywhere in the country. That is one thing. The Yukon's population is aging faster than the national average, which was touched on by the member opposite, so the percentage of the population who are seniors grew again by 2.1 percent from 2006 to 2021, and then again, in the Yukon, it has increased by 2.9 percent.

We will look for the next question, but these are all trends that probably the members opposite had seen coming.

Ms. Clarke: The Minister responsible for Yukon Housing Corporation has previously committed to support the Vimy Heritage Housing Society and their proposed seniors housing project in Whitehorse. The minister's briefing notes from April 2022 says this about the project — and I quote: "The current proposal is to develop a 75-suite building with parking and green space with construction scheduled to start in 2022..."

Can the minister tell us if that is correct? Is that project still scheduled to start this year? Can the minister tell us what funding the government is using to support this project?

Hon. Mr. Pillai: The latest I can report, which is from a communication yesterday, was that there are multiple organizations looking to collaborate to ensure that the governance structure is solid behind this project before they break ground. In early November, I have been requested to attend a meeting on that particular topic. I believe that Vimy, as an organization, is looking for funding sources from CMHC. That's what I can report to the House today, but what I can gather from today is: Beware, if you are an organization that goes out and tries to do something, because I can see the opposition is picking apart these projects that people are trying to work on to solve a problem — a problem that we knew was coming our way by trends. Back when the Member for Lake Laberge cancelled housing money and could have been building housing in this territory — I'm getting under their skin, but that's the truth.

Go back and look at the Yukon Housing Corporation for the 10 years before we took government. The money that was spent in the corporation, year over year, was on O&M, okay? So, they might fashion themselves as being pro-business and watching the dollars, but what they were doing was paying wages instead of investing in housing. That's why we are investing the most money in housing in Yukon history, and that's why we will take on this problem that was left behind, and we will support organizations that want to take these risks and do better for Yukoners.

Ms. Clarke: Another project that the minister has discussed in relation to seniors housing is the Normandy project. The minister has said that Yukon Housing has committed \$3.5 million to secure 10 units in the Normandy project. Can the minister update us about whether there are any plans to increase the number of units that the Yukon Housing Corporation will lease from Normandy Manor?

Hon. Mr. Pillai: Potentially, there is. I am just mulling that over and looking at the numbers at this time.

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

ORDERS OF THE DAY

OPPOSITION PRIVATE MEMBERS' BUSINESS

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 306: *Act to Amend the Oil and Gas Act (2022)* — Second Reading

Clerk: Second reading, Bill No. 306, standing in the name of Ms. White.

Ms. White: I move that Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, be now read a second time.

Speaker: It has been moved by the Leader of the Third Party that Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, be now read a second time.

Ms. White: It is an honour to speak on behalf of Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*. This act would reinstate section 13(1) of the *Yukon Oil and Gas Act* that was repealed back in 2012. For this bill to make sense, we need to go back in time. First, I want to take us back 10 years. Ten years ago, the Yukon Party was in power with a majority government. Their disregard for First Nation rights was no secret, as it is well-documented in the court cases of the day.

The MLA for Lake Laberge, then-Minister of Energy, Mines and Resources, tabled amendments to the *Oil and Gas Act*. In his opening remarks, he said this as justification for the amendments — and I am quoting from Hansard: “Looking at the significant amendments first, the repeal of section 13 is perhaps the most significant change for the future of the Yukon’s oil and gas sector and for the act itself. The Oil and Gas Act was written at a time when many Yukon First Nations were without final agreements. In the 1990s great progress was being made and there was an anticipation of quickly reaching final agreements with all 14 Yukon First Nations. These agreements provided full certainty over lands and resources for both First Nation and Yukon governments. At the time the Yukon included a requirement in the act for First Nations without final agreements to give consent on oil and gas dispositions and activities within their traditional territory. This was in order to provide certainty to the parties while claims were being negotiated. Today, 11 of the 14 First Nations within Yukon have settled land claims. The three remaining First Nations have publicly indicated that they do not intend to conclude land claims under the *Umbrella Final Agreement*.”

“After considerable human and financial resource investments to attempt to obtain consent requirements required by section 13, negotiations were recently terminated by the Liard First Nation.

“Southeast Yukon continues to hold proven gas reserves and continues to be of high interest to the industry...”

So, what he doesn’t say is that the Yukon Party’s intention to repeal section 13 was going to move forward, despite open disagreement from Yukon First Nations, the Yukon NDP, and the sole Liberal MLA at the time, who now sits in this House as Premier. So, what was section 13, and why was section 13 important?

Section 13(1) reads: “Consent of Yukon First Nations

“13.(1) Prior to the effective date of a Yukon First Nation’s Final Agreement, the Minister shall not

“(a) issue new dispositions having locations within the traditional territory of the Yukon First Nation, or

“(b) subject to subsection (2), issue licences authorizing any oil and gas activity in the traditional territory of the Yukon First Nation, “without the consent of the Yukon First Nation.”

So, the original version mentioned subsection 2, which this bill that we are debating today will not be reinstating. So, I will

address that specific point now before continuing on with section 13(1).

When drafting this bill, we consulted with both the drafter and former UFA negotiators who were also part of the oil and gas working group at the time it existed. With their advice, it was decided that section 13(2) should not be reinstated for various reasons. A reinstated section 13(2) would apply to all Yukon First Nations since it doesn’t distinguish between before the effective date of the Yukon First Nation final agreement and after a Yukon First Nation final agreement comes into effect.

Section 41(1) of the same act provides for the continuation of any federal dispositions for oil and gas activities. Section 14, which lays out the duty to consult Yukon First Nations, does not refer to section 41 of the act. We estimated that there was also no need for section 13 to refer to federal dispositions.

Finally, the federal government adopted the *United Nations Declaration on the Rights of Indigenous Peoples*, which means that the federal government formally recognized the right of First Nations to free, prior and informed consent, which aligns with section 13 of the *Oil and Gas Act*.

Mr. Speaker, I am going to take us back to section 13(1). What is important in section 13(1) is that no oil and gas dispositions and licensing would be issued without the consent of a First Nation without a signed final agreement. When the Yukon Party unilaterally repealed section 13 in 2012, they repealed more than a section of law; they disregarded historic negotiations, a signed agreement, and a commitment that had been made in good faith with Yukon First Nations.

So now, Mr. Speaker, we need to go even further back in time for this context. In 1997, Yukon First Nations, the Council of Yukon First Nations, and the Yukon government, represented at the time by Piers McDonald, signed a memorandum of agreement in which Yukon First Nations agreed to support the transfer of oil and gas responsibilities and powers from the federal government to the Yukon government, subject to a number of conditions to protect the rights and interests of Yukon First Nations.

With this MOA, Yukon First Nations were essentially agreeing to support devolution. Those conditions were laid out clearly in the memorandum of agreement. Section 5(1) of this memorandum says: “...Yukon hereby agrees that it will not, in respect of a traditional territory, for which the effective dates of a Yukon First Nation’s settlement agreement has not occurred, issue any new disposition in respect of oil and gas lands in the Yukon Territory without the consent of that Yukon First Nation.”

It’s important to note, Mr. Speaker, that this is more or less verbatim in this repealed section 13(1) of the *Oil and Gas Act*. When the Yukon Party chose to repeal this section, they effectively breached the Yukon government’s responsibilities and legal commitments under the signed agreement.

I want to be clear — and nothing is more clear than the words used by the minister of the day on why section 13 was being repealed. So, I’ll quote him again: “After considerable human and financial resource investments to attempt to obtain consent requirements required by section 13, negotiations were recently terminated by the Liard First Nation.

“Southeast Yukon continues to hold proven gas reserves and continues to be of high interest to the industry...”

So, at the time, the government was not able to obtain consent from the Kaska nations to move oil and gas development in their traditional territories in south Yukon. It’s important to note that the Liard Basin south of the Yukon border is riddled with frack wells — those wells where oil and gas is extracted using hydraulic fracturing as a method of stimulation. The Kaska were clear: They did not want oil and gas development on their traditional territory in south Yukon.

So, instead of respecting the nation’s decision, knowing that they were not going to be able to get their consent to move ahead, the Yukon Party repealed the section of the law that had been agreed to in good faith by Yukon First Nations and the Yukon government in 1997 in that MOA, a section of law that would have prevented them from moving forward.

Reinstating section 13(1) would acknowledge that confidences were breached and that an injustice was done when the Yukon Party repealed this section. Debate on these legislative changes happened 10 years ago. It happened 10 years ago in this Chamber on December 10, 2012, to be exact. It was on that day, along with my colleague, the Premier, that we stood in this Assembly and we tried to fight those changes. I read letters of opposition to the repeal of section 13. I read letters from the Council of Yukon First Nations, from the Tr’ondëk Hwëch’in First Nation, from the White River First Nation, from the Kluane First Nation, from the Carcross/Tagish First Nation, from the Ta’an Kwäch’än Council, the Teslin Tlingit Council, the Champagne and Aishihik First Nations, and the Kwanlin Dün First Nation.

My former colleague and mentor, Liz Hanson, even mentioned the resolution from the Assembly of First Nations — a resolution that was passed unanimously in support of the Kaska Nation and Yukon First Nations against the repeal of section 13 of the *Oil and Gas Act*.

Now, Mr. Speaker, I wish today that I could read all of those letters into the record again, because although this document and its submissions were publicly available on the Energy, Mines and Resources website in 2012, since the transfer over to yukon.ca, that information is no longer available.

So, I have reached out everywhere in hopes of tracking down this document, but as of right now, I haven’t been successful. Instead, I am going to read a letter that I sent to all chiefs and all councils as I was preparing for this bill. I tabled that letter earlier today, so I’m quoting: “As part of the *Confidence and Supply Agreement* signed with the Yukon Government, the government has committed to ensure that for each sitting, one Private Member’s Bill introduced by the NDP will receive a final vote. It means that we have the rare opportunity of seeing a non-government Bill go through the entire legislative process, and possibly become law.

“I am reaching out to your government as the Yukon NDP is exploring the idea of introducing a Private Member’s Bill at the legislature to reinstate Section 13 of the *Oil and Gas Act* that was repealed by the Yukon Party government in 2012. I attached section 13 as it read at the time.

“For context, in 2012, Bill No. 49, *Act to Amend the Oil and Gas Act*, was introduced by the Yukon Party. This was a controversial change that repealed section 13, titled *Consent to Yukon First Nations*. This section required the prior consent of a First Nation without a Final Agreement before the issuance of any new oil and gas authorizations or licenses within their traditional territory could proceed. The consultation process for First Nations who have signed a Final agreement is in Section 14 of the *Oil and Gas Act* and was not affected by the Yukon Party changes in 2012 and would not be affected by bringing back Section 13.

“We believe that the repeal of Section 13 is in direct contradiction with the principle of consent that is central to the UNDRIP.

“At the time, several First Nation Governments (with and without final agreements) opposed the removal of Section 13, including the Chief of Tr’ondëk Hwëch’in, the Chief of Liard First Nation, the Chair of the Kaska Dena Council and the Chief of the Ross River Dena Council. The Council of Yukon First Nations, the Kwanlin Dün First Nation, the Ross River Dena Council and the Liard First Nation also released a joint statement at the time condemning the government’s decision to repeal Section 13.” The current Premier “... as Leader of the Third Party at the time also opposed the change.

“As part of our preparation for this Private Member’s Bill, we are contacting each Yukon First Nation for your feedback and to answer any questions you may have.”

Mr. Speaker, to date, I have received six letters of support, five of which I tabled yesterday and one that I tabled earlier today. It is important to note that I will continue to seek those letters. I want to thank all chiefs and councils that have engaged in these conversations with me. I know that they are busy and I appreciate the time that they have shared. I want to also thank those who have sent letters of support.

To quote from the letter received from the Council of Yukon First Nations: “In our view, the Yukon government acted in bad faith when it refused to respect and adhere to its commitments under the MOA. Unfortunately, this adversely impacted the relationship between the CYFN and Yukon First Nations and the Yukon government for years since the CYFN and Yukon First Nations had little faith that the Yukon government could be trusted to keep its word in any agreement.”

In their letter of support, the Chief of the Kwanlin Dün First Nation wrote — and I quote again: “... we also believe that the repeal of Section 13 is in direct contradiction with the principle of ‘free, prior and informed consent’ that is central to the United Nations Declaration on the Rights of Indigenous People (UNDRIP). This principal clearly emphasizes the importance of recognizing and upholding the rights of Indigenous peoples and ensuring that there is effective and meaningful participation of Indigenous peoples in decisions that affect them, their communities and territories.”

The letter from the Little Salmon Carmacks First Nation states — and I quote: “After internal discussion, Little Salmon/Carmacks First Nation Council believes that although our rights as a self-governing First Nation were not affected by

repeal of Section 13; we stand in solidarity with those First Nations who have yet to sign a self-government agreement.”

The Teslin Tlingit Council’s letter of support reads — and I quote: “The Teslin Tlingit Council Executive Council is in Support of the above mentioned bill. We feel that this Bill will be beneficial to all Yukon First Nations.”

The two nations most affected by the removal of section 13, as they are in the area with speculated oil and gas reserves, had much to say. The Liard First Nation’s council wrote — and I quote: “It has long been the LFN’s position that legally requiring free, prior, and informed consent for any development within unceded Kaska traditional territory, as promised to the Kaska on May 9, 2003, would provide increased certainty for all. It would drastically reduce the risk of monetary damages for infringement of Aboriginal rights and title or the failure to adequately consult and accommodate. It would clarify for industry that they must achieve meaningful benefits agreements with First Nations whose legal interests would be impacted by their proposed projects. It will protect the public purse by creating the understanding that sharing wealth and opportunities are capital cost investments of doing business fairly and progressively in a modern Yukon. Consent provisions help drive relationship building and transparency so that fully informed participants and industry proponents can know early whether projects will obtain Kaska support. Sharing information freely and prior to decision-making creates constructive, positive dialogue and saves resources.

“Reinserting the need for and importance of consent puts YG, the Kaska, and Yukoners on a pathway toward reconciliation and the promotion of well-considered sustainable development and economic prosperity for all Yukoners.”

Finally, the Ross River Dena Council said this — and I’m quoting again: “The reinstating of this clause is important to redress the contentious decision by the Yukon Government ... in 2012 to rescind Section 13, despite the objections of the Kaska chiefs. Also, it is a demonstration that YG is committed to advancing reconciliation and the principles of the United Nations Declaration of the Rights of Indigenous Peoples ... UNDRIP is considered to be requisite framework for advancing reconciliation, and its implementation can contribute to supporting sustainable development and responding to growing concerns relating to climate change and its impacts on Indigenous peoples.

“Section 13 was an important, perhaps essential, piece in allowing the Devolution Transfer Agreement ... that transferred administrative powers over land and resources from Canada to the YG, to proceed. The Premier at the time acknowledged that the devolution of oil and gas was not achievable without the formal support of the affected First Nations. To this end, YG negotiated and signed a Memorandum of Agreement ... with the Kaska in January 1997, in which they agreed not to issue any new dispositions for oil and gas lands in the Kaska traditional territory without the consent of the Kaska.”

So, now that this bill is on the floor, the party that is now in power — the Liberals — may or may not choose to vote in

favour. As you’ve heard in my letter to chiefs and councils, they’ll have to vote in favour until third reading, thanks to our confidence and supply agreement, but the real question is: Will they fully support it to becoming law?

They may say that, since they came into power, they’ve worked hard to rebuild trust in government-to-government relationships, and no one will dispute the importance of the relationship-building of the Yukon Forum, but I suggest that, given the number of court cases that are currently, or have happened, since 2016 between Yukon First Nations and the current government, there’s still a long way for us to go.

I would also suggest that a government that benefits from the breach of trust and the breach of a signed agreement from a previous government and actively refuses to fix it when the opportunity is right in front of them is not much better, but I remain hopeful, because they may also choose to support this bill, and in this case, I thank them.

I also want to acknowledge that this change would only apply to First Nations without a signed final agreement. Why? This isn’t about completely changing the legislation; this is about restoring the rights that were taken away from three First Nations without a final agreement back in 2012. It is important to understand that section 13 was removed when the Yukon Party was unable to reach an agreement with Liard First Nation.

Liard First Nation refused to consent to oil and gas development in their territory, and the Yukon Party removed the one section that they could use to fight against it. They removed it so that they wouldn’t have to obtain consent at all. But more than reinstating rights that were wrongly taken away, reinstating section 13(1) would open the door to conversations about what First Nation consent really means and about the difference between “consultation” and “consent”.

In 2021, the Government of Canada officially adopted the *United Nations Declaration on the Rights of Indigenous Peoples*, which enshrined free, prior, and informed consent. In November 2019, British Columbia became the first Canadian jurisdiction to incorporate the *United Nations Declaration on the Rights of Indigenous Peoples* into law, and the Yukon government has yet to do so, but I am optimistic that we will get there.

It is my hope that this bill, even though it applies here only to First Nations without a final agreement, will open the door to implementing free, prior, and informed consent for every First Nation in the Yukon — not just for oil and gas, but as stated by Liard First Nation in their letter, for any development. This conversation needs to happen, and I know that this won’t be an easy conversation, because there are overlapping and cross-boundary traditional territories. There are interests and priorities that might not go in the same direction and debates between nations and debates between nations and the Yukon government that have a lot of history and a lot of baggage, but this doesn’t mean that these conversations shouldn’t be held. This doesn’t mean that we should shy away, because we will be stronger as a territory for having these difficult conversations. We need to move forward together.

The right of free, prior, and informed consent must be discussed, and then it must be implemented. The Yukon was

once a leader in indigenous governance in Canada. First Nation consent is the future of modern treaties and sovereignty. There is no longer a conversation as to whether or not it will happen, but a conversation as to when it will happen. We have the opportunity to lead the way. We don't always get a chance to right the wrongs of the past, but this is one opportunity where we can do just that.

I am going to end by quoting my friend and former colleague Jim Tredger, who at the time was the MLA for Mayo-Tatchun. I am going to quote when he stood in this Assembly to address the Yukon Party's repeal of section 13 — and I quote: "I want you to take a look and imagine what our society — what the Yukon will look like in 10 years, in 20 years, in 40 years — perhaps as many as 100 years — when the non-renewable oil and gas reserves run out. What is left? It's the people. It's the people of the Yukon who are left. And what makes the people of the Yukon strong? We have learned lessons from our elders and the seniors and the pioneers. We know our land. We spend time on it. We live on it. We play in it. We exist from it, and we get our subsistence from it, and overriding all of that is our relationship we have one to another.

"What will our communities look like if we allow ourselves to be divided, if we ignore promises made, and break the trust that has been handed to us?"

"Yukoners are very fortunate — very fortunate. We were welcomed to the Yukon by the First Nations. They shared their land. They shared the resources. They shared the animals. They shared their world view. It was through the guidance of the elders that we sat down to develop a brave new way of managing our territory. We had seen what had happened in southern Canada, in Europe, in the United States and in eastern Canada, and we said no — we can do better.

"We can work with each other. We can trust each other; we can depend on each other, and we can live together. What will our community look like? What will our land look like? What will our water be like, and what will our relationships be?"

Mr. Speaker, without consent, consultation is meaningless.

Hon. Ms. McPhee: I appreciate the presentation on — I just want to be clear — I think it's Bill No. 306, if I have that right.

In relation to the matter before the Legislative Assembly today, I do have some comments I would like to note. I am sure that others here will have other opportunities and take the opportunity to speak about this important bill. I certainly hope we hear from members of the Official Opposition.

I think it is important to review some of the history. I appreciate that the member opposite has done some, but a true historical picture of the way in which this issue became an issue here in the Yukon Territory is important. Back in May of 1993, Canada and the Government of Yukon agreed that Canada would devolve the administration of oil and gas resources to the Government of Yukon.

This devolution was set out in the Canada-Yukon Oil and Gas Accord. It came about back in 1993. Then in January 1997, the Government of Yukon, the Council of Yukon First Nations,

all Yukon First Nations, the Kaska Dena Council, and the Kaska Tribal Council executed a document that is entitled the "memorandum of agreement". That, I think, has been noted also by the mover of this bill.

But this document contemplated the involvement of Yukon First Nations in the design — and I'm going to say the quote from the MOA — quote: "... design, determination, development, administration and management..." of Yukon's oil and gas regime or a common regime as the case may be, depending on how it would develop. The memorandum of agreement provided that, in relation to the traditional territory for which a settlement agreement has not yet taken effect, Yukon agreed, at that time — Yukon government agreed, at that time, not to issue any new disposition in respect of Yukon oil and gas lands without the consent of the affected Yukon First Nation. It also obliged the Yukon government to amend the — quote: "proposed Yukon oil and gas act" to incorporate that undertaking.

It also committed the parties to work together to jointly develop amendments to the oil and gas regime in the Yukon. So, it contemplated local Yukon legislation and the fact that, in order for the disputes or the conversations or the disagreements that were happening at that time — that they would be working together in order to propose a Yukon oil and gas act that the government would, of course, bring as a bill to try to make into law, but that would be done with the consent of affected Yukon First Nations, and they would have that consultation, collaboration, and cooperation.

Then in 2003, Yukon enacted the *Oil and Gas Act*. It included what I will call the "original section 13". In 2009, the Yukon consulted with the affected First Nations — for example, the Liard First Nation, the Ross River Dena Council, and the White River First Nation — those First Nations who did not have a final agreement — and they spoke to them in 2009 about repealing section 13.

It was understood that some, if not all, of the consulted First Nations opposed the repeal of that provision and that the discussions respecting the consent agreement may have occurred concurrent with this consultation, but at that time, no repeal of section 13 occurred following those conversations because we know that this didn't come about until several years later.

Three years later, back in August 2012, the Liard First Nation wrote to then-Premier Pasloski providing notice that the letter was, in fact, the termination and the completion of the negotiations that they were in with the government at the time of the terms under which the Kaska would consent to the disposition of oil and gas rights in their traditional territory. The very next day, on August 28, 2012, the then-Cabinet proposed an amendment to the *Oil and Gas Act* to repeal section 13. The bill subsequently passed and section 13 was, in fact, repealed in December 2012.

I won't go into the reasons for that. I think that they have very clearly been set out by the mover of this bill, the Leader of the Third Party. They were fixing a problem by just simply unilaterally changing the law.

I think that it's important to note that none of those conversations — at least in the brief research that could be done in relation to this — did, in fact, consult — that the government of the day did not consult with the transboundary First Nations, including Acho Dene Koe, the Tahltan, the Taku River Tlingit, Gwich'in Tribal Council, the Inuvialuit, the Dease River First Nation, or the Kwadacha First Nation. It is incredibly important to note, because the issue of transboundary First Nations is a live one; it is one that has not yet been resolved.

There is certainly uncertainty in the law with respect to the duty to consult. I appreciate that this is not a government bill, but the duty for Yukon government to consult in relation to this bill is a live issue. It is certainly one that may remain because of the uncertainty in the law, but what I can say about that — or what I want to say and should say about that — is that the building of relationships, the building of partnerships, and the concepts of reconciliation are critical in order for relationships to continue — relationships that have been extremely important to this government, to our one-government approach, to building reconciliation with First Nations, and that consultation, collaboration, and cooperation must always take place, even if there is not a legal duty to do so. As I have said, there is uncertainty in the law with respect to that.

I think it is fair to say that, in any case, the greater the effect that the statutory amendment has on a First Nation's rights, the greater the likelihood that a court may find or be tempted to expand the law, as it currently states, to apply to the amendment, and the legislative amendment can certainly empower a later government to trigger the duty to consult. In any event, it is prudent to do so.

I am going to spend just a few minutes talking about the honour of the Crown. Back in 2012 when this section was removed from the legislation, there is certainly a question about whether or not the then-government was respecting the honour of the Crown. Notwithstanding the fact that there may be little in the way of adverse impacts that might be sufficient to trigger common-law duty to consult, there is still the matter of the honour of the Crown.

It's at play now, and it certainly was at play in 2012. Remembering the history as we have laid it out and as is recorded in government documents, the purpose of the change done in 2012 was to avoid an obligation that had been negotiated much earlier in the life of the concepts of oil and gas here in the territory. I am going to say that the actions of the government in 2012 probably abused the honour of the Crown or at least ignored it, to a certain extent.

The honour of the Crown, just as a concept, is a constitutional principle that is fundamental to aboriginal law, and while its roots are in British traditions, it has certainly taken on new significance in the passing of Canada's *Constitution Act, 1982*. The *Constitution Act, 1982* recognized and affirmed that existing aboriginal and treaty rights of aboriginal peoples of Canada were entrenched in Canada's Constitution. According to the Supreme Court of Canada, the role of the concept dates back to the Royal Proclamation of 1763, which stated that indigenous peoples live under the Crown's protection. While that may seem offensive to some, it has

evolved in Canadian law and taken on a new life through decisions of the Canadian courts, which have clearly and emphatically recognized and affirmed the constitutional status of existing aboriginal treaty rights of the aboriginal peoples of Canada.

The Supreme Court of Canada has stated that the duty of honour derives from the Crown's assertion of sovereignty in the face of prior aboriginal occupation. This is important in the history of Canada. It refers to an underlying tension in Crown and indigenous relations, a tension that stems from the fact that indigenous peoples occupied the land that we now call "Canada" long before European settlers arrived and lived in organized, autonomous societies, according to their own systems of law.

When the Crown asserted its sovereignty over these lands, it unilaterally imposed its own laws and customs upon those pre-existing indigenous societies. The honour of the Crown characterizes the special relationship that arises out of this colonial practice. The honour of the Crown also seeks to further reconciliation. The court has used the term "reconciliation" in a number of ways, and it is important that the term "reconciliation" and the actions of reconciliation are, in fact, taken on by individual indigenous societies here in the territory and throughout Canada.

I have noted the obligation to consult, which I think will be quite obvious to the members of the Third Party and the mover of this piece of legislation, and I think there have certainly been attempts to do that. There is an open question about the consultation and whether it is shown to be as comprehensive as it must be.

I appreciate the member opposite making note of the debate back in December 2012, because I think that it is an important piece of information to consider as we go forward. The then-Leader of the Third Party and now Premier also spoke about many of the First Nations that needed to be consulted and felt that they weren't at that time.

I will just take a second to note that section 13.1 that is proposed today is not an exact replica of the section that was removed from the legislation back in 2012. There is a reference in section 41 to some specific lands that I understand are currently held by — just let me get the actual name, if I can. There is an issue with respect to section 41, and we will hopefully be able to ask about this, because section 41 remains in the *Oil and Gas Act*, and it addresses the continuation of rights under federal disposition.

The information that I have been able to obtain through research is that there are possibly two federal dispositions. They are often known as "significant discovery licences", or "SDLs". They exist in the small corner of the Yukon Kaska traditional territory across the border into the Northwest Territories, and both of those are held by Canadian Natural Resources Limited. That, I understand, could still be an issue with respect to whether or not Yukon would be obliged to obtain the consent of the Yukon Kaska. We are using the term "Kaska", to be clear, with reference to the Ross River Dena Council and the Liard First Nation together.

I will leave that as an opportunity to make a question. I do want to also note that, back in 2012, MLA Jim Tredger did bring an amendment. I think that the purpose of that amendment is important to note. At that time — let's just be clear that we are talking about the then-Yukon Party — they were trying to remove this section from the *Oil and Gas Act*. The amendment brought by MLA Jim Tredger requested that the matter be referred to a select committee and that they were looking for the select committee to have the opportunity to have a more public consultation with Yukon First Nations, to get legal and other opinions and to get more background from experts and seek their opinions, and that amendment was voted down by the then-Yukon Party government. Why the Yukon Party had come at that time, in my estimation, without a good bill and without a bill that was supported — and, I'm going to say, that it was quickly put together to achieve a political end which they could not manage to negotiate.

At that time, the now Premier, the then-Leader of the Third Party, spoke about wanting to have equal representation, not only on the committee but also that the committee would be able to seek public consultation and get some other opinions. That, as we know, was ultimately voted down by the then-Yukon Party. This was really an attempt by MLA Jim Tredger and the Leader of the Third Party at that time to get more information, to get some expertise, and to make sure that the consultation was full, but that was denied by the then-Yukon Party and the mover of that bill, which was the current Member for Lake Laberge.

There was really an attempt in MLA Tredger's amendment to save the government from itself at the time and to perhaps assist with the poor relationships that the then-government had with Yukon First Nations and the lack of respect they had for their governments. This is something that we have been trying, since we came to government, to repair. This is also an attempt today, with some exceptions, for the Third Party looking to right a wrong that the then-Yukon Party did to the Yukon Territory and to Yukon First Nations. That's a laudable goal — speaking to Bill No. 306 and a pursuit that we support in spirit.

We need to determine through the debate what changes, if any, are needed to achieve appropriate consultation and to understand the impact that the bill will have. That certainly can be dealt with through questions, I understand.

I recognize that the Third Party has brought forward a number of letters from Yukon First Nations in support of their bill — Bill No. 306 — to amend the *Oil and Gas Act*, and we are very pleased to see them engaging with First Nations, which certainly have a vested interest in the success of the resource extraction in this territory going forward, as does every Yukoner.

I think it's critical to make sure that we do not waver from our commitment to adequate and appropriate consultation. It was absent from the debate in 2012 when this matter was brought forward by the then-Yukon Party, which is mostly the same elected members as are currently here. They, at that time, did not showcase that consultation was adequate to the Legislative Assembly. There is lots of evidence of that in

Hansard with respect to challenges to the adequacy of that and to the purpose for which this amendment was being brought.

I want to be clear to say that I don't think there has been no consultation in this current bill before the Legislative Assembly. We have seen tabled letters in support from many of the Yukon First Nations, but we need to determine if unanimity has been achieved, if unanimity is required, and ultimately what the government's responsibility is in relation to that same consultation. We have to ask about transboundary nations, which claim territory in more than one jurisdiction in overlapping colonial boundaries. We need to know their position or their view.

While the work is ongoing, I understand, to ensure that the needs and the concerns of Yukon First Nations are in fact being addressed, it is something that we must still contemplate in the debate.

The Third Party, having brought this matter before the Legislative Assembly, needs to complete that work.

Mr. Speaker, government is hard. Work on building relationships and building proper consultation takes time, and they must absolutely be comprehensive.

The Third Party here in this Legislative Assembly is passionate and a team with some good ideas, but the work must be comprehensive — and there are questions about that — and an opportunity to dig further into the details and the work that has been done will be one that we welcome.

The Yukon Party Official Opposition, as I've noted, has primarily the same members and the responsibilities, so I look forward to hopefully their voice on this so that we can understand what was done in 2012 from their point of view and see what questions they ask of the Third Party. This is unfortunately a party that is not renowned for its relationships with Yukon First Nations. It is a party, as we can see by the history and the dates of investigating this in 2009 and not changing the bill or doing anything in 2012 — understanding that there were some negotiations in that time, but they can be characterized as slow or unwilling to move us forward. Given a free rein, I am concerned about what they would do — moving us backwards — because I think this removal of section 13 to achieve a political goal is exactly an example of moving us backward. I hope that they will reconsider their former position on section 13 and that we can hear from them going forward.

I look forward to the continued consultation and questions — the answers to those questions about consultations from the Third Party.

There is very likely a government responsibility to consult here, even though the changes to the *Oil and Gas Act* that are being proposed do not adversely affect, or could be characterized as not adversely affecting, Yukon First Nation rights, but there may be the responsibility of government consultation over and above the consultation by the Third Party. As I have noted, the case law on this topic has some uncertainty, but despite that, I think that the relationships we have built with Yukon First Nations, the evidence like, as mentioned, the Yukon Forum and the commitment to that Yukon Forum four times a year and the commitment to Yukon Days and having

Yukon First Nation governments come and meet at tripartite government meetings between Yukon, Canada, and Yukon First Nations annually at Yukon Days, usually in December — these are just part of the relationships that have been built, and those relationships mean that we can work together better, we can cooperate, and we can consult, perhaps even easier than at some other times. It does not mean that we will always agree on every topic or that we will be in unison. What it really means is that we have committed to come to the table, as have Yukon First Nation governments, so that hard questions, hard topics, difficult decisions can be talked out and can be approached in a way that is open and is committed to being open for the purpose of achieving better for all Yukon peoples.

I appreciate the opportunity to speak today at second reading of this bill.

Hon. Mr. Streicker: To begin with, I would just like to pick up on a comment by the Minister of Justice. I sure hope that we hear from the Yukon Party today. There is a lot that I would like to know about — what their perspective is on this and whether it has changed since 2012. I hope that they will be responding. I have not seen them rise yet, but I will — anyway, I would just like to say that I think it is important that they express their views on this bill.

Let me begin by thanking the Leader of the Third Party for bringing this bill forward. I think that it is actually an important bill. I think that there are important things in it. I do agree with the principle of what is here. I have a lot of questions that I hope to get to during Committee of the Whole, even today, I hope. I will try to pose those questions, but I will share some thoughts now to give an indication of the work that I've done in trying to consider this bill.

Really, the principle that we're talking about here is consent, and it's in a piece of resource legislation. I think that the principle of consent is very important. At its heart is respect for First Nations, for our *Umbrella Final Agreement*, for the self-government agreements, in government-to-government relationships, including for those First Nations who chose not to partake in the *Umbrella Final Agreement*, and it is about respect for traditional territories. When I listened to the Leader of the Third Party, she talked about some of those challenges with those, where there are competing interests, and it was her submission that, despite those challenges, we should abide by this principle of consent.

I think that also, at its heart, it's about respect for the environment. When we think about resource legislation, we are always seeking to balance how we are going to deal with the environment, if there is some sort of development, because often that development can be problematic for the land, the animals on that land, and the sustainability of that land, so I think that it is important that we get these things right.

Part of this, in my mind, is of course talking about oil and gas development, although the Leader of the Third Party has expanded those principles to go much beyond that. But this is the act that we are working on right now or where this amendment is proposed, and in my mind, this is also wrapped up in the whole conversation around fracking — or hydraulic

fracturing, but I'll use the term "fracking" here, because I think that's a common term that most Yukoners can understand.

Let's put ourselves in the context here that the amendments to the *Oil and Gas Act*, which were brought forward by the Yukon Party, were in the Fall Sitting of the 2012 Legislative Assembly. The debate is taking place on December 10. You know, it's kind of late in the year for this Legislature. In fact, it's the last week of the Sitting of the Legislative Assembly for that year. It's maybe the third to the last day of the Assembly for the year, and we're on second reading.

There is a lot of conversation in the Yukon about fracking. It kind of started with conversation around the Whitehorse Trough, but it very quickly expanded to what we should do around the issue of fracking. It was of concern up in Eagle Plains, where we had the work, at the time, of Northern Cross, now called "Chance Oil and Gas". It was also, of course, of concern in southeast Yukon. A lot of the conversation we have had today pertains to the southeast Yukon.

We have a situation where several amendments are being brought forward by the Yukon Party to amend the Yukon *Oil and Gas Act*. I'll quote now from the Member for Lake Laberge, who said — and I quote: "... the amendments to the *Oil and Gas Act* are mostly fairly mundane and administrative in nature and strengthen government's ability to responsibly manage oil and gas activity." So, he referred to the amendments as "mundane", not really that problematic, but of course, we know that they were hugely controversial. Well, the removal of the clauses in section 13 — and now we're looking to reinstate one of those clauses, I think, the critical clause — was hugely controversial.

You had tabled in the Legislative Assembly many letters from First Nations. I would have to go back and count, but it was certainly the majority of all First Nations who had submitted letters, saying, "Don't do this." If there was engagement around it, surely that came out, but the then-government, the Yukon Party, made the decision to sort of fly in the face of that.

The way it was described by the Member for Lake Laberge at the time — and I will quote again. He said — and I quote: "... if we were unable to achieve consent under section 13, repealing that section was our best alternative to an agreement."

Effectively, the government gave themselves veto power over the consent issue, so the clause required that you work with First Nations — in this case, those First Nations in southeast Yukon — and work to try to find agreement. Then, when they couldn't find agreement, what the government did — I think, they hoped, quietly — was to just eliminate that clause. No problem. No harm, no foul — but there was a foul, because the clause itself said that they had to get that consent. So, they just used the power of this Assembly, in my view, inappropriately, to remove that requirement.

Later in his remarks, as he closed his portion of the debate at second reading, the minister of the day, the Member for Lake Laberge, referenced a letter where he had written to the federal minister to talk about what was important here. He spoke about the key phrase of that letter. I am now quoting that letter and his words to this Assembly. "We believe that First Nation

consent is forthcoming. With federal assistance, Yukon could be in a position to open the Liard Basin to new oil and gas exploration and development as early as 2010.”

So, the member said in that letter: “I think we’re going to get that consent; let’s move ahead.” Now, of course, that letter predates the 2012 debate, but the point is that consent did not come —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker (Ms. Blake): The Member for Lake Laberge, on a point of order.

Mr. Cathers: The Government House Leader seems to be having trouble with geography and has mixed up north Yukon with southeast Yukon. I’m not sure which Standing Order that would be, but perhaps this will help orient him.

Deputy Speaker’s ruling

Deputy Speaker: There is no point of order. This is a dispute between members.

Please continue.

Hon. Mr. Streicker: Thank you, Madam Deputy Speaker. If I mixed up north and south, my apologies. I’ll just get that sorted. I am referring largely to the southeast Yukon here, but there is oil and gas — subsurface oil and gas — in both the north Yukon and southeast Yukon — and in other areas, but mostly we’re talking about southeast Yukon.

So, what happened here was the members opposite, the Yukon Party, wanted to develop oil and gas in southeast Yukon. What they did was just amend the act so that they didn’t need to get the consent of the affected First Nations, because those negotiations weren’t proving fruitful.

Okay, let’s talk a little bit about that oil and gas and what other things were at work at that time. The sedimentary basin in southeast Yukon is one where, really, it would require a lot of — the type of basin that is there is the type of basin that is typically fracked to get at oil and gas. We see it in northeastern British Columbia. There’s a lot — under the current NDP Government of British Columbia, there’s a lot of oil and gas activity in that area, a lot of fracking going on.

Right in that moment, here in the Yukon, the conversation was unfolding around what we should do as a territory when it came to fracking. The Yukon Party — and I commend them for this — convened a select committee — not before they amended the *Oil and Gas Act*, but after — to look at fracking. Most Yukoners will recall that committee. They went around the territory and they talked to a lot of Yukoners. I also submitted to that committee — with my own research at that time as an engineer and a climate scientist — and I suggested that fracking was too risky to do, that it led to too many fugitive emissions, and that it caused problems for our landscape and risks around our water. I suggested that we should not have that. Subsequently, we, as a government, have banned fracking in the Yukon.

What was going on — and the Minister of Justice alluded to it — was that, while the debate was happening on

December 10, 2012 around these amendments, the Member for Mayo-Tatchun proposed that there be engagement instead of going ahead and putting in this amendment, which the Member for Lake Laberge sort of called “mostly mundane”, but I think is incredibly significant. As all of that is happening, this piece of legislation was amended, and in so doing, there was no longer a requirement for consent for those First Nations, like White River First Nation, Liard First Nation, and Ross River Dena Council. I think that there were also other First Nations that we have to be thinking about here, especially when we’re talking about the southeast Yukon — for example, the Acho Dene Koe, whose traditional territory emanates out of Fort Liard and around that area but certainly crosses over into southeast Yukon, including the sedimentary basin there where we have oil and gas.

So, the principle that we are working on is about consent. We also, as a government, have a responsibility when we’re bringing in any changes to resource legislation to talk with First Nations. There is a responsibility on our part — on whoever is the government of the day — to do that consultation. This is a piece of resource legislation. There is a responsibility that we have to get that consultation in with First Nations and a principle of making sure that we have heard from them, that we know what their perspectives are, and that we are not having adverse consequences that we didn’t understand. So, effectively, there is need for us, generally speaking, to go off and do that work whenever we are amending resource legislation.

So, even though the principle here is to put back in place the ability for consent to be there, there’s also a responsibility of government to make sure that we know where the First Nations are on this issue. I will just let the Leader of the Third Party know that one of the places where I will go with my questions is to — when we get to Committee of the Whole — ask about her work to grab those perspectives of the First Nations. I certainly appreciate that she has tabled letters. I haven’t yet had the chance to read the letter from the Ross River Dena Council that she tabled today, but I will make an effort to get that. But I noted yesterday that the Teslin Tlingit Council, Kwanlin Dün First Nation, Liard First Nation — which, I think, she noted is very important — and the Ross River Dena Council, Little Salmon Carmacks First Nation, and the Council of Yukon First Nations, but there are others — five of the 14 Yukon First Nations — and there are —

Speaker: Two minutes.

Hon. Mr. Streicker: Thank you, Mr. Speaker. I will wrap up my remarks. I will look to pose those questions. There is much more that I want to try to ask about — how that work has gone on. I also will take a moment to just say thank you to the Third Party for their briefing that they gave for members yesterday. I am curious about our northern chiefs; I am curious about the White River First Nation, and also I want to ask about how all of that has unfolded.

I will conclude my remarks here, but I will just reiterate that it is my hope that we hear from the Yukon Party on this bill.

Hon. Mr. Pillai: I rise today to speak to the *Act to Amend the Oil and Gas Act (2022)*. The proposed amendment would reinstate the requirement under the repealed subsection 13(1) of the *Oil and Gas Act* for the government to obtain consent from a non-self-governing First Nation before issuing a new disposition, such as oil and gas extraction on non-self-governing First Nation traditional territory.

Section 13, titled “Consent of Yukon First Nations”, was repealed in 2012. This section removed the requirement for government to seek consent from the Yukon non-self-governing First Nations for oil and gas extraction or government dispositions on their traditional territory. Again, I would like to take a few moments to reflect on the history of the *Oil and Gas Act*, which brings us to where we are today.

The timing is interesting. On November 1, it will have been 10 years since the Member for Lake Laberge put his quote out talking about how the amendments to the Yukon *Oil and Gas Act* will raise standards and bring opportunities. Certainly, when we look back and reflect on that statement — when I think about that, I think that those comments were definitely strongly flawed. I don’t understand where the standards were raised, and I definitely think that the Member for Lake Laberge talked about opportunities that we still aren’t seeing.

I also think that it is intriguing, too, when I look back at that time, because it is interesting that there was an extraction of a piece of policy that really was giving a veto, I guess — it was about consent on this particular topic — and the member at that time was the Minister of Energy, Mines and Resources and probably used his veto in his backyard in the Whitehorse Trough for himself — not really sharing that power with other levels of government.

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Thank you, Mr. Speaker. The minister made reference to the decision made by a previous government and me, as a minister, regarding denying the applications in the Whitehorse Trough. He also made an assertion that is counter to the Standing Orders — of accusing a member of representing someone other than their constituents or Yukoners in asserting that I made that decision on my own behalf when, in fact, it was following listening to the feedback of Yukon citizens.

I would ask you to have him retract the remark, correct the record, and apologize to the Assembly.

Speaker: Government House Leader, on the point of order.

Hon. Mr. Streicker: What I heard was my colleague saying that the member had worked on behalf of his citizens, his constituents.

Speaker’s ruling

Speaker: There is no point of order. It is a dispute among members.

Minister of Economic Development, please continue.

Hon. Mr. Pillai: Thank you, Mr. Speaker. So, moving on, I think that it is important to echo the comments of my colleagues — that we believe that the work on and intent of this particular piece of legislation or amendment to the legislation — there is great value in it, and we are looking forward to getting into some deeper conversations.

What I will put on the record today for second reading is that my work with Committee of the Whole will focus today on where things have gone from a standpoint of consultation. It has been an experience that has continued to evolve over the last number of years on how, as a government, we interact with all of the nations that are here within the boundaries of the Yukon, as well as transboundary nations.

The previous work that I had an opportunity to do at Energy, Mines and Resources — of course, those conversations were so extremely important. When I think back to things that we — the department and I — were trying to undertake, certainly I look back at some rookie mistakes when we were trying to move some pieces forward — all for the right reasons and all with good support — in one particular case, requested by the Kaska, and then tried to move that work forward. In the end, there were some challenges. It was really about just ensuring that the conversation with all the other 11 self-governing nations had taken place and what that looks like.

I think that the Third Party has made a valiant effort in going out and gathering a number of letters. Today, I want to hopefully pose some questions around: Did the process of that interaction or the letter that was sent to First Nations — was there a legal perspective that it met the thresholds of consultation? I’m also intrigued to see: What are the effects of this particular amendment to some of the transboundary nations? Specifically, I’m interested in how this will potentially affect interaction between the Gwich’in Tribal Council and Vuntut Gwitchin. I do understand from what has been put forward that the act pertains to the nations that are in the Yukon, and the map that is going to build the foundation for these decisions is the UFA map. So, I also want to understand if some of the nations involved in this — is the UFA map still a level of comfort? Are those still the boundaries? Because inevitably that will matter; that will matter in southeast Yukon and it will matter in the traditional territory of the White River First Nation. So, those are some pieces.

Of course, I have taken some time to reach out to some of the advisors for different First Nations to get their perspective on this and just to understand what they believe the scope of this work is.

Then again, what are the implications of moving through the amendment, and has case law changed so much over the last decade that the rights of transboundary — if there has been identified traditional territories inside Yukon boundaries, does that affect us?

I think that we are all trying to make sure that we get to ensuring that the spirit of this legislation, after it had gone through — and as the Leader of the Third Party said, it had gone through a process of consultation, it was done in good faith, and then this piece of it was extracted. As it was said to me over the last couple of days, that really undermined the government’s

relationship with First Nation governments immensely, because all of that work had been done. It's very similar to some of the stuff that happened with YESAA. It was, at the end of the day, pulling out one piece of this work — the interesting part about it is, as one technical support person within the First Nation government said to me, that it then undermined implementation of all treaty pieces — that one aspect. So, I can understand why the Third Party has the passion they do to bring this back and understand again why this is so important to so many First Nations, especially folks who were at that table doing the work over time and then to have these unilateral decisions made.

Again, we want to make sure that we have the support for this work today. We definitely don't want to solve one problem that was based on a unilateral decision with what could be considered another unilateral decision. We want to ensure that we have a complete understanding of what the nations in the Yukon are saying.

The other piece of it that I'm interested in discussing is the northern chiefs oil and gas table and how that is affected. So, under two different themes, the northern chiefs table on oil and gas was engaged by Yukon government. I had the opportunity to be at the table. Our original meeting took place in Dawson City early in the last mandate, and it was really focused on an opportunity to engage with the nations that were really focused on what was happening — by chance, oil and gas at the time.

So, it was made up of Vuntut Gwitchin, Tr'ondëk Hwëch'in, and Na-Cho Nyäk Dun. I am interested to see if there was engagement directly with the northern chiefs table on oil and gas, because that is where, at the time, I was seeking a lot of perspective. Does that change with this at all? Because the decisions that would be made by that group of three chiefs — I just want to see if there is a potential effect based on the fact that there could be interaction from other nations.

If the table of northern chiefs makes a decision in what is defined as their traditional territory as per the UFA map, is there still the potential for an intervention from a potential other nation, and would that have veto over the decision of that table? That's more of a technical thing, but it's quite important.

As well, what has been contemplated about the work that has been done around the Beaufort? Many Yukoners forget that we have a northern coast, and a tremendous amount of work has been done over the last number of years focused on the Beaufort and what the lines are within the Beaufort concerning areas of responsibility between the Northwest Territories and the Yukon government. What area — and how is the interaction defined between the Inuvialuit? Some very technical conversations have happened over the last number of years. There has been a moratorium on drilling in the Beaufort. The Yukon government entered those conversations because we were focused on ensuring that we stood up for the rights of the Yukon, that we understood the boundaries, and that, for anything that was going to happen there, Yukon would be at the table.

We had the most experienced individuals, arguably, at the table. We went back and pulled some team members who had

worked in oil and gas for decades in the Yukon, and they helped direct us on that.

Again, this is another part of the conversation. We went back and looked at some of the framework from the 1990s on how consultation should be done on oil and gas. We used some of that early framework to give us a sense of what the blueprint should be on how to speak.

Initially, we were reaching out to all the nations. All nations were at the table, whether they had a signed final agreement or not. That discussion, over time, was really focused on the Vuntut Gwitchin because the Vuntut Gwitchin traditional territory was the closest to the Beaufort and that seemed to be of the most interest. Does this change now with the extra potential powers of consent, and how does that play out? Again, does that change the configuration and how we move forward, whether it is offshore or onshore?

I guess the other item that I will just touch on is — is there any concern that, in the current state that we're in as a country and as we see the legal challenges that have come — some of them have concluded the legal process — some of the challenges that we have seen from different indigenous governments or First Nation governments as well — are we in a position where we think about how the powers will play out in other areas of decision-making? That is something that I think we want to talk about during Committee of the Whole.

Overall — I will state it again — we are supportive. It might seem that, in many ways, we're digging in and being the devil's advocate, but I guess, at the end of the day, that is the job when you are sitting in Committee of the Whole essentially as an opposition member to the bill. There are a lot of things that are extremely technical and you have to be very patient in the processes to ensure that you have met the strength tests in order to have those laws stand in the future. We want to get into a position, as we move forward — what I have heard from the Premier and my colleagues is that we just want to make sure that we are in a position to support the amendment but that the amendment has the strength to stand.

We think that is important and we are here, I believe, in collaboration, as the Third Party has put this out, to be able to support and ask some tough questions but, at the same time, figure out collectively how we ensure that something like this is reinstated but is reinstated in a way where it is going to have the strength and it is going to meet the intent that it originally did.

With that, I am going to conclude second reading remarks and look forward to getting into some more specific technical conversations during Committee of the Whole.

Ms. Blake: I am honoured to speak today about the Yukon NDP's *Act to Amend the Oil and Gas Act (2022)*. As my colleague, the Leader of the Yukon NDP, noted, this bill will restore some rights to Yukon First Nations who do not have signed final agreements. Consent is a right that was always intended for Yukon First Nations to have and to be upheld.

For generations, Yukon First Nations have used the principle of consent between nations. I think of stories I know of the time before highways were in the Yukon when our

people were still walking and travelling by land and water. Even then, the Yukon First Nations got permission from communities. When Tlingit people travelled on the ocean, they would sing together to notify and seek consent from the communities they visited. Before we had fiddling in the north, the Gwitchin would walk the Porcupine River to the Yukon River toward Fort Yukon, Alaska, and they would sing and drum to seek permission to enter their community. Consent has been a protocol for generations, and for those generations, it has always been Yukon First Nation governments, elders, and communities who have ensured that our lands are protected and that the animals, plants, and water are kept healthy.

If this bill passes, it will be an important step to remind all Yukoners of the value and sacredness of our traditional territories. As land protectors and caretakers, we, as Yukon First Nations, are the ones who have real, deep knowledge about our lands. We know where to hunt, which habitats to protect, and how the land changes with the seasons. So much has changed over the decades. I have seen and heard stories from Yukon First Nation communities who have seen real suffering. Some of the communities who have witnessed the most resource extraction are also the most impoverished. Without the right to consent, they do not see the economic benefits of these projects, but this bill would allow unsigned Yukon First Nations to consent to oil and gas projects they support or not consent. It is a step closer to ensuring that resource extraction companies are held accountable and that responsibility to care for the land before, during, and after projects is clearly defined.

As Yukon First Nations, we've inherited the responsibility to care for the land that our ancestors have passed down to us. We talk about health and well-being of people often in this House. It's also important to ensure that land and resources' well-being is a part of that conversation.

Growing up in my community on Vuntut Gwitchin land, I was always taught about how important it is to care for not only our lands, but our resources, like animals and plants. I was taught the value of all aspects of our land, down to the smallest insect. We co-exist within our environments with the animals, the water, and the land. I was taught that everything we do today and everything that we did yesterday will always have an impact on future generations.

Yukon First Nations know this and involve this teaching in their decisions. Yukon First Nations always go back to the question: What will our children inherit from the decisions that we make today? We want to see our kids have healthy lands, use natural resources off our lands, without being worried about what contamination has happened to the food and the land that they harvest from. No matter what goes on within our territories, companies will come and go. It is Yukon First Nations who will always be there, protecting the land for generations. Yukon First Nations must have a seat at the table on the decisions that affect their traditional territories.

I will conclude by stating that I am hopeful that everyone in this House will vote in favour of this bill. I am honoured to speak in support of this bill and how important it is, not just to

the affected First Nations, but to all of us who live in this territory. This bill is reconciliation in action.

Ms. Tredger: It is pretty hard to follow my colleague from Vuntut Gwitchin, but I will try to say a few things about this bill.

As both my colleagues and many people here have said, at the heart of this bill is that this is about reconciliation. Sometimes when I'm talking to people about the work that we do here, I say that it gets really complicated, but ultimately, I think it is our job to remember that it is also very simple. If First Nations say that they don't want that development on their traditional territory, that development can't go forward. That is very simple. I think we need to remember that when we talk about consent.

I absolutely think that we need to pass this bill, simply because it is the right thing to do when we care about reconciliation, but I also want to talk about this bill from a climate lens. We have talked a lot about climate change in the Legislature here as we have debated the *Clean Energy Act*, as we have debated the *Carbon Price Rebate Amendments Act (2022)*, as we have asked questions in Question Period, and as we have had ministerial statements. It has been up a lot. I want to start by really talking about climate change in the Yukon.

I am looking at a report from the Yukon University that came out this year. I am actually reading from a CBC article, and it says that, according to this report — and I quote: "... temperatures in the territory could jump between 0.7 to 3.7 degrees in the next 50 years, enough to drastically alter ways of life." We are often talking about future generations, and absolutely, we should be holding them at the centre of our conversations, but 50 years, I hope, is within my lifetime. I think that we talk a lot about solutions to climate change — and absolutely, we need to — but I first want to take a bit of a step back and think about how we got to this situation.

How did we get to a situation where we are anticipating a drastically altered way of life in 50 years here? We have been making decisions for a long time with a very colonial world view, and it has not gone well. We have created an enormous mess for ourselves that we are now desperately trying to get ourselves out of. I think that it is worth asking: Do we think the same decision-making world view that got us into this problem will get us out of this problem? I would suggest that the answer is no.

So, while I'm sure we could have lots of arguments about whether oil and gas should be developed in the Yukon, I could argue that we shouldn't, that we need to not develop further fossil fuels to be burned and put carbon in the atmosphere, but other people might argue that it is necessary for our transition to a greener economy. There might be merits on both sides, but ultimately, it is arguing within a colonial world view that has gotten us into an enormous mess. I think we have an alternative, and that's to incorporate traditional knowledge into the ways we are making decisions here.

This is a draft report from the Yukon First Nation Climate Fellowship, so keep in mind that this is a draft, but I do want to quote — it says, "...the heart of climate change lies within our

disconnection from Spirit, Self, Each Other and Earth. This disconnection is at the foundation of the systems we live, learn and work within. This is the root cause of climate change and what we must focus on changing...”

They also go on to say, “A philosophy comes from a worldview. It’s a set of beliefs we use to navigate the world. When it comes to climate change, the philosophy we use to understand the problem determines the types of tools and solutions we imagine into being. The dominant approach to climate change is to treat the symptoms of climate change...” — example, rising carbon dioxide emissions — “... rather than the root causes.”

They go on to say, “We need re-narrate our understanding of ‘climate change’ and the meaning of ‘climate action.’” So, this is an example of changing that world view, of bringing in a world view that has been used in the Yukon very successfully for a very, very long time as we start to make these decisions.

I was thinking about this as I was listening to the Member for Vuntut Gwitchin. She talked about stories that she heard from a long time ago and how they relate to today. Sometimes, when I hear people talk about traditional knowledge, I get the impression that they think it’s about history or they think it’s about exclusively things that happen on the land, and that’s just not true. I will point, for example, to an article that was published by some Yukoners in the *Journal of Science* in 2020. For people who aren’t familiar with scientific journals, that is about as high in the academic publishing world as you can get. It was about how traditional knowledge needs to be used to come up with solutions to the pandemic. I thought it was a really perfect illustration that traditional knowledge is not about history; it’s about now. It applies to the modern world. It applies to the decisions we’re making about development projects and decisions about what cars we drive. It applies to all of that.

I don’t think there is anyone in here who would argue with the value of traditional knowledge. I certainly hope not.

So how do we make that happen? How do we make sure that the traditional knowledge of Yukon First Nations is part of the decision-making, is part of the solution that we use to move us forward? By giving them weight in the decision-making process, by giving them the chance to say yes or no to projects.

Because the way that the Yukon government goes about making these decisions is through a long — I shouldn’t say “long” — often a very long consultation process, which is very colonial by nature. And that doesn’t mean there aren’t very valuable things that come out of those processes, but they are very colonial by nature.

We need an alternative pathway. We need — when a First Nation goes through their own decision-making process, their own way of gathering information and coming to conclusions — that those decisions have weight, that they have teeth — for lack of a better word — and that they can’t just be brushed aside. Unfortunately, that’s not always what’s happening in the Yukon right now.

I want to talk a little about the Kudz Ze Kayah mine. Now, I know this is not an oil and gas development per se and that this bill would not directly apply to how that mine was

approved, but I think it is a useful case study in what the consultation process can produce when it doesn’t go well.

So, the Kudz Ze Kayah mine was approved over the strenuous and continuous objections of the Kaska First Nations. I’m going to quote a little bit from a *Yukon News* article from June 2022. The Chief of the Ross River Dena Council talked a lot in this article about how their contributions to that process were pushed to the side and ignored and diminished. So, for example, they submitted a 48-page submission to the process, which was dismissed in the final decision as a letter that reiterates concerns.

He talks about how they really tried to have traditional knowledge included in that decision-making process. He talked about the traditional knowledge: “Traditional knowledge refers to the Kudz Ze Kayah area as the breadbasket, a sacred area that you can harvest in, but not live there. It is a sensitive place — a sanctuary for animals and people that are hungry.”

And then the article talks about how this is contrasted with the decision document that keeps referring to the caribou as “FCH”, which is shorthand for “Finlayson caribou herd”.

It was really hard to see this decision come down, because sometimes there is a lack of clarity and sometimes it’s hard to know exactly what’s going on. But in this case, the Kaska nations were absolutely crystal clear that they did not want this to go ahead as is. Ultimately, even though there was consultation, those wishes, those intentions, and those desires for their home were ignored.

If they had a veto power — and if they had been able to say, “You need our consent for this to go forward; it’s not enough to say that you considered it and disagree; you need our consent” — that mine wouldn’t be underway right now or going through the next processes to be underway right now.

Now, again, I know that we’re not talking about mines today; we’re talking about oil and gas development. But I think this is an example of why consent is so important — critical — because it turned out that all of the traditional knowledge in the world didn’t matter in a colonial decision-making process. That has to be different. That has to be different because of our commitment to reconciliation. It has to be different if we are going to find a way forward out of climate change. If we want to survive — this may sound a little dramatic, but I really believe it’s true. If we’re going to survive, we need to find different ways of knowing and doing them — what we’ve been doing for a long time — because that has got us into a real mess.

So I think this bill is an important step toward that. It’s saying — bringing back the principle of consent and allowing traditional ways of knowing and First Nation world views to be considered alongside the colonial processes of consultation and decision-making. I think that is critically important.

Mr. Hassard: It’s a pleasure to rise today to speak at second reading on this bill that was brought forward by the Third Party.

It has been very interesting, Mr. Speaker, listening to the ministers across the way rise today and speak on this — in particular, the Minister of Energy, Mines and Resources. He obviously has a great interest in this. He has clearly spent a lot

of time researching the history of when the previous bill changed and who said what when.

