



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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 Lesley Cabott, Chair, 2786–2799

 Andrew Hall, President and Chief Executive Officer, 2786–2799

Yukon Hospital Corporation

 Al Lucier, Chair of Board of Trustees, 2843–2857

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APPENDIX A

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Yukon Legislative Assembly

Number 89

1st Session

35th Legislature

HANSARD

Wednesday, November 2, 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
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Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Joseph Mewett
Hansard Administrator	Deana Lemke

**Yukon Legislative Assembly
Whitehorse, Yukon
Wednesday, November 2, 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 here in the Legislative Assembly to welcome a number of individuals who are gathered with us today for our tribute — always a favourite tribute here — to Yukoner Appreciation Week.

I would like to start by welcoming those who represent business chambers — Whitehorse Chamber of Commerce, Yukon Chamber of Commerce — Andrei Samson, who is the executive director for the Whitehorse chamber; Trevor Mead-Robins, first vice-chair; Joel Gaetz, treasurer; Allison Camenzuli, who is the chair. As well, Anne Lewis is here, on behalf of many different groups, but probably the Yukon Chamber of Commerce, as well.

From the Department of Economic Development, I would like to welcome some of our team, who do fantastic work: Elsie Jordan, Brian Park, Samson Hartland, as well as Damian Topps and Lisa Eddy.

Thank you all for coming in today for our tribute.

Applause

Hon. Ms. McLean: I would ask my colleagues to help me welcome two guests for our tribute on National Skilled Trade and Technology Week: Gerry Quarton and Samantha Hand from Skills Canada. Thank you for being here.

Applause

Hon. Ms. McPhee: I will ask my colleagues to help me welcome two guests today for the ministerial statement. We can welcome Amy Cooper, who is the acting supervisor of withdrawal management with the Department of Health and Social Services, and Patsy Williams, who is an assistant with the Mental Wellness and Substance Use Services at the department. Thank you both for being here.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Yukoner Appreciation Week

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to Yukoner Appreciation Week. Yukoner Appreciation Week is an annual event hosted

by the Whitehorse Chamber of Commerce which features local businesses and organizations offering customers and clients discounts, prizes, and fun activities.

Today marks the kickoff event, which started at 10:00 a.m. — I was told — with a lineup, as the team showed up this morning, and runs through until 7:00 p.m. at the Old Fire Hall with hourly draws, live music from Annie Avery, and catering from Crêperie La Petite Maison. This is an excellent time for locals to celebrate the Yukon's businesses while benefiting from great deals and the possibility of winning some incredible prizes.

The event this year includes the reintroduction of the popular passport contest in which Yukoners can collect stamps from participating locations and enter to win one of the six shopping spree prizes.

Yukoner Appreciation Week is often seen as the beginning of the holiday season, providing a great opportunity to get your gift shopping done while reconnecting with the community.

Every November, there are new businesses to discover and familiar shops with unexplored additions, and it is truly an excellent time to check up on all your favourite establishments. I invite all Yukoners to take advantage of this occasion and show their support for the participating businesses. This year, there are over 50 participating. I think the number is almost up to 80 businesses that are there right now — 80 businesses offering savings and providing stamps to locals across a variety of sectors, including food and drink establishments, retail, accommodation, and many more.

We have so many fantastic business owners here in the Yukon, and I am happy to see many of them participating in Yukoner Appreciation Week.

Yukoners prioritize shopping local, and this event is all about those businesses giving back to the community while promoting their services. So, get out and show your support for our local businesses this Yukoner Appreciation Week, on now until November 5.

For Yukoners in the communities, for those travelling throughout the Yukon for work or pleasure, I would encourage you to take a few moments to support local businesses around the territory in the lead-up to the holidays. I know that when travelling through the communities, I never miss the chance to stop in one of Yukon's hidden gems, such as the Tatchun Centre General Store in Carmacks — you can find everything there — as well as the Nisutlin Trading Post or the Yukon Motel in Teslin.

So, again, I would like to thank the Yukon Chamber of Commerce and their board for once again coordinating these festivities, as well as participating businesses for their contributions to the community.

Applause

Mr. Hassard: I rise on behalf of the Yukon Party Official Opposition to recognize Yukoner Appreciation Week. This is a homegrown event that is organized yearly by the Whitehorse Chamber of Commerce. Every year is an opportunity for businesses to say thank you to Yukoners for their loyalty and patronage. This wonderful event has really

grown over the years. This year, Mr. Speaker, Yukoner Appreciation Week takes place from November 2 through November 5, and I believe it has over 90 participating locations — businesses and restaurants alike. Once again, Yukoners can pick up a passport to have it stamped at different locations as they browse for a chance to win some great prizes. As the minister said, the kickoff has begun, taking place at the Old Fire Hall until 7:00 p.m. tonight, with live music and snacks and to pick up your passports.