I guess I would just like to make mention to the minister that I would hope that he would spend as much time dealing with issues like ensuring that there is firewood for Yukoners since he is clearly not in favour of oil and gas here in the Yukon. So, I hope that he would at least get a little more interested in that.

Anyway, Mr. Speaker, the Yukon government currently has an obligation to consult with all 14 First Nations regarding oil and gas activities in their traditional territory, including dispositions, proposed calls for bids, and permit extensions. That obligation to consult with First Nations and consider that their input exists under the land claims and self-government agreements, as well as under common law through court interpretations regarding the obligations of public government, and it is also recognized in Yukon's *Oil and Gas Act*.

Now, under the NDP proposal, the three First Nations that have not signed a final agreement would have more power under this legislation than the 11 First Nations who have signed a final agreement. So it would appear that the NDP want to give the three First Nations that have not signed final agreements a veto over oil and gas activities.

Now, under current law, the Yukon government must consult with affected First Nations and give fair consideration to their input whether that First Nation has signed a final agreement or not. That is a fair and level playing field, and we believe that this is the way it should be kept. We, as the Yukon Party, believe that environmentally responsible development of Yukon's resources has the potential to provide jobs, economic opportunities, and tax revenues that benefit all Yukoners. That includes the potential future development of our oil and gas resources, but in a responsible manner, Mr. Speaker. Beyond the direct economic impacts, we also believe that there is a case to be made that utilizing locally produced oil or gas makes a lot more sense than continuing to import 100 percent of our fuel from down south. The economic benefits are clear, but the security of supply and the independence that locally produced energy resources would create are things that are often underappreciated here in the Yukon. I remind this House that, from the relatively small development of gas wells in the Kotaneelee area of southeast Yukon, the territory and First Nations received millions of dollars in tax revenue before this activity ceased. If Yukon could find a way to use these resources here in the Yukon rather than exporting them, there could have been even more benefits.

Now, we know that the NDP do not support oil and gas development in the Yukon, and that is fine, Mr. Speaker. However, we respectfully disagree, and therefore, we will not be supporting this bill.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Ms. White: It has been an interesting afternoon, especially following up behind my colleague, the Member for

Pelly-Nisutlin. It is interesting, the takes that we can have as we go forward. We all have a different interpretation of history.

While we were sitting in the Chamber this afternoon, I am delighted to say that I just got another letter of support from the Carcross/Tagish First Nation that says — I'm quoting and I will table a copy of it: "In the spirit of reconciliation, we support reinstating the requirement of consent of First Nations without final agreements prior to the issuance of any new oil and gas authorizations or licences within their traditional territory."

I am delighted to have another letter to table, but my ongoing commitment is — I haven't stopped working on this. I started just after the last territorial election. The letters went out as soon as we decided that we were going to give this a shot and I have been following up. It means that I have sent letters to chiefs and councils, both before and after elections, as they have changed. I got an e-mail saying that the Vuntut Gwitchin are in support, but they cannot send an official letter as the writ has been dropped in their territory. Despite my best efforts, that is occasionally where we are at.

I want to bring some of the context in. It is interesting, because there were only two of us in the opposition benches from 2012 who will remember the full context. I appreciate the Minister of Energy, Mines and Resources trying to bring that in, but those were crazy times; that is the only thing I can say. I appreciate that colleagues brought forward that my colleague, Jim Tredger, the MLA for Mayo-Tatchun at the time, did propose an amendment, but it was a Hail Mary proposal. We also voted down a proposal that my colleague, the Member for Lake Laberge, speaks about extensively, where he said that we didn't want to consult with the Vuntut Gwitchin when we were talking about northern oil and gas development. The times were wild. I am just going to say that. They were wild times.

I really want to talk about it because the minister of the day, my colleague, the Member for Lake Laberge, talked about the "extensive consultation".

I'm going to use that in quotes right now, because I went back and read over my notes, and I am going to remind everyone here that sarcasm does not translate into the written word. So, I say often about the "extensive consultation", and I was obviously being sarcastic, because the consultation period went from July 29, 2009 and concluded September 14, 2009.

Last week — I think it was last week or this week or in some week — I had the pleasure of doing a tribute to librarians. I can tell you that it's only because of librarians that I've even been able to access the information that I've gotten so far. So, with the help of librarians, I have the "what we heard" document from 2009, and it's fascinating. I can table it; I'll share it for sure; I'll copy it. But what that librarian taught me was that there's something called the Wayback Machine on the Internet. I have to tell you that the Wayback Machine on the Internet is the most fascinating thing in the world.

I can say, out of that really "extensive" — and this is sarcasm, just so if I go back and read it later on, I know — the "extensive consultation" that the Yukon Party did in 2009, I'm going to share how many and who supplied responses. The reason I'm doing this is, in 2009 — or sorry, 2012, when I was in this Chamber and I could access the website, I read a lot of

these letters into the record. I cannot find those letters anymore. The librarians are trying to help me. They were the ones who got me this document. They taught me about the Wayback Machine. I just want to read into who this “extensive consultation” — again, sarcasm, just so when you go back and read that.

Public comments coming from the Yukon Conservation Society, Ducks Unlimited, the Canadian Association of Petroleum Producers — the reason I’m going to stop and highlight that one is they actually got a letter from the Yukon government before the First Nations did. So, their letter was dated the day before. I know this because I read it in 2012. Linda Leon, the Yukon River Inter-Tribal Watershed Council, the Council of Canadians, Gill Cracknell of the Yukon Conservation Society — the Yukon Conservation Society also had a meeting. Those were the non-governments that responded to this “extensive consultation” — again, sarcasm — and it’s important, because the Premier and I read a lot of these letters. My colleagues from the NDP at the time — we read a lot of these letters in. I have to say that the Member for Lake Laberge at the time was unhappy with the amount of repetition, but if you can imagine, the only positive response in all of these things that I’m reading in right now was from the Canadian Association of Petroleum Producers, which said this was a way to get industry to move faster.

So there were comments from the First Nations — White River First Nation, the Kluane First Nation, the Council of Yukon First Nations, the Carcross/Tagish First Nation, the Ta’an Kwäch’än Council, the Teslin Tlingit Council, the Tr’ondëk Hwëch’in First Nation — oh, they submitted twice — the Champagne and Aishihik First Nations, and the Kwanlin Dün First Nation.

So, that is — within that “extensive consultation” — again, with sarcasm — also saw six people at a public meeting. So, we had that many submissions, and we had six people attend the public meeting. One of the reasons why I bring this up right now — and I appreciate my government colleagues asking me questions, and I appreciate all of those. I am going to highlight that, at this point in time, between 2011 and 2016, Jan Stick, who was a member of the NDP at the time, brought forward a bill that we actually got to debate, and it was about removing the sunset clause from the *Ombudsman Act* at the time. So, that didn’t require any kind of backup. My current colleague, the Member for Whitehorse Centre, debated in the last legislative Sitting an amendment to the *Education Act*.

Today, in Committee of the Whole, I will be doing my best without a lawyer or judicial counsel present. I am going to let everybody know that I will do my best to answer the questions as they come. Unlike the Minister of Justice, I do not have a law background to rely on, on my own, so I will do my best.

I just wanted to point out that, really, the creation of Yukon’s *Oil and Gas Act* actually goes back to the federal government and Bill C-8 — so, it is the *Canada-Yukon Oil and Gas Accord Implementation Act*. That is just to answer a point that was brought forward by my colleague, the Minister of Economic Development.

So, this document talks about how Yukon is actually going to move forward, so this is actually a piece of federal legislation that talks about how Yukon is going to develop its own oil and gas regulations or legislation, I guess. So, I just want to quote from the commentary — and I quote: “During the consultation and drafting process leading up to Bill C-8, the most prominent objections were expressed by Yukon First Nations. Concerned that the federal and Yukon governments were pursuing the transfer of administration over resources prior to the completion of land selections by various First Nations under the Yukon land claims agreement, the Yukon First Nations requested confirmation that oil and gas rights would not be issued in traditional territories where land selections had not been made. More generally, First Nations expressed their preference for completing final land claims and self-government agreements prior to the completion of the overall devolution of initiative; the federal government has taken the position that the two can proceed simultaneously.” And I believe that takes us to what section 13 is.

In closing right now, before we get into what is going to be the anxiety-causing part of the day for me, which is Committee of the Whole, I just want to thank my colleagues for their comments. I agree with some; I disagree with others. I was here 10 years ago; it was hard.

You know, it was a different time and different conversations were happening. I say that I learned how to speak in this Chamber with the sound of drums coming from outside. That was the time. That was the time. There was great public pressure against the developing of fracking in the territory. There was great pressure to protect the Peel. There were battles — I can only describe them as battles — raging. What we heard from outside was how people felt about that.

As I stated before, this bill is about more than reinstating rights that were wrongly taken away. It is more than reinstating a section that was wrongfully repealed by a government at the time that had no respect for indigenous sovereignty. Reinstating section 13(1) will open the door to conversations about what First Nation consent really means. As the member opposite, the Member for Mount Lorne-Southern Lakes, said today, today what we are really talking about is consent. This bill will open the door to implementing free, prior, and informed consent for every First Nation in the Yukon, because I truly believe that these conversations need to happen.

At the time, the repeal of this section was used to force oil and gas development on a First Nation who refused to consent. We heard it in the Member for Lake Laberge’s opening statements. We heard that. Development of oil and gas is not being forced on First Nations right now. We have heard from the Minister of Energy, Mines and Resources that oil and gas — you know, there’s a moratorium. My concern is that a moratorium only lasts as long as the government in power. I think that, by putting back section 13, we are giving three First Nations a bit more clout to make sure that, if oil and gas does move forward, they have the ability to consent.

From the Na-Cho Nyäk Dun First Nation to the Ross River Dena Council, Liard First Nation, the Vuntut Gwitchin First Nation, Tr’ondëk Hwëch’in government, and between court

cases that have happened both with our current government and the previous government, letters of opposition in 2009, letters of support today, we know that issues exist. What we are trying to do right now is right a wrong of the past.

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. 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. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are nine yea, eight nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion for second reading of Bill No. 306 agreed to

Speaker: Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, has now received second reading, and pursuant to Standing Order 57(4), it stands ordered for consideration by Committee of the Whole.

Pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 306 as an item of business today. The Leader of the Third Party is therefore entitled to decide whether the House should resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 306.

I would ask the Leader of the Third Party to indicate whether she wishes the House to resolve into Committee of the Whole.

Ms. White: Mr. Speaker, I would ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 306.

Speaker: Pursuant to the request of the Leader of the Third Party, I shall now leave the Chair and the House shall resolve into Committee of the Whole.

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order. Committee of the Whole will now come to order.

The matter now before the Committee is general debate on Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*.

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. 306: *Act to Amend the Oil and Gas Act (2022)*

Chair: The matter before the Committee is general debate on Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*.

Is there any general debate?

Ms. White: I thank my colleagues for getting us to this point. I do appreciate it. Just before we came into Committee of the Whole, I highlighted that one big difference from being a government member bringing forward a piece of legislation is that I don't have the drafters or folks with me, so I would just like to thank my chief of staff, Pascaline Etter, who is online in support right now, and Erik Pinkerton, who has been working on this piece of legislation with me since the beginning. Thank you to both of them.

I would also be remiss if I didn't mention that my former colleague, Liz Hanson, is also in the NDP office right now. A lot — I shouldn't say a lot; it's everything — of what I know and understand about First Nation final agreements comes from Liz, as she played a really important role during the time of negotiation. I did speak to folks who were on the oil and gas team at the time this was being done.

I just want to start by talking about the differences between what I have brought forward, the *Act to Amend the Oil and Gas Act (2022)*, and what the original was in 2012.

It has been highlighted that the legislation in 2012 is different from now. The 2012 legislation reads:

“13(1) Prior to the effective date of a Yukon First Nation's Final Agreement, the Minister shall not

“(a) issue new dispositions having locations within the traditional territory of the Yukon First Nation...”

So, that is the same, but (b) is different. In 2012, (b) said, “... subject to subsection (2), issue licences authorizing any oil and gas activity in the traditional territory of the Yukon First Nation...”

In the legislation we have right now, (b) says, “... issue licences authorizing any oil and gas activity in the traditional territory of the Yukon First Nation...”

Both of those finish up saying “... without the consent of the Yukon First Nation.”

I talked a bit in my opening statement about how come we didn't include section 2 of 13 from 2012. With that, I welcome questions and will give it my best shot.

Hon. Ms. McPhee: I really appreciate this opportunity. It's a new role; we always get new experiences in our work — usually not in this Legislative Assembly, but certainly outside of it. I am always challenged by that. I am happy to rise to that occasion and to ask a few questions.

First of all, thank you to the people who are online to support, and thank you to the Leader of the Third Party for taking this to Committee of the Whole today.

My first question is in line with some of the comments that have just been made. I apologize if this was addressed in the opening comments, but I think it's a valuable question and something that Yukoners who are reading the differences between the proposed section 13.1 and old section 13 that was removed back in 2012.

The proposal here is that a version of the old section 13 — I'll call it the "proposed section 13.1" — is to reinsert it into the *Oil and Gas Act*. But the new section 13.1 does not make any reference to section 41 or make reference to the inclusion of subsection 2, which are in the original version of this section that was removed from the *Oil and Gas Act*. So, those two references remove exceptions made for federal dispositions, and our research indicates that there are still two federal dispositions in a small corner of Yukon Kaska traditional territory near where it crosses the border into the Northwest Territories, so in the southern part of the territory.

The two federal dispositions are known, as I mentioned earlier, as "significant discovery licences", or "SDLs". They are currently held by the Canadian Natural Resources Limited. My question is: How will the new section 13.1 affect those federal dispositions?

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

We actually don't think that the federal government will have much to say about section 13(1) being added back in, so this doesn't change the status of the current dispositions. Now that oil and gas responsibilities are in the hands of the Yukon government, the federal government won't actually be issuing new dispositions. The minister mentioned — it's our understanding that there are currently five federal dispositions, four of significant discovery licences, and one is of exploration. Of the four significant discovery licences, three are in the Eagle Plains area, whereas one is in southern Yukon on the NWT border. So, the exploration licence isn't in northern Yukon on the coast. These have been grandfathered in and continue to exist until discontinued.

So, we're actually not removing the exception. The exception is still there in section 41. So, there actually was no mention initially in section 13 or in section 14 that referenced a consultation. So, when we look toward section 41 of the current act, it says, "Continuation of federal dispositions". So, actually, section 13 doesn't affect section 41.

Hon. Ms. McPhee: Thank you for that answer. So, I want to make sure that I understand that is why you have made the decision — the explanation you have just presented — to

not include section 13(1) with a reference to section 41 or section 13(2). I just want to be clear.

Ms. White: I am just going to ask a clarifying question. Section 13 actually doesn't ever refer to section 41, and so the existing legislation in 2012 — there is no mention of section 41 in section 13.

Hon. Ms. McPhee: I can move on and come back to this, but my information says that in the original — I am going to call it the "back-in-2012 version" — the first three or four words were: "Subject to section 41, before the effective date of a Yukon First Nation's Final Agreement..." I could be wrong about that. I don't have the original legislation here, so I will move on and then see if I can come back to that question.

What does your research — you did a lot of research and work to get to this stage to present the bill — show about your duty to consult regarding this Bill No. 306? A non-government duty to consult — is there such a thing and what did you find? I mean, fully understanding that you have done some work writing to the Yukon First Nations — you have tabled the letters — but I am trying to determine: What is the standard that you are trying to meet?

Ms. White: I think that it is a fascinating question. First of all, I will say that there is nowhere that it says that there is a duty to consult, from a party like ours, moving forward. But what I will say is that, based on what I read from the 2009 consultation, I didn't put out a press release before I contacted the First Nations. I approached the First Nation chiefs and councils. I had a conversation. I brought forward the letter.

I reached out again. I presented it to the Council of Yukon First Nations' General Assembly last summer. I have been having ongoing conversations since I started. But as it stands, there is no duty for me to consult. So, I have reached out to the best of my ability and will continue to do so, which is partially why I was so delighted when I got the letter from the Carcross/Tagish First Nation. Although it was addressed to the Premier, I was cc'd, so I was able to table that. But there is no duty to consult for me as a non-government member.

Hon. Ms. McPhee: I know that, as a member of this Legislative Assembly and as the mover of this bill, you will have also turned your mind to the government's duty to consult. So, my next question — I am just trying to break them down — is: What does your research or work to date show about whether or not there is a government's duty to consult?

Ms. White: I appreciate that question again. When I was initially moving forward with this idea about moving this amendment forward, one of the legal opinions we got is that — every letter that came from First Nations at the time said that consultation had not been included and that they were not approached in the right way by government. It wasn't government to government and there was a short amount of time.

I talked about — and I'm saying now the word "sarcasm" — the "extensive consultation" that happened because I listed off every single person who had submitted a response. So, when I initially started this, one of the thoughts was that there wasn't the consultation — the government at the time had not reached

out to do a proper consultation with First Nations prior to making these changes. So, there was that also.

Consultation wasn't done when the repeal was initially made. So, really, what I'm trying to do is right a wrong of 10 years ago. At that point in time, my colleagues and I, including the Premier, were trying to fight that from going through. Again, the scenario was that there was a majority government. There wasn't a way for us to win that vote, unfortunately. So, I am trying to bring it forward. I would hesitate to say that there was a consultation in 2009 that led to the changes in 2012.

Hon. Ms. McPhee: Thank you for the answer to that question. I certainly appreciate the comparison between the two. Some Members of the Legislative Assembly would think that the 2012 consultation was sufficient; many would not.

If there is a government duty to consult, does your background work on this show that any part of the government's duty to consult can be discharged by the work that your team has done in preparing to debate this bill? So, you know, it's the reaching out, the letters, the support — realizing that we have not had the opportunity — I have not had the opportunity — to read all of the letters that have been tabled. I appreciate that those will say certain things about the positions of First Nations, but the duty to consult can be more than that on the government side. I am just wondering if any of the work or your background work shows that our duty as a government can be discharged by the work done by your team to prepare.

Ms. White: It's an interesting point and I appreciate it coming forward. What we have right now is a motion that is actually coming to all Members of the Legislative Assembly, so it does not put the onus on the government, but in my opinion, it is on all MLAs who are present in this Assembly. To be honest, I don't feel like this, right now, is a partisan issue at this stage around the issue of consent.

I apologize, because I wish I had the letters to table from — it was a 2009 consultation that I was referencing in 2012. At the time, in 2012, I was reading it off the website. If I knew then what I know now, I would have printed it all out so that I could share what was said.

Going through my 2012 presentation, every comment — except for the one from the Canadian Association of Petroleum Producers — that I brought forward is saying how the government of the day should not be repealing section 13.

The reason why I highlight that is because it wasn't like First Nations at the time were in support of the changes that were being made to the *Oil and Gas Act*. Although some did say — and it was very focused on the “what we heard” document that I have shared with the Minister of Energy, Mines and Resources — we can selectively, of course, select quotes — but where it does say that some nations were in support of clarifying language, but they all said that they were against repealing section 13. So, the letters — and I appreciate that the minister hasn't had a chance to read them yet and that's okay, but they are in support of reinstating section 13. So, again, I don't believe that this is a partisan issue or discussion around consent. Again, I'm trying to right something that happened 10 years ago.

I guess the other point I would say is that, at that point in time, the one Liberal member in the Assembly also is on record of saying that repealing section 13 is wrong, that it shouldn't happen.

I can just add one point. I can actually quote from the Premier at the time. He says — and it's from that time — that the government is looking for support on this and that we were prepared to give it if section 13 was left alone. That's to the amendments of the *Oil and Gas Act*.

Hon. Ms. McPhee: I just have two more questions. One is specific to the White River First Nation. I appreciate that it's not in the work so far, but the White River First Nation asserts traditional territory beyond that which is defined as their traditional territory in the *Umbrella Final Agreement*. I'm wondering if any work — or if you have turned your mind to what the impact of the position of the White River First Nation would have on the consultation regarding their traditional territory — so that sort of assertion — and whether that has been taken into account, specifically with respect to them.

Ms. White: I appreciate that question from the minister because it is a challenging one. There has been a lot of mention right now of the maps recognized under the UFA. Of course, we know that the White River First Nation has not accepted — well, they are not part of the UFA. I think it's really important to note that, when we speak about the oil and gas legislation, there are no known oil and gas reserves in White River territory, no matter where their maps extend.

The real issue lies with the Kaska in south Yukon. Kaska territory very much shares the Yukon-British Columbia border with the Liard Basin on the other side. So, this very much affects the Kaska.

I guess that I will just lean back into — I know that these conversations won't be easy, but I know that we have to have them. The previous ministers mentioned transboundary nations and there was mention of the northern chiefs and there were other mentions. Those are all important questions and they are all conversations that we will have to happen, but this, very specifically, is about oil and gas — the *Oil and Gas Act* — and for the three unsigned nations, it very much affects the Kaska.

Hon. Ms. McPhee: That actually leads right into my last question, I think, which is an opportunity to just hear again about the implications. I would like to say that I would like to ask the question about the Wayback Machine on the Internet, but I won't. I would love to do that, but I will do that in another venue.

My last question for the member opposite is: What are the legal implications of the proposed section 13.1 becoming law? What is the effect? What will it mean to Yukon First Nations? You may have spoken a little bit about this before, but I think that it is really important, in relation to this specific question, for Yukoners to have this information and frankly for Hansard to record this information — but the legal implications of what is proposed in your bill and what the effect would be.

Ms. White: I thank the minister for that question. We are in a really unique situation in this case, which is that I am not proposing new legislation. This is not new legislation. This was law 10 years ago. It was still actually law 10 years ago because

we are shy of the end of that Fall Sitting in 2012. So, because it is not new legislation, the law existed. It worked with the federal government; it worked within the boundaries of the Yukon. What I am asking right now is that it go back. So, how will it affect things? It will give unsigned First Nations the ability to not consent to oil and gas dispositions and licences in development on their traditional territory. Who does that really affect? Well, to be honest, it really affects the Kaska — so, the Liard First Nation and the Ross River Dena Council. But this was law until 10 years ago, and it worked in the Yukon context, it worked with the federal government context, and I am just trying to put it back.

Hon. Ms. McPhee: I will just return to my reference. From our quick research, it looks like the reference to section 41 might have been in an earlier version, although the information that I have is that it was in the 2012 version that was repealed. Either way, nothing hinges on it because the explanation has been given about the federal licences and the now full-on devolution of these responsibilities to the Yukon government and the effect that will have. I just wanted to return to that because I said I would.

Thank you very much for the opportunity to ask questions.

Ms. White: I thank the minister. I often get teased a bit in my office about being a keeper of paper, but the good news about being a keeper of paper is that I have part of the original 2012 oil and gas legislation that we were debating. It's funny because, at the time, it even had my sticky note on it and it had all my other papers, which is how we got to where we are today. I kept all of the paper from the debate in 2012.

I thank the minister for that clarification, and if she would ever like to see my copy of what was in 2012, I am happy to print it out.

Hon. Mr. Streicker: I do have several questions, as I indicated during second reading. I would like to start just by — the Member for Takhini-Kopper King, when she was giving her opening remarks at Committee of the Whole, talked a little bit about the consultation, or the lack of consultation, in 2009 and 2012. I wouldn't mind just giving her an opportunity, if she wished to expand at all, to talk about what those differences are, I guess, from her recollection of the time and what she feels would be an appropriate level of consultation.

Ms. White: I thank the minister for that question. I think it goes back to a question that the Minister of Justice asked, which is: What is my duty to consult? I want to be very clear that there is no legislated definition of "consultation" for me in this case. I believe that we are here debating a motion. We are Members of the Legislative Assembly, so we are having that conversation.

The reason I highlighted the consultation — so, in 2012, the minister at the time described it as "extensive consultation", so I already gave out the parameters. It was from — let me just confirm to make sure that I don't misquote myself. It was that the period for public consultation on the proposed amendments to the *Oil and Gas Act* began on July 29, 2009 and concluded on September 14.

I'm quoting myself, but I want to be sure that we know that I was sarcastic at the time, because when I read it, I was like,

"Kate, that is not extensive consultation." It was not extensive consultation. So, because I had access to the website at the time — the consultation saw 18 submissions, and I read off who gave the 18 submissions, and six people attended the public meetings. So, if we think about that — if we go back — so, this was a consultation in 2009 on amendments to the *Oil and Gas Act*. It had 18 people put in submissions. It had six people attend meetings. I'm going to guess that, to a certain extent, there was crossover. In 2012, I read what those First Nation submissions were, and they were all against this. They all said that there needed to be consultation from a government-to-government perspective.

One of the pieces of advice that I had been given was that there wasn't really consultation in 2009. The decisions were made; they weren't grounded in consultation, so that makes the conversation harder.

The first thing I would say as a premise is that there was inadequate consultation done at the time — so, in 2009. In 2012, there was additional consultation done when this was brought forward. People were surprised. The Premier actually said — let me just try to find out where that is. So, the Premier said in 2012: "The government shelved the changes and not much was heard on the topic in the interim. This spring, when there were public meetings about possible oil and gas development in the Whitehorse Trough, the question was raised again whether there would be changes to the act. People were told that no changes to the legislation would happen without public consultation.

"That did not happen; the government did have limited discussions with the First Nations and was told the answer remained the same as when they asked the question in 2009, and that was 'no'."

Hon. Mr. Streicker: Earlier, the Leader of the Third Party described that era, that the times were wild — I think that is what she talked about. She talked about hearing drumming outside of the Assembly. Since then, we've gone to the Supreme Court; the Peel land use plan has now been settled in favour of what I think more Yukon citizens wanted. In fact, I also read in Hansard from December 10, 2012 that the Member for Lake Laberge was chastising the Member for Takhini-Kopper King, saying that there was no broad public opinion about the Peel and wanting to protect it. Fracking now has been banned. I appreciate that the member opposite has said that future governments can change that, of course. That is always true — that future governments have the authority to come to this Assembly.

What I guess I am wanting to ask about is: In thinking about this legislation, the context does seem different. I hear completely that this is reverting the legislation back, but it does feel like we are in a different context at the moment. Having said that, I guess I would like to ask the member what she believes the outcomes should be of the legislation. Feel free to go where she wishes, but there is the specific that is here in front of us, but there is also what the intention is.

Ms. White: I appreciate those questions. I think I am going to say that a lot today.

For the first part, the minister has used the words “ban of oil and gas development”, but really, the territory understands a moratorium, which is actually just a pause, right? It is not legislated. It is not in law that oil and gas is not going forward. It was a moratorium. Those are the words that his government has used.

I think what I will do is come back and say that, when we have had conversations in this Assembly, for example, about banning conversion therapy, we recognized how important it was to include it in law, because although we may not know if it was happening, the fact that it could happen was problematic. And so, the context is different for sure.

The minister is part of a government that doesn't have hundreds of people outside on the first and final day of the Legislative Assembly. I haven't had to speak over drums under this government. By that, I mean people were outside, and there were such great numbers that you could hear them in the Chamber.

So, the context has changed, but the reality is that putting something in legislation is making it law. Right? It's elevating it; it's saying that it's serious. Again, I'm not rewriting. I'm sorry; I guess I did rewrite, because I took out reference to subsection 2. So, I did take out that one part, but this existed 10 years ago. It existed, because when the memorandum of agreement was signed in 1997, there was a commitment made then that said that First Nations without final agreements would have the ability to consent as to whether or not development — like oil and gas development — happened. That was in — that's section 5 of the memorandum of understanding, which I'm happy to read again, but I think I've read it a couple of times, so I'm not going to.

I guess my point is that I think consent should be legislated; it should be part of law, and that's what I'm trying to do. I guess part of the concern I have is that, if the minister doesn't feel like consent should be part of the law when we talk about oil and gas development for First Nations without final agreements, that would be the difference. I'm saying that it should be included; it should be part of law, because in the absence of it being law, it can happen. Right? That is the same — similar to conversion therapy. We all recognized that although it may not be happening, it was important to say that it couldn't happen in law. So, what I'm asking is that First Nations without signed final agreements have the ability to consent to what happens when we talk about oil and gas in their territories.

Hon. Mr. Streicker: I thank the member opposite for her response. When I first got up, I think I should have acknowledged — thank you to the support people who are with the Leader of the Third Party.

I was trying to get — I understand clearly that this is about putting this consent back into law. It is specifically about the memorandum of understanding — of agreement, pardon me — that was developed previously. It is about oil and gas, but the member also talked about opening the door and about other things. So, I am just — from her perspective — what are other things, other ways in which the principle could be used? I just want to hear her perspective on — yes, I understand explicitly that it is in this piece of legislation, but what else?

Ms. White: I am actually going to lean right now into the *United Nations Declaration on the Rights of Indigenous Peoples*, and I am going to go backward in time. I am going to go back to the 2021 territorial election campaign, during the First Nation debate that was held at the Kwanlin Dün Cultural Centre, which I was part of. I talked about UNDRIP — the *United Nations Declaration on the Rights of Indigenous Peoples* — there, and I have to tell you that I did get some pushback from chiefs, to be honest. The reason I bring that up is because one of the letters of support that I got, that I am hoping I did not clean up in my effort to make my desk easier to find things — possibly, I did. In the letter of support that we received from the Kwanlin Dün First Nation, the Chief of the Kwanlin Dün First Nation recognizes the importance of the principles behind UNDRIP, and that is free, prior, and informed consent.

So, a conversation that I was trying to have in the territory in the spring of 2021 was really hard, because I was really kind of having it with myself. The challenge of that, of course, was telling First Nations with signed final agreements that this actually doesn't take away from the laws that you have, from the powers and the abilities that you have; it actually bolsters it. So, when Canada accepted the principles of UNDRIP on June 21, 2021, that sets the tone.

So, again, I believe in free, prior, and informed consent. I am happy to have that conversation any which way to Sunday, but right now what we are talking about is reinstating section 13 of the *Oil and Gas Act*, which does actually talk about consent of First Nations without signed final agreements.

Hon. Mr. Streicker: Thank you, Madam Chair. So, what I'm hearing is that the consent here is explicit in what we are talking about, but there is an interest in the broader principle of consent, and for the member opposite, it is based — for her — in the *United Nations Declaration on the Rights of Indigenous Peoples*.

Can I just ask about a few other points around this? First of all, if we are talking about the specific issue of oil and gas being about new dispositions and about it being First Nations without final agreements, in the press release that the member had issued about the bill, they talked about the northern chiefs and the permit extensions that were given. I am just wondering about their perspective. I feel like they were suggesting that if this piece of legislation were to pass this House, or if the amendments to the bill were to pass this House, somehow those permits would have been dealt with differently. Could I just ask for her thoughts on that, please?

Ms. White: I thank the minister for that. The reference I made to the press release from the northern First Nations was an indication that those First Nations hadn't given consent for those exploration permits to be extended. Do I think anything would change with this legislation for those northern First Nations who have signed final agreements? I do not.

Do I think that the Liard First Nation and the Kaska Dena Council should be able to withhold consent for oil and gas development on their territories? Absolutely, I do. If this were reversed, do they have the ability right now to withhold consent on that? They don't, and they do not have a legal — when we

removed — I didn't remove it — when section 13 of the *Oil and Gas Act* was removed, it removed something that they could really lean into to withhold that consent.

I did quote the minister at the time, and I am just going to go back to it one more time, because I think it's really relevant. One of the things that he had said at the time was that — pardon me — is that the government of the day really wanted oil and gas development to happen in the Liard Basin. They said that there were still strong industry interests in the Liard Basin. The Liard Basin directly affects the Kaska and they were saying no. The government at the time talked about how much money they had spent working through it and how much money they had spent on the Kaska. That was thrown around lots at the time, but money does not buy consent. They were not giving consent, so I'm trying to put consent back into law, which is where I think it belongs in the *Oil and Gas Act* for the nations without a signed final agreement.

Hon. Mr. Streicker: I appreciate that. I guess I'm trying to invite the member opposite to let me know, when she says phrases like “this opens the door” and “gets us to the broader conversation”, where it would go. I heard her colleague, the Member for Whitehorse Centre, discuss other examples, but if the member wishes, I would like to get a sense of where consent would go and what that would mean. How will this open the door, from her perspective?

Ms. White: There are two points to this. I would say that this closes the door on consent that was removed in 2012. That is the first thing. I really believe that, when Canada accepted the *United Nations Declaration on the Rights of Indigenous Peoples* that said “free, prior and informed consent”, in Yukon, that is a conversation that, if we are not having it now, we will be having.

Again, I mentioned that I got a bit of pushback in 2021 when I was talking about UNDRIP during a debate actually on First Nation issues. One of the letters that I referenced today actually says that, under the principles of UNDRIP, “free, prior and informed consent” is where we have to go. The truth of the matter is that I have been in this House for 11 years, and I have heard all sorts of speaking notes and all sorts of things happen during debates on specific legislation, but the ultimate truth is that what is happening right now is section 13(1) and that going back in.

Do I think that the Yukon will have bigger, broader conversations about consent? I do. Do I think that the nations are interested in having those conversations? I do.

So, I guess the question that comes is: How does the minister and his government feel about consent and about First Nation consent? That is probably something that we are going to talk about at some point in the Sitting — maybe not today. I think it really comes back to that. Where does the minister and his government stand on the issue of consent?

Hon. Mr. Streicker: I know which way the questions are going. I will answer a little bit. I think I made remarks during my second reading. I support the principle of consent, but I also think that, in order to get consent, you have to work with the First Nations to have that consent. I know that the conversation, for example, has been happening through the

Yukon Forum. But I would even bring it back to this bill before us — I have heard the member say that this is not new legislation, but, of course, it still is somehow. The times have changed. There are differences. I heard her mention, for example, that when there's an election within a First Nation, she reaches back out again to try to get the perspective because, as governments change, so too could perspectives. That may be true, and it's challenging. But I also think that, from a government perspective, we want that engagement, consultation, and consent from First Nations. Shouldn't we need to try to get the consent from First Nations in order to then pass a law that affects them? That seems like a principle that's underlying it. I'm trying to wrestle to ground — I appreciate also that this was taken away what seemed to be inappropriately. The process looked wrong to me as I read back through it. But I should not use the process of my predecessors.

Let me just go a little bit further with this. Let me ask: Where does the member opposite believe consent should extend to? Her colleague mentioned, for example, Kudz Ze Kayah mine. Let me just start with the mining piece and ask the question: Does the member feel that consent should be there with mining projects?

Ms. White: First of all, what I'm going to say again is that we're debating section 13.1 of the *Oil and Gas Act*. But I will tell you what I think consent looks like. My assumption would be that the governing body would respect the First Nation laws and practices when seeking consent. This is also a question that First Nations should weigh in on, as it is about First Nation self-determination.

Two things — section 13 used to exist, which means that these questions existed at the time. This is a question that also needs to be addressed as a concrete step toward implementing UNDRIP, but I think it's useful to reflect on the following perspectives regarding consent by the Indigenous Foundation.

“Free, informed and prior consent can be broken down into three pieces to be better understood. Free consent means that consent is given in the absence of coercion, manipulation or intimidation. Prior consent means that consent is sought and received sufficiently in advance of any actions being taken. Informed consent means that relevant information about the decision must be provided in an accessible, accurate and transparent way.”

That is a definition of “free, prior and informed consent” from the Indigenous Foundation. This is what we will be leaning into, but do I think First Nations without a signed final agreement should have the ability to either give or withhold consent from oil and gas development happening on their territories? That's what section 13.1 is. I believe that a First Nation should be able to withhold consent in that situation.

Hon. Mr. Streicker: I respect that the member is talking about the specifics. I won't push too much further. It was her colleague who did mention mining, so I was curious.

Can I ask about things that are sort of closely related to oil and gas? For example, geothermal — to me, geothermal is a renewable energy source which uses some of the same techniques, drills, et cetera, working underground as oil and gas does. It's a renewable energy versus a fossil fuel, but I am just

wondering whether, from her perspective, something like geothermal would end up being in that. How would she see it if there were proposals for geothermal under this new section being replaced in the *Oil and Gas Act*?

Ms. White: First of all, it's not a new section. It's just reinserting an old section.

Again, I think it's about seeking consent. If the minister was going to go to the Kaska and say, "We're going to use hydraulic fracturing to access geothermal reserves underneath your territory", I imagine that consent would be withheld, as hydraulic fracturing is one of the big reasons why there was so much pushback in 2012 when we talked about development of the Whitehorse Trough.

But, as we are talking about the *Oil and Gas Act* — I'm just going to steer us back there. I am probably over my time. It's 5:12 p.m., so I'm just going to steer us back to section 13.1, which is what I'm trying to have the conversation about.

Hon. Mr. Streicker: Again, I definitely don't want to put words in the member opposite's mouth, but I am trying to understand what her sense of the scope of this is or would be. We don't have geothermal legislation as of yet, so I think it's relevant at least. I wasn't even thinking of fracking because I still believe it is banned here in the territory. I'm not trying to mince words, but if it were conventional drilling for geothermal, would — say, for the Liard First Nation and if it were happening in their traditional territory — this reinstatement of the text into the *Oil and Gas Act* — from the member's perspective, does she think it would mean that the consent would be required in the example that I'm giving of the Liard First Nation?

Ms. White: I wonder if this is the minister signalling that geothermal legislation is going to come to this House, in which case, I would imagine that not only would he consult with the 11 First Nations with signed final agreements, but he would also consult with the First Nations without signed final agreements, including the Liard First Nation. My thought is that they would possibly — well, actually, I can't dictate what the Liard First Nation, or nations without signed final agreements, would say. But do I believe that section 13(1) of the *Oil and Gas Act* should be put back in? I do. I believe that First Nations without signed final agreements should be able to either offer or withhold consent to oil and gas development within their territories.

Hon. Mr. Streicker: I will just go one step further, and I appreciate that the member opposite is — I am trying to keep it about the bill we have in front of us.

We are looking to bring in geothermal legislation. We have been out engaging on it. It is happening — I am not sure whether — I think that I have said that previously, but that is happening. In the interim, the only act that we have that talks about drilling, really, is the *Oil and Gas Act*, so that is the one kind of that we — that I look at. But the reason I am mentioning it is because we could have geothermal in White River, right? That is one of those places where you could go for geothermal energy, and now I get into this other question about: Because the bill that is before us talks about the unsigned First Nations,

then I am thinking it would apply there, and I just want to check to make sure that is also the member opposite's thinking.

Ms. White: I would suggest that First Nations with signed final agreements have a whole slew of tools at their disposal when it comes to negotiating with government. First Nations without signed final agreements don't have the full spectrum of those tools. One of the reasons why the consent clause is so important in the *Oil and Gas Act* is because First Nations without signed final agreements do not have the same ability to push back in the same way as those with signed final agreements.

So, I can't — I am not a drafter; I am not from the Department of Justice; I am not from the department and I cannot speculate, as the minister moves forward with development of geothermal legislation, what nations without signed final agreements will say, but I would expect that conversations will be held with them to seek their consent on a go-forward basis — right? — making sure that it hits those points that the indigenous law foundation did about how you reach that consent.

Hon. Mr. Streicker: Let me move off and let me talk about the government-to-government side of this, where — the member previously was talking about, you know, this is the Legislature and there are differences here, but I think that there is still also this notion that we, as a government, have a responsibility to consult, especially when it comes to resource legislation. For example, we are working right now on successor mining legislation for both the placer and quartz acts.

When I talk with First Nations about that legislation, they tell me about the importance of the tables that we have created and that there be enough involvement and enough time to deal with some of the complex issues. That is great, but with this legislation, we have not yet had the opportunity to talk to First Nations about it. I really appreciated all of the work that the member opposite did. I saw the letter tabled about the outreach to First Nations. We have seen now seven, I think, letters come in. I have read them and appreciate all of them, but I'm just wondering about what the member feels about the responsibility of government to consult on this. Appreciating that this is putting back in something that was there, I am just hoping to get her perspective.

Ms. White: I'm just going to lean back into what I said before, which is that, of the 2009 consultation, there was lots of pushback from the First Nations at the time saying that there wasn't consultation. In all fairness, the government has been government since 2016 and has not chosen to put this one amendment back into legislation. I'm using the tools that I have available to me to try to do it. I am not government; I do not fall under the same duties to consult. Today, I tabled another additional letter, so we have one additional nation who has since sent a letter.

Again, the minister's government has had since 2016 to put it back in, but they haven't. So, that is why we are here. I am trying to do that.

Hon. Mr. Streicker: Absolutely appreciate that response. I will also say that we work with First Nations directly to ask them priorities. I had not heard this one come up,

but I do believe that there is lots of conversation around consent, consultation, certainly always around engagement. I also appreciate that the member has made a lot of effort to talk with First Nations. I want to acknowledge that here. I think that it is impressive, actually.

I have not noted or have not heard whether there have also been any letters from the member opposite to industry, for example, or checking with the public service. I just ask whether any of that engagement had taken place or not.

Ms. White: I never reached out to industry to ask about First Nation consent, because what I was seeking was support to reinstate First Nation consent in section 13.1. Do I think the association or the Canadian Association of Petroleum Producers would support it? They didn't support it in 2009. They were the ones that spoke in favour of removing section 13. So, I did not reach out to industry partners; I reached out to First Nation governments.

Hon. Mr. Streicker: I appreciate the point about the Canadian Association of Petroleum Producers. I appreciate that, although again, from a government perspective, usually our position tends to be that we engage, and it's not about seeking support; it's about finding views — fair enough. Was there any opportunity or, as part of this work, did the member have an opportunity to talk with Yukoners?

Ms. White: I reached out directly to First Nation chiefs and their councils.

Hon. Mr. Streicker: I do still have — I won't say quite a few questions, but a bunch of questions. I will try to pose one more. I'll let the member be the last person to stand during this Committee of the Whole so that she then also is the first person to be able to rise, hopefully, when this comes back.

I will even let the member opposite know what the remaining questions are in the intervening time so that there's an opportunity for her to consider them ahead of time. But broadly, I guess I am interested, as I've been talking about this notion for us, as a government, to consult with First Nations, what I'll ask is: Over the last day, we've seen two more letters come in, and just whether she is continuing to do work to gain further letters from First Nations. I am sure she is, but is she willing to submit those for all of us here in the Legislative Assembly?

Ms. White: I thank the minister for that. I haven't stopped since I sent out my first letter. I have regular e-mails, phone calls, and leave messages and respond, so I am actively seeking other letters of support.

I just want to go back to one point that the minister said when he asked if I had talked to industry partners. I am just going to quote from a submission made. There was one submission that was made in support of the changes to the 2009 oil and gas — and there was one letter of support that came in, and it was from the Canadian Association of Petroleum Producers. I am just going to quote from their August 3 letter where it says, "These actions ultimately reduce regulatory risk and improve Yukon's competitiveness..."

The reason why I wanted to put that in is because, at the time, again, the Yukon Party majority government was trying to develop the Liard Basin. When they did not get consent from

the Liard First Nation, they brought this forward. I think it is important to note that this wasn't just done offhandedly. There was a debate, and there was a quote from a minister at the time, who said — I'm just trying to find that quote. There was a quote from the minister at the time that said, essentially, that if consent couldn't be guaranteed, then what they were going to do was remove that section. That was long before the 2012 debate happened.

So, when I'm standing here now in 2022 in a place further from the left, where I was up on the top bench in 2012, what I am trying to do is put something back that was taken out. This is not new legislation. How this works with our existing legislation and federal legislation isn't new. I think, if anything, the conversation around First Nation consent is stronger than it was. Words like "reconciliation" are being used in a way in which they were not used in 2012. We weren't talking about the *United Nations Declaration on the Rights of Indigenous Peoples* in 2012 because, at that point in time, that was not the conversation.

I appreciate the questions, Madam Chair, and seeing the time, I move that you report progress.

Chair: It has been moved by the Member for Takhini-Kopper King that the Chair report progress.

Motion agreed to

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

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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 5:28 p.m.

The following sessional paper was filed October 26, 2022:

35-1-66

Yukon Hospitals Year in Review 2021-22 and Yukon Hospital Corporation Consolidated Financial Statements March 31, 2022 (McPhee)

The following documents were filed October 26, 2022:

35-1-86

Staff Recruitment & Cutbacks at Gadzoosdaa Student Residence, letter re (dated October 24, 2022) from Eric Morris, Naa Shaáde Háni, Teslin Tlingit Council to Hon. Sandy Silver, Premier, Hon. Tracy-Anne McPhee, Deputy Premier, and Hon. Jeanie McLean, Minister of Education (Hassard)

35-1-87

McConnell Lake Flood Support, letter re (dated August 25, 2022) from Hon. Richard Mostyn, Minister of Community Services to Scott Kent, Member for Copperbelt South (Kent)

35-1-88

Proposed amendment to the *Oil and Gas Act*, letter re (dated October 25, 2022) from Dylan Loblaw, Chief, Ross River Dena Council to Kate White, Leader of the Third Party (White)

35-1-89

Bill No. 305, Truth and Reconciliation statutory Holiday, letter re (dated October 25, 2022) from Eric Morris, Naa Shaáde Háni, Teslin Tlingit Council to Annie Blake, Member for Vuntut Gwitchin (Blake)

35-1-90

Bill No. 305, Truth and Reconciliation Statutory Holiday, letter re (dated October 18, 2022) from Verna Nukon, Deputy Chief, Ross River Dena Council to Annie Blake, Member for Vuntut Gwitchin (Blake)

35-1-91

Oil and Gas Act Amendment, letter re (dated October 25, 2022) from Maria Benoit, Kaa Shaa du Hen, Carcross/Tagish First Nation to Hon. Sandy Silver, Premier (White)



Yukon Legislative Assembly

Number 86

1st Session

35th Legislature

HANSARD

Thursday, October 27, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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 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 27, 2022 — 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 Notice Paper. Motion No. 505, notice of which was given by the Member for Lake Laberge on October 26, 2022, was not placed on today's Notice Paper as the motion is not in order.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Silver: This one is a bit strange in that I am asking people to recognize someone who is working here today — a sergeant retired from the Canadian Armed Forces, Joe Mewett, President of the Whitehorse Royal Canadian Legion Branch 254, and also the Deputy Sergeant-at-Arms at the Yukon Legislative Assembly. Thank you for your service, sir, and also thank you for being here today for our tribute to the annual poppy campaign.

Applause

Mr. Kent: I would like to ask members to join me in welcoming a constituent of mine — Mr. Lee Olynyk, who worked with George Gilbert, and is here for the tribute to George's Gilbert's rock donation to Yukon University. Thank you, Lee.

Applause

Hon. Mr. Pillai: I would also ask my colleagues in the House today to welcome Mark Wickham, who is the executive director of the Northern Community Land Trust, and Laird Herbert, who is also a director with that organization, and they are here for the tribute on land trust today.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Royal Canadian Legion's poppy campaign

Hon. Mr. Silver: I rise to pay tribute to the Royal Canadian Legion's annual national poppy campaign. Inspired by John McCrae's poem *In Flanders Fields*, we wear poppies each and every year, and we vow to never forget the courage and the service of our veterans.

Canadians have been donning poppies for over 100 years as part of the Royal Canadian Legion's annual poppy campaign. I would like to thank the Royal Canadian Legion for all of their work that they do to support our veterans every day of the year. The legion was founded in 1925 by veterans to advocate for their fellow retired soldiers. Every year, they distribute millions of poppies so that Canadians can show solidarity with our veterans and collect donations to help support and provide for them and for their families.

I invite all Yukoners to join me in wearing a poppy to show our support and our thanks for their sacrifices. I also hope that Yukoners will continue to donate to the Royal Canadian Legion to help support important local programs and services for our veterans.

I would also like to take a moment to remember the passing of Her Late Majesty Queen Elizabeth II. Queen Elizabeth II was a veteran of World War II and the first female member of the British royal family to join the military. She also showed support to the legion and its work. In 1960, Queen Elizabeth II gave her consent to the Canadian Legion of the British Empire of Service League to use the prefix "Royal" allowing it to become the "Royal Canadian Legion" that we know today.

Approximately 300 veterans call the Yukon their home, and many are still serving the community in various public safety roles. Starting tomorrow, following the presentation by the Whitehorse legion of the first poppy to Commissioner Angélique Bernard, Yukoners will be putting on poppies and reflecting on the sacrifices made in the lead-up to Remembrance Day.

In the weeks ahead, I will wear a poppy to thank all of the veterans for their service. I will wear a poppy to honour all of our veterans who are no longer with us, and thank them for their sacrifice. I will wear a poppy to remember all of those who have gone to war, lest we forget anything that they have done for us. I hope all Yukoners will join me in wearing a poppy and remember our veterans who gave so much in the service of their country.

Lest we forget.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the national poppy campaign.

Tomorrow, October 28, the Royal Canadian Legion's 2022 campaign will begin. Each year, this important campaign is launched on the last Friday of October, and the first poppy was presented to Governor General Mary Simon on October 25.

The blood red poppy had long been associated with wartime. The flowers were often overgrown among the mass graves left by battles. During the First World War, enormous artillery bombardments completely disrupted the landscape, infusing the chalk soils with lime. The poppies thrived in the environment; their colours standing out against the blasted terrain. The presence of the poppies in the region at the time inspired poet and soldier, John McCrae, to pen *In Flanders Fields*, which has also come to symbolize remembrance.

I want to take a moment to thank those who volunteer their time throughout the poppy campaign, selling poppies throughout town and in the communities, and highlighting the importance of remembering our veterans and their sacrifices. The legion plays a very unique role in our country, and its structure is unlike any other non-profit organization. They sustain their operations through membership dues, publicly accessible grants, fee-for-service contracts, and other fundraising efforts, but their most important fundraiser is the national poppy campaign. Donations made to the legion poppy trust fund are never used for legion operations. These funds are placed in trust to be used to support veterans of the Canadian Armed Forces and the Royal Canadian Mounted Police and their families in a variety of ways.

The legion branches need our continued support of the poppy campaign in order to continue to support veterans, seniors, and all citizens in the country in the ways that they do.

This year, again, I would like to thank all those veterans, service soldiers, legion members — we have the president of the legion here today — and community members and organizations that promote the poppy campaign. Those who volunteer and organize the Yukon Remembrance Day campaign also need to be thanked for their work to highlight the importance of Remembrance Day. We owe a huge debt of gratitude to those service members, present and past, so please wear a poppy. Wear it over your heart. Wear it proud.

Lest we forget.

Applause

Ms. White: It is 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.

As Canadians, we live in a place of safety, security, and privilege, and if we don't look outside our borders, it's easy to forget that this isn't the reality for many. Right now, there are six major wars happening in our world. This means that there have been more than 10,000 direct conflict deaths in the last year linked to these events — events in Afghanistan, Yemen, Mexico, Myanmar, Ethiopia, and, since February of this year, Ukraine. For people in these countries, war isn't a thing of the past; it's a daily occurrence.

We can easily make the mistake of thinking that conflict doesn't affect us because it only happens in faraway places. We forget that, right now in Canada, armed conflict is affecting our friends, our neighbours, and our communities. Families have been separated, as men and women have been sent off to distant places, and today, right now, Canadians are living with the very real consequences of war.

I used to think that everyone understood the importance of the poppy. I used to think that people generally understood that the red flower, worn close to the heart, was a symbol of remembrance, and that they understood the poppy was a visual pledge to never forget those who made the ultimate sacrifice for what we have today. But some days, Mr. Speaker, I'm less confident that the symbolism of the poppy is remembered.

So, here are some things for us all to remember. First, poppies are not for sale. You don't need money to get a poppy,

so don't feel bad that you don't have cash when you pass a poppy stand. Donations are graciously accepted, but never expected. You just have to have the will to wear a poppy.

Secondly, poppies not only acknowledge the sacrifice of those who lost their lives, but they acknowledge the sacrifice of those who answered the call to duty and walk among us today.

Finally, you can disagree with war. You don't have to like it, or support it, or even want to talk about it. I get that. Ask a soldier, and I'll bet you that they don't like or support war, either. The poppy isn't a symbol that supports war. It doesn't symbolize the politicians who make the decision to engage in armed conflict. The poppy symbolizes the men and women who have borne the cost of those decisions. It lets the families of soldiers know that you care about the sacrifices that they have all had to make.

Poppies take up such a small amount of real estate over your heart, but they represent so much more. They honour the veterans of the past, they show respect for those serving in the present, and they foster hope for the future.

Lest we forget.

Applause

In recognition of George Gilbert's donation of rock and mineral samples to Yukon University

Mr. Kent: It is my pleasure to rise today and pay tribute on behalf of all members of the Legislature to the recent donation by George Gilbert's family of his rock collection to Yukon University.

In order to understand the significance of the donation, it is important to understand the significance of George's career. After a period of mining in the Cariboo region of British Columbia, George moved to the Yukon in 1967, as Newmont Mining's resident geologist. He later transferred to the government's geology program until retiring in 1989.

In a February 2008 *Yukon News* article after George's passing, Yukon's former Commissioner, the late Doug Bell, remarked about George that he was one of the most knowledgeable men that he knew in the placer mining industry.

He also shared a funny story in that same article. In the early 1980s, then-Governor General Ed Schreyer travelled to Dawson City, drawn by an interest in placer mining. "‘He needed someone to show him around,' said Bell. ‘George was the natural choice.'"

"Schreyer was a down-to-earth man, much like Gilbert, and the two hit it off.

"During the trip, he had even ‘twisted’ a cigarette or two for Schreyer, said Bell.

"His friends found this to be pretty funny and made Gilbert a plaque for his desk, of the type that usually display job titles.

"It read: Purveyor of Twistings for the Governor General."

George's adventures became the subject of a book published in 2000 under the title, *Kicked By a Dead Moose*, which includes many Yukon tales as well as some from his time in British Columbia. George's long-time work companion, Lee Olynyk, who has joined us here today, shared one of those stories with me that was recounted in George's book.

George and Lee were looking for samples in the north Yukon near the Arctic coast. Lee had climbed up a steep hill to gather rocks, and George yelled up at him that he was on a dip slope. Lee yelled back, “What the hell is a dip slope?” — just as the ground beneath him gave way and started toward the valley floor. As George said, Lee was able to save himself with a great display of gymnastics, and anyone wondering what a dip slope is can now ask Lee.

One of the samples gathered that day is part of the collection.

Before George’s retirement, he had a chance to mentor a young geologist who was new to government, but someone who many of us in this House know. Mike Burke told me George showed him around the goldfields, including the spots where the discoverers of gold in the Klondike had camped, but Mike isn’t sure if he was just fooling with him or not, but now has a number of requests for tours of those campsites from some of the placer miners in the area.

According to the news release from Yukon University, the Gilbert collection includes close to 500 rock and mineral samples collected from across Yukon and the western United States and is valued at over \$10,000. This collection will help students going forward learn about the geology of the Yukon and will give them some hands-on experience with the samples.

A big thank you to George’s children, Mark and Dolly, who I know are listening in online today, for this incredible gift and for sharing your dad’s legacy with aspiring students interested in earth sciences. Thank you.

Applause

In recognition of World Community Land Trust Day

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government on World Community Land Trust Day to pay tribute to the very innovative Yukoners with the Northern Community Land Trust Society working to create a new housing landscape.

Their mission is inspiring: to enable beautiful, sustainable housing, designed and built by and for northerners, community-led and affordable forever. Together with local governments, they are leading a non-profit approach to home ownership commonly known as a community land trust model. They are working to build the first community-owned, affordable housing project in the Yukon right here in our capital city.

The Northern Community Land Trust Society’s housing project will have a focus on sustainability and use what is called “life-cycle analysis”. This will ensure that the long-term energy efficiency and environmental impacts of the build are considered. A community land trust has the potential to make housing more accessible to more people and keep housing prices affordable long term.

The idea is this: People can purchase homes at cost on land that is held in trust to be used exclusively for affordable housing. The non-profit approach means that when the purchasers sell their units, they must sell them at a fixed rate to new homeowners, rather than the market value. The resale price would be determined by a formula in the land tenure. This takes into account factors such as inflation and improvements made

to the home. Under this model, would-be homeowners have access to affordable housing under the condition that they sell them at an affordable price. We know that creating a Yukon in which everyone has access to safe, affordable housing cannot be realized by a business-as-usual approach. This is why innovation like this is so important.

The theme for this day in 2022 is “community matters”. It is about highlighting how land trusts build and foster community. This is achieved through many aspects, but especially in the way they are designed for connected living. The Northern Community Land Trust Society will have its latest design available during a public event on Monday, November 14. I encourage my colleagues and Yukoners interested in this concept to attend. We are thrilled to champion affordable housing solutions. Our support of this homegrown initiative will help to ensure that it achieves its full potential.

To succeed, we need original solutions made right here in the Yukon by Yukoners for Yukoners, just as the good folks at the Northern Community Land Trust Society are doing. As communities succeed, so do Yukoners. May the example they set in innovation, hard work, and determination be an inspiration to us all.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP and on behalf of the Yukon Party to pay tribute to community land trusts. Land trusts are one of several models that focus on housing as a place for people to call home, rather than a financial investment.

We believe housing is a human right. Housing is safety. Housing is health care. Housing is dignity.

Land trusts share these beliefs and are working toward a world where everyone has access to affordable housing. We are very lucky to have our own community land trust organization here in the Yukon — the Northern Community Land Trust. I know that my colleague already shared their vision, but I would just like to say it again because it is so good. I quote: “Beautiful, sustainable housing — designed and built in the North, community-driven and affordable forever”.

What an incredible vision. We applaud their determination and perseverance in making that vision a reality. Thank you for your work and your commitment to housing in the Yukon. We can’t wait to see what you do.

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 2021-22 fiscal year.

Hon. Mr. Streicker: I have a legislative return responding to Petition No. 14 regarding the Golden Horn zoning.

Hon. Mr. Clarke: I have for tabling a letter from the Association of Yukon Communities dated October 26, 2022.

Mr. Dixon: I have for tabling a letter that I referenced yesterday in Question Period.

I also have for tabling a subsequent document, which is the minutes of a council meeting on August 30, 2021. It is the administrative report.

Mr. Istchenko: I have a letter for tabling from the Association of Yukon Communities to the Minister of Environment dated October 26, and it is in reference to Bill No. 20, *Animal Protection and Control Act*.

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

THAT this House urges the Premier to request that the Government of Canada defer the proposed increase to the federal carbon tax that is currently scheduled to take effect on April 1, 2023.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Community tourism destination development fund

Hon. Mr. Pillai: I rise today about the recently announced community tourism destination development fund, which will make \$1 million available annually to support businesses, First Nation governments, First Nation development entities, municipalities, and not-for-profit organizations for investments that improve tourism-related services and infrastructure in communities across the Yukon.

Even before the COVID-19 pandemic, the Yukon tourism industry was experiencing capacity challenges, particularly in smaller communities. In many cases, we attract enough visitors here, but we don't have the capacity to make the most of the economic benefits that tourism offers due to a lack of tourism infrastructure that attracts and keeps visitors in our communities. The pandemic heightened the issue of capacity and is an issue facing the tourism industry, both nationally and globally.

Prioritizing destination development is now the recommended approach in tourism destinations around the world. Very few destination development funding programs exist in Canada at this time. With this new program, Yukon will be the leading edge of tourism innovation in Canada, which will give our communities a competitive advantage. At its core, this fund is about inspiring communities to connect and work together to identify a set of projects and programs that complement one another and each contribute to the greater

good of improving their community through tourism investment.

Mr. Speaker, this new fund builds on the efforts to support the tourism sectors recovery from the COVID-19 pandemic. It supports the three goals of the tourism development strategy — which I want to commend my colleague, the previous minister, and now the Minister of Education, for putting in place — which support a thriving tourism economy, foster a sustainable tourism development that ensures a balance between economic, social, and environmental values, and ensures resident support for tourism.

Ultimately, this new program will increase capacity in the Yukon to provide visitor experiences, the development of sustainable businesses in Yukon communities, as well as increase employment and community business revenue.

Tourism is vital to Yukon's economy, and sustainable tourism development requires an integrated understanding of the complex relationships, factors, and forces to support coordinated and thoughtful enhancement of what we offer and how we do it. The Yukon offers so many unique experiences and opportunities, and this fund will help to enhance and highlight all that we have to offer.

The department will deliver an information session on this new fund at the end of November and undertake outreach in communities to identify potential projects, engage community members and proponents, and encourage applications that will have a significant and immediate destination development impact. I look forward to launching the first intakes and seeing the successes enabled by this new fund.

Ms. Van Bibber: Thank you, Mr. Speaker, and thank you for the opportunity to respond to this ministerial statement involving the tourism sector.

As we know, the Yukon as a whole has a lot to offer in the way of tourism. We can all agree that there are supports needed for the tourism sector outside of Whitehorse to enhance the visitor experience, so the community tourism destination fund that was announced by the minister just this morning is welcome. The visibility of some major Yukon tourism players at the announcement this morning indicates that this program will be well-received; however, I have a few things to ask.

Can the minister tell us how the program's criteria were developed? Who guided the development of these criteria and, to clarify, is this program a result of section 2.2 of the tourism development strategy that outlines the development of visitor experiences in communities? Did the Tourism Industry Association of Yukon identify this as a need? I understand that there will be some industry outreach at the end of November. How does the government plan to ensure that all potential applicants receive information on the program?

I also note that this program was not in the 2022-23 budget, nor is it in the supplementary estimates that are before the Legislature now, so it appears that this is an extremely early pre-budget announcement as the news release indicates that the program will be in the 2023-24 budget. If the funding application deadline for tier 1 is February 15, how can the

minister announce a program that has yet to have official funding approval?

In closing, I am pleased to see a fund that tourism players in the communities can access, and I look forward to the minister's answers.

Ms. Blake: From Old Crow to Watson Lake and everywhere in between, the Yukon's tourism operators offer so much to our visitors. Year-round, they work hard to bring joy, curiosity, and exciting experiences to visitors. Thanks to them, tourists have been drawn not just to our natural environment, but also to the people, services, and sights within our communities. It's good to hear that these operators may be able to receive funding to further their work.

The last few years of the pandemic have been very difficult and tourism has been hit hard, and COVID isn't over. This funding could provide much-needed relief to some communities. However, there are still questions about the funding project. Many details are not defined in the government's press release. Instead, there is a promise to provide more information on November 30. Right now, this is an announcement about an upcoming announcement.

Can the minister share what makes an applicant eligible for tier 1 or tier 2 funding? I was glad to see in the press release that the government is planning to engage with the public through information sessions online. However, many communities and rural tourism operators do not have access to stable Internet. How is the minister planning to engage with them?

Many of the potential applicants, like First Nations and not-for-profit organizations, are already operating above capacity. What support will be offered to help them develop their project ideas and applications? What is the minister's plan to ensure that there is a balance between private, not-for-profit, and First Nation governments in the list of successful applicants?

After the February and March application deadlines, can the minister share a timeline for when the department will inform the successful applicants and how quickly those applicants will receive that funding?

Across the Yukon, the housing shortage and affordability are growing concerns. Will these issues, and potential impacts, be taken into consideration when reviewing the applications?

I look forward to the minister's answers to clarify information for the folks who hope to apply. Mahsi'.

Hon. Mr. Pillai: As folks listening or who are in the Assembly here today can understand, there is a tremendous amount of questions here. I will do my very best in answering questions from both members of the opposition.

First, I want to thank the Member for Porter Creek North — based on the fact that, yes, the validation for this program is extremely strong. TIAY, the tourism association, was there today, represented by Mr. Ben Ryan, but also Mr. Ryan sits on the national board for Destination Canada, and as you saw in our press release, Destination Canada also endorsed this work.

The Association franco-yukonnaise was represented, and also the Association of Yukon Communities.

A number of the groups, including the Association of Yukon Communities and their current president, saw the value in the program. I know that they asked today and texted me about making sure that we have an opportunity to have the Association of Yukon Communities get that information out to their members.

I think, between that and TIAY and other organizations, we really have a good opportunity to get this out to folks across the Yukon so they see the opportunity.

Again, this is something that we believe is something that, yes, the community has asked for. Throughout consultation, whether it be conversations in the Kluane region, multiple conversations in Dawson City and the Southern Lakes, we have identified that there have been gaps and there hasn't been a program such as this developed in the Yukon to meet the needs that are there.

Housing, as the Member for Vuntut Gwitchin touched on — yes, this is about even looking at supporting temporary housing so that we don't put those pressures on communities in the summer, and it provides the opportunity to bring in labour capacity.

Was the Yukon tourism strategy — that particular item — a catalyst for this? Yes, there was amazing work done by my colleague, and it was way overdue to get a strategy. At this point, we are trying to build on that good work, and we are looking at that entire strategy being a blueprint for how we go forward.

Absolutely, we are continuing to have that continuity based on that work. Again, for budgets — I think we are in a position where we have gone through the internal processes on this to get support. There are a number of things that are in the budget, but inevitably a budget has to pass in the spring in order to spend those dollars. Yes, I think a lot of things that we talk about are pending that decision. I think that everybody in this Assembly understands the mechanics of the Legislative Assembly — and how we move to allocate funds, how that is done, and what has to happen before that. That doesn't mean that you don't plan previously.

We want organizations to understand that we have heard you. We have come up with a solution. Some of the things that the opposition has been critical of, we can solve. I appreciate the fact that there are a series of challenges. We have gone back. We have listened, we've done the thinking, and we have now built a program that has been endorsed nationally and locally by leading experts to say, "This is how you should address that." That's how we are going to go forward.

I appreciate the comments of the member from Old Crow. We will do our best to get out. If there is any advice on getting out to folks there, please let me know and we will do that. I understand that we should probably get someone up to the communities.

In closing — I know that there are a few other questions — we are looking at turning this around, I think, in 45 days after we get an application, and if I have missed anything, I will do my best to answer it at a future time.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Housing support programs

Mr. Dixon: Yesterday, the Minister responsible for Yukon Housing revealed that a project that included much-needed supportive housing units that were meant to have residents moving in this September has been delayed. This led the minister to call into question the viability of the project to convert the former High Country Inn into supportive housing.

In August last year, this is what the Yukon Housing Corporation told then-Mayor Curtis and his administration: “YHC has also indicated that it will require that it be listed as the owner of the property should the society collapse or fail financially... This will allow it to assume responsibility for the ownership and operation of the facility, and ensure funding conditions are fulfilled.”

Can the minister confirm if this is still the case? If the renovations prove too costly for the society to handle financially, will Yukon Housing indeed become the owner and operator of this project?

Hon. Mr. Pillai: I’m glad the Leader of the Official Opposition has brought this to the floor. No, that’s not correct. The risk-taker primarily on this project was CMHC, which I was very clear about yesterday. They undertook a series of due diligence. On the mortgage, as it’s stated, if there is a challenge with this, CMHC will be first charge, and they will have to take on the responsibility of the asset.

Mr. Dixon: So, that is not what the Yukon Housing Corporation told the City of Whitehorse last year. What Yukon Housing Corporation indicated to the city in the document that I tabled earlier today is as follows: “YHC has also indicated that it will require it be listed as the owner of the property should the society collapse or fail financially... This will allow it to assume responsibility for the ownership and operation of the facility, and ensure funding conditions are fulfilled.”

So, if what the minister has just said is true, when did that change, and why did the Yukon Housing Corporation communicate inaccurate information to the City of Whitehorse?

Hon. Mr. Pillai: It should be a good week. So, yesterday, it was, “Let’s attack the NGOs that are taking the projects on.” Today, it’s, “Why did the public servants from Yukon Housing Corporation mislead the questions?”

Some Hon. Member: (Inaudible)

Hon. Mr. Pillai: I’m hearing some mumbling from the guy who doesn’t like to spend money on affordable housing from across the way. Well, hold on to your comments.

In this particular case, maybe what happened was that Yukon Housing Corporation is the second charge. So, they didn’t mislead, even though the Leader of the Official Opposition is voicing that — again disparaging people who are working passionately on housing. So, again, every time you try to make an attack on us, inevitably, all you are doing is disparaging the people who are trying to take these projects on. I assume that the land trust will be attacked soon, later on today.

Again, what is question number three?

Mr. Dixon: As the minister should know, we are asking about the expenditure of taxpayers’ dollars for important housing assets.

In that same city council meeting, the administrative report included a letter from the Minister responsible for Yukon Housing Corporation. Here is what it said: “Capital funding support from the YHC will also be contingent on Yukon government’s final approval of capital costs, operational plans, and long-term financial and program viability for this project.”

We know that formal approval did occur, as it was announced in January 2022 through a joint news release with the Yukon government. Can the minister tell us if Yukon Housing Corporation requested an assessment of the building prior to granting final approval of the capital costs and long-term financial viability of this project?

Hon. Mr. Pillai: There were two types of reviews that CMHC undertook and then informed the Yukon Housing Corporation. In the review of the application, CMHC worked diligently to minimize risks wherever possible. CMHC’s national housing co-investment fund applies a rigorous review of processes required from the Safe at Home Society, to answer the question. Both an accredited appraisal of the building as well as a recent building condition assessment were completed.

We understand that it was only after the Safe at Home Society began their preliminary work to prepare the building that they had come to understand that there were some additional issues. So, yes, to answer your question, there was an analysis done. As I stated yesterday, CMHC led that. Information was shared with us. To date, we put \$1.02 million toward this project. As of now, this week, we have spent just over \$380,000 on the project.

Question re: Fuel-wood supply

Mr. Kent: Yesterday, the Minister of Energy, Mines and Resources announced yet another firewood subsidy. This time, it is a \$10-per-cubic-metre subsidy for commercial fuel-wood harvesters. This is, of course, on top of the \$50-per-cord subsidy for some customers.

What the minister has missed in both of these announcements is that the real problem won’t be solved by a subsidy. The real problem is a lack of supply and the red tape that is holding back commercial harvesters, so why does the minister think that he can subsidize his way out of this supply crisis?

Hon. Mr. Streicker: I said previously that there was an issue with supply and that the forest resources branch has been working diligently on that supply. Yesterday, we did have an announcement — it is a good announcement — for our harvesters. I thank the member opposite for drawing attention to it. It is a \$10-per-cubic-meter incentive, or, I think, in the range of \$20 to \$25 per cord for our harvesters. That is good news for our harvesters, and we are working on many other ways in which we are supporting our harvesters.

I mentioned previously that we identified 100,000 cubic metres for our main harvester in southeast Yukon, and I spoke with him just a few nights ago. I relayed information to the

forestry branch. They are continuing to do lots of follow-up, and it is all about ensuring that we have supply for Yukoners to make sure that there is wood for people's homes.

Mr. Kent: I would encourage the minister to check with the harvesters themselves because the ones we have talked to are less complimentary about the subsidy that he announced.

The irony that the Yukon is facing a supply shortage of firewood when the territory is absolutely flush with harvestable timber is not lost on Yukoners. The fact that the only answer the minister can come up with is to throw money at the problem is a perfect example of how this Liberal government operates. The lack of supply of fuel wood has led to significant reliance on wood imported from British Columbia. However, the new subsidy that the minister announced was silent on this.

So, will the minister explain: If an otherwise eligible commercial harvesting business cuts their wood in BC, are they eligible for the new subsidy?

Hon. Mr. Streicker: I thought I said, in my first response, that I had been talking directly with one of our major harvesters just earlier this week, and it was a good conversation. He expressed worry about one of the areas that we had identified — working with him to pick — and we got that problem sorted out right away.

We have a whole bunch of programs that we are doing here — about supporting our industry. There is, for example, working on a fuel-break area around Quill Creek. There is, for example, working directly with First Nations to increase the amount of harvestable area. There is, for example, supporting those harvesters who do work in British Columbia by reaching out to the Government of British Columbia to support their applications for permits. We will continue to do that work, and I would like to thank the forest resources branch for the hard work that they have been doing in support of this industry and in support of Yukoners.

Mr. Kent: The question I asked the minister was if the subsidy applies to commercial harvesting in British Columbia, but I did not get an answer to that question from the minister.

The subsidies announced by the minister are clearly band-aid solutions and ignore the elephant in the room, which is the significant lack of commercially viable supply. The Whitehorse and Southern Lakes Forest Resources Management Plan was completed in 2020, and the first priority was to establish the implementation agreement and identify areas for timber harvesting and fuel abatement. This plan could help with fuel-wood and saw-log shortages close to Whitehorse and the major market.

Can the minister update us on whether the implementation agreement is in place and when we can expect harvesting opportunities to be identified? I would also appreciate an answer on whether or not that subsidy applies to wood harvested in British Columbia.

Hon. Mr. Streicker: I think that it was just last week when I responded to these questions. I am happy to do so again. We are working with the City of Whitehorse and Wildland Fire Management in identifying areas around fuel breaks at the south end of the City of Whitehorse. We did reach out, for example, to the Yukon First Nations Wildfire to inquire about

their interest in harvesting or supporting harvesters. We will continue with the work on the implementation plan, and we will continue to expand summer timber harvest opportunities and greenwood harvest opportunities near Whitehorse. So, we are working on all these.

Again, the direction that I have given to the branch is to do all that they can to support the supply of firewood, and I would like to thank them because they are working very hard for that supply.

Question re: Fuel-wood supply

Ms. White: It is a lucky day for the minister because I, too, have questions about firewood. One of the big problems for woodcutters this summer was the lack of access to the Quill Creek area. On paper, there was a good reason for this: the Quill Creek timber harvest plan calls for the creation of a firebreak between the harvest area and the Village of Haines Junction. Under the timber plan, until that firebreak is in place, no harvest will be allowed in the Quill Creek area during fire season. That season is defined under the *Forest Protection Act* and runs from April 1 to September 30. That's half a year, Mr. Speaker, where no wood can be cut in this government's only new harvesting area.

According to the government's contract registry, the design work for the firebreak was only tendered in June of this year. Can the minister tell us why this firebreak wasn't tendered until June of this year, knowing that we were going to run into this shortage?

Hon. Mr. Streicker: First of all, I need to correct the record. I think I announced in this House that, a couple of Fridays ago, we issued a brand new harvest area. I just spoke about it when I was responding to the Member for Copperbelt South. Quill Creek is not the only new harvest area that we have in the territory. The member opposite is correct that, for Quill Creek — and I would never call this red tape, as the Yukon Party has referred to it. It's YESAB. Under the *Yukon Environmental and Socio-economic Assessment Act* and their recommendations, Quill Creek is accessible at certain times of the year for safety reasons. So, we have been working to get a timber harvest plan fuel break near Quill Creek. That work is nearly complete.

When I spoke to the department about it late last week, they indicated that Champagne and Aishihik First Nations was working diligently and helpfully to advance that as quickly as possible. I would like to thank them for their work in helping us to get more wood accessible for Yukoners.

Ms. White: I stand corrected, but sadly the new areas that the minister mentioned weren't harvested in time to ease the fuel shortage that we have seen.

The contract for design for the Quill Creek fuel break only ended a few weeks ago, and I was unable to find a tender or a contract for construction of the Quill Creek firebreak. If the firebreak isn't completed this winter, we may face yet another summer of no available timber harvest in the government's flagship timber harvest area — that of Quill Creek — and this is a concern for Yukoners.

If there can be no timber harvest at Quill Creek next summer, it means another winter of high prices, low supply, and unnecessary stress for Yukoners who rely on wood for heat and cutting wood for income.

Yukoners want to know: Will the Quill Creek firebreak be completed this winter and on time for harvesting to continue beyond April 1, 2023?

Hon. Mr. Streicker: The last conversation that I had with the department was that, yes, the fuel-break area around Quill Creek will be ready to go, or it's anticipated —

My last note says "in the coming weeks", so I will be sure to investigate that further and continue to follow up on it. I also will note that the harvester whom I was speaking with earlier this week said that he was delivering wood to communities right now, out of the new area where we had opened a permit for him.

So, yes, our harvesters are working hard; I would like to thank them. Our forest resources branch is working hard to support those harvesters; I would like to thank them. I know that there is some serious strain on the supply side and all of these folks are working to try to make sure that Yukoners have wood for their homes this winter, and I would like to thank them for their hard work in getting that done.

Ms. White: So, I, too, want to congratulate those folks within the department, and actually, I have another pitch. Section 9 of the *Forest Protection Act* allows the Commissioner in Executive Council to extend, shorten, or designate additional periods of the fire season beyond the standard April 1 to September 30 season. The forest protection regulations also allow for forestry workers to establish a fire season. Permits for industrial activity, like logging, could be extended into the fire season with their permission. Things like snow cover, overnight temperatures, wind speed, and relative humidity are all used to predict fire risk during fire season.

So, what I am looking for here is for the minister to be proactive and allow the knowledgeable people in his department to determine when it is safe for logging to take place with respect to fire risk, rather than relying on fixed dates — that is April 1 to September 30.

Will the minister commit to allowing his department to provide a more flexible and more accurate timber harvest season with respect to fire risk?

Hon. Mr. Streicker: Again, I will say that this is exactly what I asked the department to do.

So, I asked them to use all abilities that they could, under the rules that are in front of us all, and I asked them to do whatever they could, and they did. They found a way to get a large harvest area by going out with a harvester, selecting that specific area, talking directly with the First Nation, and explaining to YESAB that we would use the tools that were in front of us to get there. I just gave that direction.

So, what I can say to the member opposite is that not only have I given that direction, but I will continue to follow up with the department to see what solutions they are able to come up with, because I actually trust them — that they are looking at all possibilities — and I will report on all that I hear.

Question re: Health care services

Mr. Cathers: Mr. Speaker, yesterday we urged the Minister of Health and Social Services to ensure that people on the wait-list for a family doctor are prioritized for the new Constellation Health Centre.

In response to questions, the minister indicated that people on the wait-list for a doctor who want to use the new clinic will have to apply to government again if they want to become a patient. She said: "Applications will be reviewed and prioritized by a team of professionals at the clinic."

Can the minister explain which Yukoners will be prioritized? For instance, will the team prioritize children with unique or rare diseases, or will they prioritize seniors or people who are currently accessing health care through the emergency room? What criteria will the government use to choose which people get to access this new clinic?

Hon. Ms. McPhee: I appreciate the opportunity to speak again about the importance of health care and the new opportunities that are being provided by this government for individuals, and the bigger picture, which is to speak about *Putting People First*, which, of course, is the road map ahead for transforming Yukon's health care system into one of the most responsive in the country.

We are committed to improving care for Yukoners, particularly in the case of the topic of this question. The issue is around the bilingual health centre, also called the Constellation Health Centre. It was named by the work going forward with respect to opening this primary health care service for Yukoners and focused on Yukon's francophone population.

The new bilingual health centre will open its doors to Yukoners on Monday, November 7. It is located at unit 102, 4149 4th Avenue here in downtown Whitehorse. It is known to some people as the Nuvo Building. We have spoken about this before, but that is a temporary location for the new health centre, which will open in about a week.

Mr. Cathers: Well, the minister did not answer the question. We have a situation where, following six years of Liberal inaction on the doctor shortage, we know that there are thousands of Yukoners on the government wait-list for a family doctor. The last number we heard from government was close to 2,500 people.

The minister has billed this new clinic as an access point for primary health care services in the Yukon. Can the minister tell us what the capacity of the new clinic will be? How many of the nearly 2,500 Yukoners on the family doctor list will be able to access the new clinic? Also, I would appreciate an answer to my first question.

Hon. Ms. McPhee: Thank you very much, Mr. Speaker, and thank you for the question. The Constellation Health Centre will be, and is designed to be, the first primary health care clinic of its kind in the Yukon. It will serve as a model of care to build upon in the future — taking that to the reference to *Putting People First* and the polyclinics that are recommended in that report, which was, of course, independent and looked at Yukon's health care system and how we can better improve it.

This addition to delivering high-quality health care and wellness services in both French and English at the centre will

provide an additional access point for primary health care services. The new, collaborative care clinic is one of the recommendations, as I have said, from *Putting People First*. It will allow access for more Yukoners who go to the clinic and who are applicants and chosen as patients there — if they go to the new clinic and they have primary care physicians elsewhere, then they will have the ability to have additional patients added to their list. There are a number of folks who provide wraparound services at the Constellation Health Centre.

Mr. Cathers: This is a very important issue to Yukoners. Over one-fifth of Yukoners don't have a family doctor and the minister dodged the question twice. Again, I will ask a third time to see if the minister can hit this question.

The minister indicated that the new clinic will be staffed by a number of health care professionals to provide services to clients. Can the minister tell us how many physicians are currently employed at the clinic?

Hon. Ms. McPhee: For this fiscal year, we have budgeted \$1.7 million for the development of the Constellation Health Centre. The centre will offer services, as I have said, in both French and English, as well as other languages, through virtual care options. It will be staffed by nine individuals and two contract physicians. Staff includes a clinic manager, nurse practitioners, a registered nurse, a licensed practical nurse, a social worker, and medical office assistants. At this time, no physicians have yet been contracted for that service, but nonetheless, the clinic is going to open and provide the services that are available by nurse practitioners and other nursing staff with respect to primary care.

Starting at the end of October, people will be able to apply, and I think that it is important to note that the applications are being reviewed and prioritized by a team of professionals at the clinic. Acceptance or wait-list status will be based on the current capacity of the clinic's primary care providers, alongside pre-established determinants to ensure an equitable and balanced client on-boarding.

I think it is critical to note that this is a new provision of service for Yukon primary care here in the territory. It is but one solution of many solutions that are being addressed by this government to provide better health care for Yukoners.

Question re: Housing support programs

Ms. Clarke: I have some further questions about the \$40 million that was allocated to the Yukon under the northern carve-out of the national housing co-investment fund. We have received the minister's confidential briefing note on this fund. That note states that the construction of the Watson Lake housing first project was "anticipated to begin in the summer of 2022."

Can the minister provide an update? Did that project begin construction this summer?

Hon. Mr. Pillai: I think it's good to share with Yukoners. We get briefing notes from our departments, and these briefing notes are available to the opposition. There is always a big bluster and drama in the start that it's a confidential briefing note, but it's all the same information that

everybody has access to here. I just wanted to put that on the record.

Yeah, we are in the midst of doing some great work in Watson Lake. Many Yukoners will remember — some may not — that there was an investment of about \$36.5 million a number of years ago that was allocated by the Yukon Party. I can't remember, but it was about \$16 million to buy a couple of hotels in Watson Lake. One burned down before there was ever affordable housing, and the other one was never used for affordable housing.

So, there has been a long-term gap, really, in what has happened in Watson Lake. We are trying to look at affordable options. We have gone down; we've worked with the First Nation directly; we've worked with folks in the community. The Member for Watson Lake and I attended the last session we had there. At this particular point, my direction has been, based on what we saw as some of the tenders came in, to hold the tendering of this project until the first quarter of 2023 to ensure that we can get better pricing.

Ms. Clarke: The next project under this funding allocation is a duplex in Dawson. The duplex was intended to be built at 925 Seventh Avenue in Dawson. Can the minister tell us if construction began this summer on this affordable housing project in Dawson?

Hon. Mr. Pillai: My understanding — I can go back to the department — is it has been tendered. I'm not sure of the current status. I think there are contracts in place, and I believe that work is done. What we've tried to do, because we're building duplexes right now from some of that money — we have projects going on in Mayo, Carmacks, Dawson City, and we have another one that's about to be built in Faro, and, of course, there's the bigger — besides Dawson — we have another 30-unit that we're building in Dawson City, and there's the tenplex in Watson. So, what we've really tried to do on all of these is to keep an eye on what's happening with pricing and ensuring that we can get the best value for taxpayers' dollars, while still ensuring that we use the funds made available to us through our bilateral.

Again, I want to thank the previous Minister of Housing, who did a great job of ensuring that this money came to Yukon in the previous role as co-chair for housing in Canada.

Ms. Clarke: Finally, the note we have obtained discusses a sixplex that is planned for Teslin. The note says that Yukon Housing Corporation will be working with the Village of Teslin on subdividing and rezoning this property to enable construction to begin next year.

Can the minister tell us if that process has happened yet? And has there been any community consultation about using this particular lot for a sixplex? If so, when did that consultation occur?

Hon. Mr. Pillai: I don't have the exact date at my fingertips on the dialogue that has happened. I know that what we've tried to do at Yukon Housing Corporation is to ensure that there has been dialogue with a number of stakeholders in Teslin. Beyond this project, I believe we also had an application from some of the community leaders in Teslin for the project, or innovation — our housing initiatives fund, or HIF. So, I

know there is that happening, and I know there has been work on this other piece. I've had some discussion, as well, with the Member for Pelly-Nisutlin on the project, just ensuring that we had a good understanding of what the community needs are. Again, I can come back on the specifics of when consultation with the community happened. I apologize to the House that I don't have that exactly at my fingertips.

But what you can see is an enormous, record-breaking investment in housing. I think we've hit almost every community. Just touching on all of the work that's being done — again, when you go back and look at what previously happened, there was a real lack of investment — I think about two big tranches of money — the one I talked about earlier, which I think went to the hotels in Watson Lake and to Canada Games housing, and, of course, there is the Member for Lake Laberge's big debacle when he didn't spend that other money after he backed down to pressure from some of his constituents.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 491

Clerk: Motion No. 491, standing in the name of the Hon. Mr. Streicker.

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

THAT Standing Order 45(3.2)(a)c. of the Standing Orders of the Yukon Legislative Assembly be amended by deleting the phrase "Yukon Workers' Compensation Health and Safety Board" and substituting in its place the phrase "Workers' Safety and Compensation Board".

Hon. Mr. Streicker: This is really just a housekeeping motion to get in place ahead of the Standing Committee on Appointments to Major Government Boards and Committees, updating the name of the Workers' Safety and Compensation Board, and I am hopeful that we will see a quick passage of this motion.

Ms. White: I thank the minister for bringing this forward. I'm all about expediency and making sure that things match within the Standing Orders and what needs to happen, so the NDP are in support.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?
Motion No. 491 agreed to

Speaker: Government bills.

GOVERNMENT BILLS

Bill No. 16: *Second Act to amend the Legal Profession Act, 2017 (2022)* — Second Reading

Clerk: Second Reading, Bill No. 16, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, be now read a second time.

Hon. Ms. McPhee: I am pleased to bring forward the *Second Act to amend the Legal Profession Act, 2017 (2022)*, for second reading today.

Our government is committed to modernizing Yukon's legislation, so that it works for all Yukoners, and keeping it up to date. This update to the *Legal Profession Act, 2017* honours that commitment. The *Legal Profession Act, 2017* was brought into force by the Government of Yukon, our government, on February 6, 2020.

Mr. Speaker, it is important to always take the opportunities to improve and adjust the laws of the Yukon, as needed, to keep them effective and up to date. This past spring, the Legislative Assembly passed an amendment to the *Legal Profession Act, 2017*. That amendment addressed narrow language in the act that hindered the society's ability to permit corporations incorporated in other Canadian jurisdictions to provide legal services here in the Yukon.

You will note that the legal profession has modernized its licensing across Canada with mobility agreements and the northern mobility agreement as well. The members opposite have been asking for that to be considered with respect to the medical professions, and I can assure the members that work is actively being done. It is an issue across the country, and certainly one top-of-mind for ministers of the governments across Canada. I note that, because it is exactly the item that we addressed in the spring to allow corporations that are incorporated elsewhere to practise here in the Yukon if they have the proper licensing and arrangements to do so.

The amendments before us today will accomplish two objectives. The first amendment will provide the option for investigators to dismiss a complaint, and the amendment will provide immunity from legal actions for those who act in good faith on behalf of the society. Firstly, currently, the investigators who investigate complaints against members of the law society here in the territory do not have the option of dismissing complaints for justifiable reasons following an investigation, in cases where the complaints have no reasonable prospect of success. The amendments will allow investigators the discretion to dismiss a complaint after investigation for a justifiable reason. It is critical to note that complainants will continue to have a right to appeal the decision to dismiss their complaint, if that option is available to an investigator and if they take such action.

The second proposed amendment before us today will provide statutory immunity from legal actions for those who act

in good faith on behalf of the society. This amendment will ensure that Yukon's legislation is in line with similar provisions found in all other Canadian jurisdictions, not only in *Legal Profession Act* types of legislation, but in many, many pieces of legislation where individuals act in good faith on behalf of a society.

All efforts to update, correct, or modernize Yukon legislation are important and a critical part of the work that we do here in the Legislative Assembly. In fact, it is the only place that this kind of work can be done. Modernizing legislation and keeping it up to date is a critical part of the work. I have brought these amendments forward — and our government is pleased to bring forward these important legislative amendments — for consideration by this Legislative Assembly.

Mr. Cathers: Regarding this legislation, I would note that we do have a number of questions about it, including who asked for this legislation change and whether there are any active matters to which it would apply. I would note that we will, with some reluctance, support it at second reading so that it can go to Committee and we can ask questions at that stage.

As the House will likely be aware — as I have tabled a copy of my letter to the Deputy Premier, who is the Minister of Justice, as well as to the other member of Cabinet who has indicated that he is a member of the legal profession — I asked them about whether, pursuant to their mandate letters from the Premier, they followed this instruction — and I quote: “You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.”

Mr. Speaker, for the record in this Assembly here, I will read in the text of my letter, which is rather short and is also on the record. I, of course, will omit the name of the minister, as per the requirement of the Standing Orders, but I wrote to the Minister of Justice, with a similar letter to the Member for Riverdale North, who is also, as per his public statements, a member of the legal profession. Writing to the minister, I said this: “On October 12, 2022, you tabled Bill No. 16, *Second Act to Amend the Legal Profession Act 2017 (2022)*. This was notable because, according to your previous statements in the Yukon Legislative Assembly, you are a member of the legal profession.

“I also note your mandate letter includes the following instruction from the Premier: ‘You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.’

“Since the Premier has required that you actively seek guidance from the Conflict of Interest Commissioner, and since there is a potential appearance of a real or perceived conflict of interest in this situation, we believe the public deserves accountability from you. Can you please advise whether you sought advice from the Conflict Commissioner prior to being involved in Cabinet discussions pertaining to *Bill 16, Second Act to amend the Legal Profession Act 2017 (2022)*?”

“Thank you for your prompt reply.

“Sincerely...” — me.

So, in preparing for the speech this afternoon, up until this morning I thought that I would be indicating that the minister did not reply to my letter. I would note that one of the ministers has replied. The timing of that, of course, as the minister knows — she deliberately timed the reply for when we were actually in this House during Question Period, so I would like to thank staff for sending in the letter that the minister tried to slip in at the last minute so she could claim that she had answered the question.

I will, of course, for the record of the House, table a copy of this letter from the Minister of Justice, who signed her letter, Attorney General and Minister of Justice.

Unfortunately, the minister didn't actually answer the question. The key question, as I noted in my letter, was that the mandate letter for each and every minister requires them to “... respect the letter and the spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.” There is that pretense by the Liberal government of proactively seeking advice from the conflicts commissioner but, as we know and have discussed earlier in this session, unfortunately, we have a record by this Liberal government of doing one thing, and then actually failing to follow the ethical standards that they claim to have set for themselves.

The letter from the Minister of Justice, addressed to me, said — and I will quote from it as well as table it, although I trust the Speaker will allow me to do that after I have quoted from it, since I just have the one copy with me at the moment.

The letter said: “Thank you for your letter of October 17, 2022. I note that you have raised this issue in the past, when we were debating the *Legal Profession Act 2017*.” And here is the kicker from the letter: “In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential.

“Suffice to say, as with the passing of the *Legal Profession Act 2017*, I am abiding by my mandate letter and am satisfied that no conflict of interest exists for me to table and debate Bill No. 16, *Second Act to Amend the Legal Profession Act 2017 (2022)*.”

Well, Mr. Speaker, accountability requires disclosure by ministers. I would note, as you heard in my letter — and possibly read earlier when I tabled it — I didn't accuse the minister of being in a conflict of interest. I asked her whether she sought the advice of the conflicts commissioner before tabling legislation that amends the act that governs the profession of which, according to her own public statements, she is a member.

According to the mandate letter from the Premier, one would naturally assume that ministers would do as they are expected to do, and before participating in Cabinet discussions related to legislation affecting a profession of which they are a member, one would assume that they would recognize the need to seek the advice of the conflicts commissioner. What the minister hasn't said and just refused to tell the public is whether she followed her mandate letter and whether she sought that advice.

If the minister sought the advice of the Conflict of Interest Commissioner and if her colleague, the Minister of Environment, did, and if the Conflict of Interest Commissioner said it was fine, then they should have nothing to be ashamed of here. They should have no reluctance to tell us exactly what the Conflict of Interest Commissioner said. They should be comfortable tabling that advice, but the minister did what in the United States would be referred to as “pleading the fifth” and she said — and I quote: “In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential.” So, she refused to answer the question of whether she even asked. It would be shocking to see this type of ethical standard for any government other than this current Liberal government.

Again, Mr. Speaker, I have to remind —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Government House Leader, on a point of order,

Hon. Mr. Streicker: Mr. Speaker, under 19(g), it says “imputes false or unavowed motives to another member” — and then, in the annotated Standing Orders, it talks about not suggesting that people are acting — any member of this House is acting — unethically. So, I ask that you consider that this is what the member opposite has just done.

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

Mr. Cathers: On the point of order, Mr. Speaker, as we covered on the previous day when the Government House Leader attempted to shut down debate, the Annotated Standing Orders are not the Standing Orders, and, in fact, I was simply referencing the minister’s mandate letter and pointing out that she refused to answer whether she had complied with it.

Speaker: The Government House Leader, on the point of order.

Hon. Mr. Streicker: Thank you, Mr. Speaker. Through points of order, you have stated that we should not be using them to try to then continue to do things — for example, to suggest that what I’m trying to do is shut down debate — no, that’s not correct. What I’m trying to do is to make sure that we are abiding by the rules of order that we all have to govern us.

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

Mr. Cathers: The Government House Leader seems to be beginning a practice of endlessly debating the points of order. He introduced no new information in that last bit. He simply doesn’t like the statements that I made during second reading.

Speaker’s ruling

Speaker: On the point of order, the member appears to have violated 19(g) of the Standing Orders by imputing false or unavowed motives to the member. I ask that the member not use the word “unethical”.

Member for Lake Laberge, please continue.

Mr. Cathers: I, of course, will respect your ruling, but I will return to the heart of the matter — that it is not for individual members of the Assembly to set themselves up as the final judge of the *Conflict of Interest (Members and Ministers) Act*. That is what we have a conflicts commissioner for. This Liberal government purports to set a standard of behaviour for ministers that requires them to proactively seek, and abide by, guidance from the Conflict of Interest Commissioner.

As I asked, on behalf of the public, when I wrote to the minister — I noted that, according to her own statements in the Legislative Assembly, she is a member of the legal profession, as is the Minister of Environment. Again, I wrote a similar letter to him. I also reminded both ministers that their mandate letters include the following instruction from the Premier and again — I will quote: “You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.”

Subsequently, I went on to ask them whether — since there is a potential appearance of a real or perceived conflict of interest in this situation — the minister had written to the conflicts commissioner and sought advice prior to being involved in Cabinet discussions pertaining to Bill No. 16, *Second Act to amend the Legal Profession Act, 2017 (2022)*.

Mr. Speaker, what I asked was whether both ministers follow their mandate letter. The ministers should have both followed their mandate letter and agreed that, whether or not there was an actual conflict of interest, the perception of a conflict of interest itself is problematic for government, and government — any government — should want to clear any cloud of question about whether its members were abiding by the conflict of interest act. The minister wouldn’t even tell me if she had spoken to the Conflict of Interest Commissioner or written to him — wouldn’t even tell me — and that is not the standard for public accountability that should be accepted in this territory. Ministers should have no problem disclosing to the public if they have followed their mandate letters. Ministers should have no problem telling the public whether or not they have sought the advice of the conflicts commissioner.

Again, as with the matter involving the former Minister of Health and Social Services, Pauline Frost, if the Conflict of Interest Commissioner has determined that there is no problem, we are happy to accept the finding of the Conflict of Interest Commissioner. But in this case, what is incredibly troubling is that I asked two simple questions of the minister. Did she follow her mandate letter and proactively seek guidance from the conflicts commissioner? And I asked whether the Conflict of Interest Commissioner had indicated that it was fine? I am paraphrasing my letter slightly, but those are two central elements of the letter. Did you ask the conflicts commissioner for guidance as your mandate letter requires, and, if so, did they say it was fine?

The minister’s letter — again, I will table it as I wrap up my remarks here today — refused to answer the question of whether she had sought the guidance of the Conflict of Interest Commissioner. Again, the quote that really struck me as

startling in the minister's letter was this — and I quote: "In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential."

For a minister to not even be willing to disclose to the public whether she sought advice of the Conflict of Interest Commissioner is not acceptable.

I also would remind the Member for Riverdale North, the Minister of Environment — lest he thinks that I have forgotten about him — that, unless he has just sent me a reply while I am up here speaking, he has not replied to the question about that. Again, it is recognized in the conflict of interest act and it has been recognized by the Conflict of Interest Commissioner many times that it is not just enough for government to be satisfied with not contravening the *Conflict of Interest (Members and Ministers) Act*; it's also important to avoid the perception that may have occurred. A perceived conflict of interest can be just as problematic for government as a real one. In government, any minister in a situation like this should be the first to want to be able to demonstrate that they proactively sought guidance from the Conflict of Interest Commissioner and that the Conflict of Interest Commissioner provided them guidance and that they are acting in accordance with that advice.

As I noted, the Minister of Justice, the Deputy Premier, will not even tell the public whether she sought the advice of the Conflict of Interest Commissioner, let alone whether he said it was okay to participate in amending legislation that governs a profession of which, by her own statements, she is a member.

It is also legislation, I should note, that, in terms of her colleague, the Minister of Environment — the amendments to this directly relate to his former employer, and we do not know, at this point in time, whether there is anything to be concerned with regarding the minister's participation in Cabinet discussions, nor are we saying there is. What we are asking is for public disclosure. Did you seek the advice of the conflicts commissioner as your mandate letter requires, and, if so, did the Conflict of Interest Commissioner say that it was okay for you to participate in those discussions as well as the vote in the Legislative Assembly? It's a simple question, Mr. Speaker.

Ms. Blake: I am pleased to speak in support of the amendment to the *Legal Profession Act*. It is my understanding that these amendments, which were requested by the Yukon Law Society, will allow the society to operate more efficiently. They will allow the society to dismiss complaints made to them that are not substantive, and allow them to focus on investigating more significant complaints.

Thank you to the public servants who answered my questions during the briefing, and thank you again for being here.

Hon. Mr. Clarke: I wasn't going to speak on this, but I will just speak briefly on two comments made by the Member for Lake Laberge. The most recent one is — I'm very puzzled by his assertion about my former employer. My former employer was the Yukon Legal Services Society, also known

as legal aid. I don't think that it has anything to do with this legislation, but anyway, maybe it does, and I stand to be corrected, if that is, in fact, the case.

The second is that I received correspondence some time ago that referred to a minister who tabled Bill No. 16. I thought I had received it in error. I guess now I'm hearing that it was just sloppy on behalf of the Member for Lake Laberge and that I was the actual intended recipient of that letter, but perhaps the Member for Lake Laberge could send me another. If it is still his intention to have me receive a letter with an accurate appellation and accurate indicator as to whom he is addressing the correspondence, and he wishes me to consider it, then I will receive that letter and I will take it under advisement and consider it.

I was not the minister who tabled this bill, so I thought that it was sent to me in error, but I have heard the Member for Lake Laberge's comments today and I will review the letter and consider my options.

Also, I will just confirm that I am mystified by his concern about my former employer. I don't know where that comes from and what he is referring to. I don't think that I actually had any other employers in — well, that is not true. I had one for a few years, but it was a law firm. But I think that he is mistaken when he is asserting some sort of conflict that I might have in relation to my former employer — the Yukon Legal Services Society, also known colloquially as "Yukon Legal Aid", where I worked for 22 years.

So, if it is the member's intention still to seek some information from me, I look forward to confirming that he is addressing that request to me and not to the Minister of Justice, and I will receive that request, take it under advisement, and act accordingly once I have had an opportunity to consider my options. Thank you, Mr. Speaker.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McPhee: I appreciate the comments from the member for Old Crow with respect —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Third Party House Leader, on a point of order.

Ms. Tredger: This has happened several times today that the Member for Vuntut Gwitchin has been called the "Member for Old Crow". I don't think that any disrespect was meant, but I would ask that members use her correct title.

Speaker's ruling

Speaker: Can I advise all members to please use members' titles when referring to another member in the Legislative Assembly. Thank you.
Minister of Justice.

Hon. Ms. McPhee: Thank you for that reminder and my apologies to the Member for Vuntut Gwitchin with respect to

my misstatement. I appreciate the comments that were made by that member in relation to this piece of legislation — to this bill — because, in addition to other comments, she reminded the Legislative Assembly that this bill was drafted in response to a request from the law society for their legislation to be as accurate and efficient as possible, and for that legislation to serve Yukoners in that way.

I wasn't going to address the comments by the Member for Lake Laberge, but I will do so very briefly. This issue is the same issue that was dealt with extensively back in 2017 when I introduced the then-bill for the changes to the *Legal Profession Act*. It is absolutely my responsibility to comply with my mandate letter. While I appreciate the reminder by the Official Opposition, I certainly understand that responsibility. I was asked if I am complying with my mandate letter, and in correspondence, I replied that, in fact, I was.

I can also note that I did reply to the member opposite, and he has read part of my letter. I should also indicate that, if there are any questions remaining about this issue, I am not in a conflict of interest with relation to this bill before the House. There is no conflict whatsoever between my public duties and my private interests. I would respectfully request that, if the member opposite believe otherwise, that he take the insinuations, his concerns, or innuendoes, about my behaviour outside of this House and complain to the Conflict of Interest Commissioner. In fact, that is the part of my letter to the Member for Lake Laberge that he did not mention today. I appreciate that he says that he is going to table this letter. I am happy to do the same.

We can have one copy, but the second-last paragraph of my letter says, "If you continue to be concerned about this matter, you have an option to take it up with the Conflict of Interest Commissioner." The last paragraph of my letter says, "Thank you for your question regarding this matter."

I think enough has been said with respect to this particular issue. I am very pleased to present this bill for consideration for the reasons I have explained and how it will update, modernize, correct, and provide better law here in the territory with respect to the work and responsibilities of the *Legal Profession Act*. I hope there is support for Bill No. 16.

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. 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: D'accord.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 18 yea, nil nay.

Speaker: I think the yeas have it. I declare the motion carried.

Motion for second reading of Bill No. 16 agreed to

Bill No. 17: *Clean Energy Act* — Third Reading

Clerk: Third reading, Bill No. 17, standing in the name of the Hon. Mr. Streicker.

Hon. Mr. Streicker: I move that Bill No. 17, entitled *Clean Energy Act*, be now read a third time and do pass.

Speaker: It has been moved by the Minister of Energy, Mines and Resources that Bill No. 17, entitled *Clean Energy Act*, be now read a third time and do pass.

Hon. Mr. Streicker: At second reading, this was supported by all members of the Legislature. During Committee of the Whole, we heard from members of the Yukon Party that they did not support the target of 45-percent reduction. I'm going to try to speak here at third reading to petition all members of this Assembly to consider supporting this act.

The *Clean Energy Act* is about providing a legislative framework that sets greenhouse gas emissions and reduction targets into law. The purpose is to ensure that there is transparency and accountability in meeting the targets and allows regulatory authority for additional greenhouse gas reduction targets.

The new act will direct the Government of Yukon to take action to achieve the targets and ensure a continuance of climate action, accountability, and transparency over the long term. Without this new act, the Government of Yukon would not fulfill one of its key climate actions under *Our Clean Future*, and it would also make it difficult to achieve many of the other commitments.

The members of the opposition pointed out that they felt that it would be harder to get to the 45 percent, and I agree with them that it would be harder.

However, it's important, and I think that, in this moment, all of us are effectively taking a position about what we should strive to do or not. Creation of the *Clean Energy Act* holds the Government of Yukon and future governments accountable for implementing, reporting, and achieving climate actions set out under *Our Clean Future*, and it ensures long-term government accountability and sets a benchmark for developing measures to reach the legislated targets. This is about legislating our

greenhouse gas emissions reduction objectives, and it will inform future decision-making to achieve targets under the act.

In my experience working on the issue of climate change, you need to set targets. Second of all, you need those targets to be significant, and you need to show the actions you're going to take to achieve those targets, because without those things, you will not achieve it. It has been a challenging issue.

My recollection of this issue is that it first hit the floor of this Legislative Assembly, I would suggest, less than 20 years ago. I remember when I first started hearing Members of this Legislative Assembly talk about climate change; I remember reaching out to the Department of Environment at the time and suggesting that I could provide a briefing for the minister to talk about the seriousness of this issue.

Back then, we talked about the importance of setting targets, the importance of taking action, and the importance that, if we did not do that, that it would just ratchet up. So, it isn't that if you just say, "Okay, we don't need to do that," that the problem goes away; in fact, the problem increases. In particular, across the north, whether we're talking about permafrost underneath our communities, or whether we're talking about forest fires and the risk increasing, or whether we're talking about flooding and the frequency and severity of that flooding increasing, these are all significant, significant risks, and those risks will go up.

I think this act will bring the Yukon in line with the most progressive greenhouse gas emissions reduction targets legislated in North America. I encourage all Members of this Legislative Assembly to consider that this is an important thing for the Yukon, for the future for the world, and to please support this act. I think it will strengthen it going forward, should everyone support it.

Ms. Tredger: As I respond to this bill at third reading, I want to start by just talking a little bit about the situation we are in, and I know my colleague across the way has done that.

I referred to a report yesterday, in a different debate, from the Yukon University that came out this year. This predicted that, over the next 50 years — so, 50 years — the report states that temperatures in the territory could jump between 0.7 to 3.7 degrees in the next 50 years — enough to drastically alter ways of life. If I'm lucky, that's within my lifetime. We're not talking about a distant future at all. We are talking about a crisis that is here now.

During Committee of the Whole, we discussed a little bit the relative merits of 45-percent reductions versus 30-percent reductions. Something I forgot to mention at the time — there has been a lot of conversation about 45-percent reduction being realistic, that we don't have a plan. We do have a plan. It's called *Climate Shot 2030*. The Yukon Climate Leadership Council has worked incredibly hard to tell us how this can be done.

I just want to walk us through a little bit of how that happened. I guess it's about a year and a half ago now that the confidence and supply agreement was signed. The Yukon NDP knew we had to get to that 45 percent. We knew it wasn't negotiable. We also knew we needed a plan to get there, so part

of that agreement included creating the Yukon Climate Leadership Council, which pulled together 12 Yukoners with a huge range of expertise, lived experience, and all kinds of knowledge, and we asked, "Can you make us a plan?" They said that was a pretty big task, but okay. And they did it. They actually gave us a plan that has more than 45-percent reductions. We get to choose how we want to meet it. There are options. So, absolutely, it can be done, because they have told us it can be done, and they have told us how.

I just want to express such gratitude to them for that work, because they worked just about a year on that report. They got incredible things done in that time.

I actually asked about that report quite a bit during Committee of the Whole, because I wanted to know if there was going to be a formal response to that report. I was told that there was, and it would be public, and I appreciate that, but I was told that we can expect to see that response in August of next year. The report came out in September, so that's nearly a year to formally respond to the report. That's almost as long as it took to write the report. I would respectfully urge my colleagues that we can do better, that they need to respond sooner, and we need to get going on that sooner.

I know that my colleague has said that he is going to start those actions as soon as possible. I would really ask that we communicate that outward, that we let those people know — we let Yukoners know — that we have taken that report seriously, that we are acting now, that we are looking at it now, that we're going to respond to it soon and not wait until August for that to happen.

The other big piece of this legislation that I need to address is the decision, of course, to exclude mining emissions from the 45-percent target. I said this before, and I will say it again: You know, I get the argument about how the level of mining fluctuates in the territory. I really do hear it, but at the end of the day, we can argue until we are blue in the face about that. It doesn't change the impact of those emissions. I just have these visions of, as the world is collapsing around us — it's on fire; there is flooding and landslides — and we're saying, "Our emissions were so efficient, and it doesn't matter." What matters is how much carbon we are putting into the atmosphere, and that is what we have to get down. So, I am disappointed that was the choice that was made for this bill.

I want to end on a positive note, because I am really excited that we are committing to this. I am terribly, terribly proud on behalf of the Yukon NDP of that 45-percent reduction. I am happy to be seeing this move forward. We will, of course, be supporting this legislation.

Hon. Mr. Clarke: I am pleased to be here today with my colleague from the Department of Energy, Mines and Resources on Bill No. 17, *Clean Energy Act*, for third reading.

As I have stated previously, it is inspiring to see what we can accomplish as a government, and as a society, when we collectively work toward building a common vision for the future together. The climate is changing at unprecedented rates, and Yukoners have made it abundantly clear that we need to act

now. Doing so requires us to lower our emissions, starting with the way we consume energy in our daily lives.

Yukon's climate is changing, impacting the water, land, and the places we call "home". We know that elders lived through winter temperatures that our children may never experience. Wildlife and plant species are claiming habitat in places that they have not before. Every stage of the water cycle is being affected, including precipitation, surface water flows, and groundwater recharge. In some locations, 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 can kill 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.

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 take the threat of climate change seriously. We have joined First Nations and municipalities in the Yukon to declare a climate emergency in the territory.

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, which has four key goals: reducing the Yukon's greenhouse gas emissions; ensuring that Yukoners have access to reliable, affordable, and renewable energy; adapting to the impacts of climate change; and building a greener economy.

We know that the Yukon is warming at, at least twice the rate as the rest of the world. We need to mitigate and reduce the impact of climate change by reducing our greenhouse gas emissions. We have committed to an ambitious target of reducing our emissions by 45 percent below 2010 levels.

As part of our commitment, we are tracking and reporting the territory's greenhouse gas emissions. In the Yukon, transportation and heating buildings are the biggest sources of emissions. While the Yukon's emissions are a small percentage of Canada's total emissions, our per-capita emissions are the sixth-highest in Canada. We will reach our reduction targets by tracking and monitoring our emissions. We will implement the actions in *Our Clean Future*, work collaboratively with partners to update our actions, as needed, and adopt new emission technology reductions as they become available. Climate action also means adapting to climate change impacts that are already affecting our territory.

Yukoners need to be aware of climate risks and the role they play as we build a clean future together.

We recently released the first climate risk and resilience assessment for the Yukon. The assessment helps us to better understand where climate impacts pose the greatest risks and the actions that we need to take to protect values that Yukoners hold close. To build our climate resilience, we must protect our transportation infrastructure, prepare for fires and floods, and respond to permafrost thaw. Building resilience supports our territory's food and energy security, our health and well-being,

and supports reconciliation with Yukon First Nations by protecting a culture and heritage that is inextricably linked to accessing the land and a healthy environment.

As a government, we have a responsibility to lead climate action in our territory. We are an active participant in climate actions for our region, our nation, and the world. We support Canada's commitment to the United Nations 2015 *Paris Agreement*; we have put forward Yukon's perspective to shape the *Pan-Canadian Framework on Clean Growth and Climate Change*; and we work regularly with Canada, the Northwest Territories, and Nunavut on projects specific to climate change in the north.

To achieve our climate goals, all Yukoners need to play a part. Families, businesses, organizations, and individuals can all be part of the solution. I am encouraged by the actions that I have already seen in our communities. Yukoners are modifying the way we build, finding new ways to travel, and exploring more sustainable energy sources.

The challenge of climate change can feel daunting and overwhelming. Anxiety related to climate change is real and it affects all of us. One key finding of our climate risk and resilience assessment stands out to me. Yukoners are, in fact, resilient. It is our northern way of life that will continue to support us in our fight against climate change. We will continue to do our part to address climate change by following through on our commitments in *Our Clean Future*. I ask each and every Yukoner to consider how you can play a part in addressing climate change and building your resilience.

Thank you to the Yukon First Nations and transboundary indigenous governments and groups, municipalities, climate advocates in the territory, and every Yukoner who is making a real effort to make change and support climate action in their everyday lives.

Together, we are adapting to the impacts of climate change, reducing our emissions, and establishing a future of a changing Yukon. We live in a world that is rapidly changing. Climate change is threatening ecosystems, subsistence harvesting, infrastructure, leisure activities, and many other aspects of our lives.

The Yukon's population is growing, along with our need for reliable, affordable, and renewable energy to continue to power our lives, our work, and our economy.

New economic opportunities are emerging in the sustainable green economy.

Our Clean Future is our answer to the climate emergency. The Government of Yukon developed *Our Clean Future* in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities over the course of three years. During this time, the partner group gathered four times to establish a vision and values for *Our Clean Future* and to prioritize the areas that we should focus on over the next 10 years to respond to the climate emergency.

Mr. Speaker, as a result of this collaborative process, the strategy reflects multiple perspectives, world views, and ideas. Climate change is, in fact, one of the biggest challenges of our generation. *Our Clean Future — A Yukon Strategy for climate change, energy and a green economy* is one of the many

initiatives in the Yukon that contributes to our collective response to the climate emergency.

Addressing climate change is a collaborative effort. Thank you for the ongoing work of Yukon First Nations, transboundary indigenous groups, non-government organizations, youth researchers and academic institutions, consultants and industry, and other governments, including First Nation governments, the Government of Nunavut, the Government of Canada, Government of Northwest Territories, Government of British Columbia, and a number of committed and passionate individuals.

To track our progress, we have recently released our first annual report. The purpose of this annual report is to clearly communicate what we have achieved and where we may need to adjust our approach to successfully reach our 2030 goals.

In addition to reporting on existing actions, five new and 13 revised actions have been introduced, bringing the Government of Yukon's total actions under *Our Clean Future* from 131 to 136. We expect to continue adding new actions and modifying some as we learn from our past efforts and work toward our long-term goals. The new and revised actions outlined in the 2021 annual report build off existing, completed actions. They add specificity or further direction to existing actions, or represent a change in course after further analysis and research. These new and amended actions will be tracked and reported. We started this in 2022. We will continue to introduce new actions and build on *Our Clean Future* as we learn more about climate change.

As new actions are introduced, they will be reflected in future annual reports. By the end of this year, comprehensive information on the implementation of *Our Clean Future* will be available through an *Our Clean Future* website to prioritize areas that we are focusing on, and will continue to focus on over the next 10 years, to respond to the climate emergency. In order to address the climate crisis, all Yukoners — including individuals, municipalities, communities, First Nation and Inuvialuit governments, territorial and federal governments, academics, non-governmental organizations, and the private sector — can take part in reducing emissions and building communities that are resilient to change.

Non-renewable energy from transportation, heating, and buildings all release greenhouse emissions into the atmosphere. These emissions cause a cascade of impacts from rising temperatures to changing precipitation patterns, leading to local and global climate change impacts.

Mr. Speaker, I will be supporting the *Clean Energy Act* as the energy we consume is directly related to our carbon footprint. It is essential that we transition to a clean energy future by reducing our reliance on fossil fuels to mitigate our greenhouse gas emissions over the coming decades. Although we are a smaller jurisdiction, we have a responsibility to Yukoners, Canadians, and the global community to do our part to reduce our emissions.

The Intergovernmental Panel on Climate Change — or the IPCC, as I will refer to it from here on — has stated that, in order to stay near a 1.5-degree Celsius increase in average global temperatures, global CO₂ emissions need to decline by

about 45 percent by 2030 and reach net zero by 2050. By aligning our territory's greenhouse gas emission targets with the IPCC guidance, we demonstrate our commitment to creating a cleaner future for all.

Voting today to pass Bill No. 17 will be a historic moment for our territory and for all Yukoners. As the Yukon's first climate change legislation, the *Clean Energy Act* will pave the way forward for present and future generations. It will also be instrumental in guiding future decision-making to achieve a renewable energy transition and to build a green economy. In addition to reducing our emissions by 45 percent below 2010 levels, the legislation enshrines our commitment to be net zero across all sectors by 2050.

The *Clean Energy Act* will ensure that we are on a pathway to meet our climate goals. The act fulfills commitments made under *Our Clean Future* and the 2021 confidence and supply agreement to legislate greenhouse gas emission reduction targets. Furthermore, it will support long-term climate change accountability in the Yukon through public reporting on our greenhouse gas emission reduction targets.

In September 2022, the *Our Clean Future* annual report for 2021 was released. Our current reporting tracks progress on four *Our Clean Future* goals and provides updates on 136 actions and their associated indicators. Our most recent data from 2020 shows that our emissions remain three percent above 2010 levels; however, it is encouraging to note that our emissions were down by 12 percent from 2019 levels.

While we have made progress on many of our commitments in *Our Clean Future* so far, there is, admittedly, still significant work to do in order to meet our 45-percent reduction target by 2030. By 2030, territorial emissions need to be 343 kilotonnes or less to reach our 45-percent emission reduction target.

Based on our 2010 baseline emission levels, that means we will need to reduce our emissions by 282 kilotonnes over the next eight years. While the actions in *Our Clean Future* are ambitious, we know that new and revised mitigation actions will be necessary to achieve our greenhouse gas reduction goals.

In order to understand how the 136 strategy actions are performing, we need to measure and evaluate progress. We expect to be adding new actions and modifying others as we learn from our past efforts and work toward meeting our long-term climate commitments. In addition to the 136 actions currently listed under *Our Clean Future*, there are several other initiatives that have been completed and provide a source of potential new actions.

External groups, such as the Yukon Youth Panel on Climate Change and the Yukon Climate Leadership Council have provided full and thoughtful advice to support the government in addressing this complex challenge. We would like to once again express our gratitude to the youth panel and to the council for providing their expertise and recommendations. I can also say that I have certainly heard the comments from the Member for Whitehorse Centre about her enthusiasm for some of the recommendations from the Climate Leadership Council, and we certainly do look forward to

modelling those recommendations and integrating them, as possible.

As indicated, we are currently working with multiple departments to understand how these recommendations align with current work being undertaken and how they can be implemented by government as part of our work to measure the performance of our current actions and to assess what new actions need to be added to *Our Clean Future* to meet our targets.

This will be an essential part of our work, as we prioritize our collective efforts to increase our ambitions and to accelerate our commitments to meet the targets we are putting forward in legislation today. The *Clean Energy Act* is a significant step forward in the Yukon's efforts to tackle the climate crisis. Meeting and reporting on the targets enshrined in this act will require hard work, dedication, and commitment — not just on behalf of the Department of Environment and the Department of Energy, Mines and Resources, but all Government of Yukon departments. It will also create future opportunities for industry to lead innovation and change through the ability to establish sector-specific targets.

Mr. Speaker, we are committed to doing the hard work together and I am incredibly proud of what this legislation represents and what it means for Yukoners. I would like to take this time to once again thank the Members of the Yukon Legislative Assembly for their support and consideration in the passing of this bill, and for sharing a common vision for building a sustainable, clean energy future together.

Mr. Kent: I am pleased to rise on behalf of the Official Opposition to respond to Bill No. 17, entitled *Clean Energy Act*, at third reading here today.

As noted by the Minister of Energy, Mines and Resources in his opening comments, we did support the bill at second reading. Of course, we had a number of questions that we were hoping to get answers to in Committee, and unfortunately, the minister was unable to provide the answers to many of the questions that we had with respect to the plan of how we are going to meet — in particular — the goals that are set out for 2030 of a 45-percent reduction.

Off the top, in Committee of the Whole, the minister told us that in 2020, our greenhouse gas emissions were actually higher than they were in 2010, so there is a lot of work and a lot of ambitious — and hard work that is required between now and 2030 to get us to the 30-percent targets, let alone the 45-percent targets contemplated in this bill.

In the 2020 report, prepared by Navius Research, which helped inform the development of *Our Clean Future* and the 30-percent target, it states — and I quote: “*Our Clean Future* closes 77% of the gap to Yukon's 2030 greenhouse gas target...”. So, even with *Our Clean Future*, we fall short of the 30-percent reduction by 2030, and that is with a plan and modelling in place. The NDP-Liberal agreement came up with a new target of 45 percent. We, of course, proposed in Committee to stick with the *Our Clean Future* target of 30 percent that had been modelled and supported with research. This target, of course, was also campaigned on in the 2021

election by the Yukon Liberal Party, as well as the Yukon Party. In that election, the Yukon Party received approximately 39 percent of the popular vote, while the Liberals received approximately 32 percent of that popular vote.

Our Clean Future was backed up by modelling and targets to get there. Perhaps that is why it was endorsed by so many Yukoners during that 2021 election.

The NDP plan, which was adopted by the Liberals, of 45-percent reductions has no modelling currently, no cost estimates, and no cost projections for the consumer. The only science that supports it, unfortunately, is political science. The NDP Member for Whitehorse Centre spoke in her remarks about recommendations that were made by the Yukon Climate Leadership Council to get to the 45-percent target, but during Committee debate, the minister has already dismissed two of those recommendations related to how the carbon tax revenue is spent and rebated. As the Member for Whitehorse Centre mentioned, we are not sure what the response is to all of the other recommendations.

As we went through Committee debate, the minister demonstrated that there is a substantial amount of work left to hit the targets that are set out. The target of 4,800 electric vehicles on Yukon roads by 2030 is lagging. The minister told us that there are currently 161 registered electric vehicles on the road. So, Mr. Speaker, starting January 1, 2023, Yukoners have to buy approximately 11 EVs each week for eight years to hit that target. The YG is one of the largest — if not the largest — emitters in the Yukon, and the Minister of Highways and Public Works is hedging his bets on the Government of Yukon's targets for zero-emission vehicles as well. When asked about it, he told the House — and I'll quote: “Well, on page 35 of *Our Clean Future* action, what it indicates is: ‘Ensure at least 50 percent of all new light-duty cars purchased by the Government of Yukon are zero emission vehicles each year from 2020 to 2030.’”

“In retrospect — and I guess not anticipating a 102-year global pandemic — although, to be candid, setting this out in 2019 or whenever, this may have been ambitious. I'm not sure if there would have ever been that supply —”

The minister is asking Yukoners to do their part, but he is already backing away from commitments that the government is supposed to honour. When it comes to meeting the targets, we know that we will need renewable energy to help heat our homes and charge those electric vehicles, among other things. Again, the minister was unable to explain to this House how we will get there. The biomass industry is in a mess, as we have heard in debate and in Question Period earlier today — a Liberal-created supply issue is crippling that industry.

Atlin hydro is at least a year late, according to the minister, and \$60 million short of the \$315-million estimate. I understand that funding gap has been closed a little bit with a recent British Columbia government announcement of \$20 million, but of course, still needs additional funds, and we don't know where those funds are going to come from at this point. The minister indicated that this will mean that we will still have to rent four diesels until that project comes online, if, in fact, it does.

Moon Lake is another crucial piece to the needed energy supply, but the minister was unable to answer questions of cost and timing with that project. It is scheduled in the Yukon Energy Corporation's renewable energy plan to come online in 2028, but it is still in the conceptual stage. The minister couldn't even give us a cost estimate at this point, and we have years of permitting, licensing, and construction ahead of us.

There are unanswered questions about costs to the Yukon government. We know that climate change will have a cost to us, whether it is increased frequency of forest fires, floods, or repairs to our highways, but there are also costs to implementing this plan. How much will all of these projects cost us? Under current funding, we could spend up to \$24 million on electric vehicle subsidies alone. The minister has admitted that the \$500 million needed by the Energy Corporation for the renewable plan is already well past that threshold, without a cost for Moon Lake even factored in at this point.

One of the projects that I was pleased to learn isn't completely off the table, according to the minister, is tying into the BC grid. This would help us in a number of ways by getting Watson Lake off diesel-generated electricity, providing clean power to existing and proposed mines, and helping to offset increased demand for power as we move forward, but again, this is a huge cost that Yukoners cannot bear alone.

We have also heard talks of austerity coming from Ottawa, with the Finance minister in Ottawa signalling that cuts need to be made. We all know that budgeting is about choices, and we need to prioritize energy and climate change expenditures against schools, highways, and health care expenditures in a time where belts are being tightened. Those budgeting decisions also have to be made at the kitchen table by Yukoners and their families. Inflation is crushing Yukoners. The cost of heating your home with oil, propane, or firewood is becoming almost unattainable. Carbon tax and GST increases continue to drive costs up, and now we hear economists and the Bank of Canada talking about a coming recession.

Mr. Speaker, interest rate increases are adding to the challenges that Yukoners face. Many people my age will remember well the challenges faced by our parents in the 1980s under the unbelievably high interest rates at that time. Unfortunately, we may be heading that way again. The minister couldn't tell us what the cost of his Yukon clean fuel standard will be. The federal plan is projected to add 13 cents per litre to diesel. Again, all of this will drive up the cost of living for Yukoners, whether they are at the pumps or in the grocery stores.

These are a few highlights of what we talked about when it comes to meeting our greenhouse gas emissions. The bottom line for us, Mr. Speaker, is that we know we need to act on our emissions. We believe that the Liberal election plan of 30-percent reductions in *Our Clean Future* is attainable, and we campaigned on it. If that was the target in this bill for 2030, as we proposed in Committee, it would have passed this House with our support. We do not believe that reaching 45 percent is a realistic target at this time, given the lack of modelling, evidence, and costing presented so far by the Liberal

government. Therefore, we cannot support this new target, and we cannot support this bill as is.

Hon. Mr. Mostyn: Today, we are capping debate on Bill No. 17, entitled *Clean Energy Act*. It legislates set targets for Yukon's greenhouse gas emissions toward our stated goal of net zero in 2050. To that end, it makes us and successive governments accountable in meeting those targets.

Going forward, the Yukon government will have to track and publicly report progress. Let me repeat that: the Yukon government will have to track and publicly report progress. There is accountability, and this legislation will make the Yukon a leader in greenhouse gas reduction legislation in North America, and this is fantastic. As my colleague, the Member for beautiful Mount Lorne-Southern Lakes noted earlier, it is a strong, clear law that fosters a green economy and ensures that Yukon governments of any stripe must live up to the goal of reducing emissions. Great. We can live with accountability. I believe that the Yukon NDP can live with accountability too. The conservative Yukon Party — apparently not so much.

In fact, there is much here before the House this afternoon that makes the conservative Yukon Party squeamish. Yukoners I speak with —

Speaker's statement

Speaker: Order, please.

I mentioned earlier that members need to refer to members by their titles or by their party names. Please refrain from using "Yukon conservatives".

Minister of Community Services, please continue.

Hon. Mr. Mostyn: Thank you, Mr. Speaker.

In fact, there is much here before the House this afternoon that makes the Yukon Party squeamish. Yukoners I speak with want action on climate change. They see historic flooding on their doorstep. They see terrible wildfires close to their towns. They see landslides and bridge washouts depriving their stores of groceries and needed supplies. They see melting permafrost destroying buildings and other infrastructure, highways, and much more. They live the implications. They see the terrible cost in property loss and government expenditure. They want action on climate change. That is what this bill delivers, Mr. Speaker.

Will the Yukon Party support actions — targets designed to get us to zero emissions in 2050? We heard just a minute ago, probably not. Will they support accountability in the Yukon government's actions and progress? Well, the great reveal will happen in the coming vote. Let me define the results. I fully expect the Yukon Party MLAs to vote against this progressive legislation. I fully expect all Yukon Party MLAs will vote against accountability. I fully expect all Yukon Party MLAs to vote against emission targets. I fully expect all Yukon Party MLAs to line up with the oil and gas industry. I predict that, based on the erratic record of the leader of the Official Opposition on the issue of climate change, on the erratic record of the Leader of the Official Opposition on accountability, on the erratic record of the Leader of the Official Opposition on

carbon pricing, on the erratic record of the Leader of the Official Opposition on his support of the confidence and supply agreement, and on the erratic record of the Leader of the Official Opposition on emissions targets. I have said it before, Mr. Speaker — it resembles a weather vane in the grips of the whims of public opinion.

It pivots left, right, and then pirouettes hard right or hard left, back and forth, forth and back, depending on the prevailing wind of public opinion.

Let's explore this a little further. On climate change, the Leader of the Official Opposition positions his party as a supporter of green infrastructure but supports continuing the use of oil and gas in the Yukon. I will note, as my colleague for Mount Lorne-Southern Lakes has done many times, that a central piece of the Yukon Party election platform less than two years ago was to commit the Yukon to a piece of fossil fuel infrastructure for the next 20 years — the LNG plant promised in the Yukon Party platform. Just yesterday, the Member for Pelly-Nisutlin was talking about the merits of oil and gas development in Yukon, furthering our dependence on oil and gas.

On carbon pricing, in his platform in 2021, the Yukon Party leader pledged support to carbon pricing. Recently in this House, the Member for Pelly-Nisutlin denied that ever happened. Throughout this session, the Yukon Party mounted a backdoor attack on carbon pricing by demanding a cut to our six-cent-per-litre gas tax — the lowest in the country. So, which is it? Do you support carbon pricing, or do you not support carbon pricing? It's unclear. Pivoting this way and that. A greener future, or fighting to continue the rampant consumption of cheap fuel — which is it?

When it comes to climate change, the Yukon Party is often silent on the effects that it is having here in our territory. They are quick to talk about the floods and the costs of fires and landslides, but never about the elephant in the room that is causing a drastic uptick in this phenomenon, which is, of course, climate change. I don't often hear an acknowledgement or a responsibility when it comes to climate change — instead choosing to pretend that they are all natural events and that we should only focus on mitigation.

On accountability, when the Leader of the Official Opposition was Environment minister in 2012, he was criticized for weak language on climate change action. In response to that, he said that private sector targets would not even be regulated and the government didn't want to enforce cooperation — again, no accountability.

On emission targets — again, from his time as Minister of Environment way back in 2012, the opposition leader stated: We don't think setting a territory-wide emissions target is the right thing to do at this point. Now, again, from yesterday's statement from the Member for Pelly-Nisutlin, we expect the Yukon Party to vote against this legislation. In fact, as stated just a few minutes ago, this legislation has emission targets. So, again, apparently, this is not the right thing for the territory to drop at this point, either — 10 years later.

Now, the Member for Copperbelt South, who, no doubt owing to his background in this party, is always a voice of

reason on the opposition benches. He has espoused support for a 30-percent target, not 45 percent. The 45-percent figure is a target too far — too far, Mr. Speaker — intimating that it came out of the confidence and supply agreement.

He just spoke about political science, my good colleague across the way — and that's clever. It's a clever line — nice rhetoric. I give him full marks. But there's a problem. He might have had a point. My good colleague across the way might have had a point, except his leader fully endorsed the confidence and supply agreement, including the 45-percent target, just a few months ago, here in this House. For a full afternoon, it was spoken about. That, Mr. Speaker, was political science — epic political science — and I know that now because they are balking. What was good enough just a few short months ago is now a bridge too far. But they were willing to do it in a bid to take power — today, no dice. Political science indeed.

But it leaves one wondering where the Yukon Party stands. Where does the leader stand? A weathervane caught in the latest breeze — impossible to predict. Mr. Speaker, everywhere you look, the Yukon Party is taking a position opposing action on climate change and environmental protections in general. Better Buildings program — voted against it. Modernization of waste management in the territory — oppose it, preferring the sight of abandoned refrigerators and broken televisions in unmanned, unsupervised sites to a plan that protects the environment and helps cut society's rampant garbage production.

It seems that no matter the climate change issue, the Yukon Party either doesn't agree with it or simply opposes the obvious benefits and progress — doesn't give it credence. This isn't leadership. It's not governance. It's really playing party politics with a crisis.

In response to yesterday's NDP bill that would give non-signatory First Nations the right to refuse oil and gas extraction on their land, they declined support again. Of course, the conservative Yukon Party unilaterally took the clause out of the legislation in the first place. The Member for Pelly-Nisutlin even told us that the laws that stood where government would merely need to consider their input — meaning First Nations — was perfectly adequate. That follows a pattern with the Yukon Party. Why have meaningful —

Speaker's statement

Speaker: Order, please.

You just used the word again, "Yukon conservative party". I need to remind members that they need to use the party's name by their official name.

Minister of Community Services, please continue.

Hon. Mr. Mostyn: Mr. Speaker, I am terribly sorry. I have redone my notes, but I must have missed that one. I apologize.

The Member for Pelly-Nisutlin even told us that the laws that stood where government would need to merely consider First Nation input was perfectly adequate. It follows a pattern with the Yukon Party. Why have meaningful consultation with First Nations when it comes to this type of work on traditional

territories when you can sit down at the table with them, say nice things, and then do what you want anyway.

The opposition is always happy to find new ways to sidestep burdensome endeavours such as considering input. After all, even when that was a bridge too far for them to handle in 2014 — when many of the faces I see across the aisle thought that Bill S-6 was the pathway forward for the Yukon.

I could go on. There is a lot here for Yukoners to consider, but this legislation is important. It is as good as any in North America. We support action on climate change. We support the 45-percent target and targets in general, and accountability in reaching them. We are taking action on this world-altering issue. This is our latest action in a long string. I encourage members to support a cleaner future, and I encourage members to support this bill brought forward by my good colleague, the Minister of Energy, Mines and Resources.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Streicker: You know, I have been around this issue of climate change for a while now. It has been a real roller coaster, and I will speak a little bit about some of that change over time. I was excited in 2009, when the Yukon came out with its first action plan on climate change. I was very encouraged by that. It was disappointing — three years later — when the first update to that plan came out. The now Leader of the Official Opposition, the now Leader of the Yukon Party, was then the Minister of Environment, and he took away the targets. That was a backward move, in my opinion, and not going to help us to reach our goals around climate change.

I was encouraged, during the last election, when all of the parties endorsed *Our Clean Future*. I thought that was really good, and that is still good. I was especially encouraged, one year ago, when the Yukon Party stood up and said that they would support the confidence and supply agreement. One of the reasons for that was that meant that we were then aligned, and all of us would agree that we needed to get to a 45-percent reduction by 2030, but that wasn't the case.

As I am hearing now, the Member for Copperbelt South has indicated that the Yukon Party will vote against, but there are still a few things — and I think that it is worth noting — but first, let me talk about his comments about there was no science, other than political science, talking about climate change. I'm sorry; that is not correct. It is not even close to correct.

The issue of climate change — this need to transition our energy economy — which we have always known would be a challenge, has had the most science in the world of any subject I have ever seen.

If I were to try to talk about those Intergovernmental Panel on Climate Change reports — we're now up to the sixth report — but usually when they sit on the shelves, it's thicker than my desk, meaning the books would stack up past the desk, because there is so much science that is synthesized in them. It is reviewed by scientists from all over the globe, and they are

clearly saying to us that we need to do all we can to reduce our emissions by 45 percent by 2030 in order to have a shot at keeping global warming to 1.5 degrees.

We have scientists here in the Yukon who study this issue and look at it. There is a great group up at the Yukon University. The Member for Whitehorse Centre talked about the Yukon University report. I tabled that report here a couple of weeks ago. By the way, that is the second version of that report, which is the Yukon key findings and indicators climate change report. I happen to be the author of the first report back in 2015. The second one tabled was done by a very smart group of folks, talking about the challenges that we face. That is now, meaning more change is coming, because as we work toward 2030 to get our emissions down, there still will be significant emissions, which will continue to exacerbate the situation. Climate is slow to warm; it's even slower to try to turn back.

There is a lot of science out there. I disagree with the member opposite that there is no science. Man, I have been around this argument for so long, I have spoken many, many, many times, including a very memorable time up at the Yukon University to the Leader of the Official Opposition, when he was in the role of Minister of Environment. I felt that it was a very good meeting and presentation. I remember commending him for his insights. I just say to all of us today that this is such an important issue.

The high point for me is that this is a good bill. This is a really good thing to do, to make it a responsibility — not just for us today. It's not just the commitment that one party made, or another. It's the commitment that this Legislature will make and enact — it is my hope — when we get to the vote here in a moment. That will truly be an important moment.

I would just like to give acknowledgement to the many folks in the background from the departments who worked to bring this act forward. In particular, I will note Rebecca Veinott from the Department of Justice, Nicole Luck from the Department of Environment, and David Dugas from Energy, Mines and Resources. I know that team has worked really hard on this, and I want to say thank you to them. It's a very good thing today.

It is my hope that this legislation will be passed by this Assembly. I heard the members opposite, from the Yukon Party, that they don't support this. When I looked at their platform, they say, "Hey, let's get to net zero by 2050," but I looked for how they wished to do that. They are critical of the actions to date under *Our Clean Future*, including developing the Climate Leadership Council and taking in that work. They suggest that is not well enough thought out, that isn't certain — but it goes the other way, in my mind. If we were not to pass this legislation, then I feel it would be a fait accompli that we don't achieve targets. We have to do the things that are hard. This is that moment when we stand to vote on this bill.

I respect that there are different perspectives here — the perspective that the Yukon Party seems to be saying is that it's not too hard, or it's not important enough — okay, but what I am going to celebrate is that this act will make it the responsibility of this government and future governments, in order to achieve the necessary reductions in greenhouse gas

emissions, in order to try to keep us with a climate that is not going to lead to disastrous outcomes for our kids, and even our families of today.

So, this is a super important piece of legislation. I feel an incredible privilege to be part of the group of legislators who are here today, who will vote on this, and I look forward to that vote — and in my hope, the passage of this act. Again, thank you to all those who have been involved.

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: 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. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 10 yea, eight nay.

Speaker: The yeas have it.

Motion for third reading of Bill No. 17 agreed to

Speaker: I declare that Bill No. 17 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order, please. Committee of the Whole will now come to order.

Prior to proceeding today, the Chair will deliver a brief ruling.

Chair's ruling

Chair: On Tuesday, October 25, 2022, during debate in Committee of the Whole on Bill No. 19, entitled *Technical Amendments Act (2022)*, a point of order was raised by the Government House Leader after the Member for Lake Laberge stated, “This is unfortunately, as I noted, not the first time we have seen a case of this government — this Cabinet — failing to comply with the law.”

Chairs in the past have ruled on this matter. During the 33rd Legislative Assembly, the Chair of Committee of the Whole delivered a fulsome statement regarding the use of such language. In this April 24, 2012 statement, the Chair said — and I quote: “Compliance with acts passed by this Legislature is an important issue for this House. Members must have the opportunity to pursue that line of questioning, if they believe compliance is absent or incomplete. At the same time, members have to keep in mind that the Assembly is not a court of law and that the House does not have the authority, or the appropriate processes, to determine whether an individual has broken the law.

“Reminding a member that he or she has a duty to uphold the law is in order. Citing instances where a law is not being complied with, in the opinion of a member, is also in order. However, it is not in order to inject into debate a direct accusation that a member has broken the law.

“If a member wishes to make a charge against another member, he or she must do so by way of a substantive motion for which notice is required.”

In light of this, and given the matter that was before Committee at the time that the Member for Lake Laberge made the comment, I find that the line of questioning and the expression used was in order. However, I will caution all members to ensure that any remarks that they make in debate, alleging non-compliance with the law, conform to the principles laid out in the Chair’s April 24, 2012, statement.

The matter now before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control 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. 20: *Animal Control and Protection Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 20, entitled *Animal Control and Protection Act*.

Is there any further general debate?

Hon. Mr. Clarke: Thank you, Madam Chair. I would just like to welcome the officials back, chief veterinarian Dr. Mary Vanderkop to my left, and Kirk Price, who is to my right.

I do have some preliminary comments to make here and then we can get into some more questions. We know that the following stakeholders, among others, are interested in the next phase of engagement, and we look forward to and are committed to working with them. We have communicated with all of the following groups: the Wilderness Tourism Association of the Yukon, Yukon Agricultural Industry Advisory Committee, the Yukon Agricultural Association, the Growers of Organic Food Yukon, the Yukon Outfitters Association — perhaps belatedly, in light of questions from a few days ago — the Yukon Dog Musers Association, rescues, humane societies, pet stores, business, vets, and boarding facilities.

There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns that they may have. For example, we will want to hear from stakeholders on standards of care, making sure that they are reflective of our Yukon values, traditions, and to the animal — whether it is a pet, a working animal, or livestock.

This is in addition to discussions on the proposed permitting process to ensure that they are the “right fit” for pet stores, boarding facilities, and animal rescues.

Our next step prior to finalizing the regulations is to reach out to each of the key stakeholders mentioned earlier, seeking their input. The public input, as I have outlined today, demonstrates substantial support to improve animal welfare standards and to set control requirements across the territory. Boarding facilities, pet stores, and animal rescues are in support of regulations demonstrating that their operations merit the trust that their clients place in them.

We know that there are existing populations of feral horses in the Yukon. In the past, there have been feral cats or dogs in some communities.

This act provides a suite of tools that had not been authorized in the past. Although there is no immediate plan to intervene with any feral population, these tools will allow for management of a feral population through surgical or chemical sterilization to control the number of animals without methods such as capture and destruction. It also enables the ability to adopt new methods that might become available in the future.

The new legislation prohibits a number of methods of killing, including slaughter without prior or simultaneous loss of consciousness. As I indicated previously, we have been in direct contact with religious communities in the Yukon, including the Jewish Cultural Society of Yukon and the Yukon Muslims Society. They are aware and support that we will be prescribing nationally accepted guidelines that will allow this method to be used for the purpose of ritual slaughter to produce halal or kosher meat.

Yukon’s penalties and fines concerning animal welfare and control were sorely lacking. This new legislation brings Yukon

penalties and fines up to par with other jurisdictions across Canada.

We are looking to address critical safety concerns for both Yukoners and Yukon animals. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate risks that uncontrolled animals pose for public health and safety, the environment, and property.

In 2008, the Yukon Party government started the process. They recognized how critical it was, in a northern jurisdiction, not to be left behind the national advances in legislation to protect animals from abuse. They passed the *Animal Protection Act* that is in force to this day. The government at the time had the foresight to include measures respecting how communities may be remote and provided for enforcement by RCMP, who might be the only officials in some communities. They even provided for obtaining warrants by phone and for warrantless entry, when officers were justified and had no alternative.

By 2009, they created a position for an animal protection officer and the welfare program in Community Services. However, as Yukon public servants listened to concerns of the people here, they heard repeatedly that, while we had a law to protect animals from dangerous people, we had nothing to protect people from dangerous animals. Those calls for action were answered in 2010 by engagement, specifically with the people of Ross River, to address dogs that were out of control. While it was possible to create reports about what could be done, there was not the will to make any change.

The *Dog Act* remained our only tool, and it was significantly limited. In 2015, we saw a change. It was clear that the administration of the animal protection program should be under the chief veterinary officer. Veterinary expertise could provide guidance for future improvements, and the program moved in April of 2015. As I have mentioned, officials undertook evaluations and revitalization of animal protection programs, engaging community members to make improvements.

For one young man and for a community, change was unfortunately and tragically not fast enough. In the winter of 2015, Shane Glada-Dick was killed by a pack of dogs. This young man was the victim of dogs that he knew and had helped to care for. This tore at the heart of the community. The coroner released a report in 2016 that made it clear that the legislative framework, specifically the *Dog Act*, needed reform.

Officials began the process then to engage broadly to confirm the views of Yukoners about how animals should be controlled; how enforcement could be improved, particularly in remote communities; and what new legislation should look like. We have been listening to stakeholders actively and repeatedly since then.

It is, as I indicated a few days ago, well-documented, but, of course, not all meetings are documented. It is often in conversations when we interact with clients, concerned citizens, and groups in the course of our work. “What we heard” has led us to identify gaps in the entire framework related to domestic animals and people in the Yukon. What we have built,

based on all of those conversations, is an act that enables us to address these concerns. Does it currently have all the details required? No, of course not. Those details are rightly established after consultation with stakeholder groups most significantly impacted. Will we formally engage with those groups, as we develop these regulations? Of course, we will. We have a framework before us today, that once enacted, will provide the scope and breadth appropriate to modern legislation in 2022. It includes “what we heard” over many years, and will stand the Yukon in good stead well into the future.

I would like to sincerely thank the members for their time this afternoon and for their anticipated valuable contributions to the discussion of the bill, and thank you for the opportunity to provide some introductory comments this afternoon.

Mr. Istchenko: I do want to welcome the staff who are here to support the minister today. Like I said earlier, in my original opening comments, of course, we support taking appropriate measures to keep our domestic animals safe and to ensure that, in the case of animal abuse or neglect, the government has steps to ensure that animals are cared for appropriately. That is important — 100-percent important.

But where we are at — we are actually asking specific questions. The minister just got up and repeated what he said in the House a few days ago. So, I am interested in some of the questions I am asking him — hopefully getting to the crux of it and getting some answers. Where we left off was with the outfitters who weren’t consulted. One of the things that popped up into my mind when I was listening to the minister, and I had asked him if he thought that it might have been a good idea to consult with them — was that the act has a lot of different aspects to it. One of them, I am going to say, is feral horses as a part of this act and how to deal with feral horses. Well, a horse to an outfitter is the same thing as a hammer to a carpenter: it is an essential tool; it is part of their business. If they don’t have it, they can’t run their business.

If you look at this, not consulting with the Outfitters Association, I would bet you that what is in the act on feral horses would be a lot different. I know outfitters who have had feral horses intermingle with their horses, and the outfitters has had to put down his saddle horse, which is his business, because it gets a disease from feral horses — or wild horses; there are many names for them out there. I am pretty sure that what is in the act would be a lot different in the section about feral horses if they had actually consulted with the outfitters.

My question then is: Does the minister agree with me?

Hon. Mr. Clarke: As I reiterated from my comments previously in Committee of the Whole, my department is certainly committed to talking to outfitters going forward. I am a little unsure about whether the Yukon Party government, in their fairly truncated consultation in 2008, spoke with outfitters at first instance, but we are certainly committed to remedying any gaps that exist with respect to consultation.

I would just say from the outset that my sense in reviewing the entire document is that this is an incredibly thorough consultation engaged in by dedicated public officials, and it is actually very comprehensive by Yukon consultation standards. The consultation is never perfect, and, of course, there is always

additional work to do, and that’s what we are going to do in the months to come with respect to the targeted consultation and making sure that we get the regulations right.

With respect to the Member for Kluane’s question on feral horses, we know that there are existing populations of feral horses in the Yukon. In the past, as I stated previously, there have also been feral cats or dogs in the communities.

This proposed act provides a suite of tools that have not been previously authorized. They include surgical or chemical sterilization that would allow for the management of a feral population, to control the number of animals without methods such as capture and destruction. It will also allow for new methods that might become available in the future.

As I believe I have also stated previously, there is no immediate plan to intervene with any feral population. We will initially respond to concerns when the population of feral animals is identified as a threat to people or to the environment. In most cases, a response will depend on the result of the engagement with communities and/or stakeholders.

We know that there may be differing values that influence opinions about feral populations and the options for control, and we will respect those as we develop action plans. We have the tools needed to deal with situations where disease could be present in feral populations — to livestock.

I certainly value the member opposite’s real-world experience. I certainly welcome, as I stated previously, the input of outfitters. I recall that, in the letter, there was a concern — as I am sure there is a concern with all interested parties — about there being unintended consequences of the new, progressive, modern 2022 legislation. It certainly is not going to be the intention of the Department of Environment or of the Department of Energy, Mines and Resources — they and I will make best efforts to ensure that there are not unintended consequences. Once again, in my view, there was really strong consultation over many months. It was certainly not perfect, but it was a strong process, attending many, many communities, and engaging with a lot of interested Yukoners.

Mr. Istchenko: The question that I asked the minister is if he thought the content in the section around feral horses would have been different if they had consulted with the outfitters. That was my question. I can probably say that it would have been, but I will move on.

We were talking about standard of care and we were talking about the duties of the owners, so I would like to ask a little bit more about the duties of the owners under section 30. In (b), it says: manage the animal in such a way that the animal does not (i) injure or kill any individual, (ii) injure or kill another animal or wildlife.

It would be appropriate to acknowledge that when on public property, these working animals remain under the care and control of the owner.

I was wondering if that has been a consideration to implement as part of the interpretation for working animals.

Hon. Mr. Clarke: If the Member for Kluane could just repeat the question with respect to this. I’m on section 30, and I know, as it relates to — is there a consideration for including

working animals in a certain section? My question is if the member opposite could repeat what specific subsection it was.

Mr. Istchenko: Section 30(b) says: manage the animal in such a way that the animal does not kill or injure any individual or other animal. So, it would be appropriate to acknowledge that, when on public property — what I'm telling the minister is that when they are on public property, these working animals remain under the care and control of the owner. They are the owner's animals. So, I was wondering if that has been a consideration to implement, as part of the interpretation for working animals — if they thought of that and if that's in here. That's my question.

Hon. Mr. Clarke: I'm not trying to be difficult, and I am trying to answer the question. I have the act here. Section 30(b) — and what I have here — is that: "The owner of the animal must ... (b) provide the following with respect to that animal in a manner that is appropriate to the age, species, and type of animal..." — and then various subsections.

Sorry — are we just on different sections right now? I apologize in advance if I misheard, but I anticipate that I have the correct, most up-to-date act here.

Mr. Istchenko: I guess I'll just ask it in a different way. Is the government taking into consideration that, when owners of animals are on public land or public property, they are to be in control of the owner?

Hon. Mr. Clarke: To the member opposite's specific question — I don't think that we are speaking about the same sections.

Yes, the answer is that the words "care" and "control" — to acknowledge that working animals such as horses may not always be contained but are still under the control of the owner or operator. Yes, that is being considered.

Mr. Istchenko: I thank the minister for that.

I want to move on to my next line of questioning. I have a couple or three here.

We know that several stakeholder organizations have written to the government asking for meaningful consultation on the proposed legislation before it comes into law. Earlier today in his opening remarks, the minister did mention a few of them, but could he please tell the House here today how many organizations have written to him and his colleagues to ask for consultation on Bill No. 20?

Hon. Mr. Clarke: What I would say is that there is a bit of a difference between asking to be consulted versus asking to re-engage or to participate in and be consulted in a meaningful way with respect to the drafting of the regulations. I can advise that those letters are coming in quite regularly. I am not in a position to provide a definitive number.

But there is a difference between asking to be consulted in the first instance, or to be included. For instance, the Yukon Agricultural Association has asked to be meaningfully engaged with respect to the regulations. They acknowledge, in their letter, that the current YAPCA is general and transfers a significant burden and importance on to the development of regulations. Concerning the limited industry consultation supporting the development of the YAPCA, the YAA is seeking assurances — it says "binding assurances" — and

deeper consultation in the following areas — and those include six areas, which we will certainly discuss, but that is obviously further consultation.

The Association of Yukon Communities is also seeking further — their request is to be further consulted before the implementation of these legislative changes, which I read to mean that, when the law is in force and effect — it is after the regulations come into force and effect.

My department will communicate in a fulsome manner with the Association of Yukon Communities in the ongoing consultation process, but I can advise that the department is extremely responsive. The chief veterinary officer, Mary Vanderkop, is speaking with interested parties.

The responses are being turned around within a day. Without fail, they are certainly indicating a willingness to continue to engage and to have meaningful discussions over the course of the next number of months to ensure that the regulations are the highest quality possible, and as indicated, that there are no unintended consequences, and also no unreasonable, new demands placed upon the interested parties.

Mr. Istchenko: We are being cc'd on a lot of the letters also, and they are being tabled in the House, of course.

From the contact that the minister has received from stakeholder organizations, have any of them written to the minister asking him to pause and consult on the legislation? And which ones?

Hon. Mr. Clarke: The answer is yes. A few organizations have asked for a pause. Consistent with my comments so far in Committee of the Whole, we are certainly confident that, through engaging, communicating, and addressing concerns, all concerns can be addressed. Once this matter came to the Legislature, of course, it would get people's attention, but certainly, my view of the consultation record is that the majority of these organizations have been spoken to. So, it is more now the clarification with respect to the various technical working groups with respect to the regulations. I have every confidence that the concerns can be addressed over the course of the next number of months, prior to the regulations being drafted and the law becoming — this new, progressive 2022 law — which deals with, in some cases, up to 30-year gaps in legislation and a lack of enforcement and protection tools — that we will be able to answer the questions that are posed.

Madam Chair, the Government of Yukon has been working for several years to develop this new legislation. Our consultation was thorough. As I mentioned at the outset of Committee of the Whole, there were two phases of engagement. In 2018, we engaged Yukoners through a public survey, receiving over 900 responses, and held 10 community meetings to establish values and broad concerns. The second targeted phase took place in 2019 and through 2021 to discuss specific issues with the livestock sector, veterinarians, dog mushers, pet stores, rescues, and others directly impacted by potential changes.

The public input demonstrates substantial support to improve animal welfare standards and set control requirements across the territory. It took substantial time and resources to get

that information collected and prepare a bill of this size for this Legislature.

Let me be clear, our engagement started in 2018, but continues to this day. We are still having conversations and still taking feedback. Informal conversations happen every week. Departments are in regular contact with all the stakeholders mentioned. As we move forward in the development of the regulations under the *Animal Protection and Control Act*, we will engage with all affected Yukon stakeholders. I know that this engagement will also be thorough.

There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns they may have. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory, and will fail to mitigate risks that uncontrolled animals pose for public health and safety, the environment, and property.

I would be surprised, I would think, if we receive unanimous support from the general public at this, sort of, education phase, but this has been a broad consultation, and it will continue. This legislation will provide a lot of tools that were not previously available. I look forward to the ongoing conversations with many user groups.

Mr. Istchenko: Has the minister heard from any stakeholder organizations that would like to see this bill passed immediately?

Hon. Mr. Clarke: We are listening to Yukoners, and we have presented this bill in the House for debate. Many Yukoners view this as being overdue, and I will get to some details on that.

One practical call for help, which has been ongoing at the animal protection unit, is I'm advised that there have been multiple calls per week to the unit asking for some measures to be taken with respect to out-of-control dogs. That's both within Whitehorse and in the communities.

That is obviously one of the big reasons why this legislation is before the House. It fills a significant gap in our legislation to ensure the safety of our citizens and our animals. This modernized statute will provide a comprehensive and enforceable legal framework for managing all aspects of animal protection in the Yukon.

The Agriculture branch has heard from a number of different livestock producers, who have expressed their desire to see improved legislation around livestock control, welfare, and care. Boarding facilities, pet stores, and animal rescue organizations are supportive of regulating the operation of these organizations. Over the course of multiple years, Yukon First Nations and communities have been supportive of improving, and where possible, jointly enforcing new standards in communities, of course, to avoid the tragedy that took place in Ross River a number of years ago.

From the "what we heard" document, people want more enforcement of animal protection and control requirements, and enforcement that will deal with animal hoarding, remove animals from situations of abuse or neglect, and in some cases,

prohibit a person from owning animals. Most importantly as well, they want more effective enforcement tools for local governments and communities, and an increased capacity for enforcement.

I will highlight some of the high-level responses as well, but for organizations that want to have certainty with respect to regulations to ensure there are no undue burdens or unintended consequences, of course they will communicate — as they have — in a respectful manner. They've made their requests known, and they will be responded to and engaged. Generally speaking, it's understandable that the organizations have concerns or questions, and we believe that those questions can be answered.

With respect to the engagement, we contacted every Yukon First Nation, municipal government, and local advisory council. We invited anyone who was interested in having an engagement event set up in their community to contact us. So, it was a public engagement. We worked with every First Nation and community that responded with an interest in having an event in their community. As I indicated previously, there were public meetings in Carcross, Carmacks, Dawson City, Mayo, Old Crow, Pelly Crossing, Tagish, Takhini River subdivision, Teslin, and Whitehorse. We also met with First Nation governments, town councils, and joint councils.

In addition to the community meetings, we posted an online survey during the consultation period between October 16 and December 17, 2018. We received 902 responses. Respondents shared approximately 90,000 words in comments. We also met with groups that could be affected by changes to the legal framework for animal protection and control. These included animal rescue, dog mushers, and enforcement agencies, such as the RCMP and municipal bylaw officers. What we heard clearly from this engagement on the topic of animal control was a territory-wide requirement for owners to control their animals at all times, freedom to allow their dogs off-leash, better tools to enforce animal control in communities, animal control to apply to all owned animals, pets, livestock, working animals, and cats that are confined to minimize their impact on wildlife.

The majority of the respondents — 66 percent — want owners to be required to keep their animals under control at all times. Specifically, people were concerned about dogs roaming at large. Thirty-six percent of respondents felt that uncontrolled dogs in their community pose a safety risk to them, and 46 percent of respondents thought uncontrolled dogs pose a safety risk to other members of their community. The safety risk is not borne equally by all Yukoners. Forty percent of respondents who identified as female reported feeling at risk from dogs, and 50 percent of respondents between the ages of 56 and 75 years of age felt at risk. Of respondents who identified as First Nation persons, 53 percent reported feeling at risk from uncontrolled dogs in their community.

While we heard primarily about concerns with dogs, it is clear from responses that people also want domestic cats to be confined. People were concerned about the impacts that cats have on wildlife, in particular, predation of song birds, and also the destruction of wild predators — foxes, for example, attracted to prey on roaming cats. People wanted better control

of livestock, particularly to prevent the escape of animals that could establish a feral population in the Yukon.

Respondents clearly saw a link between control and welfare, that animals cared for properly were less likely to roam in search of food, and that animals under control were less likely to come into conflict with wildlife, bite people, or be struck by a vehicle.

In general, animal control issues were more significant in communities outside of Whitehorse and Dawson City, which have bylaws that impose rules beyond the existing territory-wide legislation. We asked Yukoners about what animal owners should be responsible to do. A strong majority of respondents — 82 percent — believed that responsible owners should spay or neuter their pets, unless the owner is specifically intending to breed the animal. Eighty-one percent of respondents expected owners to be reliable for any damages caused by their animals. Seventy percent of respondents consider it the responsibility of owners to confine dogs to their property, and 64 percent consider it a dog owner's responsibility to leash the dog when off their property.

People noted that adequately trained dogs that come when called, or used tools such as electronic training collars, could be a means of control. People wanted to allow discretion, as long as dog owners would ensure that their dogs do not interfere with other animals or people. However, if owners are not able to adequately control their animals, people expect there to be consequences.

Communities are frustrated with the limitations of existing laws and the challenges of enforcing them. Communities are interested in exploring new enforcement models that would better support them to address public safety concerns and have more autonomy to manage animals in their communities. Following these discussions, we took note of the areas that needed further discussion.

So, the “what we heard” document, in many respects, was part of the process, in addition to a cross-jurisdictional scan, but provided the guidance and the push for this legislation. So, it is somewhat organic. It is organic, and it has occurred over the course of the — there being a requirement for many years now. The former Yukon Party government went some way in 2009, but there was more work to be done. We rolled up our sleeves, and this is comprehensive, modern legislation.

Is it foreseeable that impacted stakeholders who have organizations want more detail with respect to what will occur with the regulations? Absolutely, but hundreds of Yukoners have made their voices clear in significant community outreach and consultation over the course of a number of months and ongoing consultation and with a commitment to continue this targeted consultation.

Yes, so, that is what I would say, and there are more results that I can share with the House as we continue with this Committee of the Whole debate, but there are a lot of Yukoners who see the value in this new progressive legislation, which combines a lot of largely outdated pieces of legislation.

Mr. Istchenko: That concludes my questions for today. I know there are many other questions from fellow colleagues,

so I will turn it over to the critic from the Third Party, and I thank the staff for being here today.

Ms. Tredger: I will start by thanking the officials for being here and answering all our questions — answering them in briefings and answering them here. They have done a lot of work both, before and during this, so I really appreciate it.

I have a number of different questions. I am going to, kind of, jump around in the act a little bit. I want to start with the section about the humane killing of animals, which is section 34. One of the things that it says here, which I flagged in second reading — I'm looking under 34(3) — under forbidden methods of killing animals, it includes “... exsanguination without prior or simultaneous loss of consciousness...” So, this is a method of killing animals that is really important for halal or kosher slaughtering of animals. I understand from what the minister said that this is going to be allowed under regulations, even though it is forbidden in the act, and I just want to dig into that a little bit more.

I know that we have talked a lot about consultation today, and I promise I am not going to ask too many questions about it, but could you talk about the consultations with the religious communities that you did around this specific piece of the act?

Hon. Mr. Clarke: In reverse order, I can advise that both the Jewish community and the Yukon Muslim community has been communicated with, both in writing and by telephone. I can provide some more information here.

The new legislation prohibits a number of methods of killing to ensure that animals are killed in a humane way. Prohibited methods will include drowning, abandonment to the elements, suffocation, carbon monoxide poisoning, slaughter without prior or simultaneous loss of consciousness, and other methods of pre-slaughter of animals without prior or simultaneous loss of consciousness, but that will be permitted when killing is for the purpose of religious ritual slaughter to produce halal or kosher meat, which is carried out in accordance with the federal guidelines for the ritual slaughter of food animals without pre-slaughter stunning to be prescribed under the regulations.

Representatives of the Yukon Jewish and Muslim communities have indicated that they understand the intent of the legislation and are supportive of the stringent requirements that are set out for ritual, religious slaughter.

At a national level, I am advised by the chief veterinarian that we engaged with the national religious organizations — both Jewish and Muslim — through the Council of Chief Veterinary Officers. National standards were developed with their input and endorsement. We patterned the legislation for Yukon to reflect those national approaches to ensure that it would be compliant with the high standards of their religious practices. The standards for religious slaughter are very high, and when we have spoken with religious officials here in Yukon, they appreciate that we respect their needs.

I think that basically answers the questions, but we are in contact and they certainly appreciate the outreach.

Ms. Tredger: Thank you for that answer. It is good to know that contact has been made. When I reached out, it seemed to be a surprise to people. This was a few weeks ago,

or when the legislation was tabled. I don't know if that contact has been recent, but I am really glad that it has been established. I just think that when you are doing a consultation of this scale, there are lots of pieces, and if things don't happen at first, I am glad that they can happen later.

When I talked to people, the general feeling seemed to be that what was important was that there was a path for it to be allowed, and so I just want to make sure that I get a really clear understanding here on the record of what that path is going to be for people. My understanding is that the federal guidelines don't apply — please correct me if I am wrong — to the Yukon because we don't have any federally regulated facilities, but that the guidelines will still be referenced in the regulations. Now, will that apply to people who are at abattoirs, or people who are doing farm-gate sales, or people who are doing it for non-commercial use, or all three or just some of those?

Hon. Mr. Clarke: Firstly, specifically with respect to slaughter at abattoirs, a slaughterhouse or abattoir would need to be licensed under the existing regulations for abattoirs in the Yukon. They will be able to slaughter without prior stunning as long as they follow guidelines prescribed in regulation under the *Animal Protection and Control Act*.

The Yukon does have standards for abattoir operators. Each one must meet the criteria and be subject to inspection by the Agriculture branch per the *Agricultural Products Act* and meat inspection regulations. There are federal standards for slaughter without stunning, referred to as the “ritual slaughter without pre-slaughter stunning” — Canadian Food Inspection Agency, Canada.ca — that apply in federally inspected slaughter facilities. While we have no federal facilities in the Yukon, we are informing communities about this standard, and national religious organizations are well aware of it. The religious standard is of the highest order and will be referenced under the regulations, therefore allowing this practice if guidelines are adhered to.

That is my response so far. I can certainly try to get some follow-up information if there is a follow-up question.

Ms. Tredger: I have some follow-up questions about abattoirs, but, first, I don't think I quite understood. Does it apply to farm-gate sales or slaughter done for farm-gate sales, and does it apply for slaughter done for personal use?

Hon. Mr. Clarke: The short answer is that the rules apply everywhere.

Ms. Tredger: I really appreciate the short answer. I didn't catch the end of it. Could he just repeat it again?

Hon. Mr. Clarke: The rules apply everywhere.

Ms. Tredger: In the federal guidelines, it talks about the competence, qualification, and training you need to do in order to do this process. There is supposed to be a written protocol that lays out what the roles and competencies are. There is a whole list of preventive measures and records of effectiveness. Does that mean that someone would have to submit a written protocol to apply, even if they were just doing it for personal use?

Hon. Mr. Clarke: So, there are two instances that I will try to answer and may follow up. With respect to abattoirs, training is required. With respect to farm-gate sales, training

would not be required, but you would still be required to follow the rules.

Ms. Tredger: Thank you for that. So, with the regulations, is it that these are the rules and, if you follow them, you are good to go and do it? Or is it that these are the rules, and you need to apply for permission to show that you can follow the rules? Is there an application process, or is it just laid out what people need to do and, as long as they are following that, they are in compliance?

Hon. Mr. Clarke: Just to be clear, we are separating out the two primary discussions at once. Halal and kosher refer to a method of slaughter for religious purposes, whereas the proposed *Animal Protection and Control Act* is designed to address livestock welfare and ensure that no undue harm comes to animals during slaughter.

The *Animal Protection and Control Act* is written so that both of these important factors can be achieved at the same time if following the federal guidelines.

Once the national guidelines are prescribed in the Yukon regulations, someone may use a prohibited method of killing as long as they adhere to the guidelines. In the case of a licensed slaughterhouse or abattoir, no permission would be needed.

Ms. Tredger: Just to be clear, in the case of farm-gate sales and personal use, no permission would be needed either; they would just have to follow the guidelines set out in the regulations.

Hon. Mr. Clarke: Yes.

Ms. Tredger: Thank you for that answer. That is really helpful.

Just going back to abattoirs for a minute, I spent a little while trying to figure out what the current situation is. As far as I can tell, I read the meat inspection abattoir regulations from 1988, which I think are the current ones. They didn't reference methods of slaughter, but the Yukon *Mobile Abattoir Procedures Manual* for 2020 did. I am going to summarize a little bit because it is a little bit long. It says that when it comes to killing the animal, a rifle may be used, or the mobile abattoir carries a captive bolt stunner, which is available for use by the farmer.

It then goes on to talk a little bit about stunning, which really implies to me that you have to stun the animal. I am wondering if, once the regulations are in place, the abattoir procedures manual will be updated to reflect that there is this option for killing without stunning.

Hon. Mr. Clarke: Yes, it would have to be updated.

Ms. Tredger: That's great. I guess my last question on this topic — my understanding is that this legislation doesn't come in force until the regulations are ready, so there won't be any lag time in between, will there? I guess what I am wondering: Is there going to be a period of time where it is forbidden before the regulations come into force, or will this form of slaughter be allowed right as soon as the act comes into force?

Hon. Mr. Clarke: The new *Animal Protection and Control Act* would come into force and effect once the regulations are passed, and the patchwork quilt of all existing prior laws are the law of the land until such time.

Ms. Tredger: Thank you for the answer, and I appreciate everyone bearing with me while I kind of drill down into this. I think that this is really important, because we are talking about a religious practice that is being restricted by this law, and I think that it is really important that we have a really clear record of what the intention is for the regulations, so that people can continue to practise their religion freely.

From the conversations that I have had with people, I think that people aren't too concerned about whether it is — well, I am summarizing what I have heard — but people aren't too concerned whether it is in the law or the regulations, as long as it is allowed. I have actually talked to one person who is planning to start a business that would provide halal meat, so I think that it is really critical that happens, and I am really glad to hear that it sounds like lots of thought has gone into how that is going to happen.

I am going to move on. I know that we only have a few minutes left, so I am just going to ask one question that I think will be pretty quick, and if there is not time to answer it today, then we can always come back. I wanted to talk a little bit about prohibited species. I know that there are going to be species that are not going to be allowed. Does this legislation support breed-specific bans? I am thinking, of course — an obvious example is pit bulls. Would you be able to ban a specific breed of dog, for example?

Hon. Mr. Clarke: Yes, the act does allow for regulating specific species of animals, but not breeds within species. It would not support breed-specific restrictions.

The intent of the prohibited species list under the regulations is to prohibit species that threaten public safety or the integrity of the environment, such as large carnivores, venomous reptiles, or invasive species. There will also be a restricted species list, where owners will require a permit to own, apparently including skunks and raccoons. This will allow conditions to be set regarding vaccination, spaying, and neutering for the control or care for animals that are lower risk. Also — to clarify — that some animals considered wild by nature in their country of origin can be owned as pets here without any restrictions, such as canaries and hamsters. This is comparable to legislation about exotic pets to most, or in most, other jurisdictions in Canada.

Thank you for the input from members opposite. Madam Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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 Chair of Committee of the Whole?

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 20, entitled *Animal Protection and Control Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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. Monday.

The House adjourned at 5:26 p.m.

The following sessional paper was filed October 27, 2022:

35-1-67

Yukon Public Accounts 2021-22 (Silver)

The following legislative return was filed October 27, 2022:

35-1-65

Additional response to Petition No. 14 re: Golden Horn area minimum lot size (Streicker)

The following document was filed October 27, 2022:

35-1-92

Bill No. 20, *Animal Protection and Control Act*, letter re (dated October 26, 2022) from Ted Laking, President, Association of Yukon Communities to Hon. Nils Clarke, Minister of Environment (Clarke, N.)



Yukon Legislative Assembly

Number 87

1st Session

35th Legislature

HANSARD

Monday, October 31, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 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 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	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
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' Safety and Compensation 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
Monday, October 31, 2022 — 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

Ms. White: I would ask all members of the Assembly to join me in welcoming a personal hero of mine here today, a woman who is no stranger to this Assembly, for a tribute to her 90th birthday, Margaret Commodore. We would have known her back in the day as “Margaret Joe”. She is joined by so many people today: her daughter, Trace Joe-Caley; Ray, Capri, and Michael, with Casey and Noah; Sharon Shadow; Logan Boulter; Aiden Boulter; Sheila Joe and Charles Bisailon; Bill and Adeline Webber, of course, who were at the party last night, which was very fun; Coady Simpson; Judy Gingell, who is no stranger here; Shayne Boulter; Jan Stick, a previous MLA; and Jace Backman; Ray Caley; Anika Backman; Laurie Backman; Tara Backman; and Stephanie Commodore.

Could we welcome everyone to the Assembly today?

Applause

Ms. White: Sorry, Mr. Speaker — someone else just walked in, I believe, for the tribute. Chief Doris Bill just joined us.

Applause

Hon. Ms. McLean: I, too, would like to welcome all of our special guests here today for our tributes. There are two more I would like to introduce. For Learning Disabilities Awareness Month, Cynthia Lyslo from Opportunities Yukon and Jolene Walsh from Opportunities Yukon.

Thank you so much for being here today.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Learning Disabilities Awareness Month

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government and the Third Party to pay tribute to Learning Disabilities Awareness Month, which is recognized in Canada every October.

The goal of this month is to increase awareness about the challenges faced by all people who have diverse learning needs. This is especially important for young children who are about

to begin school. If a child gets the appropriate resources and support early enough, they will have the opportunity to thrive and be successful in whatever they choose to do later in life.

I know that the past few years have been very challenging ones for staff of all Yukon schools. Despite this, teachers and support staff continue to focus on ways to provide additional supports to neurodiverse students.

My sincerest thanks to all the educators for their dedication to creating a future where every child belongs, connects, and thrives. My thanks, as well, to the many dedicated individuals and organizations that are committed to supporting children and adults facing challenges with their learning. In particular, I would like to mention all early childhood educators, the LDAY Centre for Learning, Inclusion Yukon, Autism Yukon, the Child Development Centre, the Fetal Alcohol Syndrome Society Yukon, and Opportunities Yukon.

I also want to acknowledge the important work that First Nation governments and the Yukon First Nation Education Directorate are doing to support First Nation citizens and youth. We are fortunate to have so many organizations and people working together to support vulnerable Yukoners. They remind us that valuing the diversity of all learners makes our communities stronger. We know that there is still more to do to ensure that all Yukon children get the support they need. We are dedicated to our work on reimagining inclusive and special education.

I would like to remind all Yukon parents that if you think your child might have a learning disability, please don't wait to ask for help. Supports are there to help them succeed in school and in life.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize October as Learning Disabilities Awareness Month in Canada. Learning disabilities can affect people in a number of ways. Many who are diagnosed with a learning disability are extremely smart, but to read and write, it can be a challenge. Often diagnosed in childhood, these disabilities can affect a person's ability to acquire, understand, retain, and use information. No two learning disabilities are the same, and all present differently. Children, youth, and adults can have difficulties processing language, math skills, written expression, fine motor skills, interpreting audio or video information, and more. Without early intervention and support, these challenges can negatively affect the development of children's literacy skills and progression through school.

I would like to emphasize the importance of literacy educators in our schools. Not only do they help children recognize challenges that they may have in reading, but they have some pretty incredible tools to help them overcome those challenges. I would like to thank all those who work in our school system to help support students with learning differences.

Also, a special thanks to the Learning Disabilities Association of Yukon, or LDAY, a non-profit organization that champions learning differences. LDAY is dedicated to

increasing awareness of learning disabilities and providing supportive learning opportunities to Yukoners of all ages.

I would like to close with a quote from teacher Ignacio Estrada: “If a child can’t learn the way we teach, maybe we should teach the way they learn.”

Applause

In recognition of Margaret Commodore

Ms. White: Thank you, Mr. Speaker. I’m so honoured to rise to ask all members of this House to join me in recognizing a remarkable woman, one known to many in and outside of this House, Margaret Joe, Margaret Commodore, or you might know her as “Mugsy”. Paying tribute to Margaret today, just a day after her friends and family gathered to celebrate Margaret’s 90th birthday, is both a joy and, quite frankly, a little bit daunting.

The stories that were shared last night paint the picture of her truly epic life. At 90, Margaret has lived and continues to live a life that reflects the dynamic and challenging times that are our collective history. Born in Chilliwack, BC, Margaret is a member of the Soowahlie First Nation. She attended the Alberni residential school for eight years, and in 2013, she gave a riveting and powerful testimony at the truth and reconciliation gathering in Vancouver. The strength it took to bear witness at the TRC does not surprise anyone who knows Margaret. The fact that she was 82 when she spoke the truth so clearly, acknowledging that healing is something you have to go through to get rid of all the pain that has been there so long, speaks to the remarkable resilience of this woman.

Margaret’s Yukon story mirrors that of so many. Margaret came up for a cousin’s wedding and stayed two years. She went back to BC and returned a few years later with two young daughters and after a marriage that resulted in loss of her Indian status. In 1963, she graduated as a practical nurse and worked in the field until 1970. From her earliest days in the Yukon, to say that Margaret was an active member of our community would be a classic understatement. There was the board of the Skookum Jim Friendship Centre — and then a founding member of the Yukon Association of Non-Status Indians, or YANSI.

Her start in politics came from being part of the formation of YANSI, for which she served as vice-president for seven years. In the amazing treasure trove of photos that form the Margaret archives is a YANSI T-shirt with the logo “Equal acceptance through equal participation for a balanced society”.

She was a founding member of Ye Sa To Communications and a founding member of the Yukon Indian Women’s Association. She worked hard to establish and build the Yukon Women’s Transition Centre, later named “Kaushee’s Place” after her friend Kaushee Harris from Atlin. She was a founding member of the Yukon Native Development Corporation. She was a founding member of the Yukon Native Hockey Association, and as you can see, she was part of the foundation of so many incredible initiatives that remain active today.

Margaret was also the first female director of the Native Council of Canada and longest sitting member of their board of directors. When Margaret was appointed as a Yukon Justice of

the Peace in 1980, the *Whitehorse Star*’s headline was “Margaret Joe Native Activist Becomes Margaret Joe JP: Still pushing for the forgotten people”.

In 1982, she was elected as the Yukon NDP MLA representing the riding now known as “Whitehorse Centre”, which included downtown Whitehorse and the Kwanlin Dün First Nation, which was located in the Marwell industrial area at the time. Her three years as part of the NDP opposition helped to hone her skills and focus on the issues key to her success over the ensuing years.

Margaret broke through many glass ceilings. In 1985, she was the first aboriginal woman in Canada to be appointed to a Cabinet position when she became the Minister of Health and Human Resources. In that Cabinet, she rebuilt the former women’s bureau into a stand-alone directorate that we now know as the “Women and Gender Equity Directorate”.

After the 1989 election, Margaret became the first indigenous woman Minister of Justice in Canada. She worked with communities to address systemic issues, and to this day, there are still highlights of the justice initiatives in use that Margaret championed.

As a minister, Margaret was not afraid to take on contentious issues. Whether it was developing legislation for the first Yukon *Employment Standards Act*, the first Human Rights Commission, or improving and expanding childcare in the Yukon, she did it all. She was proud to be part of the Penikett government when, in 1989, the Yukon NDP Cabinet approved the land claims agreement in principle.

Today, as Yukon struggles with serious addictions issues, it’s notable that it was Margaret who demonstrated the courage of her convictions as the minister responsible for the liquor board and introduced and kept FAS and FAE warning labels on liquor sold in the Yukon. At the time, Yukon was the only jurisdiction doing this.

I first met Margaret on the campaign trail, and I can’t be sure if it was in 2006, but I know for sure that she took me door-knocking in 2011. And it’s funny, because when I was told that Margaret would be heading out with me, I had no idea what that meant, and I’m glad that I hadn’t been handed her resumé or briefed ahead of time because I would have remained speechless, and we all know that doesn’t work for door-knocking.

Margaret is so generous with her knowledge and her support, and she has encouraged legions of women to put their names forward to seek political office. Once they did, she was there to mentor them throughout the process.

But even if you are never involved in politics in the Yukon, you probably know Margaret as the most devoted fastball player and fan ever in existence. Margaret’s love of sports started young. At 15, she was the first aboriginal woman in the Chilliwack league, and she continued in the Yukon in the 1950s and beyond, when she became known as “Mugsy Joe”. Margaret loved the game so much that it had an impact on her whole household. Her daughters and husband all played the game, and a friend commented — and I am quoting: “She had the drive and the energy to pass on the love of sports and brought together First Nation girls who learned valuable life

skills such as discipline, tenacity, love of sport, teamwork, focusing on goals, acting quickly on your feet, self-esteem and the importance of not being affected by negative attitudes. To play was transforming them into adults able to handle whatever life threw at them.”

And it was Mugsy who organized the first Yukon First Nation softball league. Another friend commented that Margaret made a difference in the challenging world of politics without ever leaving the ball field.

In addition to fastball, Margaret is an avid fisher, and she has her fishing gear in the trunk at all times, which means that getting from point A to point B anywhere in the Yukon takes twice as long, since she has to stop at all the good spots along the way. In the slideshow last night was a photo of Margaret taken weeks ago participating in the Witches Paddle, black hat and all, because who doesn't want to do that when they are 89, turning 90?

It is no secret that Margaret is a big Canucks fan, so let's hope that they get their act together for her soon, because this would be a worthy gift to celebrate a 90th birthday.

So, Margaret has taught so many of us to be brave, to be loud, and to speak our truth. She holds up and continues to advocate for those values so important to many: human rights, social justice, and fairness and equality for all. She lives and breathes and shows us that these attributes are possible — indigenous woman, mother, grandmother, great-grandmother, athlete, artist, and yes, even a politician.

Margaret is a true renaissance woman. She has lived a truly epic life. We love her and we wish her the best on this auspicious birthday, with many more to come.

Applause

Hon. Ms. McLean: It is my incredible honour to rise today on behalf of our Yukon Liberal government to pay tribute to Margaret Commodore — or “Margaret Joe”, as I knew her growing up. Margaret Commodore represented the electoral district of Whitehorse North Centre in this Legislature from 1982 to 1992 and served Whitehorse Centre from 1992 to 1996. She served, as has already been stated, under the Tony Penikett government as Minister of Health and Human Resources. She was also the first indigenous Minister of Justice in Canada and the first-ever First Nation woman to be named in a Cabinet in Canada. I know that, on the day I was sworn into Cabinet in 2016, I thought of her and how it must have felt the first time she was sworn into Cabinet and how brave she was.

Margaret was my predecessor in another way. She also was responsible for the newly created status of women office from 1985 to 1992. Margaret is, as already mentioned as well, a member of the Sto:lo First Nation from British Columbia, but used her voice for many years on behalf of Yukoners.

She also bravely and publicly shared her experience as a residential school survivor at the Truth and Reconciliation Commission in 2013. I am pleased to share that Margaret will participate in the next meeting of the federal-provincial-territorial ministers responsible for the status of women, which takes place next week in Nova Scotia.

To mark 40 years of this FPT forum, Margaret will join a panel alongside Jean Augustine, the first black Canadian woman to serve as a federal minister, and Jennifer Howard, Manitoba's first openly lesbian Member of the Legislative Assembly. I very much look forward to hearing her unique perspective on the past, present, and future of these important discussions.

No matter what your political affiliation, whether you are indigenous or non-indigenous, we owe a debt to Margaret's leadership in this territory. The word “trailblazer” is a fitting description for Margaret. The work she did paved the way for many of us and continues to inspire us.

Last Friday, I was honoured to be invited by Adeline Webber to attend an event marking the 50th anniversary of YANSI, and I had a chance to sit with an incredible group of trailblazers: Adeline and her husband, Bill Webber, Judy Gingell, Winnie Peterson, Sharon Shadow, Margaret herself, and several others. I listened to them reminisce about old times and the work they did together to lead our incredible territory.

When I told them that I would be participating in this tribute today, they started talking about Margaret and, of course, talked about the points that were just mentioned, but we also talked about her beloved nickname “Mugsy”. That's how I knew her — Mugsy Joe — and how she was famous for coaching the Pipeline Blasters, which was, as mentioned, an all-First Nation women's softball team. She did this for years. They were unbeatable and feared. I talked to my sisters yesterday, and they talked about the same — just how much influence she had on all of us.

Margaret holds a special place in the hearts of many Yukoners, and she will always be known as one of the women who led so many of us. For me personally, she will always be one of the women who led me to the Yukon Legislative Assembly. To be standing here today — it is a complete honour to have known you my entire life. I know that many Yukoners share the same.

Mr. Speaker, I ask all members to join me today in recognizing the incredible achievements of Margaret Commodore and to wish her a happy 90th birthday.

Applause

Mr. Dixon: I rise on behalf of the Yukon Party Official Opposition to pay tribute to Margaret Commodore on the occasion of her 90th birthday.

It is a wonderful milestone and certainly one worth celebrating. My colleague, the Member for Porter Creek North, had the pleasure of attending the party last night and let us know how eloquently Margaret spoke about her arrival in the Yukon, her family, and her political life.

Margaret's political legacy is certainly what many people know her for. As my colleagues from both the Liberal caucus and the NDP caucus have explained, she was a member of this Assembly, she was the first indigenous woman named to a government Cabinet, the first indigenous woman to be named the Minister of Justice in this country, and so many other accomplishments that have been listed today — an incredible

political legacy and contribution to the political growth of this territory that deserves much commendation.

I want to especially highlight the important contribution that Margaret, known on the ball diamonds as “Mugsy Joe”, made to sport in this territory and, in particular, to women’s fast pitch. Mugsy was always known as a strong athlete with a deep passion for fastball. Anyone who played with her over the years always speaks about how deep and inspiring her passion for the game is. It has been that passion and commitment that made her such a valuable teammate and mentor to many generations of fastball players in the Yukon.

She was a pitcher and played on a variety of recreational and competitive teams right from when she arrived in the Yukon with her two daughters, Trace and Jackie. I should note that both Trace and Jackie are great ballplayers as well. Jackie was, by all accounts, an exceptional pitcher and Trace, a middle infielder originally and took up pitching a little later in her career and still pitches every year in the Discovery Days fastball tournament in Dawson. Of course, at that tournament, Mugsy is a regular fixture in the stands, cheering and supporting all those taking part.

In the summer of 1976, Mugsy was the starting pitcher for the Kopper Kweens ladies’ fast-pitch team. She took a young pitcher in her early 20s, freshly arrived from Toronto, under her wing. Of course, I am talking about my mom, who showed up after the introductions today — to avoid being introduced, I think. To this day, my mom enjoys sharing stories about their years playing ball together and their escapades, both on and off the diamond. It was largely due to their relationship on the diamond that led Mugsy to hire my mom as the rec director for YANSI back in 1977.

As well as Mugsy’s work with YANSI championing First Nation rights, she was also an enthusiastic champion of promoting sports and recreation in each and every Yukon community.

So, whether it was on the field inspiring other young women to join the sport or through her political positions, advancing the importance of sport to Yukon communities, Mugsy Joe has created an exceptional legacy when it comes to sport in this territory and, in particular, fastball.

I understand that last night Mugsy spoke about her passion for ball and that the camaraderie and lifelong relationships that she developed through ball are something that she will cherish forever. So, I want to assure Mugsy that the feeling is mutual — with just about every person I’ve spoken to about their time playing with you.

So, on behalf of me, my family, and, of course, on behalf of all my colleagues, happy 90th birthday, Mugsy.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under Tabling Returns and Documents, the Chair has for tabling the *2021 Annual Report — Protecting the public’s interest in fairness, accountability and information rights during challenging times — Yukon Ombudsman, Yukon Information and Privacy Commissioner, Yukon Public Interest Disclosure Commissioner.*

Are there any returns or documents for tabling?

Mr. Cathers: I would like to table a letter today to the Hon. Marco Mendocino, Minister of Public Safety for Canada, from me, entitled “The Yukon Opposes use of RCMP resources for federal gun confiscation”.

Mr. Istchenko: I have for tabling an e-mail that was sent to the Minister of Environment from the Growers of Organic Food Yukon and it’s in reference to Bill No. 20.

Ms. Blake: I have for tabling a letter from the Carcross/Tagish First Nation in support of Bill No. 305.

Speaker: Reports of committees.

REPORTS OF COMMITTEES

Hon. Mr. Clarke: I have for tabling *Sixth Report of the Standing Committee on Appointments to Major Government Boards and Committees*, dated October 31, 2022.

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

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 it is the opinion of this House that the colonial experience in Canada, including the residential school system, was a genocide upon indigenous people in accordance with Article II of the United Nations *Convention on the Prevention and Punishment of the Crime of Genocide*.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Erik Nielsen Whitehorse International Airport

Hon. Mr. Clarke: I rise today to give an update on the work being done at the Erik Nielsen Whitehorse International Airport.

The government continues to support the Yukon’s aviation industry. Our aviation system is essential for connecting our communities, building our economy, and linking the Yukon with the rest of the world. Recognizing this, we have made historic investments in aviation over the past few years, including upgrades to equipment and facilities.

The 10-year flight path strategy guides our investments in the Yukon’s aviation infrastructure for the benefit of Yukoners and the territory’s air carriers.

As the major airport in the Yukon, the Erik Nielsen Whitehorse International Airport is a conduit for many important operations within the territory. It supports critical medical and community services and provides a vital connection for the tourism and resource sector and much more.

Mr. Speaker, it is crucial that we have up-to-date infrastructure that can support the operations of today and tomorrow. In August, I had the opportunity to visit the airport to see the ongoing construction work that is happening to ensure that this facility can continue to support Yukoners, visitors, and businesses well into the future. This past summer, we upgraded taxiways, replaced apron panels, and rehabilitated the parallel runway at the airport. This is just the beginning.

I am very proud and excited to say that we will be expanding on these infrastructure upgrades with the help of the national trade corridors fund. Together with the Government of Canada, we are investing \$248 million in airfield upgrades at the Whitehorse airport. This includes reconstructing the main runway, installing improved lighting, and other vital upgrades to improve reliability and safety.

Reconstructing the main runway will ensure safe, reliable, and efficient air travel for all Yukoners and visitors for years to come. The project will provide long-term support for the growing tourism and resource industries, building a runway that can better withstand changing weather conditions but will also help make the airport more resilient to the impacts of climate change.

I would like to take a moment to recognize all the air carriers, airport operations, pilots, medevac companies, and everyone involved in the aviation community for their efforts. You continue to go above and beyond to keep our territory connected and safe. Your efforts do not go unnoticed. Thank you for all that you do.

I am very much looking forward to sharing the progress of these exciting projects at the Whitehorse airport and our continued improvements to all airports and aerodromes across the territory.

Mr. Hassard: So, I know that many in the tourism sector will be pleased with the planned upgrades to the Erik Nielsen Whitehorse International Airport, but I have to remind the minister that there are many vital airports and aerodromes in the communities throughout the Yukon, and I look forward to any updates that the minister has on the upgrading of these airports.

Mr. Speaker, like many other construction projects this summer, work at the airport faced delays. Can the minister tell us how this summer's delays will affect the construction budget?

In the Liberals' five-year capital concept, up to \$35 million is budgeted for this fiscal year and up to \$25 million for 2023-24, but up to \$50 million is allocated for 2024-25 and the same amount for 2025-26. So, the minister just said that, in partnership with Ottawa, \$248 million will be allocated for airfield upgrades, so does the minister expect this project to take four years? Has he factored in construction delays and supply-chain shortages?

Speaking of long timelines, the government issued a press release in early 2019 saying that they would be modernizing the airport restaurant and seeking a food service provider. The release said that a new restaurant would be open by the fall of 2019. The former minister said at that time — and I will quote:

“Modern restaurant facilities at the Erik Nielsen airport will improve the experience for tourists and locals alike.” So, anyone who has travelled through the airport now can see that this has not come to fruition. Can the minister update us on the status of the restaurant renovations, when the food service tender will go out, and when our airport visitors will again have the ability to access restaurant services?

I also have to ask if the government consulted with the aviation industry about the potential airfield upgrades and how they would be handled. As we remember from 2017, the Liberals ignored the wishes of the aviation industry, with the former minister at the time saying that — and I quote: “This bill will pass.” That comment came even after the aviation industry and affected groups had spoken out. Now, the bill did pass a mere 10 days after the online consultation ended.

So, going back in the history books even further, in the very first five-year capital concept, there was a proposed air tanker base for the Southern Lakes fire centre in Whitehorse included in the budget. But, Mr. Speaker, six years later, we have yet to see work begin on such an air tanker base. So, can the minister tell us if that air tanker base project is still planned?

Dawson — a new terminal was slated to be completed last year. So, can the minister tell us when that project will take off?

More recently, the airport in Burwash closed down at times last year due to staffing shortages. So, can the minister tell us if those staffing issues have been resolved?

Finally, back to the *Public Airports Act*, at the time we had raised concerns about the act opening up the opportunity for the government to levy airport taxes and, according to the government's own flight plan 2030 document, it says — and I'll quote again: “Consider introducing a General Terminal Charge to support new terminal investments...”

So, can the minister tell us if an airport tax is in the works? I certainly look forward to the minister's answers to these questions.

Ms. Tredger: The Whitehorse airport is such a key hub for everything from tourists coming to see our beautiful territory to Yukoners travelling for medical care. It's great to see that the government is working to keep it compliant with modern standards so that the airport can continue to meet everyone's needs. However, the strange part is that I believe the apron was already redone in 2015. Can the minister tell us why that work only lasted seven years? How long is this upgrade expected to last? I hope that we are not planning to pay to upgrade it again in seven years, so what has been done differently this time to make sure that it lasts longer?

I would also like to discuss a piece of the upgrades that has a big impact on my riding, and that's Puckett's Gulch. I would really like to thank the department for the work that they put into the consultation around the Puckett's Gulch expansion. When the announcement was first made that there was work happening to that area, people were very concerned. The Black Street stairs and the airport trail are such important pieces of infrastructure for everyone from commuters to dogwalkers. With no available details attached to the announcement, people feared that they would lose this beloved path. So, I was very

happy to see the department engaged with trail users and the community to provide more details about the project. The information session and maps were very reassuring to most people. I would let the department know that the people who did attend the session shared their positive impressions widely throughout the downtown community, so it had an impact far beyond the people who attended. We hope to see continued cooperation and communications with the city as the process moves forward.

One aspect of the project that could benefit from that spirit of cooperation is a proposal from local resident Jim Gilpin. Mr. Gilpin proposed that the territory ought to make a land exchange with the City of Whitehorse. Since the Yukon government is requesting to rezone and purchase land from the City of Whitehorse as part of this project, it's a timely opportunity for YG to provide land back to the city. This exchange would allow for the safe reconstruction of the Airport Perimeter Trail, which was closed due to landslide risks this summer. I know that residents of Whitehorse Centre and beyond greatly value the Airport Perimeter Trail, and its closure has affected recreational opportunities for many.

I will finish off by saying a big thank you to all the people at Highways and Public Works for moving these projects forward.

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you for the comments from the members opposite. We will endeavour to get the answers to the questions posed.

For the Member for Whitehorse Centre, certainly we are engaged in active conversations with the City of Whitehorse mayor and council. We will, in fact, be having in-person meetings with mayor and council with respect to ongoing opportunities for advancing active transportation in a lot of areas in Whitehorse, but including areas around Puckett's Gulch and the Black Street stairs.

These critical investments will improve the reliability of service and longevity of the infrastructure at the Erik Nielsen Whitehorse International Airport. We recognize that this construction may cause some temporary disruptions, and plans are in place to mitigate impacts during the project. While construction is taking place on the main runway, aircraft will be able to use the recently upgraded parallel runway. We are working closely with aviation stakeholders to keep them updated on timelines and potential impacts to help air carriers adjust their operations.

We will continue to have regular meetings with air carriers, the Yukon Aviation Advisory Group, the City of Whitehorse emergency services, and other key stakeholders to ensure that they remain informed. We also continue to keep the public well-informed of activities at the airport so they can plan accordingly.

In early 2021, the Government of Yukon involved Whitehorse residents in a public consultation regarding the extension of the parallel runway. This provided an opportunity for residents to learn about our plans for the airport and ask questions that they may have about the initiative. As well, this summer, as mentioned, we hosted a public information session

at the Yukon Transportation Museum to keep people informed on all upcoming construction work.

Our government is thrilled to be working with our partners to improve aviation infrastructure projects across the territory. In Mayo, we invested millions of dollars in upgrades and helped the once aerodrome receive airport certification from Transport Canada. We have invested millions of dollars at the Watson Lake Airport to resurface the runway and portions of the taxiway. We have made several upgrades at the Dawson City Airport, including paving the runway, building a second apron, constructing a new maintenance facility, and upgrading operational areas.

Mr. Speaker, these historic investments in the Yukon's aviation system are helping to support businesses, to keep our rural communities connected, and to grow our economy. By investing in our airports, we are moving the territory forward and addressing the infrastructure deficit left by the Yukon Party.

Over the coming years, I look forward to continuing to see Yukon airports expand, modernize, and grow to welcome more flights and more visitors and to ensure that critical services can continue to operate.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Carbon tax exemptions for home heating fuel

Mr. Istchenko: As winter sets in, many Yukoners are beginning to worry about the cost of heating their own homes this winter. The Yukon fuel price survey from the Bureau of Statistics paints a pretty scary picture for Yukoners who use home heating fuel. From September last year to September this year, the price of furnace oil has spiked as much as 45 percent in most communities. A significant chunk of that increase is due to the carbon tax.

Will the Yukon government push the federal government to exempt home heating fuel from the carbon tax?

Hon. Mr. Streicker: Thanks to the opposition parties for supporting the changes to the carbon tax when that bill recently came through. I think that was unanimous here in the House.

Of course, all of the money that is collected by the carbon price is rebated to Yukoners, whether that is to our First Nation governments, municipalities, businesses, or individual Yukoners; it is all rebated. I know that when it comes to inflation, we recognize that there has been pressure lately on Yukoners, so we have been providing inflationary supports that include: \$150 to social assistance recipients; a one-time payment of \$150 to seniors income supplement recipients; a 10-percent additional payment to the pioneer utility recipients; a six-month extension of the \$500 per month to caregivers of children in and out of home care; \$100,000 to Food Network Yukon; and, of course, two times, the \$150 rebate on electrical bills.

We will work to continue to support Yukoners in the times of inflation. Again, thanks to the members of the Yukon Party for voting in support of the carbon price rebate.

Mr. Istchenko: I don't think I got an answer to my question, so let me go again here.

According to the Yukon Bureau of Statistics, the average price of residential furnace oil in September last year in Whitehorse was \$1.36 per litre. This September, it is up to \$1.95 per litre and even higher. According to the Premier's number, 13.5 cents of that increase is due to the carbon tax; that is before the increase scheduled for April.

In September, the Liberal government in Newfoundland wrote to the Prime Minister asking him to halt the planned increases to the carbon tax on home heating fuel.

Will this current Premier join the Liberal Premier of Newfoundland and request that the federal government halt the planned increases to the price of home heating oil?

Hon. Mr. Silver: I would say for the record that I really doubt that this particular home fuel rebate is going to pass the signal test that the federal government is putting forward, but time will tell on that. We saw that there was a debate in Parliament from a Conservative bill talking about exactly that, and I think it was struck down as well.

The member opposite keeps on saying that we are not answering his question, but the member opposite should listen to the answer. The Yukon's carbon rebate is revenue neutral. We are returning 100 percent of the federal carbon levy to four rebate groups, and actually, we are remaining committed to ensuring that, thankfully with the help from the Official Opposition in supporting carbon pricing. We continue to give more than what is paid out.

Hear that again: Basically, if you are in Yukon, you are getting more, on average, than was paid in — in each of these categorizations — so one of the lowest fuel prices in Canada, as far as taxes go — all of the money for carbon pricing being rebated back.

The members opposite did campaign in the last election on a carbon-pricing mechanism. I would love to know what it is because, at this point, it looks like they are dodging that responsibility of polluter pay.

Mr. Istchenko: It's about affordability for Yukoners, and it's not affordable right now.

Starting next year, the federal carbon tax that applies here in the Yukon will increase annually by \$15 per tonne. The plan is for the carbon tax to reach \$170 per tonne by 2030. When we ask about this, the Premier told the Legislature that this would mean that the carbon tax alone would reach over 45 cents per litre on furnace oil. That is before the GST.

Does the Premier really think that now is a good time to increase the cost of home heating fuel for Yukoners?

Hon. Mr. Silver: I think that what we will disagree with the opposition on is that we need to have a green future. We need to get off of our reliance on fossil fuels. The Yukon Party campaigned on a carbon tax. We still haven't seen what that looks like, and now, after giving support to the made-in-Yukon solutions to the carbon rebate mechanism that gives back all of the money that the member opposite speaks about — it gives it

all back to Yukoners. Again, we completely agree that there are issues happening right now internationally with inflation, but to say that these increases in the carbon pricing — without saying that it goes back to Yukoners — I think that it is disingenuous for the members opposite just to cherry-pick parts of the information and not give the full story.

As far as the budget concerns, every budget that we make is designed to make lives more affordable for Yukoners. We have talked about the rebates that we have done in the Legislative Assembly almost every day. We are talking about every single piece that we are doing to make lives more affordable.

The Yukon Party has to stand on a transition here. Are they going to support polluter pay, or are they going to continue to support all of the taxpayers paying for pollution? Which way is it? You can't have it both ways, Mr. Speaker.

Question re: Carbon tax exemptions for home heating fuel

Ms. McLeod: When the federal government announced the imposition of the carbon tax, the Yukon Liberals decided that subjecting Yukon to the federal backstop was the best course of action, and this was in contrast to the Northwest Territories that took a different path. In the Northwest Territories, carbon tax included a 100-percent rebate for heating fuel that is applied at the point of sale. Will the Yukon government consider asking the federal government for a similar exemption to help Yukoners deal with the skyrocketing cost of home heating fuel?

Hon. Mr. Silver: Mr. Speaker, as I just responded, I can't see a fuel tax in these regions actually being kept, to tell you the honest truth. I think, as far as the fuel price signal goes, you could take a look at Nunavut first, then the Northwest Territories, then Yukon and talk about roads, accessibility, and alternatives for home fuel.

In all cases, including Newfoundland and Labrador, when you take a look at the review that the federal government did — unilaterally, I might add — to do a five-year review on the pan-Canadian framework on carbon pricing, this new price signal — I cannot see any of those rebates actually passing that. So, in Yukon, we made rebates that were based upon the price signal. We made rebates that were based on northern, remote, and unique circumstances, but also what we argued for here in the Yukon was to give those rebates to businesses, including placer miners and quartz miners.

Within that second group, it's all about not being able to affect your commodity price. We believed, in earnest, that we were going to be able keep all of our rebates. I can't see this home fuel one being kept for very much longer when it comes to the price signal that the federal government is talking about.

Ms. McLeod: Thank you, Mr. Speaker — and one can only try.

According to the Premier, the federal carbon tax currently adds 13.5 cents per litre to the price of home heating fuel in the Yukon. That will rise to over 45 cents with the planned increases to the carbon tax over the coming years, but that's not

the only thing driving the cost up; the federal GST is applied on top of the carbon tax, which it makes it a tax upon a tax.

Will the Liberal government here in Yukon push Ottawa to remove the GST from home heating fuel to help Yukoners with the rising cost of heating their homes?

Hon. Mr. Silver: This isn't a new concept and, across the Council of the Federation, this has been discussed with the federal government. If the member opposite has a concern with that, I urge her to reach out to the federal government, which is responsible for the federal GST.

Mr. Speaker, we need to take bold action in meeting Yukon's climate change goals and protecting Yukoners from the impact of climate change. We have also discussed that any increase of these costs at the pump — all Yukoners are getting back that money — more than what they put in, on average. We do need to take action. We need to work toward a greener future. This isn't about whether or not carbon pricing applies in the Yukon, but it seems that the members opposite in the Yukon Party are starting to take back their commitments to actually put a price on carbon, which we were thrilled to see during the last election. The Leader of the Yukon Party spoke in leaders' debates about putting a price on carbon; now we are seeing them kind of taking back that story.

I believe that it is extremely important that polluter pay — as opposed to the taxpaying base of Canadians paying for climate change — I guess that the members opposite are assuming something different.

When it comes to the price and attaching carbon pricing onto inflation, we spoke about us having one of, if not the, lowest regular fuel price in all of Canada for tax, other than Alberta, and also all of the money for carbon pricing going back into the pockets of not only individuals, but also businesses, First Nation governments, and municipalities. Clearly, the members opposite are now having second thoughts about carbon pricing.

Ms. McLeod: Now, Yukoners are already facing record-high home heating prices. In my community of Watson Lake, we have seen the price of residential furnace oil increase from \$1.45 a litre last September to \$2.12 a litre this September, and that is over a 45-percent increase. According to the Premier, one-fifth of that increase is due to the carbon tax, and that is before GST, and it is before the tripling of the carbon tax that is planned.

Will the Yukon government help Yukoners by pushing the federal government to exempt home heating fuel from the carbon tax and from the GST?

Hon. Mr. Silver: Obviously, the members opposite can't pivot. We have already spoke a few different times that — yes, there will be an increase because of the carbon pricing, but we have also said that all of that money is going back to Yukoners, into their pockets. So, again, the members opposite aren't listening to the answers; they are asking the same question over and over again.

Mr. Speaker, all Yukon households are seeing their budgets stretched by elevated levels of inflation, but this burden is even heavier on lower income households, for which most of their expenses go to the necessities — as the members opposite

mentioned, food, energy, and housing — all of which have seen some of the highest price increases at different points during 2022. This government is extremely conscious of the effects of rising inflation on our families and has taken action to protect their finances.

It doesn't help the conversation, though, when the Yukon Party forgets to tell their constituents that every single dime given at the pump by Yukoners on carbon pricing goes back to them when it comes to the carbon-pricing mechanisms and the made-in-Yukon rebates that the Yukon Party helped to support. So, we on one hand thank them for their support, recognizing that it's important to rebate this money and it's also important that Yukon decides how that money gets rebated instead of Ottawa — but then to just come out here to say that this price is not being given back to those individuals, those businesses, and First Nation governments — it's a bit — well, I won't even say it because it will probably be called out of order.

Question re: Health care services

Ms. Blake: The Yukon's public health care system is crumbling, and it's no accident. Everywhere we look, this government is chipping away at critical public health services and contracting them out to private companies. For years, Yukoners have relied on Yukon nurses for wraparound care. Whether you lived in the communities or here in Whitehorse, you could trust that you would get the best care. But now, under this government, nursing shortages are at a crisis point. Nurses are being hired from private agencies and flown into communities that they have no connection with. This government is paying private agencies more than they are willing to pay unionized Yukon nurses.

Why is this government relying on private agencies for public health care?

Hon. Ms. McPhee: I'm sorry to say that I don't agree with much of the detail presented by the member opposite with respect to the nursing situation here in the territory, and I think it's incredibly important that we remember that there are shortages of health care professionals across the world. The Government of Yukon is taking steps to recruit and retain nursing staff and to ensure that Yukoners have access to quality essential health care services across the territory. I think Yukoners deserve to know that this recruitment and retention of nursing staff — full-time nursing staff here in the territory — is our priority.

In the meantime, it is necessary to provide services to Yukoners and, as such, some agency nurses are being used to fill gaps. The community nursing staff continue to work tirelessly to provide Yukoners with health care services and to play the integral role that they do — and our response, not only to COVID-19, not only to the substance use health emergency, but to everyday care of Yukoners across this territory.

Ms. Blake: It's not just nursing. This government is also privatizing immunization for Yukoners. For years, Yukoners have visited the Whitehorse Health Centre for vaccines before they went travelling. Those vaccines that prevent illnesses like typhoid, yellow fever, and hepatitis C used to be free, but now

Yukoners have to visit a private clinic to get their shots, and they are expected to pay out of their own pockets for them.

Does the minister plan to move these services back to the health centre or make Yukoners pay for critical vaccines from here on out?

Hon. Ms. McPhee: I am always pleased to rise to speak about the importance of health care here in the territory and the services that are being provided for Yukoners. This year, we are investing \$17.74 million in the Community Nursing branch of the Department of Health and Social Services. The Community Nursing branch has 52 FTEs for registered nurses. The recruitment and retention efforts proceed with respect to having those nurses come to the territory.

With respect of the accusation, I will call it, of privatizing medical care or some versions of medical care, that is simply not the case. Our individuals who are seeking vaccines for travel are encouraged to have those through pharmacies and private services. In that way, having that change is an opportunity for Yukon health care services and community nursing and the health centre to concentrate on additional services for Yukoners, which they provide across the territory but also here in Whitehorse.

Ms. Blake: It has been more than three years since *Putting People First* was accepted in full by this government, but in those three years, our health care system has gotten worse. This government is picking low-hanging fruit instead of doing the real work to make health care better for all Yukoners. So many of the recommendations haven't been done. Prescription medications are still costing Yukoners hundreds of dollars a year. Eyecare and dental care are still barely available in the communities. The list goes on.

Why is this government dragging its feet on the *Putting People First* recommendations?

Hon. Ms. McPhee: I am puzzled by this line of questioning, because it's — sorry — not true. The Government of Yukon is committed to creating a person-centred health care system and to creating an integrated health authority to improve coordinated care between hospitals, long-term care, and social services — the recommendations, in general, from *Putting People First*.

One of the key recommendations is to create an arm's-length government agency for the delivery of select health and social services — health and wellness Yukon. That work is underway. The movement with respect to implementing the recommendations of *Putting People First* continues. Many of them have already been implemented. Of the 76 *Putting People First* recommendations, 13 actions are complete; 32 actions are in progress; 27 actions are in the initial planning phases and have yet to get started; four recommendations are remaining to be evaluated. Remembering that many of the 13 actions that have already been taken are directly of benefit Yukoners immediately, including additions to medical travel increasing — actually doubling the medical travel subsidy.

Question re: Truth and Reconciliation Commission calls to action

Ms. White: In 2019, the Canadian Museum for Human Rights stated that they recognized — and I quote: "... that the colonial experience in Canada, from first contact to the present, constitutes genocide against Indigenous peoples. The ... residential school system was one key component of this genocide."

Last week, the House of Commons unanimously passed a motion recognizing that the residential schools meet the United Nations' definition of "genocide". In response, some indigenous activists have said that it wasn't just one genocide because not all indigenous people are the same; it was many genocides conducted to erase every indigenous nation.

Will this government formally recognize that the colonial experience in Canada and in the Yukon constituted genocide against indigenous peoples?

Hon. Mr. Silver: I don't disagree with the member opposite at all. I completely believe that this is genocide.

Ms. White: I'm so glad to hear that the government is ready to start taking on the responsibility, as the damage was done by our colonial systems of the past. Recognizing actions of the past is a small but important step toward reconciliation. However, the work can't stop there, and it certainly shouldn't stop in this House. There is so much more that can be done, such as implementing the Truth and Reconciliation Commission's call or funding programming across the Yukon to ensure that truth and reconciliation day is a day of learning and action.

Will this government commit to funding programming and community initiatives so that Yukoners can commemorate the National Day for Truth and Reconciliation in a meaningful way?

Hon. Mr. Silver: I would actually like to thank the Minister of Education for all of the work that she has done on making preparations and getting the government ready for truth and reconciliation day. I would also like to thank some of the people who work inside of Aboriginal Relations. I did share with the member opposite, when she was looking at passing one of the two bills and we had conversations about that, some of the concerns that governments have when it comes to the words "social genocide" when speaking to the department — I think it was a milestone for everybody here on this side of the Legislative Assembly when discussing this conversation. When you talk about the burying of children in the ground, the word "social" added to "genocide" — that's a white person's word and that doesn't make any sense at all for the families who have been traumatized due to residential school policies in this country.

So, what we will do on this side of the House is we'll continue to work with the governments — plural — in Yukon that are doing extraordinary work preparing, not only for the recognition of civil days off, federally — or even the work that has to be done when it comes to the rights of indigenous people or the truth and reconciliation calls to action.

Question re: Affordable housing and land development

Ms. Clarke: Salamat, Mr. Speaker.

The average cost of a single detached home has risen from \$420,000 at the end of 2016 to \$701,000 at the end of September. That is a \$281,000 increase to the average cost of a home in Whitehorse since this government took power. Many Yukoners are already on the brink financially, and home ownership is now completely unattainable. A major contributor to this crisis is the fact that the Liberals have been unable to keep up with the demand for land. This summer, a government-caused two-month delay to access Whistle Bend phase 6 lots limited the ability of the private sector to get housing to market.

Will the government agree to identify new blocks of land for release to private developers to expedite housing development and keep up with demand?

Hon. Mr. Mostyn: Mr. Speaker, our Liberal government has built strong, collaborative relationships with municipalities, private landowners, developers, and First Nation partners across the territory to speed up the development of lots and homes in the Yukon.

Our government is working hard to increase the supply of lots in Yukon communities for housing as well as business and economic development opportunities. Fixing the territory's housing shortage is not something that one government organization can accomplish alone. We need to work in partnership to increase housing options. Our government is doing that every single day, Mr. Speaker. We know how hard it is for people to find houses. This is not a national problem; this is an international problem. We are seeing it across North America. We are taking this and working on our partnerships to make sure that Yukoners have more homes.

Ms. Clarke: It is clear that what the government is doing is simply not working. The average cost of a home in Whitehorse increased by more than 67 percent. In the spring, the minister said that Whistle Bend phase 8 lots would be awarded shortly after the completion of the Sitting in time for the summer construction season. In addition, the government indicated that the contract for phase 9 lots would be tendered this fall.

Can the minister confirm that phase 8 lots were completed this summer and when phase 9 will be tendered?

Hon. Mr. Silver: Mr. Speaker, just to give some context for the stats that the member opposite is speaking of, this comes from a real estate report, Q3 for 2022. As far as 60 percent — over what time? The price for a single detached in the third quarter of 2022 — Whitehorse has seen increases every quarter since the fourth quarter of 2016, with prices up almost 67 percent over this time. This is for some context, as opposed to the members opposite making it seem like it's just over a year.

Prices are remaining elevated across all housing types, as cited in this report. The housing market in Yukon has stayed hot in the face of higher interest rates, which have cooled in most other parts of Canada, reflecting Canada's strong economic fundamentals.

The government is very committed to tackling affordability and continues its effort to increase the supply of

housing and to invest across all parts of the housing continuum, including increased supportive housing, subsidies for community housing, and rental subsidy programs. We are seeing these market situations right across the country. Here in Yukon, due to the Yukon Liberal government's support for building and making sure that we have housing across the spectrum, we are doing what we can to make sure that we get Yukoners through these trying times.

Ms. Clarke: The government can list off all the stats they want. The two statistics that matter are that, in 2016, the average cost of a house was \$420,000, and by the end of 2021, that had increased to \$701,000. The fact of the matter is that the Liberals have been unable to address the housing crisis. We need more land developed and we need it developed faster. We know that a stumbling block is permitting and zoning and that municipalities are strapped for resources.

So, will the government budget to help Yukon municipalities with emergency funding to help expedite the release of land and the development of housing?

Hon. Mr. Mostyn: There is a lot to unpack in that question, but I am going to stick to the fundamentals here. As this Liberal government moves the territory forward, we are making historic investments in lot development and housing — \$30 million budgeted for land development in the Yukon. We are working to develop 1,000 lots in the coming years and we are on track to do that, Mr. Speaker. I want to say that, in the 2022 season, we have been working on the construction of lots in phases 6, 7, and 8 in Whistle Bend and, when complete, these three phases will provide another 200 housing lots for Yukoners.

The Yukon Party's record on housing is embarrassing. The Yukon Party sat on millions of dollars and refused to invest in affordable housing. We are still paying a price for the Yukon Party's inaction on housing. We have tripled investment in lot development compared to the Yukon Party, and we are going to continue to do that, Mr. Speaker, because we are standing up for Yukoners and moving the territory forward.

Question re: School staff shortage

Ms. White: This June, Yukon schools warned this government that they would be facing yet another year of staffing shortages. The government had all summer to work on solutions, but they didn't, and because of their inaction, the school year started with over 30 vacant positions — more than half of which were in rural Yukon. This government could have spent the summer actively recruiting, like the Northwest Territories did. They could have sent superintendents down to universities and job fairs to make sure that there were enough educators for the new school year, but, again, they didn't.

In fact, it has been 10 years since the Yukon has sent anyone down south to actively recruit. No wonder Yukon schools are so short-staffed. Why didn't this government actively recruit educators for the new school year?

Hon. Ms. McLean: Certainly, quality educators are a key component of our education system, and effective teachers are 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 want to first start — since this is the first time I'm speaking about the teachers and the incredible staff that we have — I want to thank the administrators, educators, and staff who are working hard for the benefit of our students and all Yukoners. Their efforts have not gone unnoticed and we are so appreciative of them.

Some of the recruitment efforts — I have to take issue with some of the comments that were made today around this. Yukon is absolutely one of the most incredible places, I think, in Canada. I will get into some of the numbers as we proceed with the question today, but the ongoing national labour shortages, housing shortages, and the pandemic have continued to have impacts on our overall recruitment efforts. Despite that, we continue to work to find staff with the best combination of qualifications, experience, and suitability.

Ms. White: What we notice is that there is no active recruitment, no going down to universities, and no finding those teachers. Because of this government's inaction, educators are working overtime, teachers are filling in as acting principals, EAs are covering for multiple teachers, and teachers on call are filling in for months at a time. This government is working educators into the ground and they aren't getting paid any better for it.

The Yukon used to attract folks because of a higher pay and quality of life, but neither of those are keeping up anymore. Both Nunavut and the Northwest Territories increased wages to stay competitive, but this government has so far refused. When will the minister offer competitive wages to educators so that the Yukon is once again an attractive place to work?

Hon. Ms. McLean: Mr. Speaker, again, Yukon is, I think, probably one of the best places in Canada to live and work. It actually offers one of the highest wages in Canada as well for teachers.

Since September 1, we have successfully filled 32 teaching positions across the Yukon. Active recruitment as of October 26 includes these numbers: We are still recruiting for 15 teachers — three in Whitehorse, 12 rural, and six Yukon First Nation language teachers; and we have 11 postings for EAs, most of which are in Whitehorse. Currently, we have one principal and one vice-principal posting; however, there are permanent or temporary principals in all of our schools.

Again, recruitment started earlier this year. We have worked really closely with all of our partners to ensure that we are making best efforts. I was told recently by our recruitment staff — again, our HR staff are doing a very good job, and I want to hold my hands up to them, because this is a challenge across the country. I will continue to build on some of the new recruitment methods that we are undertaking at the Department of Education.

Ms. White: The minister must have misheard me, because my criticisms are never about staff, but they are about politicians. As much as the Liberals would like Yukoners to believe that they did everything they could to fill these vacancies, that is simply not true.

The Northwest Territories saw the looming shortage and they acted. They went to universities and talked to new grads. They offered fair wages and great benefits. One school district even flew prospective candidates up to their community so that they were able to understand what teaching in a rural community would look like, while in the Yukon, the school year started with over 30 vacant positions. In the Northwest Territories, they started their first day of school fully staffed. The Yukon's teacher shortage is not because we are in the north or because there is a lack of qualified workers available. We are in a shortage because of this government's inaction and disrespect for Yukon educators.

When will the minister learn from the NWT's recruitment strategy?

Hon. Ms. McLean: Again, there is a national labour shortage. There are a number of factors that are factoring into the recruitment of teachers. I started, in the last question, just to talk about some of the innovative ways that we are working to recruit educators into the territory. We are working on a number of creative solutions in terms of the Yukon story and really helping people to see where they would be coming to and how fantastic our territory is. We've been participating in virtual forums across the country, and we have gained a really good impact from that.

This year, we posted positions earlier to be more competitive with other jurisdictions. We have participated in a recent online career fair and placed advertisements in various social media and through Canadian universities. These steps have supported our recruitment efforts. As I have stated, we have successfully filled 32 teaching positions across the Yukon. I think one of the great parts of this story is that all our schools opened on time, as intended, and children were able to attend school. That's not the same for all jurisdictions.

Speaker: The time for Question Period has now elapsed.

Notice to call motion respecting committee report

Hon. Mr. Streicker: I give notice, pursuant to Standing Order 13(3), that the motion for concurrence in the fourth report of the Standing Committee on Rules, Elections and Privileges, presented to the House on October 17, 2022, shall be called as government designated business.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 494

Clerk: Motion No. 494, standing in the name of the Hon. Mr. Streicker.

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

THAT Standing Order 76 of the Standing Orders of the Yukon Legislative Assembly be amended for the duration of the 2022 Fall Sitting by deleting all instances of the words

“Government Bill” and substituting in their place the words “appropriation bill”.

Hon. Mr. Streicker: I will speak briefly to this motion. The Standing Committee on Rules, Elections and Privileges has been meeting. You will recall that, in the spring, we passed a very similar motion to this. It’s all about trying to deal with time limitations on votes of bills. This past spring, we made the same decision to maintain the time limitation for appropriation bills — for budget bills — but not the other government bills. Effectively, what happened then, as has happened now, is that we, on the government side, moved the business forward on those non-budget bills in order to ensure that they get full and fair debate here in the House and that we get through them to a vote. This is a similar motion, and what we are looking to do is to continue that dialogue through the standing committee and see if we can come up with a resolution about time limitations for our Legislative Assembly.

I thank all members of the standing committee for their work, and I look forward to debate on the motion today.

Mr. Cathers: We, of course, in the Official Opposition do support this. As one of the members of SCREP, I would note that we brought forward this issue previously during the spring, as well as now. It is important to note that, when Standing Order 76, often called the “guillotine clause”, was brought into effect, the primary argument behind it was so that the government would not be without spending authority due to a delay in passing a budget bill.

It was, at the time, expanded to other pieces of government legislation, and while, of course, every government has made use of that opportunity, it does raise a question about the appropriateness of that measure for non-time-sensitive matters. Of course, the budget does have time sensitivity; non-appropriation bills do not. While the budget does need to be passed so there is spending authority, delays in passing legislation — if indeed, that is the will of the Legislative Assembly, especially in a House such as we have now, where there is a minority government — it, in fact, can be argued that this is not a bad thing either and that it shouldn’t just be in the hands of government to determine whether debate should be shut down on legislation.

We have seen in the past, with the changes to the Yukon workers’ compensation, health and safety act — but I think that it is fair to say that, had there been an opportunity to make changes, instead of debate being ended by the government choosing not to call for debate and then calling on the last day for a vote, then very likely we, as well as the Third Party, would have probably suggested some changes to that, based on feedback from stakeholders.

I also want to just very briefly speak about one of the bills that would be affected by this motion and note that, on Thursday, in speaking to Bill No. 16, I inadvertently made an incorrect statement about the Member for Riverdale North. I believe that being publicly accountable includes acknowledging if a mistake is made — and I would just note that the member formerly worked for a society commonly

referred to as “Legal Aid” or “Yukon Legal Aid” and rarely referred to by the official name of the society. During debate on Thursday, I forgot the proper name of the society and incorrectly made reference to another society with a somewhat similar name. So, for the record, I would note that the name of the society that the member worked for is indeed “Yukon Legal Services Society”, and I would retract that specific part of my comments from Thursday.

That concludes my remarks, and I would commend this motion to the Assembly.

Ms. White: Today, I am speaking to Motion No. 494, otherwise known as the “guillotine clause”. There are a couple of perspectives. I have been in this Assembly for a very long time under two majority governments, and I have seen what happens with legislation, including the *Oil and Gas Act*, where it got second reading and then it went to the guillotine or other examples.

I think that there is going to need to be, also, a bigger, broader conversation, because we have seen members of this House — maybe current members and previous members in the past — speak at length many times. I mean, I definitely asked 30-second questions and got 20-minute responses, and that definitely eats up. I think that there is a real opportunity to look at the Standing Orders and, for example, have witnesses appear outside of sitting hours, bills go to committees, and things to make our work here more effective, but I do want to say that I am in support and a proponent of removing the guillotine clause, but I also believe that means that each of us has a responsibility in how we behave to make sure that this House still works.

So, we, of course, as the NDP, will be supporting this motion.

Hon. Mr. Mostyn: This afternoon, we will discuss Motion No. 494 — we’re discussing it right now — to decide whether to keep experimenting with time allocation in the House, as we did last spring.

Before I begin, I want to thank the Clerk’s office for the support it has provided the Standing Committee on Rules, Elections and Privileges over the last couple of years. The committee establishes the rules around which the people’s democracy operates. This is admittedly something most folks will take little interest in, but it is important.

Through the committee work, we upgrade our tools, computers, video conferencing, make it more representative to different cultures and genders, and generally make it more accessible to the public we represent. Working on the rules of the House — be it non-gender forms of address, how long we ring the bells, or time management in this Chamber — carries the danger of unintended consequences. The team in the Clerk’s office has done some great work providing background research to guide our discussions. So, thank you.

This year, the Standing Committee on Rules, Elections and Privileges met five times. That is in addition to the four times it met in 2021. That’s nine times in two years. Before that, during our first mandate, it met seven times. So, we’re now up

to 16 meetings in six years. Before that, during the Yukon Party government, this important committee met just six times in 14 years. So, the difference in the operation of government is stark in terms of the numbers, and we're working to improve governance in the territory on behalf of the people of the territory.

This afternoon, we're looking to continue the experimentation on clause 76 of the Standing Orders. It was introduced in 2001 after work by all parties. It was designed to end ridiculously long — all night, sometimes — debate in this House. It made it hard on the staff and certainly on some of the parents who were working and doing this job on behalf of Yukoners.

Now, in those early days, years ago, the opposition controlled the length of debate. If they wanted to continue debate, they could. The government was at the opposition's mercy. Sometimes, debate would go on ad nauseum to try to make sure that the House continued sitting. So, all parties agreed to limit the annual sitting days to 60, and at the end of that time, all bills in process but not fully debated could be voted on and passed.

That approach was nicknamed "the guillotine", and it stuck. While it brought certainty around the length of the Sitting, the approach had some consequences, which have been chronicled in Hansard by the Leader of the Third Party and our Premier. Suffice to say, it allowed the government to avoid sticky subjects by limiting debate on bills.

So, last Sitting, to avoid that, we all agreed to an experiment, which, if approved today, will continue this session. Money bills will be guillotined, but non-money bills will not. They have to be fully debated and pass third reading. This, too, is having an effect on the business of the House. If opposition parties decide to dive into a non-money bill, we use precious time that could be used debating the budget. Again, this is a choice that is made by members of this House.

This does cut to the heart of the matter, however. It is about how we decide to use our time — the 60 days we have decided to hold this session on behalf of the people of the territory.

It is, at its heart, a time management issue. How long do we need to debate the amendment to the *Legal Profession Act*, the animal protection act, the budget? If we were all to sit down and decide, through time management at the House Leaders' meeting at the beginning of the session, we might all be better off than using a blunt instrument like the guillotine. We could engage in proper debate rather than filibustering or reading phone books into the record, which has happened in this House to waste time in the past.

Every other legislature in the country manages their time upfront, working out a schedule for debate. This has been discussed in the Yukon as recently as last year. The Clerk's office has done some good work on this time management project. For that, I am grateful, but so far, our parties have not yet been able to navigate those waters. Until we do, we will work within the moment in 2001, when we agreed to solve the problem of endless debate with a blunt instrument, and tweak the use of that instrument — the guillotine — a touch this afternoon.

That is the motion before us, which comes from our strong record of working with the Standing Committee on Rules, Elections and Privileges to update the procedures of this Legislative Assembly to reflect modern times.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

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 No. 494 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order. Committee of the Whole will now come to order.

The matter before the Committee is continued general debate on Bill No. 20, entitled *Animal Protection and Control 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. 20: *Animal Protection and Control Act* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Is there any further general debate?

Ms. Tredger: Thank you to the officials who are back again to answer our questions. It is much appreciated.

When I left off, I was asking about animals that will be restricted under the new legislation. The minister shared that this legislation doesn't allow for breed-specific bans. I know that the list of animals that there will be an outright ban on will be defined in regulation, and that makes sense to me; I don't think anyone should have lions in the Yukon. Does the minister anticipate that there will be some animals that are currently in the Yukon that will be on the prohibited list? How will that be handled?

Hon. Mr. Clarke: Madam Chair, I was just conferring with my officials. To welcome them to the Assembly again, I have Mary Vanderkop to my left, who is the chief veterinary officer, and Kirk Price, the director of the Agriculture branch, to my right.

To the best of our anticipation in the application of this new legislation, the answer is no; we do not anticipate that animals will be specifically banned. My information is that this would involve very exotic animals.

So, is it possible? I think that the answer is yes; it is possible, but we do not anticipate animals being banned.

Ms. Tredger: I just want to make sure that I understood that correctly. There are no animals that are currently anticipated to have an outright ban — it will all be under limited conditions or allowed. Is that correct?

Hon. Mr. Clarke: So, the position is that the department will consult on the final lists and encourage owners to come forward if they have a species that they have concerns might be prohibited, but my information, so far, is that it is not anticipated that species that are known to exist in the Yukon currently will be prohibited.

Ms. Tredger: So, just to clarify — there will be species that are prohibited, but it is not known that any animals of those species are living in the Yukon right now. Is that correct?

Hon. Mr. Clarke: Yes.

Ms. Tredger: Thank you for that.

I am going to now switch topics completely and talk a little bit about warrantless entry and some of the powers that are under this act. So, there are two sections in my reading that this issue applies to. One is section 14, which is "Entry without a warrant", and the other is section 17, which says that — I am paraphrasing — if an animal protection control officer already

has a right to be some place, they can, without a warrant, seize things. I am wondering if the minister could clarify section 17 a little bit.

I also wonder about the history of this provision. Could the minister share whether it already existed in the previous act or whether it is new in this act and how it compares to other jurisdictions in Canada?

Hon. Mr. Clarke: I will try to address the questions asked. I would anticipate that the member opposite will follow up if the member opposite hasn't received the complete answer.

Under section 14, the decision to allow RCMP to enter without a warrant would be primarily due to safety concerns. RCMP have the appropriate training to enter situations, without a warrant, that may be of higher risk.

The animal protection and control officer would typically attend nearby to provide support and assistance to the RCMP officer with respect to animal handling, assessment, and care. This section is consistent with the existing *Animal Protection Act*.

The provision under the *Animal Protection and Control Act* to allow for warrantless entry in exigent circumstances is consistent with section 4.2 of Yukon's current *Animal Protection Act*. This is not a new provision.

During the second reading, there was reference to section 17 of the act where an animal protection and control officer who was lawfully in a place may seize without a warrant. That is different from "warrantless". This is the power of an officer but is only after being able to use the power to seize without having to get a warrant to seize when lawfully in a place already, such as with an entry warrant or invitation or following an order.

So, by way of elaboration, this was brought up by the Member for Lake Laberge in his second reading speech. The Member for Lake Laberge indicated at the time, a number of days ago, that warrantless searches might be unconstitutional and argued that even the new *Child and Family Services Act* does not allow for warrantless searches. Just to be clear this afternoon, this is not correct. The new *Child and Family Services Act* does allow for warrantless searches if the life, safety, or health of a child is in immediate danger.

In debate, as well, at second reading, the Member for Lake Laberge was speaking about the *Animal Health Act* and the warrants therein. But, of course, what we should be discussing is the *Animal Protection Act*, which is being replaced by the proposed legislation. So, the existing act also allows for warrantless entry. Sections 4.2 and 4.3 of the *Animal Protection Act* describe warrantless search and seizures. So, it was a bit of a narrative during the second reading debate from the Member for Lake Laberge certainly inferring that warrantless searches were new powers and that they didn't previously exist, but that's not true. They have existed since 2008.

The Member for Lake Laberge, who, I believe, was the Minister of Energy, Mines and Resources at the time, on November 3, 2008 — for the record, I am referring to Hansard, page 3186 and 3187 — advised that it was his pleasure to rise today — which was November 3, 2008 — in support of this legislation, *Act to Amend the Animal Protection Act*.

Some of the preliminary comments were very similar to comments made in the Assembly over the course of the last few days because these are, in fact, important.

The Member for Lake Laberge, as minister as he then was, said: "I think it's important to note that in terms of importance and concern that it is animal owners who are the most offended and concerned by mistreatment of animals and by those who do not care for their animals appropriately. It is animal owners who are most shocked and appalled by those who do not take proper care of the animals and do not recognize the importance of the trust that is placed upon them. It is much the same when it comes to children." Then there is some analogy to children.

Further, the Member for Lake Laberge, as he was then and currently still is, said: "It is important that we move forward in modernizing this legislation. There needs to be effective legislation and tools to deal with people who abuse animals. It also needs to be recognized that the overwhelming majority of animal owners take care of those animals in a responsible fashion. It's also necessary to have — as this legislation does — steps to be taken short of actually impounding an animal that may be necessary for someone who may have good intentions toward their animal but may simply have a poor understanding of how to take care of them. There are steps that can be taken by an animal protection officer to tell them what needs to be done, and they can issue an order to be followed in order to care for the animal properly, including such things as food, water and veterinarian treatment, if necessary."

This is all entirely consistent with the overarching spirit and intent of the legislation that is being debated today. But what is most interesting about the observations that were made by the Member for Lake Laberge on November 3, 2008 is as follows, with respect to warrantless searches, which the Member for Lake Laberge must have some faint recollection of — and I quote: "When dealing with legislation, we must ensure that it's appropriate legislation, that we put in place appropriate tools, and that the legislation is balanced, and that, of course, in this particular piece of legislation, means ensuring that there are effective tools to enable those who need to prosecute actions under this, to enable an animal protection officer to take appropriate steps in intervention, but also ensuring that those powers do not go too far without checks and balances. That same principle is recognized in many other areas of Canadian law, both federal and territorial or provincial — the need for balance. That includes such things as the ability for a judge to issue a warrant, but that there is not the ability for enforcement officers to enter somebody's premises without the appropriate steps to be taken to gain that permission from a judge, recognizing the importance of there being balance in the rights of the individual to their privacy and the need to enable action to be taken when indeed a problem is occurring. That, of course, in this legislation also includes the strongest powers that are usually included for RCMP officers, which gives them the ability under exigent circumstances to enter property without a warrant. That is not extended to other officers. That is something that is very clearly defined in case law in many other areas — particularly the Criminal Code areas — that require there be a very high standard for them to take that step, or else

the officer faces the possible disciplinary action, et cetera, for not exercising their responsibilities appropriately.

"Just in recapping, Mr. Speaker, I think it's important we recognize the need for balance and the need for powers to be increased under this legislation as they are; for fines to be increased from what they have been, because in many areas, members will recognize that they have been very low, but there is a need always for balance and for appropriate consideration."

This must be a trip down memory lane for the Member for Lake Laberge, because many of the things that I have spoken about in the last three days include increasing fines that are very low, the ability to have appropriate enforcement where necessary, and, Madam Chair, when there are exigent circumstances — I think that reasonably minded Yukoners can consider what that situation would be. I have also said in the last few days that sometimes there will not be animal protection control officers in the individual communities when they might be needed. Yukoners who are listening or reading Hansard afterwards can envisage that there could be an animal that's in significant distress — a building could be on fire or a building could be in the process of being significantly damaged — where the definition of "exigent circumstances" has been pretty clearly met and would very likely meet the appropriate Charter scrutiny of an unlawful search — that it was justified in all the circumstances. Although, on its face, it may contravene section 8 of the *Canadian Charter of Rights and Freedoms* — saying that everyone has the right to be secure against unreasonable search and seizure — but, in the totality of the facts, under a section 1 Charter analysis — which reads that the *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society — there would be a Charter analysis.

The Member for Lake Laberge also well knows that — I can say that, to the best of our knowledge, warrantless entry — pursuant to the currently prevailing act, section 4.2 of the current *Animal Protection Act* — has not been exercised. I would like to re-enforce that, under the new act, it would only be exercised in extreme circumstances and actionable at arm's length from Government of Yukon employees and only by the Royal Canadian Mounted Police.

This action is comparable to other jurisdictions across Canada, such as under the *Provincial Animal Welfare Services Act* in Ontario, which came into effect in 2019. In Ontario, an animal welfare inspector may enter a place without a warrant and search for an animal if the inspector has reasonable grounds to believe that an animal in the place is in critical distress and the time required to obtain a warrant may result in serious injury or death to the animal.

Madam Chair, it is also comparable to Manitoba's *The Animal Care Act*, which allows an animal protection officer who believes that there is an animal in distress in a dwelling to enter and search the dwelling for the animal with police officers without a warrant if there are exigent conditions and obtaining a warrant would not be practical.

What I can agree on with the Member for Lake Laberge is that the warrantless search ought to only be used in the most exigent of circumstances — in emergency circumstances — but it really does candidly appear that the Member for Lake Laberge finds himself in a position where he has to be agreeing with his former self or his former parliamentarian self — unless he has a complete change of heart and he is now of the view — from when he was the lawmaker and he was the minister in a majority government — that he made most of the points that are being made today with respect to the provision of the *Animal Protection and Control Act* only being used in the most exigent or emergency circumstances. I am saying exactly the same thing 14 years later.

The former minister, the Member for Lake Laberge, was in that majority government. I think there was a bit of an interim period where he may not have been part of the majority government, but in any event, we have from 2008 until 2016 when the *Animal Protection Act* and the powers that were granted therein — section 4.2 and section 4.3 providing for warrantless searches in exigent circumstances — were the law of the land. So, that's eight years, and now another six years have passed.

So, in fairness, Madam Chair, if the Member for Lake Laberge had some — how will I phrase this so as to not be unparliamentary? — epiphany as to the obvious fact that section 4.2 of the *Animal Protection Act* was running afoul of relevant Charter litigation and was potentially not constitutional, the member had every opportunity for eight years to bring that act forward to remedy it to address — however he then thought about the issue — that he had a sober second thought or he had personally reviewed this and he brought that matter to his Cabinet colleagues at that time and said: I regret — or I really wish that we as a Cabinet had not passed that portion of the *Animal Protection Act* in 2008; it has placed law-abiding Yukoners in a situation where they will potentially be facing overreach of the state, and in consequence of that, I cannot, in good conscience —

Some Hon. Member: (Inaudible)

Point of order

Chair: The Member for Lake Laberge, on a point of order.

Mr. Cathers: Mr. Speaker, we have heard a lot of interpretive history from the minister, talking about 14 years ago in speculation of what my views were and might have been. I would urge you to remind him that we're talking about legislation that he tabled — Bill No. 20 — and ask that he actually say something that's relevant to the debate. He will hear from me later.

Chair: The Member for Riverdale North, on the point of order.

Hon. Mr. Clarke: On the point of order, the first point is that, as the most senior member of the House is well aware, the Legislative Assembly is not a fact-finding exercise; it's a battle of narratives. So, that would be my first point — that this is clearly a dispute among members.

My second point is that the Member for Lake Laberge — and I have the transcript from his second reading speech, which we'll get to —

Chair's ruling

Chair: Order. This is a dispute between members. I ask that you please stick to the topic in question. Thank you.

Member for Riverdale North.

Hon. Mr. Clarke: So, as I said, I know that my time might be running short now, but I do have the member opposite's second reading speech in relation to the act now — *Animal Protection and Control Act* of 2022 — where he has significant concerns about warrantless searches. I have concern about warrantless searches as well. I absolutely support the proposition that they ought to only be used in the most exigent or emergency of circumstances. But they ought to be available, which is exactly what the Member for Lake Laberge said almost exactly 14 years ago on November 3, 2008. It's absolutely, in my view, related to his comments that he made at some length on his second reading speech, but a scant few days ago.

I will leave it at that, Madam Chair.

Ms. Tredger: I am going to switch gears a bit from warrantless entry.

I have a question about animal protection and control officers and the deputy animal protection and control officers. Who will be appointed in each of those roles? Are there criteria that you need to meet in order to be eligible for one of those roles?

Hon. Mr. Clarke: Thank you for the question from the member opposite. Government officials from the Department of Environment and the Department of Energy, Mines and Resources will be appointed as animal protection and control officers by ministerial order. The current positions of animal protection officer and livestock control officer will then be converted to the role of an animal protection and control officer. Deputy officers will be people in communities where there are agreements in place to enforce sections of the act — typically ticketable offences. Authority under these positions may be further limited under the ministerial order appointing the individual.

The Government of Yukon will be providing training and resources to support establishing deputy officer positions in communities. Those communities would then be responsible for financially supporting the ongoing continuation of those positions. Agreements will be in place to define roles, responsibilities, and requirements, as local governments see the need. Officers will have training and experience similar to the current animal protection officer: animal handling, use of force, and investigation — and deputies will have a level of training justified by their authorities and powers.

Ms. Tredger: So, I am wondering — I appreciate the answer about how the municipalities will support those positions financially. What about places that only have local area councils? I am thinking of Marsh Lake, for example, where

I think that the problem of dogs that are aggressive, being loose, is actually quite a big problem. How will that be addressed?

Hon. Mr. Clarke: There may be deputies appointed for “nearly governments” — for example, from Dawson — to extend into the nearby area. There may also be individuals appointed through the Yukon government to deal with unincorporated areas, some potentially by contract. The new legislation will provide a common standard in requirements for the care and control of animals that applies across the Yukon. This will be enforced by territorial government employees, but can also be enforced by authorities in municipal or First Nation governments. This could include governments that currently lack authority to enact bylaws, except under the provisions of the federal *Indian Act*.

The *Animal Protection and Control Act* allows the Government of Yukon to enter into an agreement with a Yukon First Nation for the application of additional requirements to be enacted by regulation respecting the care and control of animals to all or part of the settlement land of the First Nation. Generally speaking, it’s intended that we remain adaptable to meet the needs of local areas, which could include local advisory councils.

Ms. Tredger: Thank you for that answer.

I am going to switch gears again. I want to address a letter that I know the minister received from the Yukon Agricultural Association. I want to talk about some of their concerns, which I am hoping the minister can address here. They start out by talking about the need for acknowledging that livestock is different from pets. I wonder if minister could talk about how that is addressed in this legislation.

Hon. Mr. Clarke: Livestock in agriculture are animals that are raised for food or fibre, rather than other purposes, such as companionship. Some types of animals that are livestock could be categorized in more than one category: for example, a rabbit or a horse could be livestock or a companion animal, and elk could be livestock or wild as well. So, it is important to define this distinction clearly. We will do that in regulations. We will consult with the agricultural industry on the regulations.

Ms. Tredger: It’s especially good to hear that they’ll be involved in those conversations about the definitions.

So, another thing they brought up is the need for the structural coordination between the departments of Environment and Energy, Mines and Resources as this legislation is implemented.

Can the minister talk about how that’s going to work?

Hon. Mr. Clarke: Thank you for the question.

The enforcement officers from both departments would be named animal protection and control officers. Livestock control officers at the Energy, Mines and Resources Agriculture branch now have responsibility to respond to livestock that are “at large”. This will not change, but as animal protection and control officers, they will now be the first response to animal welfare complaints related to livestock.

Madam Chair, they currently have no authority to respond in those situations, and the industry has been clear that they want livestock specialists to respond in all livestock cases.

When animal welfare or control concerns the livestock operation, officers from Energy, Mines and Resources would have the designated authorities to respond in those situations.

There will also be joint and cross-training for Environment and Energy, Mines and Resources enforcement officers enforcing the new *Animal Protection and Control Act* and regulations. The departments will be coordinated and have the same policies and procedures guiding compliance and enforcement.

Ms. Tredger: Thank you. And I wanted to address one more concern that’s in the letter, which is about education and enforcement protocols for contraventions that may occur on farms. Can the minister just speak to how that will be addressed?

Hon. Mr. Clarke: With respect to education and enforcement protocols, generally the approach will be for education — to get people into compliance through education and working with individuals on a case-by-case basis. The bill allows a framework to address a broad range of circumstances appropriately. The bill includes better and more flexible enforcement tools and stronger penalties for certain offenses. Officers will be able to use their discretion when assessing the severity of the contravention and can use orders as a tool to guide individuals into compliance, rather than penalize.

Ms. Tredger: So, I appreciate all those answers to the questions. I think that will probably be — I hope that will be reassuring for the Agricultural Association. I really appreciate the indication that the regulations will be developed in consultation, because I know an extensive consultation happened to develop this legislation. I also know there has been a pandemic since then, and a lot of time has passed. I think going back to people and involving them in the regulations is going to be really critical in making sure this works for Yukoners.

That wraps up my questions. I just want to say thank you again to the officials for answering lots of questions, lots of detail and briefings. They’ve done a lot of work, and I know it is a monumental amount of work to get an act of this size to the point it is at now. I want to say thank you to them, thank you to the minister for his answers, and I will cede the floor.

Ms. Van Bibber: I would also like to thank the officials for joining the minister today. Welcome to the House again.

I do have a few questions about this bill, mainly aimed toward the tourism angle or the tourism side of things.

There are many features to animal control, and although some are good suggestions in the areas, others are detrimental to the smooth operation of a business or to the owning of multiple animals. The minister mentioned, time and again, how wonderful their consultation was with the industry of dog mushing. I know there was a letter from the Yukon Dog Musher’s Association which states that they were not properly consulted. There was one meeting held in Whitehorse with them where they voiced their concerns and expressed opposition to some of the clauses.

Can the minister verify whether there was only one meeting held with the Dog Musher’s Association?

Hon. Mr. Clarke: I can confirm that there were two meetings — November 2018. The Yukon Dog Mushers Association was in attendance for both. There was another follow-up meeting on August 1, 2019, but they were not able to attend. However, other dog mushing groups were present. Mushers were consulted and acknowledged the increase in public scrutiny around the sport. They were supportive of a regulatory framework to ensure that individuals live up to the high standards that most in the sport endorse. The *Animal Protection and Control Act* does not specify details about how animals, including sled dogs, are kept or managed. There is a focus on the state of the animal — e.g., well-nourished, hydrated, and socialized — not whether there is food or water present. We expect that standards of care included in the document *Mush with P.R.I.D.E.* would be referenced in the regulations that will be developed for the new act — that these would apply to sled dogs, whether kept for racing, working, or recreational purposes. These standards are applicable to other working dogs housed outside as well.

In meeting with mushers, we acknowledge that there are different opinions on the most appropriate path forward to address these concerns because it is still too early to have a recommended approach. Further discussions with mushers will take place on the development of such standards and regulations in the Yukon.

In our recent response to mushers, specifically we heard from dog mushers that standards for pet dogs should not be the same as dogs kept for mushing and that we should set a minimum baseline that everyone should be able to meet and look into further standards specific to mushing dogs. As you will see in the new act, the baseline standards have moved away from a detailed, prescriptive approach of requiring that dogs have food and water at all times, as I indicated, and instead to an outcome-based approach that requires that an animal has a healthy body condition and adequate hydration.

In our recent response to the Yukon Dog Mushers Association, you will notice in the new act that we have addressed concerns of remote Yukoners who may not have access to veterinarian services and ensured that there is flexibility such as seeking veterinary advice rather than physically bringing the animal to a veterinarian for medical care. As I have indicated with respect to a number of the interested parties who certainly have asked to have targeted, meaningful, and ongoing consultation between now and when regulations come into force and effect, my department — the Department of Environment — and the Department of Energy, Mines and Resources have been responsive and will continue to be responsive in this regard to ensure that mushers are appropriately considered, given their particular and, in some respects, unique circumstances.

In meeting with mushers, there are different opinions on the most appropriate path forward to address these concerns. Because it is still too early to have a recommended approach, further discussions with mushers will take place on the development of such standards and regulations in the Yukon.

Ms. Van Bibber: On that note, the mushers had expressed their concerns. Despite having the two meetings —

November 18 and August 19 — did the minister or department reach out to the Yukon Dog Mushers Association specifically to address those concerns before the act was put in?

Hon. Mr. Clarke: I will provide a brief response, but perhaps I can provide some additional detail during the course of the afternoon.

There was a follow-up. My notes indicate that there was a follow-up in August 2019, which the Dog Mushers Association was not able to attend. The beginning of the policy work — and ultimately the drafting work — occurred basically concurrent with the beginning of COVID.

As I have indicated a number of times in Committee of the Whole, there is every intention to meeting with all interested and impacted stakeholders to ensure that there are no unintended consequences with respect to their businesses. We expect that businesses that use sled dogs or working horses will want to let their clients know that they meet the highest standards as a promotion or to please their clients. We have reached out to these organizations in the engagement phase, and we will continue to reach out to them in the targeted and specific engagement in the drafting of the regulations going forward.

My understanding, from speaking to my department, is that we have had quite a fulsome, robust, significant consultation. I can certainly go through a rundown of what that looked like in 2018, following up into 2019, and also with additional meetings in 2020 and, albeit admittedly, fewer in 2021, but now we have this modern legislation. The former Yukon Party government had taken some small steps. There was an awareness at the time that this type of legislation was required. Some of it is 10, 15, 20, 25, 30 years overdue. We have that framework through the legislation. We will put meat on the legislation through regulations, given the best information available and regulations from across the country.

Ms. Van Bibber: Many of these dog mushers train and race their dogs, but some also branch off for tourism operations to offer a unique experience for visitors. After the “what we heard” document was released, it stated that it was still too early for decisions on dog mushers and that further discussions during phase 2 should be held with them. I am assuming that phase 2 is, as the minister stated, drafting and putting the meat in the act.

Why not follow the “what we heard” documents and meet with these dog mushers prior and alleviate the concerns that they have before we get to further actions on this act?

Hon. Mr. Clarke: As I have indicated, there’s every intention of continuing to engage with the Yukon Dog Mushers Association and all dog mushers in order to craft regulations that have minimal — well, hopefully minimal — impact on mushing operations and for them to maintain a thriving business where there is an agreement on the ethical treatment of animals, which one would expect.

It seems that, as far the “what we heard” document, what isn’t clear needs more discussion — discussions with mushers on the need to address questions such as to whether a third-party standard, such as *Mush with P.R.I.D.E.*, which we have talked about a fair bit, should be adopted or if a Yukon-specific

standard should be developed — if a new standard is to be developed, how mushers and their organizations will be involved in its development and whether standards should be voluntary or mandatory and how they would apply to sled-dog businesses and recreational mushers so that they would be fair to both and what should be required of boarding kennels operating as a business in the Yukon.

Ms. Van Bibber: None of the “what we heard” document really outlines feedback from the Yukon businesses in the tourism sector. Which tourism-based businesses provided feedback to the government, and did the Yukon government follow up with them to understand the challenges they face, prior to this bill being tabled?

Hon. Mr. Clarke: The Government of Yukon reviewed the legal framework in the territory for the protection and control of animals. This review examined aspects of managing all animals other than wildlife, including domestic pets, exotic animals, livestock, and working animals. To inform this review, in the fall of 2018, we engaged with the public, interested stakeholders, municipal governments, and unincorporated communities, as well as consulting with Yukon First Nations. We wanted to hear from Yukoners about what they thought the legal framework for managing animals in the Yukon should look like, what issues the laws should address, and what values should guide the laws.

In September of 2018, we contacted every Yukon First Nation, municipal government, and local advisory council. We invited anyone who was interested in having an engagement event set up in their community to contact us. We worked with every First Nation and community that responded with an interest in having an event in their community. As I’ve indicated previously, throughout November and December, we hosted public meetings in Carmacks, Carcross, Dawson City, Mayo, Old Crow, Pelly Crossing, Tagish, Takhini River subdivision, Teslin, and Whitehorse. We also met with First Nation governments, town councils, and joint councils.

In addition to the community meetings, we posted an online survey from October 16 to December 17 of 2018 and received 902 responses. The survey included open-ended questions to allow respondents to share their thoughts in their own words. Respondents shared over 90,000 words in comments.

We also met with groups that could be affected by changes to the legal framework for animal protection and control. These included animal rescues, dog mushers, and enforcement agencies, such as the RCMP and municipal bylaw officers. What we heard clearly from this engagement on the topic of animal control was: a territory-wide requirement for owners to control their animals at all times; freedom to allow their dogs off-leash — so, “control” doesn’t mean the dogs must always be on-leash — better tools to enforce animal control in the communities; animal control to apply to all owned animals, pets, livestock, and working animals; and cats are confined to minimize their impact on wildlife.

The majority of respondents — 66 percent — want owners to be required to keep their animals under control at all times. We also heard loud and clear that people don’t want “control”

to mean that dogs must always be on a leash. Specifically, people were concerned with dogs roaming at large. Thirty-six percent of respondents felt that uncontrolled dogs in their communities pose a safety risk to them, and 46 percent of respondents thought that uncontrolled dogs posed a safety risk to other members of their community. This safety risk is not borne equally by all Yukoners. Forty percent of respondents who identified as female reported feeling at risk from dogs, and 50 percent of respondents between the ages of 56 and 75 years felt at risk. Of respondents who identified as First Nations, 53 percent reported feeling at risk from uncontrolled dogs in their community.

While we heard primarily about concerns with dogs, it is clear from responses that people also wanted domestic cats to be confined. People were also concerned about the impact that cats have on wildlife and particularly predation of songbirds and also the destruction of wild predators — foxes, for example — attracted to prey on roaming cats.

People want better control of livestock, particularly to prevent the escape of animals that could establish a feral population in the Yukon. Respondents clearly saw a link between control and welfare — that animals cared for properly were less likely to roam in search of food and that the animals under control were less likely to come into contact with wildlife, bite people, or be struck by a vehicle.

In general, animal control issues were more significant in communities outside of Whitehorse and Dawson City, which have bylaws that impose rules beyond the existing territory-wide legislation.

We asked Yukoners about what animal owners should be responsible to do. A strong majority of respondents — 82 percent — believe responsible owners should spay or neuter their pets, unless the owner is specifically intending to breed the animal. Eighty-one percent of respondents expect that owners should be liable for any damages caused by their animals. Seventy percent of respondents consider it the responsibility of owners to confine dogs to their property, and 64 percent consider it a dog owner’s responsibility to leash the dog when off their property. People noted that adequately trained dogs that come when called or the use of tools such as electronic training collars could be a means of control. People wanted to allow discretion, as long as dog owners could ensure that their dogs do not interfere with other animals or with people. However, if people are not able to adequately control their animals, people expect there to be consequences.

Communities were frustrated with the limitations of existing laws and the challenges of enforcing them. Communities are interested in exploring new enforcement models that would better support them to address public safety concerns and have more autonomy to manage animals in their community.

Following these discussions, we took note of the areas that need further discussion. We needed to continue talking with First Nation governments, municipal governments, and local advisory councils on what tools could best empower them to design and enforce animal control requirements appropriate to their communities.

So, first of all, there is obviously, in my view, a strong need for this legislation and a significant number of Yukoners who were perhaps mistakenly of the view that some of this legislation already existed, but it doesn't. The departments have consulted with some businesses, but I take the Member for Porter Creek North's point that consultation, specifically with tourism operators, could be more robust and will, in fact, be targeted with them. We have responded to operators. We have responded to the Wilderness Tourism Association of the Yukon and indicated that we value and respect the tourism sector and acknowledge the contributions it brings to the economy and to Yukon culture. We sincerely acknowledge the challenges faced by the industry as a result of the pandemic and appreciate the efforts required for these small businesses to recover and thrive. We support the growth of Yukon tourism and believe that the proposed act will provide assurances to your clients that those businesses providing experiences with working dogs or horses are meeting the highest standards.

The Yukon's current animal protection and control legislation is outdated. This has led to high profile, possibly preventable, deaths of Yukoners, as well as ongoing concern for public safety from roaming dogs and the need for methods to better control feral animal populations. There have been demands to ensure that working dogs and horses are cared for throughout their life. The new proposed *Animal Protection and Control Act* enables modern animal welfare standards to be adopted and fills the current significant gaps and challenges around the enforceability of animal control and welfare in the Yukon.

The proposed *Animal Protection and Control Act* will also provide a framework to close the current legislative gaps concerning the ownership of exotic animals, expand our tools to enforce animal control in remote communities, and regulate animal businesses and organizations. The principles captured in the proposed act reflect the priorities we heard during our engagement with Yukoners: that people and businesses who own animals must be responsible for providing the care they require and respect the safety of people, property, and the environment.

The act will not come into force until regulations are completed and approved. There will be ongoing engagement with stakeholders, including the Wilderness Tourism Association of the Yukon, to work on the details of these regulations. This will include adopting national codes of practice for animal care with modifications that reflect the realities of working animals in the Yukon.

As I have said a number of times over the course of the last three days, I will provide more detail on the extent of the consultation. In my view, the consultation and engagement that occurred on a territory-wide basis in 2018 and into 2019 and onwards to policy and drafting were extensive and thorough.

Are these consultations ever perfect? No. There is always follow-up that is required, and we — the Department of Environment and the Department of Energy, Mines and Resources — certainly welcome the comments and the constructive comments coming forward. I have every confidence that the good work that has been done in bringing

this modern animal protection control legislation to the floor of the Assembly will continue and that progressive and modern regulations will come into force and effect in the next months.

Ms. Van Bibber: I thank the minister for that explanation — and that he will do some extensive research and consultation with tourism-based businesses as well.

Has the minister received any input from the Wilderness Tourism Association of the Yukon, the Tourism Industry Association, and the Yukon First Nations Tourism Association? If he has, can he please share their input with this House or any letters that he might have received?

Hon. Mr. Clarke: As of right now, to the best of my knowledge, we have not heard from the Yukon First Nations Tourism Association and I have not heard from TIA, but, in my previous comments, I did indicate that we had heard from the Wilderness Tourism Association of the Yukon. I have read from some of the response that we have provided to them, and I am advised that they have already responded to my response, indicating a thank you for the rapid response and commitments. That is my most up-to-date information with respect to the communications that have occurred.

Ms. Van Bibber: Would the minister be able to table that information from the Wilderness Tourism Association of the Yukon?

Hon. Mr. Clarke: Yes, I have no issue with sharing the correspondence back and forth with the Wilderness Tourism Association of the Yukon. It appears to have been relatively widely shared already — so no issue.

Ms. Van Bibber: Thank you to the minister.

The survey that was put out online was felt to be not adequate by many. It was multiple choice and it was felt that leading questions were asked, therefore producing a biased report. There have been many surveys that people have said — accusing that there were leading questions, therefore not giving a very accurate picture of the needs for the actual act. Has the minister taken this into consideration when he had his department draft the document that we are now discussing? How does the minister justify these complaints, and has the government given any thought to changing how they engage citizens on surveys?

Hon. Mr. Clarke: Thank you for the question from the Member for Porter Creek North.

So, there are a few elements to this question, but the first would be that there was an open opportunity during the public engagement to respond with open questions and comments. It was not confined to the survey. As I have indicated a number of times, we had a number of public community meetings and ongoing stakeholder meetings, so there were a variety of tools to collect public input.

With respect to how the survey itself was structured, I'm advised that the Bureau of Statistics was engaged to set up the survey. They certainly have excellent credibility and they do a lot of surveys, so they were engaged and asked to assist to design the survey. Once again, as with everything, could a survey be — I haven't turned my mind actively to the overarching, perhaps 50,000- or 40,000-foot issue about how all Yukon surveys are formatted, but the information from my

department is that the Yukon Bureau of Statistics was engaged to assist in the design of the survey, so it didn't come directly and exclusively from either the Department of Environment or the Department of Energy, Mines and Resources.

Once again, the information wasn't just accumulated and aggregated through the online survey. Subsequent to this, there have been greater engagements, but at the time, there was significant response to the survey and also to the community meetings and the targeted consultation with interested persons.

As I have indicated, information was garnered, collected, received, and synthesized through various means, not just the survey. As I indicated previously, the Bureau of Statistics was engaged to assist in the design and ultimate implementation of the survey.

Ms. Van Bibber: I would like to thank the minister for his responses and also the officials who attended today.

Deputy Chair (Ms. Tredger): 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.

The matter before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Is there any further general debate?

Hon. Mr. Clarke: I have some brief general comments while I am on my feet, and then I look forward to further questions. I would also, at this point, just like to acknowledge the Member for Lake Laberge. I know that, in this Assembly, there are competing narratives, and the members opposite have a job to do, and they are either the Official Opposition or the Third Party. But I do acknowledge, for the record, that the Member for Lake Laberge reviewed the record on another matter — I think it was Bill No. 16 — and recognized that he had misspoken himself, and I acknowledge that and thank him for reviewing the record and making those comments today.

In any event, to further frame today's discussion, I would like to advise the Assembly a bit about the animal health unit within the Department of Environment. The animal health unit safeguards the health and welfare of wild and domestic animals, supporting the link between Yukoners and the animals that share their lives. Staff monitor wildlife to detect emerging diseases and implement programs that protect wildlife health. Veterinarians oversee livestock meat inspections and support veterinary services for livestock owners to produce high-quality, Yukon-raised meat, eggs, and dairy products.

The department assists Yukon communities with animal welfare and dog control programs, including supporting communities to re-home or surrender dogs, and ultimately improving public safety across the Yukon. The unit oversees core funding for registered humane societies in the Yukon to provide animal welfare services across the territory. The unit

collaborates with the chief medical officer of health, providing advice on IHealth issues and diseases shared between people and animals. The animal protection officer works within the animal health unit.

This veterinary oversight enhances animal protection services for all Yukoners. Individuals can call the animal protection officer to report abuse or neglect of domestic animals. The officer will respond with either an investigation or information about who to call or how to proceed.

Yukoners benefit from our animal care programs, including the community dog care initiative, community dog spay program, and the canine ID program. Since 2016, the community dog spay program has offset the cost of dog spay surgery for over 500 Yukoners in rural communities. The community dog care initiative supports community leaders to work with the animal protection officer, exploring options and implementing plans to help keep people and the dogs in their community safe. This may include advice on facilities to securely hold dogs and transport to Whitehorse or Dawson City for re-homing. These programs support Yukoners' safety by removing unwanted dogs that could form packs and reducing the overall number of unwanted dogs by helping owners have female dogs spayed. This improves the health and welfare of pets and the safety of people across the Yukon.

Our canine ID program gives collars with ID tags to dogs in rural Yukon communities, encouraging responsible dog ownership across the Yukon. The animal protection officer and staff work with community leaders and volunteer organizations to support spay, neuter, and rabies vaccination clinics in Yukon communities. Having an animal protection officer means that Yukoners have someone to contact who will help, who can visit their community, and who can develop solutions in partnership with communities, rather than imposing actions that may not be successful or sustainable.

The Department of Environment works with the agricultural community to help balance industry growth, while sustaining the health of livestock, wildlife, and the natural environment. The animal health unit partners with the Government of Yukon Agriculture branch to help farmers obtain veterinary care for livestock raised for food or fibre under the livestock veterinary services program. An animal health unit veterinarian is managing the program and providing veterinary care for livestock through a telemedicine service and limited on-farm herd health visits. Veterinarians in the animal health unit oversee meat inspection at approved processing facilities to ensure locally produced meat is safe. Animal health inspectors are responsible for enforcing orders under the *Animal Health Act*, including the control order. Offences are rare, but investigations are often complex.

The unit I've just outlined for you is the very same one tirelessly working to put this act before us today. When I say "unit", it generally distills down to, largely, one highly skilled and passionate veterinarian who is working on this act with the support of her colleagues and a number of highly skilled public servants.

It has been an honour to have had the oversight of such a significant and dedicated team from across the departments of Environment and Energy, Mines and Resources.

Ms. White: Again, it's a pleasure to be here, and to these officials — my portfolios have changed, but the topics remain important to me. I just want to ask a couple more questions about the new *Animal Health Act* and how it will relate with agriculture. I know my colleague, the Member for Whitehorse Centre, had some questions.

One of the issues that comes up when I talk to folks in agriculture — there is, of course, a difference between agriculture animals and, for example, pets. One of the suggestions has been that — the Yukon government right now has one veterinarian or chief veterinary officer within the Department of Environment, and one of the questions or the suggestions from agriculture is to have one within the Department of Energy, Mines and Resources specifically for agriculture.

I wanted to know if the minister is aware of that kind of desire from the agriculture industry. It has been pointed out, of course, that the quickest growing part of Yukon agriculture is actually in the meat production. The question has been raised as to whether or not the Yukon government is looking at having a specific veterinarian for agriculture purposes.

Hon. Mr. Clarke: The answer is that the animal health unit partners with the Government of Yukon Agriculture branch to help farmers obtain veterinary care for livestock raised for food or fibre under the livestock veterinary services program. There is an animal health unit veterinarian, who is managing the program and providing veterinary care for livestock through a telemedicine service and limited on-farm herd health visits.

Veterinarians in the animal health unit oversee meat inspection at the approved processing facilities to ensure locally produced meat is safe. Animal health inspectors are responsible for enforcing orders under the *Animal Health Act*, including the control order.

The specific answer to the question is that there is no dedicated veterinarian with the Agriculture branch, but the animal health unit is partnering with Energy, Mines and Resources at the Agriculture branch and that there is a veterinarian from the animal health unit who is engaged, I believe, in a number of the matters which the member opposite is asking about and is suggesting.

Ms. White: I do thank the minister for that. I understand that this is the current practice. I'm bringing forward what I have learned from the Agricultural Association. So, I guess my question — and I realize that I'm only speaking to the Minister of Environment, but the Minister of Energy, Mines and Resources is also in the room — is: Is there the willingness from both departments to have that conversation with the Agricultural Association? So, one of the things that has been highlighted is that, between the Department of Environment and the Department of Energy, Mines and Resources, things are different. It's no criticism to the Department of Environment, but one thing that has been highlighted by the Agricultural Association is that they would like to have that conversation.

I'm just wondering if the ministers are open to that conversation.

Hon. Mr. Clarke: Yes, I'm advised that we are certainly open to those discussions. I understand that those discussions have been occurring over the course of a number of years. Could there be a structural change? Yes, there could be. There ultimately would likely be some sort of a resourcing issue which would have to be addressed, but as I indicated in my previous response, the relationship between the veterinarians at the animal health unit and the Government of Yukon Agriculture branch is positive and they are providing those resources.

Could there be more resources? I imagine that there likely could be, and that's probably the nature of some of the conversations that have taken place over the course of the last few years.

I am also advised that the Agriculture branch recently developed a livestock extension program that offers on-farm visits to discuss biosecurity, feed testing, and overall herd health assessment work. They are implanting this new program jointly with the assistance of the veterinarian within the animal health unit. The branch intends to use this new livestock extension program to better understand the needs of industry in relation to veterinary services.

To the member opposite's question and point, discussions with the Agricultural Association and other key stakeholders remain ongoing. We look forward to more of those discussions.

The Government of Yukon supports a diversified livestock sector and all livestock species. Husbandry practices will provide a good quality of life for livestock from birth to end of life. Farmers are responsible for ensuring that the basic physical needs are met. This includes nutritious feed, clean water, shelter, and health care. The act before you today works toward fulfilling these commitments. It supports a regulatory framework that enables a thriving Yukon livestock industry.

During our consultation with the agriculture sector, a livestock health and welfare subcommittee under the Agriculture Industry Advisory Committee was formed that informed the development of this act in terms of value, control, and welfare of livestock species. The recommendations from this group encouraged the collaboration between the departments of Environment and of Energy, Mines and Resources for livestock through providing more authority in and for the Agriculture branch and their experts to manage control and welfare with the livestock sector. This legislation enables species-specific standards for the control and welfare, further fulfilling commitments in the 2020 agriculture policy.

Also, consultation with the agriculture sector recommended the National Farm Animal Care Council's code of practices as recommended practices for the care of livestock. The *Animal Protection and Control Act* enables this through further regulation development, and we will consult with the agriculture community to recognize the current high standard of care practices by farmers in the Yukon. I can continue, but for now, I will leave it at that.

Mr. Cathers: What I want to note, in rising to speak to this, is that, first of all, this legislation is very important to

Yukoners. This government has seen at least six stakeholder groups that we know of writing and asking to be consulted on the legislation. Some have been very clear that they do not want to see the legislation passed, regardless of any commitment that the government may make on future consultation, before they have a chance to be consulted on the details that affect their lives and their livelihoods. We know that a number of individuals, as well, have written to government with that too.

The issues around animal ownership and responsible legislation and regulation touch the lives of thousands of Yukoners. This is an issue that is very important to Yukon citizens. In contrast this afternoon, we have heard the Minister of Environment — down a rather long, bumpy, and muddy track with a lot of spin going on and not talking about the issues that citizens and stakeholder groups have written to him about. I would say, before moving on to policy matters, that if the Liberal ministers spent half as much time actually doing their jobs as they do playing silly games and taking partisan shots, there wouldn't be a firewood shortage and there wouldn't be a family doctor crisis in this territory.

So, I want to address specifically some specific comments and rather selective spin that we heard from the minister with regard to debate from 14 years ago. I would note that digging 14 years into the past and cherry-picking words that I said, while deliberately not repeating other comments that talked about the importance of judicial oversight and warrants, does not present an accurate picture of my views at the time.

Secondly, this is not 14 years ago. Public views, priorities, and concerns have changed, and if I hadn't learned anything in the past 14 years, that would be a problem.

I quite freely admit that in the 14 years since 2008, I have become even more concerned than I was then about the potential abuse of powers and trampling of civil liberties than I was at the time. That is why, in 2013, when we amended the *Animal Protection Act*, I was a voice for ensuring that officers must always have a warrant to enter a home. That, of course, is what the legislation in the *Animal Health Act* — tabled by my colleague, the Leader of the Official Opposition — said: that it includes the requirement that officers can get a telewarrant, but they must have a warrant to enter a home.

But I would note that I know this government is feeling under fire and under attack from citizens over this. They've attempted to parse words and raise concerns regarding comments that I made at second reading and the description of this legislation that I, along with others and my colleagues, have shared with Yukoners, based on our understanding of the bill and of the concerns of Yukoners.

In speaking to this legislation at second reading, I noted that this proposed legislation goes further than child protection legislation in the territory in granting the power for warrantless search and seizure. That is from page 2257 of Hansard. I noted, as well, that it goes beyond what is currently in the *Animal Health Act*, and the act was amended in 2013. I hear the Minister of Justice laughing off-mic. This is not a laughable matter, Deputy Chair. Yukoners are concerned about this legislation, and the dismissive “father knows best” of this

Liberal government is something that is very offensive to Yukoners who are concerned about the details.

So, returning to what I was saying, Deputy Chair, as I noted at second reading — and unfortunately, the Minister of Environment and his colleague, the Minister of Energy, Mines and Resources, have chosen to try to spin that to say something that I didn't actually say — I noted that this proposed legislation goes further than child protection legislation in the territory in granting the power for warrantless search and seizure. It goes beyond what is currently in the *Animal Health Act*, and that act was amended in 2013, including creating a provision in that legislation for the ability for an officer to apply for a telewarrant, if it was not practical to appear in person.

Moving on to an item — an e-mail that we've shared with Yukoners that the minister has taken issue with and attempted to spin — we've noted that the powers for an officer to enter your home without a warrant are a step beyond the powers that an officer has under child protection legislation. Those two statements, Deputy Chair — or three, depending on how you wish to count them — are facts. The ministers can attempt to characterize, as they have — the Minister of Environment and his colleague, the Minister of Energy, Mines and Resources, have attempted to create the impression that any provision under legislation to enter without a warrant is equivalent to all other provisions, regardless of the threshold that is placed in the legislation, and that, of course, is simply not true and not the case. The threshold set in legislation makes a very big difference.

I would remind members that, if they look to that, they will see that — and this relates specifically to our statements about child protection legislation — the section of the *Child and Family Services Act* that allows the director or police to bring a child into care cites the standard of immediate danger — “immediate danger”. It says — and I quote, under section 39: “Bringing child into care without warrant

“(1) If a director or peace officer has reasonable grounds to believe that the life, safety or health of a child is in immediate danger...” — then it notes the action that they may take to — “... bring the child into the director's care.”

The standard of “immediate danger” to a child's life or their safety is a far higher one than the threshold proposed by this government in Bill No. 20.

Further, in the current *Animal Protection Act*, it specifies the standard of an animal being in distress. Again, as compared to the bill that this government tabled, section 14 sets a far lower standard than either “immediate danger” or “in distress” — of this. “... a member of the Royal Canadian Mounted Police may enter a place, including a dwelling place, without a warrant for the purpose of meeting the standard of care in relation to an animal or providing an animal with an adequate quality of life.”

Let's compare the three standards set out in the existing *Child and Family Services Act*, or child protection legislation, to the existing *Animal Protection Act* and the proposed *Animal Protection and Control Act* tabled by this government. The first standard in child protection legislation is “immediate danger to the child”. The second standard, under the current animal protection legislation, is “in distress”. The third standard

proposed by this government in seeking to lower the bar to allow greater ability for entry to a dwelling place without a warrant is this: "... for the purpose of meeting the standard of care ... or providing an animal with an adequate quality of life."

I think it's fair to say that all of us in this Assembly agree that there is value in ensuring that an adequate standard of care for animals is met and certainly that government can step in if an animal's life is in danger or an animal is being neglected, but in comparing again the three standards for entry without a warrant — immediate danger to a child; an animal being in distress; or what this government proposes doing — they are proposing dramatically lowering the standard that must be met for an officer to act without a warrant.

I will stand by my statement earlier that I believe that may be unconstitutional. The standard they have proposed in section 14 is for the purpose of meeting the standard of care in relation to an animal or providing an animal with adequate quality of life. That is a dramatically lower standard than "immediate danger" or "in distress".

Bizarrely, we've also seen a situation where the minister and his colleague, the Minister for Energy, Mines and Resources, are telling people that they don't think that the section of the existing animal control act has ever been used, while simultaneously asserting that they somehow need to put a lower standard in this act than exists in the previous bill. So, I'm going to start by asking the minister a couple of questions.

The first, contrary to what the minister said earlier — he said something about everyone having their narratives — there are facts, Deputy Chair, and I'm going to start with one. There is a difference in the standard of the threshold under the existing child protection legislation, the existing animal protection legislation, and what the minister has proposed here. Does the minister understand the difference between the standards of "immediate danger to a child" and "standard of care of an animal"?

Hon. Mr. Clarke: As with my prior comments, I would reiterate that the provisions under the *Animal Protection and Control Act* to allow for warrantless entry in exigent circumstances is, in fact, consistent with section 4.2 of the current *Animal Protection Act* and is not a new provision. The authority is only granted to members of the Royal Canadian Mounted Police, not animal protection and control officers or deputies. RCMP would only be entering the place in exigent circumstances.

In comparison to the *Child and Family Services Act*, this provision only enables RCMP to enter without a warrant, whereas section 39 of the *Child and Family Services Act* grants authority to a director or peace officer to enter without a warrant any place, using reasonable force, if necessary, to bring the child into the director's care.

The reference to section 17 of the act, where an animal protection and control officer who is lawfully in a place may seize without a warrant — that, of course, is different from warrantless. This is the power of an office, but it is only about being able to use power to seize — without having to get a warrant — when lawfully in a place already, such as with an entry warrant or invitation or following up on an order.

Section 4.2 of the existing *Animal Protection Act* — not the *Animal Health Act*, so I think we are mixing things. In fairness, as far as the facts go, the Member for Lake Laberge was referencing the *Animal Health Act*, which wasn't the act that he was passing in 2008. Section 4.2 — "A member of the Royal Canadian Mounted Police may exercise the powers of entry, search and seizure pursuant to section 4.1 without a warrant if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be feasible to obtain a warrant." So, under the new section 14, we have the same terms, which is "exigent circumstances". There is a body of case law determining what constitutes "exigent circumstances" and the determination of whether exigent circumstances existed is potentially reviewable. The intention is that it is essentially the same.

The purpose of entry must be meeting the standard of care in relation to an animal or providing an animal with an adequate quality of life, but the standard that justifies entry without a warrant is exigent circumstances. That standard is the same as section 4.2 of the existing act. Notwithstanding concerns that the member opposite may have with respect to the underlying words that are used to ultimately determine the legality of the warrantless search — ultimately, the analysis will be with respect to whether exigent circumstances existed.

As I indicated previously, this legislation is comparable in that it is similar or close to the same as the prior *Animal Protection Act*. It is also comparable to other jurisdictions across Canada, such as the *Provincial Animal Welfare Services Act* in Ontario, which came into effect in 2019. In Ontario, an animal welfare inspector may enter a place without a warrant and search for an animal if the inspector has reasonable grounds to believe that an animal in the place is in critical distress and, at the time, a requirement to obtain a warrant may result in serious injury or death to the animal.

It's also comparable to Manitoba's *The Animal Care Act*, which allows an animal protection officer who believes that there's an animal in distress in a dwelling to enter and search a dwelling for the animal with police officers without a warrant if there are exigent conditions and obtaining a warrant would not be practicable.

Deputy Chair, section 14 reads: "Entry without a warrant — If the conditions for obtaining a warrant exist but..."

So, there have to be conditions for obtaining a warrant. Therefore, there would have to be some sort of underlying facts and circumstances that support the obtaining of a warrant, whether it's in person or a telewarrant — so, if the conditions of obtaining a warrant exist. That's a pre-condition — that you have to have some sort of conditions to exist to obtain a warrant. Section 14 doesn't start with "because of exigent circumstances" or "because there are exigent circumstances" it would not be feasible to obtain a warrant. It says that conditions have to be met. So, it would be something ultimately — if you have to look at it afterwards because the exigent circumstances existed, but it would be that, for instance, as I said previously, if the structure were burning down or there were facts to support that there were obvious issues with respect to the health of the animal — so much so that if you drafted an affidavit and

information to obtain — if you had the time or the ability to draft the information to obtain a warrant — which is what it says: “If the conditions for obtaining a warrant exist...” — so that would mean, or presuppose, that you could draft the information to obtain and it would have the facts outlining the emergency — outlining the circumstances — but by virtue of the fact, probably, that time was of the essence, you couldn’t draft that information to obtain. You couldn’t phone a JP or a judge to receive a telewarrant or attend at the courthouse to have the quality or the nature of the information to obtain be assessed by a judicial officer, whether it is a Justice of the Peace, Territorial Court Judge, or a Supreme Court Judge — so that it was not feasible to obtain a warrant, the member of the Royal Canadian Mounted Police may enter a place.

So, the safeguard is that conditions have to exist for the obtaining of a warrant in the ordinary course. So, if that pre-condition doesn’t exist — that you don’t have the underlying facts that could have led to a successful application for a warrant in the ordinary course, whether it is, as I said, in person or by telewarrant — then you can’t continue on. You can’t continue on in section 14 because that pre-condition hasn’t been met. It is not just exigent circumstances — well, it is like emergency exigent circumstances where time is of the absolute essence. But the section is clear that conditions to obtain a warrant do exist. It is not just, in this case, an RCMP officer determining that he or she is going to take action. They have to assess all circumstances and then, retrospectively, whether there would have been support for the proposition for a warrant to be issued. In that respect, it is, in my view, the same as section 4.2, but I will just have a look at 4.2. So, section 4.2 of the *Animal Protection Act*: “A member of the Royal Canadian Mounted Police may exercise the powers of entry, search and seizure pursuant to section 4.1 without a warrant if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be feasible to obtain a warrant.”

So, let’s have a look at section 14 of the proposed *Animal Protection and Control Act*. It says: “If the conditions for obtaining a warrant exist but, because of exigent circumstances, it would not be feasible to obtain a warrant...” Those look an awful lot like the same words. But I think, as far as people listening at home and reading Hansard going forward, what is important to note is that, if there are concerns about civil liberties being breached, the review would be: Were there facts that, if an RCMP officer went — and it was reviewed — to a JP or a Territorial Court Judge or a Supreme Court Judge and said, “These are the underlying facts that I had relayed to me or that I witnessed with respect to this, which, in my view, would have supported the proposition that a warrant could be issued; however, there were exigent circumstances and, in consequence of the exigent circumstances, notwithstanding that the preconditions existed, I was not in a position to receive the warrant.”

Now, one of the options, of course, is a telewarrant, which provides significant access to justice — to RCMP members who might find themselves in Ross River or Old Crow or in Faro or Teslin or wherever. So, people would say, “Well, can’t

you try to get a telewarrant?” And the answer is yes. You should be able to get a telewarrant in most circumstances. But this provides for a scenario where, for whatever reason, it’s not possible. The RCMP officer is faced with a constellation of facts of an emergency nature, or an exigent nature, where he or she has to make that call. It should be, and will be, in my submission, a very rare circumstance, and that is what the Member for Lake Laberge was talking about.

I’m not purposefully trying to cherry-pick, but in November 2008, when he was a member of that Cabinet, he was faced with really the same situation, the same legislation, and with the words that create the power — are very, very close to identical. Just to be clear, in Hansard, on page 3187, November 3, 2008, in relation to the *Animal Protection Act* and not the *Animal Health Act*, just a quick two sentences — and I quote: “That, of course, in this legislation also includes the strongest powers that are usually included for RCMP officers, which gives them the ability under exigent circumstances to enter property without a warrant. That is not extended to other officers. That is something that is very clearly defined in case law...” — which I just said as well — “... in many other areas — particularly the Criminal Code areas — that require there be a very high standard for them to take that step, or else the officer faces the possible disciplinary action, et cetera, for not exercising their responsibilities appropriately.”

We are likely going to disagree on this, but respectfully, I do believe that we are comparing apples to apples.

Mr. Cathers: Well, here we go again. It’s a very inventive narrative by the Liberal Party and the Minister of Environment. The fact that the minister suggested that, just because the clause in the existing *Animal Protection Act* and the *Animal Protection and Control Act* he tabled use the same word, “exigent”, that the clauses are identical is absolutely ridiculous. It’s quite laughable that the minister would suggest that if this wasn’t such a serious matter.

As I have set out, instead of responding to my clear question with an answer, the minister responded with several minutes of baffle-gab after getting notes from colleagues and briefing notes handed to him. The question was simple: Does the minister understand the huge difference between the standard that is set out in our child protection laws of “immediate danger” to a child versus the standard in the bill he tabled, which proposes that the standard for animal protection and entry without a warrant be lowered to “... for the purpose of meeting the standard of care in relation to an animal or providing an animal with an adequate quality of life.” This is section 14 of their act.

As the minister knows, as well, the existing *Animal Protection Act* sets out the standard of an animal being “in distress”. Oddly, in the minister trying to make the case for his legislation, he quoted provincial legislation that included a much higher standard of a threshold, such as — I wrote it down as he was talking — a standard from one provincial legislation of “critical distress” and injury or death of the animal being imminent. There is a big difference between the standards of critical distress and injury or death, as set out in the piece of legislation from the province that he cited, and the existing

standard in the current *Animal Protection Act* of an animal being “in distress”, not to mention the *Child and Family Services Act* standard of “immediate danger” to a child.

I know that this government is desperately trying to defend what they have put in place, but the fact is that they are hearing from Yukoners who are concerned about this standard. In fact, this government is proposing lowering the bar — the threshold — for warrantless entry to the lowest level ever in Yukon legislation. That is a fact. The minister’s choice to use the word “exigent” and to read the same briefing notes again and to cherry-pick comments from 14 years ago does not change the fact that he has tabled legislation that lowers the threshold for warrantless entry to the lowest level it would ever be at in Yukon history. I do not agree with that, nor do many Yukoners.

Again, if the minister wishes to cherry-pick comments from me from 14 years ago, I have been very clear about the fact that, in addition to the fact that the legislation set out the standard of “in distress” and not the wishy-washy standard in the minister’s legislation, in the 14 years since then, I have become more concerned about the potential abuse of power and trampling of civil liberties than I was back then. I am not going to deny that is the case.

I also noted and reminded the member that in 2013, when we amended the *Animal Health Act*, we insisted in that legislation that officers must always have a warrant. I would note that, if the member wishes to continue throwing mud and casting aspersions, I am the only member of the Yukon Party caucus that was part of the government in 2008. I also resigned the next year, as the member knows, but I would point out that a number of us were part of the government in 2013, and I continue to stand behind the provisions we put in the *Animal Health Act*, where we required that officers must have a warrant while making provision for a telewarrant to enter a home.

So, the member can engage in revisionist history and mudslinging all he wishes, but Deputy Chair, this is a serious issue. The minister is proposing lowering the standard for warrantless entry to a home to a standard far lower than is set in the existing animal protection legislation or child protection legislation.

The minister is also subsequently trying to pretend that black is white and white is black, but that’s not the case. The minister’s colleague, and then the minister himself, have tried to tell Yukoners that the existing section of the *Animal Protection Act* put in 14 years ago has never been used in their belief and then simultaneously asserting that they need to lower that threshold to make it easier for an officer to enter a home without a warrant.

So, Deputy Chair, the question I would ask the minister is: If this section has never been used, why do they see it as necessary to continue it, and why do they see it as necessary to lower the threshold for it?

The commonality of the minister referencing the word “exigent” in two pieces of legislation does not make those provisions identical. I would certainly hope that the minister would know that. The details in the legislation are key. As mentioned, Deputy Chair, the standards in legislation he quoted from provinces and said were similar — well, it’s actually very

different — if a province sets out the standard of “critical distress” of an animal or injury or death, that is very different than the wishy-washy standard that he has put in of allowing someone — an officer — to enter “... without a warrant for the purpose of meeting the standard of care in relation to an animal or providing an animal with an adequate quality of life.”

There is no requirement in the wording that he has proposed in the bill he tabled that there actually be an urgent risk to the animal, and the question of immediate danger or imminent risk — whether you’re talking about a child or an animal, Deputy Chair — dramatically changes the situation. “Immediate danger” is a dramatically higher standard than “for the purpose of meeting the standard of care”.

The minister ought to know it, and if he doesn’t know it, I would suggest that we should suspend debate on this while he gets a briefing on what the difference is between the standard of “immediate danger”, “in distress”, and the wishy-washy standard that he has placed in this legislation of being able to enter just for the purpose of meeting a standard of care.

So, Deputy Chair, I asked the minister a simple question about whether he knew the difference between the standard of “immediate danger” versus “standard of care”. The minister talked around the issue, repeated himself, and refused to answer the question. I assume we’re going to get the same type of bafflegab from him again.

So, I want to move to another question. Let’s see if he can answer this one or if we’re going to get more spin, more mudslinging, and more bafflegab from the Minister of Environment to an issue that Yukoners take quite seriously.

The *Animal Health Act*, as I noted, has the provision for a telewarrant, but entry only with a warrant. It’s very questionable now whether the potential theoretical need for urgent action outweighs the risk of someone overstepping and the very serious civil liberties issue and concern of Yukoners. The minister and his colleague, the Minister for Energy, Mines and Resources, have been telling people that they believe that the section of the *Animal Protection Act* that allows for the potential of a warrantless entry if an animal is in distress has never been used.

So, I would ask the minister: Is that correct? Have the police ever used that section of the old *Animal Protection Act* that — I will remind members — was put in place 14 years ago? If that is the case that it hasn’t be used, why not pull section 14 from this legislation and leave it with the ability, as stipulated in the *Animal Protection Act* — which, along with a number of my colleagues, we put in in 2013 and tabled by the now Leader of the Official Opposition — why not follow that standard of requiring a telewarrant for action or, at the very least, revising section 14 to set out a standard of “immediate danger” to an animal, instead of the wishy-washy standard of care standard that the minister has proposed in this piece of legislation, which, as he noted himself, might actually not be compliant with section 8 — I believe he said it was — of the *Charter of Rights and Freedoms*?

Hon. Mr. Clarke: I will be repeating myself a little bit here.

The condition precedent in relation to both section 4.2 of the *Animal Protection Act* — what it says is: “A member of the Royal Canadian Mounted Police may exercise the powers of entry, search and seizure pursuant to section 4.1 without a warrant if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be feasible to obtain a warrant.” That is the entry without a warrant provision.

Section 14 of the proposed *Animal Protection and Control Act* says: “If the conditions for obtaining a warrant exist but, because of exigent circumstances, it would not be feasible to obtain a warrant, a member of the Royal Canadian Mounted Police may enter a place, including a dwelling place, without a warrant for the purpose of meeting the standard of care in relation to an animal or providing an animal with an adequate quality of life.”

So, for both of these sections — I will say it again, though we are unlikely to agree on this — the activating part of these two sections is the exigent circumstances.

As I indicated previously, there are all manners of ways — and I have said this before — for a RCMP member, even in remote Yukon communities like Faro, Ross River, Dawson, or Old Crow, to get a telewarrant that can be done quite expeditiously — and ideally, just a regular warrant with attendance at a Justice of the Peace. So, both of these sections — both section 4.2 of the *Animal Protection Act* and section 14 of the proposed *Animal Protection and Control Act* — are the same.

With respect to the standard of care, I would perhaps concede with the member opposite that there is an intention in the legislation to slightly lower the standard of care for obtaining a warrant because we are holding people to a higher standard of animal welfare than was done in the past. This is part of bringing the legislation up to the emerging standard of modern legislation, and that obviously, hasn't been done for years and years and years.

But what we are talking about right now is an exigent or emergency circumstance, and section 4.2 of the *Animal Protection Act* and section 14 of the proposed *Animal Protection and Control Act* are essentially the same because circumstances have to exist and they are presumably reviewable. Circumstances would have had to have existed to obtain a warrant. That can be reviewed or litigated — or, as the member opposite, the Member for Lake Laberge, indicated on November 3, 2008, that it would be a very high standard for them to take that step or else the officer faces possible disciplinary action, et cetera, for not exercising their responsibilities appropriately — or judicial review or some other sort of litigation.

I would say that, once again, there is a pre-condition where you have to be capable of getting a warrant. So, there would have to be underlying circumstances for the obtaining of the warrant. What engages both section 4.2 of the *Animal Protection Act* and section 14 of the proposed *Animal Protection and Control Act* is the exigent or emergency circumstances, and, once again, as the member opposite noted in 2008, there is a whole range of Charter litigation with respect

to what constitutes “exigent circumstances”. It could be justified, or it might not be justified.

Because I know that there has been a lot of discussion today about where we go with this legislation as far as next steps are concerned, perhaps I would just provide a bit of background for Yukoners right now.

We know that the following stakeholders, among others, are interested in the next phase of engagement, and we look forward to that, and we are committed to working with them.

We have committed to all of the following groups: the Wilderness Tourism Association of the Yukon, the Yukon Agriculture Industry Advisory Committee, the Yukon Agricultural Association, Growers of Organic Food Yukon, Yukon Outfitters Association, Yukon Dog Musers Association, rescues, humane societies, pet store businesses, vets, and boarding facilities.

There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns that they may have. For example, we will want to hear from stakeholders on the standards of care, making sure that they are reflective of our Yukon values and traditions whether the animal is a pet or a working animal or livestock. This is in addition to discussions on the proposed permitting process to ensure that they are the right fit for pet stores, boarding facilities, and animal rescues. Our next steps include, prior to finalizing the regulations, reaching out to each of the key stakeholders mentioned earlier seeking their input.

The public input, as I have outlined today, demonstrates substantial support to improve animal welfare standards and to set control requirements across the territory. Boarding facilities, pet stores, and animal rescues are in support of regulations demonstrating that their operations merit the trust their clients place in them.

We know that there are existing populations of feral horses in the Yukon and, in the past, there have been feral cats or dogs in some communities. This act provides a suite of tools that have not been authorized in the past. Although there is no immediate plan to intervene with any feral population, these tools would allow for management of feral populations through surgical or chemical sterilization to control the number of animals without methods such as capture and destruction.

It also enables the ability to adopt new methods that might become available in the future. The new legislation prohibits a number of methods of killing, including slaughter, without prior or simultaneous loss of consciousness. As indicated previously, we have been in direct contact with religious communities in Yukon, including the Jewish Cultural Society and the Yukon Muslim Society.

They are aware and support that we will be prescribing nationally accepted guidelines that will allow this method to be used for the purpose of ritual slaughter to produce halal or kosher meat. Yukon's penalties and fines concerning animal welfare and control were lacking. This new legislation brings Yukon penalties and fines up to par with other jurisdictions across Canada.

As I stated previously, at the end of the day, this bill is about safety. We are looking to address critical safety concerns for both Yukoners and Yukon animals. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate risks that uncontrolled animals pose for public health and safety, the environment, and property.

In 2008, the Yukon Party government at that time started the process. They recognized how critical it was in a northern jurisdiction not to be left behind the national advances in legislation to protect animals from abuse. They passed the *Animal Protection Act* that is enforced to this day. The government at the time had the foresight to include measures respecting our communities that may be remote and provide for enforcement by RCMP who might in fact be the only officials in some communities. They even provided for obtaining warrants by phone and for warrantless entry when officers were justified and had no alternative.

By 2009, they had created a position for an animal protection officer and the welfare program in Community Services, but as Yukon public servants listened to concerns of the people, they heard repeatedly that, while we had a law to protect animals from dangerous people, we had nothing to protect people from dangerous animals.

Those calls for actions were answered in 2010 by engagement specifically with the people of Ross River to address dogs that were out of control. While it was possible to create reports about what could be done, there was not the will to make any change.

The *Dog Act* remained our only tool. I am sure that we have some idea of how limited that was. In 2015, we saw a change. It was clear that the administration of the animal protection program should be under the chief veterinary officer. Veterinary expertise could provide guidance for future improvements, and the program moved in April of 2015.

As I have mentioned, officials undertook evaluations and revitalization of animal protection programs, engaging community members to make improvements. For one young man and a community, change was not fast enough, as in the winter of 2015, Shane Glada-Dick was killed by a pack of dogs. This young man was a victim of dogs that he knew and that he had helped care for. This tore at the heart of the community. The coroner released a report in 2016 that made it clear that the legislative framework, specifically the *Dog Act*, needed reform. Officials began the process then to engage broadly, confirm the views of Yukoners about how animals could be controlled, how enforcement could be improved, especially in remote communities, and what new legislation should look like.

We have been listening to stakeholders, actively and repeatedly, since then. This is not always in documented formal meetings that would be reflected in what we can table for your review; however, it is often in conversations when we interact with clients, concerned citizens, and groups in the course of our work. What we heard led us to identify gaps in the entire framework related to domestic animals and people in the

Yukon. What we have built, based on all those conversations, is an act that enables us to address those concerns.

Will we formally engage with those groups as we develop those regulations? Of course we will. We have a framework before us today that, once enacted, will provide the scope and breadth appropriate to legislation in 2022. It includes what we heard over many years and will stand the Yukon in good stead well into the future.

We also heard that people want animals to be recognized as sentient beings capable of feeling and not just as property. People want the well-being and interests of animals to be protected. Yukoners want higher standards of care for animals than exist now in the Yukon and also that there be no unreasonable regulatory burdens on legitimate uses of animals, like mushing, farming, fishing, or hunting, and, of course, that there also be enforcement of animal protection laws.

This act also helps to fulfill another 2020 agriculture policy directive. The 2020 agriculture policy provides direction to support the development of animal protection and control legislation in the Yukon that provides livestock and farmers the right to raise livestock to the high standard for which farmers in the Yukon are known to provide to their livestock animals.

The Minister of Energy, Mines and Resources, who is responsible for agriculture and supports local food production and increasing Yukon's food self-sufficiency, knows that livestock that are healthy and well cared for help feed Yukoners and provide healthy meat sources.

The proposed act protects and enables these farmers to raise livestock to help feed Yukoners. As more food is grown in the Yukon, less fossil fuels are used to transport food to the territory — also reducing the carbon footprint.

The agriculture sector expressed a strong desire to have —
Some Hon. Member: (Inaudible)

Point of order

Deputy Chair: The Member for Lake Laberge, on a point of order.

Mr. Cathers: Pursuant to Standing Order 19(b), the member is engaging in needless repetition here. He is re-reading the same notes that he has read already, more than once, here in this Legislative Assembly, and it is simply using up the House's time.

Deputy Chair: On the point of order, Member for Riverdale North.

Hon. Mr. Clarke: Generally speaking, there is a fairly significant latitude in Committee of the Whole in order to convey ongoing messages. I am a little unclear — anyway — this is clearly on point with respect to the *Animal Protection and Control Act*, and we have had a fairly fulsome discussion today about the agriculture sector. I'm providing some additional background with respect to the agriculture sector.

There is no point of order, in my opinion.

Deputy Chair's ruling

Deputy Chair: I would ask the Member to return to his point when he continues.

Member for Riverdale North.

Hon. Mr. Clarke: This act also addresses a wide range, from education to compliance to enforcement; it provides a framework between people and compliance and appropriately addresses more serious offences. This act enables the agriculture sector to define the livestock species that can be farmed, thereby protecting and enabling farmers to raise livestock. Permits are not required for livestock.

This act does enable species-specific care that is most appropriate for that species. This allows a species, like rabbit that can be both a pet and livestock, to be distinguished and cared for appropriately. This act also allows livestock that may be determined to be high risk, like Eurasian boar, to be managed and cared for to protect the environment through standards of control.

Deputy Chair, I look forward to further discussions about all manner of the elements of the *Animal Protection and Control Act*. However, seeing 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

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

Deputy Chair: It has been moved by the 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. 20, entitled *Animal Protection and Control 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: 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 filed October 31, 2022:

35-1-68

2021 Annual Report — Protecting the public's interest in fairness, accountability and information rights during challenging times — Yukon Ombudsman, Yukon Information and Privacy Commissioner, Yukon Public Interest Disclosure Commissioner (Speaker Harper)

35-1-69

Sixth Report of the Standing Committee on Appointments to Major Government Boards and Committees (October 31, 2022) (Clarke, N.)

The following documents were filed October 31, 2022:

35-1-93

Yukon opposes use of RCMP resources for federal gun confiscation program, letter re (dated October 25, 2022) from Brad Cathers, Member for Lake Laberge, to Hon. Marco Mendicino, Minister of Public Safety, Government of Canada (Cathers)

35-1-94

National Truth and Reconciliation Day, letter re from Maria Benoit, Kaa Shaa du Hen, Carcross/Tagish First Nation, to Pascaline Etter, Chief of Staff, Third Party, Yukon Legislative Assembly (Blake)



Yukon Legislative Assembly

Number 88

1st Session

35th Legislature

HANSARD

Tuesday, November 1, 2022 — 1:00 p.m.

Speaker: The Honourable Jeremy Harper

YUKON LEGISLATIVE ASSEMBLY

2022 Fall Sitting

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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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Hon. Tracy-Anne McPhee	Riverdale South	Deputy Premier 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	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
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' Safety and Compensation 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, November 1, 2022 — 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. Mr. Pillai: I would like to ask my colleagues to give a warm welcome to a number of individuals who are here today. We are doing a tribute to Yukon's Living Heritage. I would like to welcome to the Assembly today: from the Council of Yukon First Nations, Allison Belshaw and Jesse Hudson; from Ta'an Kwäch'än Council, Anne-Marie Miller, thank you for coming today; as well, from the Yukon government, Jen Meurer and Jonathan Parker, both assistant deputy ministers at Tourism and Culture; as well as Christian Thomas, Clare Daitch, and Sophie Tremblay Morissette.

Thank you for coming today.

Applause

Hon. Mr. Mostyn: I would also like the House to welcome Michael Prowse, who is one of our community advisors and helps me navigate Yukon communities in my role as Community Services minister. Please give me a hand in welcoming him.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of Yukon's Living Heritage campaign

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to Yukon's Living Heritage campaign and its recent recognition by the National Trust for Canada.

Launched this spring, the Living Heritage campaign gives a user-friendly overview of the importance of historic sites and objects throughout the territory and the role we all play as stewards.

The campaign is the work of the Yukon Forum's heritage working group, a collaborative body of representatives from self-governing First Nations, the Council of Yukon First Nations, and the Government of Yukon. An early priority for the heritage working group was to educate the public about heritage resources, their value to Yukoners, and what to do with chance finds. Working with local design firm Aasman Brand Communications, an eye-catching awareness campaign featuring digital and physical assets was developed, including a way for the public to easily communicate chance finds.

Yukon's Living Heritage communicates the process for reporting heritage finds in four simple steps: leave it in place; take a picture or write a description; record its location; and use the dedicated phone line or e-mail address to communicate the find.

The campaign also provides information on the many types of heritage resources, from fossils to dwellings to landscapes, and provides background about the different rules protecting them.

After a successful launch here in the Yukon, it garnered some attention from the National Trust for Canada, which honoured the campaign with a Governors' Award. Comprised of leaders in the heritage sector from coast to coast to coast, the National Trust for Canada champions the protection and interpretation of heritage resources across the country.

In their presentation at the national conference in Toronto last week, they highlighted the innovative and user-friendly approach of the Yukon's Living Heritage campaign as well as its central theme of engaging the individual in responsible stewardship.

The management of heritage and historic resources in the territory requires strong collaboration with Yukon First Nations. The advancement of the work of the heritage working group is a great example of how we can work together in the spirit of reconciliation. This collaborative initiative reflects a renewed and positive approach to ensuring that Yukon's heritage and historic resources are preserved and managed for the benefit and understanding of future generations.

Congratulations to the Council of Yukon First Nations and the heritage working group for their valuable partnership throughout this innovative campaign's development.

Applause

Ms. Blake: I rise today on behalf of the Yukon NDP and the Yukon Party to pay tribute to the Yukon's Living Heritage campaign. Human history in the Yukon dates back tens of thousands of years — before the gold rush, and before Russian traders reached the Tlingit homelands in what is now coastal Alaska. From ancient caribou fences and Tutchone hunting blinds and tools, and earliest 20th century trappers' cabins, to the Alaska Highway and the Canol pipeline project, human history has left no inch of land unmarked in the Yukon.

Our cold and dry climate is adept at preserving human history on the land. Much of what was left behind 100 or 1,000 years ago still remains. It is critical to educate Yukoners and visitors about the importance of these historic sites and artifacts. Educating the public on what to do when you find an artifact on the landscape is important for preserving our history. I am grateful to CYFN and all the nations and staff who have put time and effort into this campaign.

My home community of Old Crow is a historic site as soon as you step off the plane, and there is deep history there, even if you can't always see it. There are sites in my traditional territory with many artifacts and history. We are taught by our elders to be caretakers of the land and of these sites. We must act as guests, even on our own land, in order to preserve them

for future generations so that they too can understand where they came from.

We have an internationally recognized historic site known as the Bluefish Caves near Old Crow. That site was critical to proving what we Gwich'in have always known — that we have lived on that land for tens of thousands of years. Many people, though, have taken things from there — small artifacts that don't belong to individuals, but to all Gwich'in people.

I also want to talk about how our living history is known and passed on — the oral tradition of the Gwich'in. Everything I learned about who we are as Gwich'in, I learned through storytelling. I remember elders like the late Sarah Abel and the late Stephen Frost teaching us about our landscape, where to find important resources, and about our language and history. These ideas are all tied together. You can't talk about hunting without talking about language or caring for the land. You can't talk about the present without talking about our history. History, whether physical, oral, or written, must be respected, and I am glad that work is being done to preserve it all because history is all around us, no matter where we are in the Yukon.

Thank you once again to those working to ensure the preservation of our past, and I look forward to a day when everyone understands the importance of our historic sites as living history and how to treat them with respect. Mahsi'.

Applause

In recognition of Carbon Monoxide Awareness Week

Hon. Mr. Mostyn: I rise today to talk about the dangers of carbon monoxide. November 1 to 7 is Carbon Monoxide Awareness Week in Canada. Carbon monoxide is a silent killer, a poisonous gas that you can't see or smell. It is produced when we burn fuels such as gas, kerosene, oil, propane, and wood. Your house, garage, cabin, wall tent, or ice-fishing hut can quickly fill up with enough carbon monoxide to harm you.

In recent memory, Yukoners have been tragically killed by carbon monoxide poisoning. As we turn up the heat this winter, we should all be thinking about safety. Never use a fuel-burning appliance that is meant for outdoor use, such as a barbecue, grill, or portable generator in an enclosed space. For indoor appliances, eliminate carbon monoxide at the source. Get a qualified technician to install, clean, and maintain all of your fuel-burning appliances and their ventilation systems. A qualified technician will make sure that there is enough fresh air coming into your space and that your system is effectively venting the gas outside. Add heating system maintenance to your fall to-do list every year. It could save your life. The next item on the list is making sure that you have working carbon monoxide alarms. It's the law.

In 2013, the Yukon was the first jurisdiction in Canada to require carbon monoxide alarms in all residences with fuel-burning appliances or attached garages. Homeowners and landlords must install carbon monoxide alarms or combination carbon monoxide and smoke alarms outside all sleeping areas and on every storey.

Mr. Speaker, prevention and alarms are good defences against carbon monoxide, but Yukoners also need to know the symptoms of carbon monoxide poisoning. Carbon monoxide

reduces the blood's capacity to carry oxygen. Symptoms of poisoning include headache, fatigue, nausea, dizziness, weakness, breathlessness, confusion, and hallucinations. If you think you are being poisoned by carbon monoxide, get outside immediately and call 911. Stay outside until emergency services gives you the all-clear.

Thank you to Yukoners who are making carbon monoxide safety and prevention a priority. Learn the symptoms of carbon monoxide poisoning, and test your alarms at least once a month. It takes just a few seconds and could save lives.

More information about carbon monoxide safety is available online at yukon.ca.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to recognize Carbon Monoxide Awareness Week. As the cold temperatures set in, it's important to think about dangers that can be associated with ramping up our home heating units.

Carbon monoxide can be produced from a variety of household appliances, furnaces, stoves, fireplaces, generators, water heaters, and more. It is important to get into the routine of having annual maintenance for furnaces, woodstoves, fireplaces, and chimneys to ensure that they are in proper working order. Clear the snow from vents, chimneys, and intakes to prevent them from icing up in the winter. Appliances should be checked for the buildup of gas or leaks, and chimneys cleaned to prevent soot buildup and icing.

Carbon monoxide is an invisible gas and, unfortunately, often goes undetected until too late. It's odorless and tasteless, and the only way to detect it is to have a working carbon monoxide detector to pick up the elevated levels in your home. Effects of carbon monoxide on the body can show up quickly or poisoning can take place slowly over time. Headaches, breathlessness, nausea, and dizziness are all things to watch out for, and are, unfortunately, also symptoms of the common cold or flu. This underscores the importance of detection. Ensure that there is a working detector on every level of your home. Many smoke detectors have a built in CO₂ detector as well, but you can purchase plug-in portable detectors that are favourable to many, because they are low to the ground.

We have lost community members to carbon monoxide and it's never easy to hear that people have lost their lives to a preventable cause. Please take the time to have your furnaces and other heating appliances checked by a professional and that your chimneys and vents are maintained and in working order.

Applause

Ms. White: I rise today on behalf of the Yukon NDP to acknowledge Carbon Monoxide Awareness Week. The Yukon has had some really hard losses from carbon monoxide poisoning. This year marks 10 years since a Yukon family and their friend passed away from carbon monoxide from a blocked chimney that went undetected in their home. Laws changed because of this tragedy, but there are still things that we all must do. Carbon monoxide is odorless, tasteless, and invisible. The symptoms of carbon monoxide poisoning are flu-like, and they

get worse over days and weeks, which means that a lot of folks don't notice what's wrong until it's too late.

We have heard a lot of good information from the other two parties about what you can do to prevent and detect carbon monoxide in your home, so I want to echo some of their advice. Make sure that the person installing your furnace is trained and qualified. Get your chimneys checked every year, install a carbon monoxide detector, and test the alarm every month.

If everyone in your home is starting to feel sick and you think that it might be carbon monoxide, leave the house immediately, call 911, and the fire department will come and check it out. And please, above all else, take care of yourself and your loved ones this and every heating season.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Silver: I have for tabling a news release from the Government of Northwest Territories dated October 31, 2022. It confirms that the government there is discontinuing carbon tax rebates for home heating fuel.

Hon. Mr. Clarke: I have for tabling five letters: one to the president of the Association of Yukon Communities; one to the president of the Yukon Agricultural Association; one to the president of the Wilderness Tourism Association of the Yukon; one to the president of the humane society in Dawson, and one to the chair of the Growers of Organic Food Yukon.

Mr. Cathers: I have a couple of letters for tabling today. The first is a response from the Minister of Justice to me, dated October 27, regarding a matter of consulting the conflicts commissioner. The second is a letter from me to the Minister of Environment, dated today, regarding consulting with the conflicts commissioner.

Mr. Hassard: I have for tabling today an exchange of letters between me and the Minister of Highways and Public Works regarding a capital project in Dawson City.

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

PETITIONS

Petition No. 15

Ms. Tredger: I have for tabling a petition that reads as follows:

This petition of the undersigned shows:

THAT neighbourhood schools are an essential element of neighbourhoods that reflect and implement good urban planning;

THAT neighbourhood schools are an important part of any plan or vision to sustain or promote diverse, healthy neighbourhoods that are reflective of a wide range of demographics;

THAT that École Whitehorse Elementary School, also known as EWES, is the only elementary school in downtown Whitehorse;

THAT in June 2022, prior to and without conducting any public consultation, the Yukon government announced that it would be closing EWES and rebuilding the school in the Takhini Educational Land Reserve, also known as the Takhini ballpark area; and

THAT the Takhini ballpark area is an important area for physical recreation and in particular for the softball community in Whitehorse;

THEREFORE, the undersigned ask the Yukon Legislative Assembly to urge the Yukon government to ensure that there is an elementary school in downtown Whitehorse and to conduct public consultation on this matter.

This petition has over 200 signatures.

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

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

THAT this House congratulates Vuntut Gwitchin First Nation Chief Dana Tizya-Tramm on being named as a leader on the 2022 TIME100 Next list, which recognizes 100 rising stars from across industry and around the world.

Ms. Clarke: I rise to give notice of the following motion for the production of papers:

THAT this House do issue an order for the production of the following documents related to the Safe at Home Society's purchase of the former High Country Inn:

(1) the accredited appraisal of the building that the Minister responsible for Yukon Housing made reference to during Question Period on Thursday, October 27, 2022;

(2) the building condition assessment that the Minister responsible for Yukon Housing made reference to during Question Period on Thursday, October 27, 2022;

(3) the operational plans that the Minister responsible for Yukon Housing made reference to in his letter to the society dated August 25, 2021;

(4) the Yukon government's assessment of the long-term financial and program viability of the project, which the Minister responsible for Yukon Housing made reference to in his letter to the society dated August 25, 2021; and

(5) all other relevant documents pertaining to the Yukon government's final approval of the capital costs, operational plans, and long-term financial and program viability for the Safe at Home project, which the Minister responsible for Yukon Housing Corporation made reference to in his letter to the society dated August 25, 2021.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT**Public engagement**

Hon. Mr. Silver: Mr. Speaker, today we are launching the 100th territory-wide major public engagement that our government has undertaken since 2017. The real numbers of engagement are certainly much higher, as public participation and engagement happen at different levels every single day, both online and in person. Our Liberal government is proud of our commitment to openness and transparency and the work that we have undergone to meaningfully involve the public in key decisions that affect Yukoners and all Yukon communities.

The 100th engagement is focused on recycling and coincides with the start of the recycling summit that our government is co-hosting with the City of Whitehorse. We are asking Yukoners to help inform the implementation of extended producer responsibility, a mechanism that will help to strengthen our waste management and recycling system here in the Yukon.

I urge everyone to take some time to learn about this important initiative and to also complete the survey, which can be found at yukon.ca/engagements. As many know, in 2017, we made a clear promise to Yukoners to gather their feedback and involve them in the decision-making process and the development of key strategies, policies, and actions that will help move the territory forward.

The Government of Yukon exists to serve Yukoners, and public participation and feedback is essential to building effective policy that supports thriving communities and helps Yukoners to lead healthy, productive, and happy lives. This means seeing Yukoners' views early on and taking the time to learn from their wisdom. It means making it easy for Yukoners to interact with the government and to get involved with decision-making. It also means explaining our decisions and sharing the input that we receive.

The bottom line is that we welcome Yukoners' views and opinions, and we are proud of the number of decisions that have been made based upon real input from real people. Over the past few years, we have heard from Yukoners on many significant issues. From seasonal time change and the decision to stop changing our clocks, to strategies for tackling climate change and modernizing our health care system, Yukoners' input and civic involvement has helped inform government decisions and make them more responsive to the needs of Yukoners. We are proud that we have reached this milestone of 100 engagements. We look forward to further, coming opportunities to hear from Yukoners.

Mr. Dixon: I appreciate the update and we agree that public engagement is important.

Ms. White: The Yukon NDP believes in the importance of public engagement, although I have more things to say than the Official Opposition.

So, we appreciate that there is an entire section of yukon.ca dedicated to public engagement. We appreciate the work being done by those who are reaching out to the public to solicit their opinions or points of view and ideas. When the Premier says

today — and I am quoting: "... made a clear promise to Yukoners to gather their feedback and involve them in the decision-making process and the development of key strategies, policies, and actions that will help move the territory forward", we agree; 100 is certainly a number to mark, but we do have questions about what happens once those opinions are shared with the government.

So, how does public feedback shape government decisions? As an example, let's take a look at the process behind the Alaska Highway safety upgrade through Hillcrest. I would really like to read excerpts from the "Let's Talk Hillcrest" document, but, unfortunately, the link from the government's website goes nowhere and there is no ability to look back at what was said by the public during that public process.

But, never fear, Mr. Speaker, because I actively participated in the public engagement around the Alaska Highway rebuild, and I can look back at the number of meetings that I attended, the presentations that I sat through, letters that I read, and the survey that I took around the twinning of the Alaska Highway through Hillcrest. I think that it is fair to say that the feedback wasn't great. People had concerns about safety and environmental impacts. They raised concerns about speed limits, enforcement, and active transportation. Yet, here we are, with a twinned section of highway running through a residential neighbourhood and the airport that doesn't feel safer at all. And this, again, is from the government's website — and I quote: "Your input will help shape the new design of the Alaska Highway where it runs through Hillcrest, before going to tender with the construction in 2020. This input will help the Government of Yukon to mitigate and address concerns residents may have, and build confidence in the project moving forward."

So, how did they include the nearly 60 submissions to YESAB speaking out against the project, or how did they include the information shared by their own 2019 expert panel that recommended that the highway be made safer by keeping lanes narrower and fewer to encourage slower driving speeds and that an underpass be constructed to allow cyclists and pedestrians of all ages and abilities to safely cross the highway? So, how did the Yukon government take all of that feedback into account when they made their final decision?

So, it is fantastic to ask Yukoners about what they think about a project, but it can't stop there. You also have to listen to the answers. So, I would suggest that, for many Yukoners — if asked — they will say that it feels like a decision has been made before the engagement even starts. The Alaska Highway upgrades through Hillcrest is one such example. Maybe, instead of getting caught up in counting how many times the government has asked Yukoners a question, they should start listening to the answers, because, really, public engagement is all about listening, isn't it?

Hon. Mr. Silver: Thank you, Mr. Speaker, and thank you to my colleagues from across the way for their responses. I don't have a bunch to say about that specific engagement, other than to say that I disagree with the member opposite that

the new highway is less safe. That being said, public engagements are an extremely powerful tool that we use to connect Yukoners through the territory to ensure that their voices are reflected in the decisions that we make.

One of our most successful engagements was about — as I mentioned in my initial ministerial statement — seasonal time change. We received over 4,800 responses to this survey, one of the highest responses that a Government of Yukon survey had to date; 93 percent of respondents supported ending the seasonal time change, and we did just that in 2020. We won't be falling back this weekend while other jurisdictions make that change.

Another highly successful consultation that we did with Yukoners was the survey on legalized cannabis, which received over 3,100 responses. This feedback helped us to determine how cannabis legalization would work in the Yukon, from setting a legal age to creating rules for retail sales and setting limits for possession as well. Our government will continue to conduct meaningful public engagement to ensure that Yukoners are ahead.

We would also like to take a moment to thank the Yukon Bureau of Statistics, acknowledging their professionalism and skills in survey design and analysis. From crafting questions to collecting and reporting on results, we could not gather and share the feedback that we do without their expertise. Their ongoing support to the entirety of the public services continues to be invaluable.

I would also like to thank the staff throughout the public service who have helped us undertake these 100 engagements. Holding open and honest conversations with the public is a cornerstone of good governance, and I look forward to continuing to make evidence-informed decisions on behalf of Yukoners.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: *Animal Protection and Control Act* consultation

Mr. Istchenko: Since the minister tabled Bill No. 20, the *Animal Protection and Control Act*, we have received a steady stream of letters from stakeholder groups affected by the proposed legislation. These letters range from groups that work with animals for pleasure or for business, such as dog mushers, outfitters, and wilderness tourism operators, to groups representing farmers, such as the Yukon Agricultural Association and the Growers of Organic Food Yukon association. The common theme for all of them is that they don't feel the Yukon government adequately consulted them.

Does the minister think that the consultation that has occurred with these groups affected by his legislation has been good enough?

Hon. Mr. Clarke: The Government of Yukon has been working for several years to develop this new legislation, Bill No. 20, *Animal Protection and Control Act*, 2022. Our consultation was thorough. As I mentioned at the outset of the introduction of the bill, there were two phases of engagement.

In 2018, we engaged Yukoners through a public survey, receiving over 900 responses, and held 10 community meetings to establish values and broad concerns. The second targeted phase took place in 2019 and through 2021 to discuss specific issues with the livestock sector, veterinarians, dog mushers, pet stores, rescues, and others directly impacted by potential changes.

The public input demonstrated substantial support to improve animal welfare standards and to set control requirements across the territory. It takes time and substantial resources to take that information collected and to prepare a bill of this size for this Legislature.

Let me be clear, Mr. Speaker: our engagement started in 2018 but continues to this day. We are still having conversations and still taking feedback. Informal conversations happen every week. The departments are in regular contact with all stakeholders mentioned.

Mr. Istchenko: We know that there have been more than half a dozen letters from stakeholder groups sent to the minister asking for more consultation on this bill. Most have come from industry associations or groups whose members are directly affected by this legislation.

What they are asking for is more consultation and to have their input considered. So, of the groups that have written to the minister with concerns and asking for more consultation, how many has he personally met with?

Hon. Mr. Clarke: As we move forward in the development of the regulations under the *Animal Protection and Control Act*, we will engage with affected Yukon stakeholders. I know that this ongoing engagement will also be thorough. There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotics, and any other questions or concerns that they may have.

Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate risks that uncontrolled animals pose for public health and safety.

Mr. Speaker, we have responded with an almost one-day turnaround with respect to the additional concerns that were raised by some of the organizations. I have advised a number of times when we have sat in Committee of the Whole on this legislation that the targeted consultation with respect to the drafting of the regulations will be thorough and complete.

Mr. Istchenko: So, in the 2016 election, the Yukon Liberals promised Yukoners that they would — quote: “be heard”. Now, we're hearing from a growing list of stakeholders that, when it comes to this legislation, the government hasn't properly reached out to people directly affected by it. So, does the minister think that he is living up to the commitment he made — that Yukoners would be heard?

Hon. Mr. Clarke: It's absolutely understandable that some of the organizations have asked for additional detail and that they wish to be consulted, and we will absolutely consult. But 900 Yukoners responded. So, yes, the consultation was absolutely thorough. We worked with every First Nation and

community that responded with an interest in having an event in their community. Through the fall of 2018, we hosted public meetings in Carcross, Carmacks, Dawson City, Mayo, Old Crow, Pelly Crossing, Tagish, Takhini River subdivision, Teslin, and Whitehorse. We also met with First Nation governments, town councils, and joint councils. In addition to the community meetings, we posted an online survey from October 16 to December 17, 2018, which, as I indicated, received over 900 respondents.

We heard clearly from this engagement on the topic of animal control that there was a territory-wide requirement for owners to control their animals, and there were many different responses. We heard loud and clear that people don't want control of animals to mean that dogs must always be on their leash, but, specifically, people are concerned with dogs roaming at large.

So, there has been absolutely lots of consultations. Yukon citizens want this legislation. We will work with affected —

Speaker: Order, please.

Question re: *Animal Protection and Control Act* consultation

Mr. Dixon: Over the course of the debate on Bill No. 20, the *Animal Protection and Control Act*, it has become quite clear that consultation was inadequate. We know that some groups, like the outfitters, weren't consulted at all; they were completely missed. We know that some groups, like the dog mushers, were consulted but felt that the consultation was flawed and that their views weren't properly considered. Several other groups were just plain surprised that the bill was tabled without adequate consultation.

What the minister hasn't been able to do is make any compelling argument about why this bill needs to be rushed through and passed in the next couple of weeks. Why won't the minister just do what all these groups are asking, and pause the progress of this bill to go and consult properly with all these groups that have requested it?

Hon. Mr. Streicker: The bill is not being rushed through. We started working on the bill in 2018. We engaged with the public over several years. When we were in Committee of the Whole, I heard from our chief veterinarian, saying that she gets calls every week — several calls every week — trying to deal with problem dogs in our communities. Every time I go to communities and I hear from our communities, they are talking about the challenges around those problem dogs, and this act will assist.

What happened was that one of the members opposite from the Yukon Party wrote to these groups, misinforming them about a change in this legislation, which they put in themselves, and, through that misinformation, whipped up a bunch of concern and fear, and we got letters. The minister has continued to respond to every one of those letters — tabled today, by the way — to say, "Let's keep working with you." I think that's a good approach to deal with this compelling problem for Yukoners.

Mr. Dixon: Each and every one of these groups has looked at the legislation and taken it upon themselves to write

to the minister to ask that the consultation be conducted. In some cases, these groups have not been consulted at all, like the outfitters; in some cases, like the dog mushers, they have said that the consultation that occurred four years ago was inadequate and their views weren't adequately considered.

We have seen this before, Mr. Speaker. This type of thing happened just last year when the Minister of Community Services recognized that there wasn't enough consultation on the Better Buildings program, so he paused the bill and went back and consulted, and then the bill passed just a few months later with unanimous support and with buy-in from all those affected.

So, why isn't the Minister of Environment willing to do the very same thing? Why not just pause the progress of this bill, go back and consult with these groups that are directly affected by this legislation — businesses that have their livelihoods directly affected by this legislation — and bring the bill back in the spring?

Hon. Mr. Clarke: We know that the following stakeholders, among others, are interested in the next phase of engagement, and we look forward and are committed to working with them. We have communicated with all of the following groups: the Wilderness Tourism Association of the Yukon, the Yukon Agriculture Industry Advisory Committee, the Yukon Agricultural Association, Growers of Organic Food Yukon, the Yukon Outfitters Association, Yukon Dog Mushers Association, and rescues, humane societies, pet stores and businesses, vets, and boarding facilities.

There will be opportunities for key stakeholders to provide feedback on the standards of care of animals, cosmetic surgeries, exotics, and any other questions or concerns they may have. For example, we want to hear from stakeholders on the standards of care, making sure that they are reflective of our Yukon values and traditions, and the animal — whether it is a pet, a working animal, or livestock — and this, in addition to discussions on the proposed permitting process, is to ensure that they are the right fit for pet stores, boarding facilities, and animal rescues.

Our next steps, prior to finalizing the regulations, is to reach out to each of the key stakeholders mentioned earlier, seeking their input. We take all the concerns seriously, and contrary to what the member opposite has indicated, some organizations are asking for further consultation or to be consulted fully and appropriately with respect to the drafting of the regulations, and —

Speaker: Order please.

Mr. Dixon: I encourage the minister to read the letters, because what these groups are asking for is to be consulted on the legislation itself. I appreciate that they are willing to consult in the future on regulations, but what these groups have asked, over and over again — we have seen at least six letters from groups so far, let alone those from individuals — is that people who are affected by this be consulted on the details of the legislation itself, not consulted after the bill has already been tabled.

We generally agree with what is in this bill. There are a lot of things that this bill does well, but it is clear that it is not

perfect and that some groups that are directly affected by this legislation have some serious concerns and want to have their voices heard before the bill becomes law.

As important as this bill is, the minister simply has not made a compelling case why this needs to be forced through in the next few weeks, rather than in the spring.

Why isn't the minister willing to pause this bill, go back and consult with these groups that are asking to be consulted, and bring the bill back in the spring?

Hon. Mr. Clarke: We are looking to address critical safety concerns for both Yukoners and Yukon animals. Without this new act and its forthcoming regulations, the Government of Yukon will fail to address long-standing safety concerns of Yukoners about the enforcement of animal laws in the territory and will fail to mitigate the risk that uncontrolled animals pose to public health and safety, the environment, and property.

This act combines a number of outdated acts and will bring the Yukon into 2022 with respect to modern animal protection control acts. We know there have been tragic incidents where at least one Yukon citizen has died, and animal control issues have been raised by Yukon First Nations throughout the years, including when the former Yukon Party government was in power.

They had the ability to bring animal protection and control acts to the floor of this Assembly — comprehensive, modern, 2020 — well, it would have been earlier than that — modern animal protection and control legislation to the floor of the Assembly. They did not get it done. We will.

Question re: École Whitehorse Elementary School replacement

Ms. Tredger: Last spring, residents of downtown Whitehorse were shocked by the announcement that École Whitehorse Elementary School was being relocated up the hill to Takhini. Since then, I have held town halls, knocked on doors, met with constituents, and received many, many e-mails and phone calls about the fate of our downtown school. I know the minister has heard from people too, and the message is loud and clear: We need an elementary school downtown.

Everyone understands that the current building needs replacement, and everyone appreciates the challenges of shuffling schools and students. We are not asking the minister to change plans or promise that the French immersion program will stay where it is. What we are asking for is assurance that a new elementary school will be built downtown.

Will the minister commit to downtown residents that there will be a new elementary school built downtown?

Hon. Ms. McLean: I think that this is really about good government investing in school infrastructure. École Whitehorse Elementary school has been identified for replacement with a new modern facility that will meet the needs of the community for years to come. This is an important investment in our educational system.

As Whitehorse continues to grow, we must ensure that our schools are able to serve the needs of our students, families, and educators. This particular school was built in 1950. It is the oldest school building in Whitehorse, and a top priority for

replacement. In terms of the direct question, the engagement with the broader Whitehorse community and partners is planned for the fall to determine a long-term plan for replacing and renovating other aging schools.

I met with the downtown residents who are concerned about having an elementary school in the downtown core. This information will be fed into the fall engagement and will be considered in a long-term plan, as it's developed. That is a direct commitment that I made to the downtown residents. We had a very good meeting, and I definitely spent the time listening, hearing, and understanding their concerns.

Ms. Tredger: There are so many reasons to have an elementary school downtown. In the time of climate crisis, families are choosing to live where their children can walk to school. People want to build community where they live in their own neighbourhood.

A school is so much more than a place for education; it is a community hub. Without an elementary school, downtown will become a less desirable place for people to live and risks turning into a commercial core that is a ghost town after 5:00. As one parent said to me, a community without a school is a dying community. Is that the future this government envisions for downtown? I certainly hope not.

So, will the minister recognize and commit to the importance of an elementary school downtown?

Hon. Ms. McLean: Again, I have met with the downtown residents. I have read all of the letters and concerns that have been raised with me. I have made a commitment to ensure that all of this information is fed into a fall engagement and will be considered in a long-term plan, as it is developed.

In terms of the replacement of École Whitehorse Elementary School, again, this is long overdue. The current facility is just not keeping pace with the current and future programming needs. I am happy to inform Yukoners that a project advisory committee is established to facilitate the collaboration and exchange of ideas between key partners, stakeholders, and Government of Yukon.

Again, I was happy to meet with the downtown residents, and I am definitely going to be bringing that information forward to the fall engagement, and all of that information, along with further consultation, will be considered in a future plan.

Ms. Tredger: The minister is talking about an engagement to decide what happens next, but that is a bit of a slap in the face, because no engagement was needed to get rid of downtown's only elementary school. No engagement was needed with Takhini before dropping a second school into their neighbourhood.

So, why does this government suddenly need a formal engagement before they can listen to downtown residents? People have been very clear in their desire to have a downtown elementary school. Over 200 people signed the petition that I tabled earlier today. The minister has to commit to having an elementary school downtown, and then go ahead with the engagement to find out what the school should look like. Ask people who should be eligible to attend, how it should be built, what facilities it needs — but, first, reassure them that they are

listening. Reassure them that their community will not be left without an elementary school.

So, will the minister commit to an elementary school downtown?

Ms. McLean: Our government is investing in school infrastructure. This is good news for the Yukon, to keep pace with the growth within our city. The Government of Yukon has included replacement — we're working on Whistle Bend school; we've committed to the Burwash Landing school; we're working toward a second Whitehorse Elementary replacement school.

As I met with residents, I definitely heard their concerns, and we have many partners who we work with and will continue to work with. I've assured the downtown residents that the information they're providing and the concerns will be considered as we do the consultation on future renovations, replacements, and other infrastructure needs for our school community in Whitehorse, and that their information will be brought forward, and they will be part of the consultation, along with so many other partners who we're working with.

Question re: Dempster fibre project

Mr. Dixon: This summer, I had the chance to sit down with the Chief of the Tr'ondëk Hwëch'in First Nation and discuss, among other things, the Dempster fibre project. At that time, there was concern about the Yukon government not living up to its commitments to engage the First Nation on this large capital project in their traditional territory. Since then, TH has publicly pulled their support of the project, saying that they hadn't received adequate response from the minister or the department.

What has the Yukon government done since then to address the concerns the First Nations have raised?

Hon. Mr. Clarke: The Dempster fibre project is certainly an important Internet fibre redundancy project for the entire north, and we're making good progress. I will report on that as we continue with my response, but what I would say is that we have reached out to the Tr'ondëk Hwëch'in First Nation, and I had a fulsome meeting with the chief and council within the last three or four weeks or so — with Chief Joseph, Deputy Chief Nagano, and councillors here in Whitehorse.

We reviewed the concerns that have been raised by Chief Joseph, and we committed to have our officials work together on a list of concerns, to meet the issues that the Tr'ondëk Hwëch'in has expressed with respect to that project, and committed to return for a progress report in December. We certainly want this project to make sense for the Tr'ondëk Hwëch'in. We believe that the Department of Highways and Public Works and YG itself is making best efforts to meet its commitments, and that the contractor is doing so as well.

Question re: Yukon River crossing at Dawson City

Mr. Hassard: Challenges with the *George Black* ferry this summer highlighted the vulnerability of the connection between Dawson and West Dawson. We have obtained a copy of the minister's detailed breakdown of line items that isn't included in the published spring budget.

The detailed breakdown highlights a \$250,000 allocation for planning for construction of a bridge in Dawson. Can the minister tell us how much of that \$250,000 has been spent, and if any consultation has occurred with the residents in the Dawson area so far?

Hon. Mr. Clarke: The safety and well-being of Yukoners and visitors is a top priority for the Yukon government. The *George Black* ferry typically operates between May and late October. The opening of the season for the ferry is based on water levels, which must be high enough so the ferry can be safely launched.

The final sailing for the season this year was on Monday, October 17, 2022. In July, due to staffing issues, the ferry was on a reduced schedule for one day. In August, ferry operations were, once again, temporarily halted due to a mechanical issue with the propeller and shaft.

The Department of Highways and Public Works crews worked very hard to have the ferry back in operation as quickly as possible, and I commend them. I was in contact with their supervisor in Dawson to provide my thanks to the tireless work of the Highways and Public Works crew up in Dawson.

To avoid any unnecessary wear and tear for the remainder of the season, the hours of service were reduced to fall hours a few weeks earlier than normal. Once the ferry was pulled for the season, it will undergo more extensive repairs that will allow normal operations to resume next season.

I do agree with the member opposite that, of course, plans for a redundancy of the *George Black* ferry do have to occur.

Mr. Hassard: There were a lot of words there, but none of them actually had anything to do with the question I asked, so hopefully the minister has done his preamble and gets on with answering.

The minister's unpublished details of budget expenditures say — and I quote: “The George Black Ferry is nearing the end of its lifecycle and is becoming costlier to operate and maintain. Climate change is increasing the likelihood of open water preventing ice bridge construction. HPW will advance engagement and planning to provide a Yukon River crossing that will be sustainable in the long term.”

Can the minister tell us when the government is planning to build a new Dawson bridge and when that capital project will appear in the government's budgeting?

Hon. Mr. Clarke: Well, we know that the bridge across the Yukon River at Dawson was so, so, so close to actualizing under a Yukon Party government, but that didn't happen — now many years ago.

But there certainly are options, Mr. Speaker, that will have to be looked at, including redundancy options for the *George Black* ferry, which was built in 1967. The Highways and Public Works staff do an amazing job of keeping it operational, but, of course, that can't last forever. We will begin the process of consulting with the Tr'ondëk Hwëch'in government and the Town of the City of Dawson with respect to possible plans going forward with respect to planning for the future. Those plans are in the early phases, but I can assure you, Mr. Speaker, that this will be done in a thoughtful and comprehensive manner.

Question re: Child Development Centre building

Mr. Kent: Earlier this summer, the Yukon government awarded contracts for both engineering consultant services and architectural and structural consultant services in relation to the demolition of the Child Development Centre building. This followed the discovery of mould in that structure. When we asked about this in the spring on March 29, the Minister of Highways and Public Works told the Legislature that a decision had not yet been made.

Can the minister tell us when the decision to demolish the Child Development Centre building was made and what the estimated cost of that demolition will be?

Hon. Mr. Clarke: The Department of Highways and Public Works ensures that all government buildings are safe and suitable for use. In the spring of 2021, mould was discovered in the Child Development Centre and it was immediately closed to staff and the public.

After a thorough assessment, the department has determined that the building is no longer suitable for use and it will be demolished. The demolition contract will be tendered in the spring of 2023, and the work is expected to be completed next summer. Highways and Public Works will be working closely with other departments to begin planning for the future use of this land but no decisions have been made yet.

Mr. Speaker, with respect to both the Child Development Centre and Macaulay Lodge, there are expenses, but there are also opportunities because then you have prime land in Riverdale that can be used, as far as Macaulay is concerned, for additional residential development, and the Child Development Centre site can also be used for appropriate purposes as well. In addition, of course, greenhouse gases are saved because these are old, inefficient buildings that are going to be demolished and the site will be repurposed.

Mr. Kent: So, now that a decision to demolish the former CDC building has been made, families that use the facility are wondering about when it will find a permanent home. Currently, CDC staff are scattered around the city in various government offices and buildings. Obviously, this is not ideal for the operation of the centre and the important work that it does for the children who need those services. So, when will the government open a permanent location for the CDC?

Hon. Mr. Clarke: The Member for Copperbelt South will know this, but while non-government organizations are generally responsible for securing space to run their programs, the Government of Yukon has supported the Child Development Centre by accommodating the occupants in a temporary space as they look for a new long-term space. The long-term space will be secured through the private sector.

I can certainly get back to the member opposite with respect to the plans before the Child Development Centre and any additional support that the Department of Highways and Public Works may, in fact, be providing to them to identify and secure that spot. But, generally speaking, as I indicated, the long-term space, or the acquisition thereof, is going to be the responsibility of the Child Development Centre, notwithstanding that we agree that we may be involved in that process.

At this time, I am provided with an opportunity to thank the Child Development Centre for all of the amazing work that they do in relation to many Yukon children who face different and varied challenges.

Mr. Kent: That was an interesting response from the minister that the Child Development Centre and its board, as an NGO, are responsible to find their own space. I am curious if the minister can tell us if the board is aware of that, and if so, when were they made aware? Are they also responsible for coming up with the resources for any leasehold improvements to the space that they are looking for?

Hon. Ms. McLean: I can confirm, of course, that Education and Health and Social Services work collaboratively with our partners in the Child Development Centre to improve ways to provide the best services and supports for our Yukon children and families.

In terms of the direct question, I have met with the Child Development Centre recently. Our department continues to work in partnership with them. For the 2022-23 fiscal year, we have committed approximately \$3.4 million in operational funding for the Child Development Centre, which included funding to cover collective agreement increases. Additionally, the Yukon government is funding the renovation, furnishings, and lease for the Child Development Centre's new space, which will be ready, I am told, in 2023 to better accommodate all of the Child Development Centre programs, clients, and staff in one location.

Funding allows the CDC to provide services to children and families in every community in the Yukon as well, including on-site therapeutic services at Dusk'a Head Start early learning centre at Kwanlin Dün First Nation. We absolutely value the work that the Child Development Centre does, and we are a strong partner.

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

ORDERS OF THE DAY**MOTIONS RESPECTING COMMITTEE REPORTS****Motion respecting Committee Reports No. 3**

Clerk: Motion respecting Committee Reports No. 3, standing in the name of the Hon. Mr. Mostyn.

Speaker: It has been moved by the Chair of the Standing Committee on Rules, Elections and Privileges:

THAT the *Fourth Report of the Standing Committee on Rules, Elections and Privileges*, on the topic of gendered forms of address, presented to the House on October 17, 2022, be concurred in.

Hon. Mr. Mostyn: I have a few short remarks this afternoon. I am very happy to be addressing the progress that we have made at the Standing Committee on Rules, Elections and Privileges this year, and the coming vote this afternoon.

Changing the way we address each other in this Chamber will help make our society more inclusive. All Yukoners deserve to be represented in this House, and it is time we ensure

that this is the case. The measure before us this afternoon will make it easier for citizens to relate to their government. I think that it is important to recognize where this motion came from, Mr. Speaker. It came from my colleague on the committee, the New Democrat House Leader, and it is an issue that has also been championed by our Premier. It is a great example of how we can work together to better our democratic institutions and make our society more inclusive through progressive measures. It is thanks to our mutual desire to take our territory forward that these ideas become tangible actions and become part of our daily routine and discourse.

When it was proposed by the Member for Whitehorse Centre, it was believed to be a simple measure. I can say, personally, that it was an idea that was easy to consider implementing and long overdue. However, delivering this turned out to be a little more involved than initially thought. I thank the Clerk's office for all of its research and briefings on the matter. It was very helpful and got us here this afternoon. I want to thank the Member for Whitehorse Centre for bringing this idea forward to the committee.

Finally, I look forward to the coming vote. I hope that it is unanimous, making a clear, cross-party statement of intent on fairness, equality, and inclusion across the territory. I hope that we signal this afternoon to the community that the government is willing to better reflect the citizens it serves.

Mr. Dixon: This report accurately reflects the decision made by SCREP. I know that the decision of SCREP was made by majority vote, not by consensus; however, we will support the concurrence with the report from SCREP.

Ms. Tredger: I am actually really excited to be talking about this here in the Legislature, because I first started talking about this — I think that it was in the early summer of 2021 — so, well over a year ago, at this point. I brought it forward then because, to me, this is really a question of who we want to be in this Assembly, who is welcome here, and who will be accommodated here. The answer is that it should be everybody — that should be all Yukoners feel that they are welcome here. Regardless of their gender, regardless of anything else about them, everyone should be welcomed and accommodated in this House.

Our current system, where we force people to publicly identify themselves with gendered titles — to start with, it makes no space for anyone who is non-binary, and it is kind of hostile to other people, too, who, for any number of reasons, may not want to make that public gendered statement about themselves.

Speaking for myself, as a brand new MLA walking into this role for the first time, I had to choose if I was going to be Madam Deputy Chair. That felt like a pretty weird title to take on for me. It didn't fit; it didn't feel good; but I didn't know what else to do. I'm really happy that, going forward, there are going to be alternatives for people and that, as a group, we have decided that it is not the environment we want here.

Like I said, I started this process over a year ago, and I hope very much that my colleagues will join me here today in supporting it.

Lastly, I want to acknowledge that, as we are talking about who is welcomed and who this place is accessible to, this is just the very beginning. There are still so many ways that this House is not welcoming to people. I think we can all acknowledge that this Assembly has a long way to go before we are truly representative of the diversity of the Yukon, and I hope that this will be just one of many steps that we take to make this a more welcoming and inclusive place.

Hon. Ms. McLean: I wanted to just say a few words in support of this motion today. I have spent a great deal of my time since being first elected in 2016 — first, as the Minister responsible for the Women's Directorate, now as the Minister responsible for the Women and Gender Equity Directorate.

On July 15, 2021, we released our LGBTQ2S+ action plan, which followed a very comprehensive public engagement in 2018-19 and included our partners in Queer Yukon, All Genders Yukon, and other allies and folks throughout the territory. It resulted in an action plan of 108 actions, most of which are ongoing. One of the actions is integrating inclusive language into the new official Government of Yukon communication style guide. We have done extensive work over the past several years to modernize legislation to be inclusive of all Yukoners and to incorporate neutral language. I am very supportive of this motion today, and I think that it is a huge signal to our community, overall, around inclusion.

I also wanted to make a comment about gender-inclusive diversity analysis, which is also known as GIDA. Our government is committed to inclusiveness, equality, and respect for the diversity of all Yukoners.

One way we demonstrate this is by integrating this analysis — gender-inclusive diversity — into our decision-making processes. Again, this is aligned with our commitment under our action plan that we released in July 2021.

Those are the comments I have today, Mr. Speaker.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

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.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 17 yeas, nil nays.

Speaker: I think the yeas have it. I declare the motion carried.

Motion respecting Committee Reports No. 3 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Ms. Blake): Order. Committee of the Whole will now come to order.

The matter before the Committee is general debate on Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 16: Second Act to amend the Legal Profession Act, 2017 (2022)

Chair: The matter before the Committee is general debate on Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*.

Is there any general debate?

Hon. Ms. McPhee: Thank you, Madam Chair. I would ask my colleagues to welcome Will Steinberg, who is joining me here today. He is a senior policy analyst with the Department of Justice. Will has been here in support of other bills, and I thank him for his attendance today, and hope my friends will welcome him to our Chamber.

In my earlier remarks, during second reading and in previous debate, I reviewed the proposed changes to the *Legal Profession Act, 2017*.

The proposed amendments that are here in this bill are proposed to amend the *Legal Profession Act, 2017*, and they are a testament to our government's commitment to working with our partners to ensure that legislation continues to facilitate the important work of Yukon organizations and societies — in this case, such as the law society. At the request of the Law Society of Yukon, we have considered this matter, done the needed policy work, and drafted Bill No. 16 for presentation and debate here in this Legislative Assembly.

Through the proposed amendments, we continue to ensure that the Yukon's legal profession is supported by a modern legislative and regulatory scheme. The amendments support the healthy operation, and efficient operation, of necessary Law Society of Yukon processes, as it regulates the practice of law in the Yukon. It is important to note for Yukoners that the Yukon law society regulates the practice of law in the public interest. It is not a society for the benefit of the profession. In fact, the Law Society of Yukon regulates the legal profession to hold it to account in the public interest.

Before I discuss Bill No. 16, I would like to provide a little bit of background about the *Legal Profession Act, 2017*. It received assent in 2017 and came into force on February 6, 2020, after the associated regulations and the Law Society of Yukon's updated rules, which become regulations under the act, were prepared and approved. In May 2021, and through follow-up communications, the Government of Yukon was informed by the Law Society of Yukon that language in the *Legal Profession Act, 2017*, had led to administrative issues for the society's executive and its complaint investigation committee. As currently drafted, some language in the act is causing administrative issues in that it fails to provide the option of a complaint dismissal.

Additionally, there is no provision to protect the society, its staff, or executive committee members from liability. With this context in mind, through Bill No. 16, we are proposing to amend the relevant provisions of the *Legal Profession Act, 2017*, with specific changes, that will first replace section 64(a) of the act with a version that allows complaints to be dismissed for a justifiable reason, and ensure that the complainant's right to appeal remains in place; and, secondly, to provide statutory immunity from legal actions to those who act in good faith on behalf of the society.

The Law Society of Yukon's inability to dismiss a complaint means that, in some cases, complaints with absolutely no prospect of success must be referred to a discipline committee, which then must conduct a review. This process results, in some cases, in the unnecessary use of resources from multiple committees.

While the society's executive is given broad rule-making powers under the *Legal Profession Act, 2017*, it is the view of the Law Society of Yukon and the Department of Justice that legislative amendments are required. This is largely because, as it currently stands, a complaint dismissal under an expanded rule would not be subject to the right of appeal under the act. This is incredibly important, because individuals should have the right of appeal.

The proposed amendments would protect the rights of a complainant to appeal a dismissal and streamline the complaints process. Under the proposed changes, a complainant would be able to lodge a complaint with the Law Society of Yukon using the same methods as are currently available. Once an investigator is assigned, they would then thoroughly investigate the complaint. Following that investigation, if the investigator came to the conclusion that there is a lack of evidence of wrongdoing, or if the misconduct is not serious enough to require disciplinary actions that are found in section 80 of the act, the investigator could dismiss the complaint without referral to the society's discipline or fitness to practice committees. If a complaint is dismissed in this way, a complainant can appeal the investigator's decision and have it reviewed by a separate, impartial committee.

Additionally, the amendments include the provision of statutory immunity from legal action of those who have acted in good faith on behalf of the society. An immunity for action taken in good faith is appropriate and necessary to protect those who carry out the Law Society of Yukon's important duties in the public interest.

Although the society currently has a rule that limits liability for those who act in good faith on its behalf, it is not contained expressly in the act. In all other jurisdictions in Canada, there are provisions in the legislation governing their legal professions that protect the regulatory body's staff and executive members from legal actions, so long as they act in good faith in the course of their duties.

Madam Chair, I am pleased to present the proposed amendments to the *Legal Profession Act, 2017*. These legislative changes are required to support the effective operation of the Law Society of Yukon processes. They protect the rights of complainants, and they ensure those who act in good faith on behalf of the society receive the same protections as their peers across Canada.

I look forward to any questions that may have arisen with respect to Bill No. 16.

Mr. Cathers: In rising to speak to this legislation, what I would again note, as I did at second reading, is that, unfortunately, an important question I asked both the Minister of Justice and her colleague, the Minister of Environment, in correspondence in October has yet to receive a real answer.

I would note that, as both ministers have stated publicly, they are members of the legal profession. This legislation that is being dealt with here is the act governing the legal profession.

To be clear, as I noted earlier, we are not stating that this is a conflict of interest. We are asking, however, whether the ministers have followed the instructions in their mandate letters from the Premier to "... respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner."

As noted, if indeed the ministers have sought the advice of the conflicts commissioner, and if indeed the conflicts commissioner has determined that there is no problem for either minister to participate in Cabinet discussions, debate in the Legislative Assembly, or a vote, then upon seeing that

determination from the Conflict of Interest Commissioner, we would accept his determination.

Again, at the heart of this issue is the matter of public accountability. The Premier provided two of his ministers who, according to public statements, are members of the legal profession — lawyers — with instructions, as he did to all his Cabinet, saying to them, and again I will quote from the mandate letters: "You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner."

On October 17, I wrote to both ministers — again, I have tabled this correspondence, as well, for the record — noting that, when the act was tabled, and as I noted — quote: "This was notable because, according to your previous statements in the Yukon Legislative Assembly, you are a member of the legal profession.

"I also note your mandate letter includes the following instruction from the Premier: 'You are to respect the letter and spirit of the conflict of interest rules for Ministers and to actively seek, and abide by, guidance from the Conflict of Interest Commissioner.'

"Since the Premier has required that you actively seek guidance from the Conflict of Interest Commissioner, and since there is a potential appearance of a real or perceived conflict of interest in this situation, we believe the public deserves accountability from you. Can you please advise whether you sought advice from the Conflict Commissioner prior to being involved in Cabinet discussions pertaining to *Bill 16, Second Act to amend the Legal Profession Act 2017 (2022)*?"

"Thank you for your prompt reply."

As I noted earlier, the Minister of Justice responded with a letter. The Minister of Environment has not responded at this point in time, although he indicated some confusion about whether the letter was intended for him. I have cleared that up with a subsequent letter, as requested by that minister.

Again, I have to emphasize that the heart of this is accountability — whether ministers followed their mandate letter and whether the Conflict of Interest Commissioner said it was fine for them to participate in Cabinet discussions regarding changes to legislation that govern a profession of which they are a member. I have to emphasize to this Assembly that, if indeed the Conflict of Interest Commissioner has cleared those members to participate in advance, before they did so, we would take no issue with that determination from the Conflict of Interest Commissioner, but it is advice that the ministers, by their mandate letters, were expected to seek. Unfortunately, what we don't yet know is whether they even sought that advice.

The Minister of Justice, in her response, refused to answer the question. She said — and this was troubling, in particular, in her letter to me: "In the event that I have spoken to the Conflict of Interest Commissioner regarding this matter, that conversation is confidential."

Well, as the minister knows very well, members themselves are fully free to table and share any advice that the Conflict of Interest Commissioner has provided them with.

While the conflicts commissioner is not always in a situation where they can share advice they have provided to a member, the member themselves is always in a position where they can share any advice provided by the Conflict of Interest Commissioner.

As I noted at second reading, a perceived conflict of interest can be just as problematic for government as a real one. In government, any minister facing a potential situation like this should be the first to want to be able to demonstrate that they proactively sought guidance from the Conflict of Interest Commissioner and that the Conflict of Interest Commissioner provided them with the guidance that they are acting in accordance with, and following his advice.

So, before I move on to other questions, I will again ask the Minister of Justice and her colleague, who is also a member of the legal profession, to answer these simple questions: Did you seek the advice of the conflicts commissioner as your mandate letter requires, and prior to being involved in discussions of Bill No. 16? Secondly, if so, did the Conflict of Interest Commissioner say it was okay for you to participate in those discussions? Thirdly, Madam Chair, the question for the minister and her colleague, the Member for Riverdale North, is: If you did seek the advice of the Conflict of Interest Commissioner, since you, as a member, have the full legal right to share any such advice, will you share that with the public in the interest of accountability?

Hon. Ms. McPhee: Thank you, Deputy Chair. I have responded to this exact question several times during the debate on second reading. I note that the member opposite has tabled both the letter that they wrote to me and the one that I responded to with respect to this issue.

As I have said on certainly more than one occasion, if the member opposite believes that I have acted improperly, I urge him to make a complaint to the proper authorities, including the Conflict of Interest Commissioner, if that is what he so chooses.

Mr. Cathers: Well, Madam Chair, what the minister did do improperly is that she has not made it clear whether or not she followed the advice in her mandate letter, and she has not provided public disclosure on whether she sought the advice of the conflicts commissioner and shared what that advice is.

As I reminded the member, despite what the minister might attempt to suggest, conversations with the Conflict of Interest Commissioner, or correspondence with the conflicts commissioner, by a member are not absolutely confidential. The Conflict of Interest Commissioner is not always legally in a position to share that advice. However, the members themselves have the full legal right to share advice provided to them by the Conflict of Interest Commissioner.

I would note that, in a matter such as this, in my view, the appropriate thing for ministers to do is to follow the specific direction in their mandate letters — seek the advice of the Conflict of Interest Commissioner. Since they are dealing with legislation affecting a profession, affecting the governance of a profession — of which, according to their own public statements, they are members — one would think that ministers would be very interested in having written advice from the Conflict of Interest Commissioner, confirming that it was fine

for them to participate in discussions regarding changes to that legislation affecting a profession of which they are a member, and that, if that advice had indeed indicated that it was fine for them to participate in Cabinet discussions as well as discussions in the Assembly and vote, those ministers would be the most eager people in the entire territory to have those letters from the Conflict of Interest Commissioner become public so that they could demonstrate that they were acting in accordance with guidance from the Conflict of Interest Commissioner.

The minister has said that she responded, but she responded by saying, effectively, that it was neither my business nor the public's. Ultimately, Madam Chair, this is not a question of my view or the member's view. This is a question of public accountability and the fact that the *Conflict of Interest (Members and Ministers) Act* does not envision ministers being the ultimate decision-makers about whether a conflict occurs but, in fact, sets up an independent, respected, and repeatedly reappointed commissioner who provides advice to members on whether actions that they take are in compliance with the act. Of course, the intent of that legislation — the intent of the minister's mandate letters as well — is that members should proactively seek advice from the Conflict of Interest Commissioner and not simply deal with things after the fact when there may or may not be a problem.

So, the minister's refusal to answer those simple questions does seem to speak volumes. Madam Chair, again, I have to emphasize that, at the heart of this, is that ministers, if they are doing something that has the perception of a conflict of interest — which does include amending legislation affecting a profession of which they are a member — their very first action before being involved in those conversations should be to check with the Conflict of Interest Commissioner to ensure that the Conflict of Interest Commissioner has provided them with advice about what actions are or are not appropriate and that they act in accordance with that advice.

Any competent lawyer would recognize the possibility of this issue being raised and would be the first to want written advice from the Conflict of Interest Commissioner confirming that the actions they plan to take were, in fact, fully fine within the *Conflict of Interest (Members and Ministers) Act*. The Minister of Justice has repeatedly refused to say whether she sought the advice of the Conflict of Interest Commissioner and what advice was provided — and has refused to provide any written advice from the Conflict of Interest Commissioner. Well, we'll let people draw their own conclusions from that, but it is troubling.

So, Deputy Chair, since it's clear that the minister is going to continue to refuse to be publicly accountable — no surprise, coming from this minister, considering past matters, such as the Hidden Valley school matter — I will move on to other questions.

I would like to go off a specific question that had been brought forward by a constituent of one of my colleagues, who expressed concern with the proposed amendment to section 64(a), noting that the act now reads: "After completing investigation of a complaint about a member, the investigator

of the complaint... may, if they determine the complaint is dismissible, dismiss the complaint”.

It’s questionable why — the question we received from this individual was that the removal of the section that specifically limits it to if a complaint is dismissible does seem to be broadening the criteria or eliminating the criteria for doing so. So, I would ask the minister if she can explain what is occurring here in response to this concern that we have heard from a Yukoner.

Hon. Ms. McPhee: Thank you, Deputy Chair. With respect to the provision to change section 64, which is included in Bill No. 16, the change is needed in order to permit an investigator to dismiss a complaint for justifiable reasons following a thorough investigation. The need for this change was brought to the attention of the Department of Justice by the Law Society of Yukon’s leadership. We received a letter to that extent back in September. I met with them over the summer, and it was brought to our attention, as well, in earlier conversations.

The examples of a justifiable reason to dismiss a complaint, as provided by the law society, would include a lack of evidence or dismissal on the basis that the evidence does not disclose any conduct serious enough to warrant further action. The requirements in the legislation, of course, that set out what kind of conduct that is and, ultimately, that is required — I think that it is important to note for Yukoners that this will provide a process of appeal for individuals who might have a complaint brought against a member of the law society for this reason. The current regime in the law society legislation does not secure that right of appeal, and this will also include a right of appeal — a protection — for individuals who wish to bring a complaint against a member of the law society that might be dismissed at the initial state following an initial investigation by an assigned investigator. This is critical to take into account because an individual perhaps might not have provided all of the information that might be necessary to make out a complaint — certainly part of the investigation will be to determine what sort of concerns they have and what is the evidence of those concerns. For instance, in an example where that case may not have been made out to the full extent, it could be appealed and then an individual could have that process where it would be considered, again, past the stage of a dismissal, following an investigation for justifiable reasons by an investigator.

Mr. Cathers: So, again, the concern that we received from a constituent of one of my colleagues was regarding the appeal rights related to a complaint, and their understanding — based on looking at the changes to the legislation — was that, under this, Yukoners would no longer have the right to appeal the dismissal of a complaint at the first instance.

Is the minister indicating that this is not correct? Could she please elaborate on this area?

Hon. Ms. McPhee: I want to be absolutely clear about this. The changes that are proposed in Bill No. 16 do protect a right of appeal for an individual whose complaint might be dismissed following a full investigation by an investigator. That is a change from the current legislation because, under the

current rules, if a complaint were dismissed — not at this stage, but following a review by a review committee — there is no right of appeal. So, this inserts a right of appeal for an individual in the legislation if their complaint were to be dismissed following the initial investigation.

Mr. Cathers: First of all, Madam Chair, it has been drawn to my attention that I accidentally referred to you as “Deputy Chair”. I apologize for that mistake. I recognize that you are Chair of Committee of the Whole. Apologies for my error.

Moving back to the changes to this legislation, the minister indicated that those changes were based on the request that she had received via a letter. In the interest of disclosure, will she table that letter so that all members can see what it said and the rationale for the change being requested?

Hon. Ms. McPhee: I think I have been saying “Deputy Chair”, too. I apologize for that, Madam Chair.

Absolutely, I will table a copy of this letter from the Law Society of Yukon. As I have said, it follows a number of discussions with some executive members and the staff, the executive director of the Law Society of Yukon, and it clarifies the requests going forward — of the changes to both section 64(a) of the act and the inclusion of a statutory immunity clause.

There is rationale with respect to this, and I will just note the inclusion in the letter from the law society with respect to the question that was just asked about section 64(a).

It indicates — and I will quote: “Section 49(2) of the Act defines ‘dismissible’ as permitting a summary dismissal based on the nature of the allegations. In particular, a complaint is ‘dismissible’ under s. 49(2) of the Act if: it is outside the LSY’s jurisdiction (s. 49(2)(a)); it does not allege facts that, if proven, would amount to conduct unbecoming of a member, professional misconduct, or incompetence of the member (s. 49(2)(b)); it does not include enough information to initiate the processes under Part 4 of the new LPA (s. 49(2)(c)); it is frivolous, vexatious or moot (s. 49(2)(d)); or it constitutes an abuse of process (s. 49(2)(e)).

“This definition does not permit an investigator to dismiss a complaint based on a lack of evidence or on the basis that the evidence does not disclose conduct serious enough to warrant further action. Based on administrative law principles, which are constantly evolving, it would violate basic notions of fairness should an investigator be required to refer a complaint for further action when an investigation reveals no evidence of misconduct. Such an outcome would work a serious unfairness against the lawyer complained about, and undermine the LSY’s authority as keeper and interpreter of the conduct standards that apply to lawyers. The context of the LSY’s broad authority to regulate the profession and promote the rule of law is important when interpreting its authority to dispose of complaints, which must include the ability to take no further action when none is warranted.

“A simple legislative amendment can address this issue by uncoupling the criteria for dismissal from the definition of ‘dismissible’ in the Act. This could be done by striking out the reference to ‘dismissible’...” I will end my quote there. It goes

on to show how section 64 could be amended and suggests an alternative approach, but the one that we have here is, as the policy work has suggested and the change to section 64 is supported, it was actually requested by the Law Society of Yukon.

I can table that document now and I have other copies. I will give that to our page.

Mr. Cathers: I would just note for the Third Party that I am going to wrap up my questions so we can move on to other matters, if they wish to ask questions. I will just close with one final question — whether there are any current public complaints that might be affected by this change in legislation.

Hon. Ms. McPhee: I think that this is a very helpful question for Yukoners. Once, if Bill No. 16 passes this Legislative Assembly and once it is assented to, it is considered a procedural change, and it would give investigators the discretion to dismiss any active complaint if they found it appropriate to do so. It will, of course, apply as an option for investigators and those dealing with the disciplinary matters going forward. It would apply to any new complaints going forward. But with respect to active complaints, the bill does not limit the discretion only to new complaints, so it could be applied if there were active complaints, and it was an appropriate option for the investigator to choose. If this change leads to a dismissal of an existing complaint, a complainant who disagrees with that decision would, of course, as I have noted, have the right of appeal on any grounds that they chose.

Chair: Is there any further general debate on Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*?

Ms. White: I thank the minister and, of course, the official who is here today.

So, understanding that this was a request that was made, can the minister walk us through a bit about the process — so, from the time the letter came, to the research that was done, to the proposed amendments to the legislation?

Hon. Ms. McPhee: Thank you for the question. The request for an amendment to section 64 was originally made in a letter from the law society's president back in May of 2021. I could say with some certainty that I was involved in some conversations with the law society executive when I meet with them annually — or sometimes twice a year — at minimum. Before the letter came in May of 2021, we probably had a conversation about that, or just afterward. I would have to look at some notes, but the request for an immunity provision was made during meetings in June of 2022 between the law society executives and officials from the Department of Justice. Both of these requests were followed by correspondence from the law society president, as I have noted, detailing the society's request and the justification or rationale for their request.

Further discussions continued when officials from the Department of Justice spoke with their policy team. The matters were researched, and ultimately, Bill No. 16 was drafted and presented here.

Ms. White: One question is, is there an appeal process for complaints that are dismissed? If it goes through the initial

look and it's decided that the complaint can't go forward, is there an appeal process for that?

Hon. Ms. McPhee: The changes that are proposed by Bill No. 16 in relation to the complaint process do include an entrenched right of appeal for an individual in the event that a complaint is dismissed by an investigator after a full investigation, as proposed by this section. If what is being asked about is, if a matter proceeds all the way through an appeal process under the law society disciplinary process and is ultimately determined by the disciplinary committee — or a full process, including hearing provisions and all of those that are included in the law society act — then, ultimately, an appeal of that decision would be by judicial refutation in the courts.

Ms. White: I appreciate the minister's answer, but when the initial briefing and initial conversations happened, and we were made to understand that the society could investigate and then dismiss a complaint before it went through this process, I guess I am asking if there are any steps along the way, when a complaint is dismissed, that it could be appealed? The minister just used an example if it went through the full process, but if it's dismissed ahead of that entire process, is there a way for a complainant to appeal the decision?

Hon. Ms. McPhee: Yes — I will say it this way: Following the passing of Bill No. 16, should a complaint be dismissed — a complaint brought by a complainant be dismissed by an investigator, following an initial investigation — and a determination was made to not proceed, that, in fact, the complaint should be dismissed — the complainant can appeal that decision — absolutely.

Ms. White: What does that appeal process look like?

Hon. Ms. McPhee: I appreciate the question, I should say. The process for that appeal is set out in section 65 of the *Legal Profession Act, 2017*. I will paraphrase, but it indicates that a person who chooses may appeal in writing from a dismissal, and they make that written complaint to the Complaint Dismissal Review Committee, a panel would be convened under section 3 of that section — and the Complaint Dismissal Review Committee must convene a panel of three of its members — one of whom is not a member of the law society — to hear and dispose of the appeal, and then it sets out a number of ways in which that Complaint Dismissal Review Committee can deal with the appeal.

Ms. White: So, just to build on that, then. So, the appeal process follows with — or it exists in the act — so, what we are amending is section 64, but section 65, which we're not touching, stands. So, I was just looking for clarification, and the minister nodded, so that's the end of my question.

Hon. Ms. McPhee: Sorry, I should put on the record that the member opposite is correct that we are amending some wording in section 64(a) by virtue of Bill No. 16, but, of course, the remaining sections, but for those mentioned, are not changing, and the appeal process that is set out — and has been since 2020, when this bill was assented to — in section 65 remains.

Chair: Is there any further general debate on Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*?

Seeing none, we will now proceed with 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: I move that you report Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, without amendment.

Chair: It has been moved by the Member for Riverdale South that the Chair report Bill No. 16, entitled *Second Act to amend the Legal Profession Act, 2017 (2022)*, without amendment.

Motion agreed to

Chair: The matter now before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 20: *Animal Protection and Control Act* — continued

Chair: The matter now before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Is there any general debate?

Hon. Mr. Clarke: I will just let my officials take their seats. To my left, I will welcome again chief veterinary officer, Mary Vanderkop, and on my right, from the Agriculture branch, Director Kirk Price.

We left off speaking about warrants. I will provide an overview. I will probably have some more comments, but I believe my time is somewhat limited right now.

It is my pleasure to speak again today to Bill No. 20, entitled *Animal Protection and Control Act*, before Committee of the Whole. As I have relayed a few times, this modernized statute will provide a comprehensive, enforceable legal framework for managing all aspects of animal control in the Yukon. We are looking to address critical safety concerns for both Yukoners and Yukon animals. This is reflected clearly in the provisions regarding application for a warrant, and those extreme cases where it is crucial that a member of the RCMP enters a dwelling without a warrant.

We are not talking about providing authorities for an officer to enter a dwelling because the neighbour's dog is barking. We are talking about severe situations where an animal is in severe distress. Let me give you some examples. One example is, if an officer is asked to investigate a complaint that someone in a remote location has dozens of cats that are starving in their home. The officer arrives at the home and observes bodies of animals in the yard, but cannot make phone contact to obtain a warrant, and needs to enter the home to intervene on behalf of animals that are likely to be in severe distress.

Another example is an officer investigating reports of dog fighting that is taking place in a remote location. The officer arrives to see many vehicles in the yard, hears noise that could be interpreted as dog fighting, and needs to enter the premises without delay to protect the animals and to gather evidence that they expect would be destroyed if there were a delay.

Like I said, this is about safety — safety for both Yukoners and Yukon animals. So, to reiterate, we are not taking this lightly; neither does this bill before us today.

I look forward to further debate on this matter.

Mr. Cathers: I am not going to spend a lot more time today on the issue of the standard that the government is proposing changing, to allow entry to someone's house without a warrant. I spent a fair bit of time on that, outlining and explaining what the existing legislation says compared to what the government is proposing, in previous debates. As the minister well knows, no matter how they may wish to try to spin it otherwise, this government is proposing lowering the threshold for entering a home without a warrant to a level lower than it has ever been under any Yukon legislation. It is changing from the existing standard, as I have pointed out before, where such action under the child protection act — or child protection laws, I should say — is authorized if a child is in immediate danger — “immediate danger” is the standard there. In the current *Animal Protection Act*, the standard is “in distress”.

In legislation from other jurisdictions, which the minister made reference to, we heard other quotes, such as “critical distress”, and references to the “injury or death of an animal being imminent”. The standard is very different, Madam Chair, and the minister knows it.

I would also urge him to set aside the question of partisanship here, and partisan debates, here in the House and recognize that, even if he doesn't like the messenger, the reality is that Yukoners are concerned about this provision and feel that it is lowering the bar to an unacceptable level to allow entry into someone's home without a warrant in situations that are non-urgent, because as I noted, the standard contained in the government's legislation is not regarding — it does not set a standard of urgency. It lowers the threshold to just enforcing a standard of care, and that is problematic, but I want to move on to other issues, because there are many with this legislation.

The first overarching one is the lack of consultation with people who are affected by this act. The *Animal Protection and Control Act* — what is currently in place versus what the government is doing — the legislation is being dramatically expanded from a current protection act of roughly 14 pages to

the over tripling in size of this legislation, going from, in the previous act, less than a page of regulatory-making powers to four pages' worth under the legislation the minister has tabled.

The minister, so far, has been very, very dismissive of the concerns by stakeholders who have written to him, and I am going to start with referencing a few of those letters, just for those who are listening and following along with this debate. They have not seen the specific details that are brought forward by concerned stakeholders. There are several here; let's see which one I'll start with here.

I am going to start, first of all, by referencing the letter sent by the Association of Yukon Communities, expressing concerns and noting that these proposed changes appear likely to have an impact on both our incorporated and unincorporated communities: "I note that the Association of Yukon Communities was not notified prior to the tabling of this legislation. We recognize that communities were engaged in September 2018, with a possible 2nd phase of engagement taking place in Spring/Summer of 2019; however, since that time there does not appear to have been any further consultation or meaningful outreach with regards to the substantive elements of the bill and whether they are still appropriate several years after the engagement took place. There have been unprecedented events since engagement occurred in 2019, and we feel that it is pertinent to review and assess how what was heard then may impact things now. These changes may well have significant effect on the expectations and financial operations of municipal governments..."

Again, that is a quote from a letter sent to the minister regarding this very piece of legislation from the Association of Yukon Communities. A question also that my colleague the Member for Watson Lake noted in reviewing the "what we heard" report and the government's statements to date is: Where was the consultation with Watson Lake, with the Liard First Nation, and the communities near Watson Lake? Can the minister point to anything that has occurred regarding that community or either of those governments?

Hon. Mr. Clarke: I will get to the consultation. I'm sure that we'll have time for that, and I know there's a pitfall here that it will just be someone getting the last word. I get it, and I don't necessarily want to go there. However, the Member for Lake Laberge has left it with: we are lowering the threshold on warrantless searches. So, I know that may mean that, once again, someone will have to get the last word on this conversation, but in any event, I think for the record, for those listening at home, and for those reading Hansard later, they do have to understand — I will provide my guidance with respect to the warrantless searches, as provided for in the new act, and we'll go from there.

So, to take it directly from the bill, section 13, which unfortunately, I don't believe either the Member for Lake Laberge or I discussed section 13 of the new proposed act very much yesterday, but — and I quote:

"(1) An animal protection and control officer may apply to a justice for a warrant to enter a place, including a dwelling..." — house — "... if the officer believes, on reasonable grounds

"(a) that there is an animal in severe distress in the place

"(i) with respect to which the standard of care is not being met, or

"(ii) that is not being provided with an adequate quality of life; or

"(b) that there is any thing in the place that will afford evidence that an offence under this Act has been or is being committed."

13(2) states: "If a justice is satisfied that an animal protection and control officer has reasonable grounds to believe that the circumstances described in paragraph (1)(a) exist, the justice may issue a warrant..."

So, just to go back, paragraph (1)(a) says that there is an animal in severe distress in the place. So, one, an animal protection and control officer may apply to a justice for a warrant to enter a place, including a dwelling, house, if the officer believes on reasonable grounds, (a) that there is an animal in severe distress in the place.

So, the threshold has not been dropped — or lowered. It is absolutely consistent with the former Minister of Energy, Mines and Resources, the current Member for Lake Laberge, in his legislation, which he supported in 2008.

"(2) If a justice is satisfied that an animal protection and control officer has reasonable grounds to believe that the circumstances described in paragraph (1)(a) exist, the justice may issue a warrant

"(a) authorizing the officer to enter the place specified in the warrant for the purpose of taking any action authorized by this Act to ensure the standard of care is met with respect to that animal or to provide that animal with an adequate quality of life; and

"(b) requiring a person in the place to produce any animal located in that place to the officer for examination.

"(3) If a justice is satisfied that an animal protection and control officer who has made an application under paragraph (1)(b) has reasonable grounds to believe that an offence under this Act has been committed, the justice may issue a warrant authorizing the officer to enter the place specified in the warrant for the purpose of searching for, and seizing, any thing that will afford evidence of an offence under this Act.

"(4) If an animal protection and control officer believes that it would be impracticable to appear personally before a justice to apply for a warrant, the warrant may be issued on an information submitted by telephone or other means of telecommunication in the manner provided for under section 487.1 of the *Criminal Code* (Canada) with such modifications as the circumstances require.

"(5) An application for a warrant under this section may be made without notice to any person.

"(6) For greater certainty, a justice may issue a warrant for either, or both, of the purposes referred to in paragraphs (2)(a) and (b).

"(7) A warrant issued under this section is subject to any conditions specified in the warrant.

"(8) An animal protection and control officer may use whatever reasonable force is necessary to execute ... any authority given by section 14."

So, here is where the rubber hits the road. Section 14 goes further to provide entry without a warrant, but only under the circumstances I've just highlighted, including (1)(a), which sets out "severe distress".

The precondition to meeting the terms to obtain a warrant is the severe distress, which is exactly the same as in the *Animal Protection Act*. I will get back to the former minister's act.

With this, Madam Chair, it leaves no doubt as to when an officer may enter a building. Again, I will repeat that this bill is largely about safety — safety for animals and safety for Yukoners. We are talking about taking actions when animals are faced with dangerous conditions, are being maltreated, or worse.

The member opposite has spoken about the *Animal Health Act*. To address what may be some confusion or misunderstanding between the bill before us today, the *Animal Protection and Control Act*, and the *Animal Health Act*, which was passed in 2013, I would like to provide the following: The *Animal Health Act* puts in place a science-based, operationally focused regime that supports rapid response by government to threats such as avian influenza, African swine fever, and new diseases such as SARS-CoV-2.

The *Animal Health Act* applies not just to disease, but to all hazard. It is not just in live animals, but dead ones too. It clearly sets out the role of the government's chief veterinary officer. In addition, the *Animal Health Act* prescribes how and when information is to be shared with affected individuals. Much like the *Animal Protection and Control Act*, the *Animal Health Act* is shared legislation between Environment and Energy, Mines and Resources. Differences do exist between them, including that the *Animal Health Act* applies not just to domestic animals, but to wildlife. It empowers the Government of Yukon to respond to the full range of animal health risks in order to protect domestic animals and wildlife. It supports local food security and helps safeguard public health.

The *Animal Health Act* provides modern tools for dealing with hazards. These include being able to establish a control area, a surveillance area, and a quarantine area. It clarifies the authority of the chief veterinary officer, enables compensation for losses, includes appeal processes, establishes criteria for sharing of information, and offers penalty options that are flexible and reasonable.

In the lead-up to the enactment of the *Animal Health Act* in 2013, animal health had become increasingly important due to several high-profile disease outbreaks in animals that also provided threat to human health. For example, mad cow disease, chronic wasting disease, West Nile virus, and avian influenza.

The animal health program was established in 2009 to ensure that government had the means to respond effectively to animal health issues in order to minimize harm to people, the economy, and the environment. In 2010, a new chief veterinary officer position was established and staffed. She immediately undertook an expert review of animal health legislation in comparable jurisdictions and identified Yukon's regulatory gaps. Engagement with the public and First Nations on the

Animal Health Act occurred in the spring of 2013. During the review, the department consulted on a number of key issues.

I will return to the *Animal Health Act*, but suffice to say that the *Animal Health Act* — I have more detail about the great work that can be done under the *Animal Health Act*. But the issues have been comingled by the Member for Lake Laberge when he discussed the fact that warrantless searches weren't implemented for the *Animal Health Act* of 2013. That's not what we are talking about. We are talking about the *Animal Protection Act*, which is the act from 2008 and which was supported and brought forward by the then-minister, the current Member for Lake Laberge. That has, in fact, basically the same language as the proposed *Animal Protection and Control Act*.

Section 4.1(1) of the *Animal Protection Act*: "If an animal protection officer believes, on reasonable grounds (a) that there is an animal in distress in any premises, vehicle, aircraft or vessel; or (b) that an offence under this Act has been committed and that there is in any premises, vehicle, aircraft or vessel, any thing that will afford evidence of that offence, the officer may apply to a justice for a warrant to enter the premises, vehicle, aircraft or vessel for the purposes of (c) determining whether any action authorized by this Act should be taken to relieve the animal's distress; or (d) searching for, and seizing, any thing that will afford evidence of an offence under this Act.

"(2) If the justice is satisfied that the animal protection officer has reasonable grounds under paragraph (1)(a), the justice may issue a warrant (a) authorizing the officer to enter the premises, vehicle, aircraft or vessel specified in the warrant for the purpose of taking any action authorized by this Act to relieve the animal's distress; and (b) requiring a person in the premises, vehicle, aircraft or vessel to produce any animal there located to the officer for examination.

"(3) If the justice is satisfied that the animal protection officer has reasonable grounds under paragraph (1)(b), the justice may issue a warrant authorizing the officer to enter the premises, vehicle, aircraft or vessel specified in the warrant for the purpose of searching for, and seizing, a thing that will afford evidence of an offence..." — and it goes on. But now, it is really the same as the proposed *Animal Protection and Control Act*.

So, section 4.2 of the *Animal Protection and Control Act* says: Entry without a warrant by the RCMP — "A member of the Royal Canadian Mounted Police may exercise the powers of entry, search and seizure pursuant to section 4.1 without a warrant if the conditions for obtaining a warrant exist but, by reason of exigent circumstances, it would not be feasible to obtain a warrant."

So, it is "exigent circumstances", but there are conditions for obtaining a warrant, which are the same as the *Animal Protection and Control Act*, and that language in section 4.1 is: "If an animal protection officer believes, on reasonable grounds, (a) that there is an animal in distress in any premises, vehicle, aircraft or vessel..."

It is the same. Actually, it has been buttressed somewhat in the *Animal Protection and Control Act* because it says "severe distress". So, it is the entire analysis for the *Animal Protection and Control Act*. It is 4.2, going back to 4.1; in the proposed

Animal Protection and Control Act, it is section 14 and then going back to section 13.

But, in any event, the assertion that the member opposite from Lake Laberge has made on a number of occasions, starting with his second reading speech and moving into Committee of the Whole, is that the threshold for taking action with a warrantless search — that the threshold has been lowered to the lowest level. He didn't say "imaginable", but to the lowest level ever, and he knows it. Well, I don't know. I am reviewing this legislation, receiving advice, and having a look at the relevant sections myself, and I fail to see how the bar has been lowered in any meaningful way so that the threshold now, in the new, modern *Animal Protection and Control Act*, has lowered the standard for warrantless searches. It has not, in fact, been lowered at all.

I am uncertain as to what I am intended to know about that lowering of a threshold, allowing for the rescue, really, of animals that find themselves in emergency situations or exigent circumstances. It is exigent in the *Animal Protection and Control Act*. It is exigent in the *Animal Protection Act* — the former Minister of Energy, Mines and Resources' legislation. It is "severe distress" in the *Animal Protection and Control Act*. It is "distress" in the *Animal Protection Act*. So, I don't know what I am supposed to know about this demonstrable lowering of an evidentiary threshold or that it is now some sort of overreach. That's news to me.

Some Hon. Member: (Inaudible)

Chair: Two minutes.

Mr. Cathers: The minister is no longer standing, so I rose to speak.

Chair's statement

Chair: Order. The Member for Riverdale North has two minutes left in his response.

Hon. Mr. Clarke: I take the member opposite's point — the senior Member of the Legislative Assembly — and I certainly have learned something today, so I will take my seat.

Mr. Cathers: We know that the government did not consult on this legislation in the detail that the stakeholders wanted to see. We know that they have heard from upset stakeholders about it. They are asking this Legislative Assembly to pass the legislation and be satisfied with a promise that they will consult on the regulations, but I would point out that the minister, in standing to speak this afternoon, just broke a promise that he and his colleagues made after discussions between all three parties in February when members agreed that, after the first 20-minute speech during Committee of the Whole, responses and statements by ministers should be limited to eight minutes. The members promised that they would voluntarily follow that until those changes were made in the Standing Orders. That was a commitment from this minister and his colleagues.

The minister stood here today and broke that promise. He stood yesterday and broke that promise. Why would Yukoners believe the promise that he is making regarding regulations?

The minister has gone on and on and on about the issue of the standard for entering without a warrant. The minister can continue arguing that black is white all he wishes and dismissing any criticism as fake news — those aren't his exact words, but it is effectively the same as people calling it "fake news".

I believe I meant to mention this earlier but didn't. Correspondence that was sent to his colleague, the Minister of Energy, Mines and Resources, in response to political finger-pointing by that member — when his constituent said that this is your time to make things better, rather than keep bad practices or extend them. Madam Chair, the facts are the facts. The minister can continue to call it fake news as much as he wishes, but the facts are the facts.

We are talking about one that, in his rather long recitation where he desperately got every briefing note that someone would hand to him to burn up 20 minutes of time here in this Assembly and filibuster his own legislation — among the questions that I specifically mentioned was the issue of communities not being consulted. We have heard from the Association of Yukon Communities that they want consultation on the legislation with municipalities and local advisory councils. The minister told them, effectively, in his response to pound sand.

We have heard, as well, from the Yukon Outfitters Association. They were disappointed that they were not consulted on the details of this legislation. They mentioned that they have unique needs, as well as describe the importance of horses and dogs to their businesses.

I also note, as well, that the Yukon Dog Musher's Association wrote a very strongly worded letter to this minister, which he also just dismissed disrespectfully. I want to quote from it. It has been tabled in this Assembly: "The YDMA..." — and YDMA, of course, is the Yukon Dog Musher's Association — "... as well as most attending the meeting expressed strong opposition to most of what was presented. Later in the year the Yukon Government put forward a survey to the general public which was in the form of numerous 'multiple choice' questions. This flawed survey resulted in the attached 'APC what we heard report' which was produced shortly there after. Needless to say, the meetings which took place on Burns Road had little to no bearing in the subsequent report, however the clearly flawed and agenda driven survey that followed was sure to glean what was needed in order to produce the biased report. We have heard nothing from government since on this issue.

"At this point, it is alarming that the government did nothing to address our concerns which were tabled at this meeting. Although the government was able to say that they consulted with stakeholders their views were totally ignored in the subsequent 'what we heard' report."

That's the take from one stakeholder representing Yukon dog mushers who are passionate about the animals they love. They say that the survey was biased, they said that the government ignored their input, and they asked the minister to pause the legislation and to "Please consult in a fair and

transparent manner with the stakeholders before proceeding any further with this.”

Let’s circle back to orders of government. We know that municipalities asked to be consulted on this legislation.

We know, as well, that some First Nations were not consulted and there were not meetings in individual areas, as I mentioned when bringing forward the concerns of my colleague, the Member for Watson Lake. I would note, as well, quoting from what the minister himself said on October 25 in Hansard on page 2388 — the minister said this: “With respect to the First Nation engagement, I have the indication of where the First Nations stood with respect to the engagement and consultation in 2019, and there is a summary of that. I think, to the points I made previously, we view that it is not likely that those positions have changed, but the discussions are ongoing.”

Wow. Madam Chair, the minister has decided that First Nations have the same views as they did in 2019. He has decided that municipalities have the same view. We know, in the case of municipalities, that they have said otherwise. In both cases, they are duly elected orders of government. There has been turnover on the respective councils of probably every First Nation and municipality in the entire territory since 2019. I don’t profess to know what concerns were raised in municipal or First Nation elections or what any candidate ran on, but it is entirely conceivable that candidates in either municipal or First Nation governments could have been elected in part on responding to concerns from people in their community related to matters that would be affected by animal protection legislation. I don’t know that, but neither does the minister. The importance is that, when the people — whether it’s a First Nation government or a municipality — choose to elect new representatives, those new elected representatives may, on behalf of the people they represent, have different views than the councils that preceded them. Yet the minister is refusing the explicit request of the Association of Yukon Communities for consultation with municipalities and local advisory councils. I would add to that, as well, that First Nations have also had turnover — a number of them — in chief and council positions — or in some of those positions — and for the minister to simply assume that their views are the same as they were back in 2019 is not well-founded, nor is it appropriate.

Madam Chair, the question comes down to this: Where is the urgency for this legislation? The minister doesn’t want to lose face. That’s all this comes down to — his refusal to consult with stakeholders again. So, I would ask him: Has he read those letters from stakeholders asking for more consultation, and is he willing to reconsider his previous position, press the pause button on this legislation, and consult with stakeholders, including First Nations, municipalities, and stakeholder organizations, including and especially the ones that said that this government didn’t listen to them before?

Hon. Mr. Clarke: I can answer in the affirmative to at least one of the member opposite’s questions, which is, yes, of course we are going to engage and re-engage. At the time, there were invites to every First Nation and community. This was the list that I provided a few times in Committee of the Whole and

at second reading — who responded and was interested in having an event in their community.

I personally have no issue whatsoever with losing face with respect to this legislation. This is modern, progressive legislation. The consultation was thorough. The member opposite will well know from his time in government that it is never a perfect process. I have gone through the record of engagement for the *Animal Protection and Control Act* at some length. I can do it again. I can also advise that the department has responded almost immediately to the Yukon Outfitters Association, the Wilderness Tourism Association of the Yukon, the Yukon Dog Musers Association, the Association of Yukon Communities, and Growers of Organic Food Yukon, and I have filed a number of those responses today.

The Association of Yukon Communities — their request is, we kindly requested that the Association of Yukon Communities be further consulted before implementing these legislative changes. So, we are — because legislative changes are when the — well, it’s the two-stage process. There will be the targeted consultation, and of course, as the member opposite will remember, I’m sure, that this is the rough timeline as to how legislation is drafted with respect to the community visits, the consultations, the community feedback, the survey, the follow-ups, and then the beginning of generating policy, and the legislation being drafted.

Did COVID throw a slight wrench in the works with respect to some of the, certainly, in-person follow-up? Yes, of course, it did, and as well, this is the normal progress of legislation with respect to policy development and the drafting of legislation. We will obviously get this right. The Department of Environment and the Department of Energy, Mines and Resources have absolutely zero interest in discounting any perspectives whatsoever.

With respect to the Association of Yukon Communities, we responded almost immediately to Ted Laking, President of the Association of Yukon Communities. I’ll provide some of the background in our response. The Yukon’s current animal protection and control legislation is outdated. This has led to high-profile, possibly preventable, deaths of Yukoners, as well as ongoing concerns for public safety from roaming dogs, and the need for methods to better control feral animal populations. There have also been demands to ensure that working dogs and horses are cared for throughout their lives.

The new proposed APCA enables modern animal welfare standards to be adopted and fills the current significant gaps and challenges around the enforceability of animal control and welfare in the Yukon. The proposed *Animal Protection and Control Act* also provides a framework to close the current legislative gaps concerning the ownership of exotic animals, expands our tools to enforce animal control in remote communities, and regulates animal businesses and organizations.

The principles captured in the proposed act reflect the priorities we heard during our engagement with Yukoners — that people and businesses who own animals must be responsible for providing the care they require, and respect the safety of people, property, and environment. We acknowledge

the challenges faced by Yukon communities, both incorporated and unincorporated, as a result of the pandemic and events outside of anyone's control, including flooding, landslides and wildfire.

We appreciate the efforts required for communities to recover and thrive, especially in the face of rising inflation. We support the growth of local businesses and the attractions the communities provide for Yukon tourism. We believe that the proposed act will provide options that will improve local responses to issues with animal control and contribute to safer communities. We assure you that we will engage with the Association of Yukon Communities, as well as with individual local governments, to provide input to the legislation.

The details of this legislation will come forward in regulations that are yet to be drafted. This means the act will not come into force until the regulations are completed and approved. There will be ongoing engagement with stakeholders to work on the details of these regulations. This will include adopting national codes of practice for animal care and welfare, and potential partnerships to undertake enforcement in communities, as well as options for local response.

Mr. Laking, even in his letter — and the Member for Lake Laberge fairly pointed out as well — did recognize that communities were engaged in September 2018, with a possible second phase of engagement taking place in the spring/summer of 2019. Then, in fairness, he does indicate that there ought to have been further consultation or meaningful outreach. Fair enough, but that is the legislative process. We want to hear from Yukon communities.

I would just emphasize, once again, that there is some urgency with respect to this legislation. The chief veterinary officer has advised from her shop, as well, that they receive many phone calls in any given week with respect to the control of dogs, that this legislation is long overdue, that we look forward to the fusion of the *Dog Act*, the *Pounds Act* and the *Animal Protection Act*, which is overdue.

Is consultation ever perfect? No, it's not, but this was a thorough consultation over many months with follow-up. We received a great deal of feedback. Will both the Department of Environment and the Department of Energy, Mines and Resources redouble their efforts, going forward, to ensure that all voices are heard with respect to the drafting of the regulations? Absolutely.

Mr. Cathers: I would just note here that, again, the member dodged the questions, and I noted the fact that I am quoting what stakeholders said to the minister. As I reminded him, the Association of Yukon Communities said that they wanted consultation on the legislation. They expressed concern about financial implications. The Yukon Dog Musers Association used very strong language regarding their concerns that the survey itself was flawed. They said that government ignored their input previously. They referred to the report as biased and expressed concern about lack of consultation with stakeholders.

The minister also admitted that they missed consulting with the outfitters. The minister noted, in response to questions from my colleague the Member for Kluane, the minister noted,

regarding this issue, and said: "Whether there has been actual consultation specifically with respect to the *Animal Protection and Control Act* — it seems that there may not have been specific engagement..." That is found in Hansard, October 25, page 2392, on the left-hand side, for the ease of those referring to it.

I would just note, as well, that the minister then, in some of his remarks where he has desperately tried to defend the decision to ignore the requests, both those that are strongly concerned from organizations and those that are made very politely to him, to stop and consult on the legislation. The minister told us on October 25 that — and I quote: "That is contrasted — I did a bit of research. One of the times that there was an act to amend the *Animal Protection Act* was in 2008. At that time, consultation occurred in the spring of 2008 for the fall of 2008.

"It was more approximate, but my understanding is that the consultation was less rigorous, and we will certainly get into that, perhaps, at future dates." That is page 2389 of Hansard, October 25.

It seems that the minister has spent more time researching the 2008 consultation process than actually meeting with stakeholders who have expressed concern about his own legislation. That is problematic, when you have a minister, when you have a government, who is more focused on partisan games and partisan shots, and trying to create their own spin and narrative regarding events from 14 years ago, rather than listening to Yukoners here today and recognizing that the letters that they have in front of them are not, as the Minister of Energy, Mines and Resources suggested, because we reached out to these people; they are because the people, after they looked at the legislation, had concerns and wanted to be consulted.

Let me quote from correspondence from the Growers of Organic Food Yukon to the minister. They wrote the minister a very polite letter — or I should say, e-mail — saying, in part, this: "GoOFY has recently become aware ..." — I should note, Madam Chair, for those unfamiliar with it, that "GOOFY" is the acronym that they use for Growers of Organic Food Yukon — "... that the new *Animal Protection and Control Act* is on the legislative assembly's agenda for this session. As many of our members are livestock farmers, this is naturally of great interest to us. Unfortunately, we have only recently become aware of the draft legislation and have not had an opportunity to study it in detail, to form a position on it, and to offer constructive suggestions for its improvement. Therefore, we respectfully request that debate on the legislation be halted for a reasonable period of time to allow us to review it thoroughly. The proposed act could have a major impact on our farmer members as well as many other owners of pets and livestock and I believe a go-slow-and-careful approach at this time will make for a better Act in the long run."

Madam Chair, that is what the Growers of Organic Food — one of the key stakeholder associations dealing with livestock — said. Anyone looking at that can see that the letter sent by that organization was neither partisan nor political in nature. They are people whose lives are affected by this

legislation, and they sent the minister a very polite request for the government to — pardon me, I will read the full request from their sentence. They said — and I quote: “Therefore, we respectfully request that debate on the legislation be halted for a reasonable period of time to allow us to review it thoroughly.”

Now, the minister and his colleagues, for some reason, have chosen to dismiss requests like that. They have chosen to dismiss the strong concerns that the Yukon Dog Musers Association expressed about their view that the government didn’t listen to them the first time they were consulted, and the minister himself admitted that they forgot to consult with the Yukon outfitters. That is a pretty big little “oopsie”, Madam Chair, when you are talking about people whose lives are affected by this legislation.

I would remind the minister that it would certainly not be unprecedented in any way, shape, or form for government to choose to consult with people on legislation and hear their input on the details. And, in fact, since this is legislation, unlike much that government brings forward, this legislation affects the lives of Yukoners across this territory. The minister has relied heavily on referring to their survey, while ignoring the fact that they didn’t go to every community to consult with people and ignoring the concerns expressed by stakeholder groups. He is also ignoring what we know the Yukon Bureau of Statistics itself says about the problem with the methodology of using an online open survey. They have indicated, in information that they have shared previously, that the pros include a short turnaround time and require less resources, but the cons include a high self-selection bias, response abuse cannot be fully assessed and dealt with, and results are not representative.

That is from the Yukon Bureau of Statistics, not my own words. They have acknowledged the problem that these surveys are not representative and that there is response abuse, contrary to what the ministers like to indicate, where people can, if they use different devices, fill out a survey multiple times.

Setting aside the methodology for a moment, there is also the fundamental problem that, when a survey asks everyone to comment on issues, some people are more familiar with them, some are less familiar with them, so there ends up being a situation where the people whose lives are most affected by a specific question may be outnumbered by people who are not very familiar with the question or the issue, but had to check a box so that they could move on to the next page of the survey. Sometimes people, much like in answering polling questions, may simply choose the result that seems closest to their views, not to mention the fact that they do so without having had the opportunity to hear the input and the views of people who are directly affected by the legislation. Hearing those people’s views could very easily — as it often has in public meetings in my experience — have the impact of changing someone’s mind, when they understood how one of their neighbours saw an issue and what their concerns were. They changed their viewpoint, based on that information, but they hadn’t had that information while filling out the survey.

Again, there is a growing list of groups complaining about this and asking for public consultation. It is a simple question for the minister: Why is he so resistant to listening to those

requests, pressing the pause button, and consulting with the people who are asking — in some cases, pleading — for consultation? Give those people the opportunity to be consulted on the draft legislation before proceeding. Why is the minister resisting that call?

Hon. Mr. Clarke: By way of update for the House, GOOFY were part of the Agriculture Industry Advisory Committee and Sub-Committee on Livestock providing input in the fall of 2019 and into 2020. That’s the information I have. We have an ongoing engagement with GOOFY, and we will consult with them on the regulations.

With respect to the online survey, I did answer this question over the course of the last few days, but the Bureau of Statistics may have expressed some concerns, but they were the organization that EMR went to, to craft the survey. They certainly have, in my view, a high degree of credibility. The limitations of the online survey were offset by the variety of consultation methods that were used, including in-person meetings in communities and with special interest groups who were willing to participate.

The community meetings had a significant impact of both sharing views and ensuring that all who wished to be involved could be consulted. In addition to there having been engagement with GOOFY in 2019 and 2020, we have — with all the interested stakeholders, we have responded quickly and in the affirmative that the Department of Environment and the Department of Energy, Mines and Resources Agriculture branch will be engaging with the stakeholders.

We responded, in part, as follows: “The Yukon’s current animal protection and control legislation is outdated. The new proposed APCA enables modern animal welfare standards to be adopted and fills the current significant gaps and challenges around the enforceability of animal control and welfare in the Yukon. It will provide for a suite of tools to manage uncontrolled and feral animals, including high-risk livestock, it will improve animal welfare and control standards, it will regulate animal-related business (pet stores, animal rescues and boarding facilities), and clarify enforcement roles and responsibilities regarding the management of animals under our care.

“We want to recognize the contribution the agriculture sector made during consultation in fall 2019 that informed the proposed Act, particularly the subcommittee on livestock control and welfare that was formed by the Agriculture Industry Advisory Committee. This subcommittee made valuable recommendations that were used to inform development of the legislation. In addition to the subcommittee, the Agriculture Industry Advisory Committee also provided input on the proposed Act at its regular meetings with Government of Yukon through to late 2020. These conversations with industry leaders have supported the proposed scope of the legislation to be outcome-based or prescriptive when required, such as for the containment of Eurasian boar. We have also heard support for the national codes of practice. The agriculture industry in the Yukon, as you have similarly stated, has been confident that their operations meet and exceed these codes, and they take pride in how farming is done in the Yukon.

“The new Act includes a list of livestock species to be defined in regulations, the adoption of a National Farm Animal Care Codes of Practice, an expansion of animal welfare enforcement powers for Energy, Mines and Resources, and further clarity on how the departments of Environment and Energy, Mines and Resources coordinate on enforcement. It will also enable the development of regulations around fencing for high-risk animals such as the Eurasian boar and provide for education and enforcement to manage a range of situations that may arise to ensure proper outcomes for livestock health and welfare and control are met.

“The proposed Animal Protection and Control Act will not come into effect until regulations are developed and approved, and the agriculture sector and other key stakeholders will be part of this work. Regulation development will involve more consultation with GoOFY and the agriculture sector jointly by the departments of Environment and Energy, Mines and Resources. We remain committed to ensuring growth of agriculture and to engaging your membership as required as regulations are developed.

“Thank you again for your interest and we appreciate that you have reached out. Staff from the Agriculture Branch... or from the office of the Chief Veterinary Officer in the Animal Health Unit... will be in contact with you to answer your questions.”

So, this is a bit of a chicken-and-egg proposition. Now, not a good reference — but a chicken-and-egg proposition with respect to the Member for Lake Laberge. I grant you that there were likely going to be concerns, and there were likely going to be questions for additional targeted consultation and a follow-up to ensure the regulations were crafted in the best way possible to have the best act and the best regulations possible for all Yukoners, including these persons.

However, there is a bit of an element — the member opposite exhorts me, at the beginning of his most recent comments, to not engage in partisan shots and to live 14 years ago. That’s fine. That’s fine.

If the Member for Lake Laberge hadn’t opened up the can of worms by asserting that somehow there was now significant current government overreach with respect to warrantless searches — respectfully, if he had not opened that can of worms, what reason would we necessarily have had to take a trip down memory lane 14 years ago?

The problem now with respect to his assertions on the concerns expressed is that it is muddled by the fact that the Member for Lake Laberge, obviously, in his second reading address and comments in Committee of the Whole has been pretty forceful about saying that the threshold for warrantless searches of residences has gone to — I’m exaggerating — an unimaginably low level, but certainly lower than under the *Animal Protection Act*. In consequence of that, it is certainly foreseeable that he has been able to generate some elements of the concerns that are raised based on the fact that now — and we will disagree, but, in my view, exactly the same legislation has been inserted into the proposed *Animal Protection and Control Act* that was in the *Animal Protection Act* that was

obviously used with great discretion, and there are likely zero or very few instances.

But he poked the bear a week or 10 days ago because that would be an element of this legislation — that one could make the case involved overreach and that the overreach should be addressed and that maybe you should look back and reconsider. So, he says: Don’t engage in partisan shots from 2008. Well, he made the speeches. He made a very similar speech to what I have made recently. He chooses a different presentation, slightly different word choices, but the message was the same with respect to the fact that, if you had to, this power of the RCMP would be used only in the most extraordinary circumstances — exigent circumstances — and that, if it were abused, there would be disciplinary matters, it could be reviewed, and an officer could find himself or herself in some sort of disciplinary concerns.

I may not have said it quite that way, but that is generally the correct message. So, let’s take the time to time travel — the hot tub time machine, the travel machine here — and we end up in 2022, and it is the same thing. But the Member for Lake Laberge asserts that somehow, we have inserted something in this legislation that creates the perception of overreach and the perception of powers that are likely, or could be used, with unwanted frequency. That is — it is not. It is status quo. It is exactly now as it was then.

We talked about “distress” versus “severe distress”. So, I agree with the Member for Lake Laberge that it is incumbent upon the Department of Environment and the Department of Energy, Mines and Resources to keep going with their good work. They have already done fantastic work. They have spoken to many Yukoners, and they will continue to speak to many Yukoners. I am not prejudging anything with respect to these regulations. This is exciting, modern legislation. We want to move forward. We want to protect all Yukoners. We have heard from many Yukoners, and we want to move forward.

Mr. Cathers: Wow. That was quite the speech by the minister. Again, he failed to keep the commitment that he promised to members — that they would keep speeches to eight minutes in Committee of the Whole after the introductory remarks. So, again, the minister — while asking this House to take him at his word regarding a commitment on regulations — is breaking his word to other members regarding the length of time that he is speaking in Committee of the Whole.

Madam Chair, the minister ignored everything that I had just finished asking him about and is continuing to flail away on trying to parse the legislation, to claim that they are not lowering the bar on warrantless entry. We have established what the facts are. The minister is going to continue to deny it, and if he spent half the time taking partisan shots and researching events from 14 years ago and trying to parse them in some way to sling mud at members on this side — if he spent half that amount of time actually listening to the people who are asking him to be consulted, we would be a lot further ahead in this territory.

For the minister to suggest that all of the concerns from stakeholders are just about the issue of warrantless entry suggests that the minister hasn’t read the letters.

Madam Chair, for people who care about their animals — whether they are pets or livestock or partners in business — for those people, this is affecting their life and their livelihood. The minister is treating this as a partisan game and refusing to acknowledge that Yukoners are writing to them based on looking at the legislation themselves and asking, in some cases pleading, for the minister to consult. Now, in the minister's ivory-tower approach, he can dismiss the peasants, but, Madam Chair, this is a democracy and Yukoners will have the final say on this matter in the next election when they will decide what they think of the minister's report card. For a government that got elected on a promise of "Be Heard" to so callously and repeatedly dismiss Yukoners who are asking for consultation on the legislation — that action will be judged by Yukoners, and I am confident they will make the right choice.

Madam Chair, we know this is a government that really does not have a mandate to continue forward with the work it did in the previous mandate. Their support in the last election collapsed to having the support of less than one in three Yukoners, and we know that in recent polls their support has dropped to below one in four Yukoners. It is clear that this Liberal government does not have the confidence of Yukoners, and in response to this, they're continuing to dismiss perfectly reasonable calls for consultation.

Madam Chair, I meant to table earlier — for members here, I'll table what the Yukon Bureau of Statistics has to say about survey methodology related to online surveys, including the fact, as I noted, that it has a high self-selection bias, response abuse cannot be fully assessed and dealt with, and results are not representative. I'll just hand that to the page for tabling here now.

I finished listing a number of specific concerns from stakeholder groups and specific requests, including the Yukon Outfitters Association — that even the minister admitted they forgot to consult with — the Yukon Dog Musers Association, who says the consultation was flawed and biased and that their feedback was not reflected in the "what we heard" document, the Growers of Organic Food Yukon — who very politely and respectfully, with not a partisan shot in it or a reference to any specific clause of the bill, simply noted — and I am quoting: "The proposed act could have a major impact on our farmer members as well as many other owners of pets and livestock and I believe a go-slow-and-careful approach at this time will make for a better Act in the long run."

Backing up to a previous statement in that same e-mail, the author said, on behalf of Growers of Organic Food Yukon: "Therefore, we respectfully request that debate on the legislation be halted for a reasonable period of time to allow us to review it thoroughly."

The minister can continue to take partisan shots and engage in the same tire-spinning that we have heard from him repeatedly, but again I have to ask why he is so resistant to those calls from stakeholders for consultation.

Since the minister seems so intent on wasting time and repeating his previous remarks in debate this afternoon, I want to ask him about what the government's intentions are regarding this legislation. Where this act changes from the

previous act includes, although is not limited to, as we know, the fact that there is a lot more about control in this legislation than in the *Animal Protection Act*. Let's take a bit of time to talk about what the government means by "control". The minister himself has mentioned cats several times. The minister said yesterday, and I will quote from the Blues, October 31, page 2475: "While we heard primarily about concerns with dogs, it is clear from responses that people also wanted domestic cats to be confined. People were also concerned about the impact that cats have on wildlife and particularly predation of songbirds and also the destruction of wild predators — foxes, for example — attracted to prey on roaming cats." So, with this legislation, what is the minister's intention? Is it the government's intention to make it illegal to let your cat outside?

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Bill No. 20, entitled *Animal Protection and Control Act*.

Is there any further general debate?

Hon. Mr. Clarke: I'll just let my officials take their chairs.

I think there was a question about cats, and I have an answer for the Member for Lake Laberge. The act provides for some offences, not to target someone who is walking their dog peacefully off leash on public property, but to have the authority to capture and remove a domestic animal when it is loose, at large, on public property, or in the ditch by a roadway. In those cases, the owner would have committed an offence by allowing that to happen. It is important to keep in mind that enforcement under this legislation is complaint-driven, and it is always first focused on bringing everyone into compliance. It is not about punishment, but about raising the awareness of individuals' responsibility to care for and control the animals that they own.

The responsibility will be for the owners to exercise control over their domestic animals such that they do not injure, kill or damage people, property, including owned animals, or the environment. We will not be watching for every cat that is at large in order to punish the owner, but we do respect that domestic animals at large can put people and the environment at risk. The new legislation will give us the power to act when there are complaints, bearing in mind that our initial response of enforcement is always education and bringing people into compliance.

I am advised by my department that complaints about cats are only second to those about loose dogs, from what we hear in the offices.

Briefly, section 41(1) of the act says — and I quote: "The owner of an animal must

“(a) keep the animal confined to the property or the vehicle owned or occupied by the owner of the animal;

“(b) manage the animal in such a way that the animal does not

“(i) injure or kill any individual,

“(ii) injure or kill another animal or wildlife,

“(iii) stray on to

“(A) public property, including a highway or a right-of-way,

“(B) the property of another person without that person’s consent,

“(iv) damage the property of another person or public property,

“(v) cause damage to any wildlife population,

“(vi) cause damage to habitat or the environment that could jeopardize the productivity or these resources or their suitability to sustain wildlife populations...”

There are also observations with respect to this act, with respect to feral cat populations, if the member opposite is interested, but I will sit down and try to answer the member opposite’s further questions.

Mr. Cathers: I do appreciate the information that the minister provided, but in saying that it wasn’t the intention to watch everyone’s cat, he didn’t answer the question of whether it is their intention to make it illegal to let your cat outside, because from some of the comments he made, it seems like that is the case.

It also seems that, potentially, depending how you look at section 41, it might not be an offence to have a cat loose on your property, but it seems that if the cat leaves the property, they are in contravention of 41(1)(a), which says that — after the introduction, pardon me — “The owner of an animal must (a) keep the animal confined to the property or the vehicle owned or occupied by the owner of the animal...”

So, in looking at section 41, what I want to ask the minister, both as it pertains to cats and also to dogs, and potentially other animals, is in looking at that section, we can see very clearly, in looking at it, that there is a clear requirement under clause (a) for an owner to keep an animal confined to the property or vehicle, but where in the legislation does it say that an animal can be loose, off leash, without committing an offence? The minister, himself, noted in his comments yesterday, on page 2475 of the Blues, in talking about the survey, he said — and I quote: “We also heard loud and clear that people don’t want “control” to mean that dogs must always be on a leash.”

Again, my question in this — as we look at this section of the legislation, and also at others — if legislation prohibits something and specifies a clear duty to an owner, as this legislation does, there should be another section that creates exceptions, or says when it doesn’t apply. In looking at it, I would ask the minister if he could point out another section of the act where it indicates that he is doing what his remarks suggested they intended to, of creating a situation where someone can legally have their animal with them — have their dog with them, I’ll give the example — of going on a walk through the research forest, or travelling on trails within my area or any municipality.

I know many people who walk their dogs loose, without there being any major issues that I’m aware of. Some of those responsible owners are clearly doing so without there being a problem that is impacting other owners. The legislation, though, clearly says that they have to be kept confined to their property or to the vehicle of the owner.

What I am asking the minister is this: Where does it say in this legislation that someone is actually not committing an offence under section 41 if they have their dog running loose with them, but the dog is not causing problems to other dogs, people, et cetera? Where does it say that a cat owner is not in violation of the act if their animal leaves their property?

Hon. Mr. Clarke: I’m advised that the advice was for the drafting to be fairly prescriptive, but I would just repeat the comments I made. The act provides for some offences, but not to target someone who was walking their dog peacefully off-leash on public property, but to have the authority to capture and remove a domestic animal when it is loose, at large on public property, or in the ditch by a roadway. In these cases, the owner would have committed an offence by allowing that to happen.

It is important to keep in mind that enforcement under this legislation is complaint-driven and is always first focused on bringing everyone into compliance. It is not about punishment, but about raising the awareness of individuals of their responsibility for care and control of the animals they own. The responsibility will be for the owners to exercise control over their domestic animals such that they do not injure, kill, or damage people or property (including owned animals or the environment). The new legislation will give control officers the powers to act where there are complaints, bearing in mind that our initial response of enforcement is always education and bringing people into compliance.

Section 41(b) says it is to “... manage the animal in such a way that the animal does not ...

“(iii) stray on to

“(A) public property, including ... a right-of-way,

“(B) the property of another person without that person’s consent...”

We intend the act to be clear about the responsibility for animals to be under the control of the owners at all times. It is important not to provide for wiggle room in what is allowed or not allowed, and the public clearly said that they expect domestic animals to be under control. I certainly take the member’s point with respect to dog walking, but that is where the control aspect of the animal comes into play. It is likely that all members of this House have had interactions with dogs that were not under control, so the onus is for the animal — in this case, the dog, perhaps even the cat. I am not sure how you control cats. I don’t think anybody controls cats.

Just to be clear, once again, we intend the act to be clear about the responsibility for animals to be under the control of the owner at all times. The drafting advice was to make it prescriptive — but that it would always be complaint driven and that the educative function is always the primary tool.

I will let the member follow up here in a second.

In section 45, it enables an individual to capture an uncontrolled animal straying onto their private property or an animal protection and control officer to capture an uncontrolled animal on public or private property, other than the private property of the animal's owner. That is the definition of "at large". I will just look at section 45. The main purpose of the legislation is for there to be the power of an animal control officer to take control of an unattended animal on public property. That is the primary reason for these powers.

Mr. Cathers: I appreciate the information that the minister provided, but it sounded like the minister was indicating that they are not going to be watching every dog and cat owner. It is complaint driven. But when I asked the question, making reference specifically to the duties of owners — and I note that the duties of owners that are listed there are not an either/or list. It lists all of them as obligations that an owner always has. If it was the intent to create an exception to the clause that says you have to keep your animal confined to the property or vehicle, there should be somewhere in the act — logically in this section, although it could be elsewhere — that explains when it is not an offence to have them off your property, which could and should, in my view, include if the animal is on a leash or if the animal is walking somewhat loose with someone but is not causing problems such as being a disturbance to other people or causing damage to wildlife.

I didn't hear the minister say where there is an exception to that duty of the owner to keep the animal confined to the property. What I see, and what it certainly seemed like the minister was saying, is that it appears always be an offence for your dog or your cat to be off your property, even if they are on a leash, because it doesn't make that activity lawful anywhere that I see. Again, if he can point to where it is, then please do.

It seems to me — and the minister's previous response seemed to indicate — that it's always a contravention of the act to have a dog or cat off of your property or out of your vehicle, but they don't intend to enforce that all the time. If that is the approach the government is taking, it is concerning. I note the section that the minister mentioned about animals at large. That section refers to the ability of an animal protection or control officer or another person to capture or trap an animal that is at large. It doesn't include the definition of "at large" under the duties of owners and say, hypothetically — as we see, there is a section that makes it clear that the prohibition under clause 41(b) — "injure or kill another animal or wildlife" — doesn't apply. It says clearly there — I will quote the section: "Subparagraph (1)(b)(ii) does not apply to an animal that is controlling or eliminating a pest." It says right there — that an exception to the list of duties of owners — but what I don't see there — and again, if the minister can point to it somewhere else in the act, then please do.

But I don't see a similar exception, which, in my view, should be there, making it clear that under the list of "Duties of owners" — all of which owners have all of the time — one exception is that it doesn't apply if your animal is controlling or eliminating a pest. There should be, in my view, language there that — or elsewhere in the act — that makes it clear that, if your animal is off-leash but not causing harm to someone else

or wildlife, you are in compliance with the law — not in a situation where you are technically committing an offence, but government probably isn't going to do anything to enforce it. If the situation is being created — as it seems that it is — and please correct me if I have missed a section of the law — that it is always an offence for your cat to be off your property or out of your vehicle, and always an offence to have your dog on public property, even if they are on-leash or in a dog team, or are running with you loose but doing so in a way that they are not causing any damage to anyone. Can the minister please indicate if there is a section of the act that I have somehow missed that makes those harmless activities legal? Can he point to it?

Hon. Mr. Clarke: I take the member opposite's point that it may well be — I am just trying to receive, through drafting or legal advice, and I can undertake to come back to the House, but it may very well be that, under section 41(1)(a), that must occur; that you must "...keep the animal confined to the property or the vehicle owned or occupied by the owner of the animal..." That stands, but the question that is being asked about whether there is a typo or whether there should be an addition of a word like "or", I don't have the answer yet, but I take the member opposite's point that it should not likely be conjunctive or a multiplier effect, arguably. I will receive advice on this, but section 41(1)(a) should likely stand on its own.

Mr. Cathers: I do appreciate that answer from the minister and his commitment to come back with more information. I do note that this is an area where we have heard concerns from people about. I missed mentioning it. I gave the example of dogs and cats. I missed mentioning earlier, and should add to that now, the issue of horse riders on public property, whether it's outfitters, or people in wilderness tourism, or most of the Yukon's horse riders, who are, in fact, people who do it for pleasure. I should also add to that using horses in a team, for example, in front of a sleigh. It should be very clear in this legislation, with no room for questioning or doubt, that it is legal to ride your horse on public property. It should be very clear that it is legal to have your dog on a leash off your property. It should be very clear that it is legal to do what the minister actually seems to intend to do with this, and have a situation where, if your dog is loose with you on a walk or a run, and they're not causing harm to someone else or the environment or wildlife, that it is a perfectly legal activity.

It should be the situation, as well, in my view, that a cat owner is not in violation of the act, because their cat left their property, since that is a very common practice. It is the kind of important details that go well beyond the level of interest in the previous consultations. There are thousands of people across the territory who, if they understand that there is a concern about whether they have their dog loose on their property, or running — going loose with them on a run — or are in a situation where it is technically, under the act, always an offence to have your cat leave your yard, that is something that would be a significant cause for public concern.

I do appreciate the minister's undertaking to come back with more information, and I would urge the minister — he

indicated that there might be a typo. I appreciate that acknowledgement from the minister. If that is the case, I would just urge him to recognize that, with this particular section of the act and the duties of the owners, that it is very, very important to many Yukoners whose pets, working animals, or livestock are affected by this, that they have the comfort in the legislation that if they are riding their horse on public property, that is completely legal; if they are driving a dog team on public property, or going for a walk with loose dogs, that is completely and clearly legal, and that they are not in violation of the act simply because their cat has left their property.

If the minister does feel — as he seems to be indicating — that perhaps there is a need for adjustment in that section, I do welcome that, because it is an area where this is just very, very important to Yukoners who are affected by it.

I want to also mention a couple of other specific practices. I don't know if the minister will have the information on him at this point, but I would appreciate if he could look into them, if he is not able to answer right now. That includes the practice of outfitters, who — as we know, there was a consultation error regarding them. My understanding is that a number of them, when they are back in the bush — or wilderness, if you prefer — at their base camp or other camps in the area, that some of them have their horses typically let loose — in part, for the safety of the animals if there is wildlife around, so that if a bear or other predator comes upon them, that animal is not at risk of being taken down due to being either hobbled or tied. Partly out of safety for the animals, some of them will have their horses loose in the area where they don't expect them to stray, because of the presence of food. Horses, of course, as members will know, unless they actually escape and create a feral population, have been in the Yukon and throughout Canada, and many other places — a horse grazing in a field doesn't cause any real negative impact to wildlife populations.

Maybe the minister will have a different opinion on that practice, but my understanding from outfitters is that, for some of them, this is an important part of how they have operated. They don't have fencing in remote locations. They go to an area where they believe there is adequate food, either in a field or that they have put out for horses, and they will have those animals loose on public property but causing no harm to wildlife or anyone else. I would hope that the minister would agree that this practice should continue to be legal and that it should be clear in the legislation that those animal owners are not immediately in violation of section 41 of the act because of choosing to do that. I should also note that the same may apply to non-outfitters who offer horse tours.

I want to mention another issue that was raised with me by a constituent about people who offer horse tours — although not outfitters themselves — is that the value of being able to clearly and legally have a dog loose with them has helped to avoid problematic encounters with a bear on more than one occasion. That's an area where I think there could very easily be an unintentional oversight by either officials or the minister in not recognizing that, for someone whose business includes offering horse tours — either as an outfitter or, in this case, a non-outfitter in the wilderness tourism business — they would

find it beneficial and a safety improvement while taking out clients to have a dog that stays around them but has, on more than one occasion, as I was told by a Yukoner — the dog scared the bear off before the people and the horses came along. They believe it avoided a wildlife conflict that could have been problematic.

Another example I will just point to is that, right now, it is the common practice of dog mushers who are sprint racers — my understanding is that it is common practice right now for Yukon dog mushers and others who are engaged in sprint racing to let their dogs out frequently when they are travelling and trucking their dogs somewhere. They use a practice that they refer to as “loose dropping”. As I understand it, that involves going to an area where they are confident they can let their dogs out without them causing a problem, but, as described to me by a constituent, typically for sprint dogs, the practice they use — and I believe others do — is that every two and a half to three hours, when sprint mushers are transporting dogs, they typically allow those dogs to get out and run around loose to loosen up their muscles — to have those dogs be more comfortable, et cetera.

That is a specific concern coming from members of the Yukon Dog Mushers Association about this. I would appreciate the minister indicating how that is addressed in this act, and if, as he noted earlier, there is either a typo or some parts that they have not considered in drafting this — to reconsider this part of the legislation.

As I have said earlier in my remarks, to make it clear to people, including the Yukoners who engage in all those practices that I mentioned, which are, themselves, harmless and perfectly reasonable under most circumstances, I would urge the minister to revisit this area and to recognize that it is important that all of those people — whether it is someone who runs loose with their dogs or someone who rides a horse, or any of the other examples that I have given they should be able to look at this act and be confident, comfortable, and correct in concluding that those reasonable practices with their animals are fully legal, and are not just in a situation where they are technically illegal but government probably won't fine them for it.

Deputy Chair, seeing the time, 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. Streicker: I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the 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. 16, entitled *Second Act to Amend the Legal Profession Act, 2017 (2022)*, and directed me to report it without amendment.

In addition, Committee of the Whole has considered Bill No. 20, entitled *Animal Protection and Control 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: 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 5:27 p.m.

The following documents were filed November 1, 2022:

35-1-95

Bill No. 20, *Animal Protection and Control Act*, letter re (dated October 31, 2022) from Hon. Nils Clarke, Minister of Environment to Ted Laking, President, Association of Yukon Communities (Clarke, N.)

35-1-96

Draft Yukon *Animal Protection and Control Act*, letter re (dated October 27, 2022) from Hon. Nils Clarke, Minister of Environment to Cain Vangel, President, Yukon Agricultural Association (Clarke, N.)

35-1-97

Tabling of the draft *Animal Protection and Control Act*, letter re (dated October 31, 2022) from Hon. Nils Clarke, Minister of Environment to Kalin Pallett, President, Wilderness Tourism Association of the Yukon (Clarke, N.)

35-1-98

Changes to the *Animal Protection Act*, letter re (dated October 13, 2022) from Hon. Nils Clarke, Minister of Environment to Aedes Scheer, President, Humane Society Dawson (Clarke, N.)

35-1-99

Animal Protection and Control Act, letter re (dated November 1, 2022) from Hon. Nils Clarke, Minister of Environment to Brian Lendrum, Chair, Growers of Organic Food Yukon (Clarke, N.)

35-1-100

Discussions with Conflict of Interest Commissioner, letter re (dated October 27, 2022) from Hon. Tracy-Anne McPhee, Minister of Justice to Brad Cathers, Member for Lake Laberge (Cathers)

35-1-101

Seeking guidance from the Conflict of Interest Commissioner, letter re (dated November 1, 2022) from Brad Cathers, Member for Lake Laberge to Hon. Nils Clarke, Minister of Highways and Public Works (Cathers)

35-1-102

Dempster fibre project, letter re (dated May 24, 2022) from Stacey Hassard, Member for Pelly-Nisutlin to Hon. Nils Clarke, Minister of Highways and Public Works (Hassard)

35-1-103

Dempster fibre project and the inclusion of economic benefits for citizens of the Tr'ondëk Hwëch'in First Nation, letter re (dated June 8, 2022) from Hon. Nils Clarke, Minister of Highways and Public Works to Stacey Hassard, Member for Pelly-Nisutlin (Hassard)

35-1-104

Request for Amendments to *Legal Profession Act, 2017*, letter re (dated September 6, 2022) from Meagan Lang, President, Law Society of Yukon to Hon. Tracy-Anne McPhee, Minister of Justice (McPhee)