So, visit your favourite stores, check out the deals, enter some draws, support your local community, and get those passports. Support your local businesses that work so hard to give back to our community. We have so many incredible businesses across this wonderful territory. Many of these began as a dream or an idea that came to life only because of the support from their community.

These businesses provide jobs, support our local sports teams, and give back to the communities in so many ways. Many faced extreme hardships over the last couple of years through the pandemic, and we saw closures due to financial constraints and staff shortages. All businesses had to adapt to the new restrictions, and they all did all they could to keep their doors open.

We have all heard the term “buy local”, especially over the last couple of years as Yukoners rallied to support their local businesses to keep the money within the local economy. Buying local is just as important today in all of our communities as many are still working to get their feet back under them.

So, thank you to each of the participating businesses and organizations for all you do year long, and thank you to the Whitehorse Chamber of Commerce for your efforts in organizing this great community event.

Applause

Ms. Tredger: Mr. Speaker, I rise on behalf of the Yukon NDP to celebrate Yukoner Appreciation Week. Local businesses support the Yukon. Just try to find an event, sports team, or performance that doesn't have sponsorship from a local Yukon business. They support Yukoners and Yukoners support them.

It wasn't that long ago that everything from commercial flights to a glass of orange juice was much more expensive in the Yukon than down south. Committed local business owners have worked harder over the years to bring these costs down. Many places price-match southern vendors, and it has made the Yukon a more affordable place to live.

The Whitehorse Chamber of Commerce is making supporting local businesses extra easy this week, and I have to say that they have really outdone themselves this year: There are draw prizes; there are discounts; free gifts with purchases; “buy one, get one” deals; entire stores on sale; free admissions; and even games with prizes. You won't find better deals to do your Christmas shopping.

It used to be just a Yukoner Appreciation Day and, a few years back, it was expanded to be a whole week. A whole week is wonderful, but I also want to encourage Yukoners to shop local not just this week, but every week. My riding of

Whitehorse Centre is home to many, many businesses, and a lot of them have had a tough couple of years. Between COVID, the labour shortage, and rising prices on goods and services, it has been a struggle to be a business owner lately. Our vibrant local businesses help to make the Yukon the wonderful place it is, and we need to support them through these tough times as best as we can.

So, we can't wait to get out there and enjoy the specials this week, and we encourage all Yukoners to do the same.

Applause

In recognition of National Skilled Trade and Technology Week

Hon. Ms. McLean: I rise on behalf of our Yukon Liberal government to pay tribute and recognition to National Skilled Trade and Technology Week that runs from October 30 to November 5. This week is dedicated to promoting and increasing awareness of the many career opportunities that exist in skilled trades and technologies.

Pursuing a career in trades or technology is an excellent opportunity for many young Yukoners. I'm happy to report that, as of October 1, 2022, Yukon has 456 apprentices registered, including 117 who have identified as First Nation.

Mr. Speaker, we sometimes take for granted the work that happens behind the scenes. When the power goes out, the power line technicians restore it for us. Thanks to talented network system administrators, we can use technology to work across geographical locations. Without construction tradespeople, we would not be able to build our homes, schools, and hospitals.

It is important that we continue to encourage our youth to learn more about trades and technology. I wanted to take the time to thank everyone who has played such a large part in supporting our youth to explore different avenues. Thank you to Skills Yukon, which supports our youth through school programming, mentorship, and unwavering support. Thank you to Yukon University, which is offering accessible opportunities and introductions to the trades. Thank you to Yukon Women in Trades and Technology for providing local youth with hands-on experiences and incredible mentorship. Thank you to the Apprentice Advisory Board, a group of employers and employees who work within the trades to provide valuable insights and advice to Yukon government. Thank you to the Department of Education's apprenticeship and trades certification unit staff. Finally, we would not be able to successfully train apprentices in any trade without the private sector; thank you for supporting this aspect of trades training.

I have a personal connection in my life to tradespeople who are in my life. My husband started out his career as a red seal welder. My oldest son is a red seal electrician, and many of my other family members are red seal carpenters, mechanics, welders, electricians, technicians, and chefs.

So, let us remember to take a moment to express our gratitude to our local tradespeople within our communities and recognize their incredible contributions. From all of us on this side of the floor, thank you for your continuous efforts.

Applause

Ms. Clarke: I'm pleased to rise on behalf of the Yukon Party Official Opposition to recognize October 31 to November 6 as National Skilled Trade and Technology Week.

This week, we recognize all those who have developed and honed the skills for success in their respective trades. SkillsCompétences Canada reports that over 700,000 skilled workers across Canada will be retiring by 2029. As students move from high school into these different positions in the trades, they will be helping to fill the very large gap of experience and expertise that would otherwise be felt throughout the country.

It takes time to build a strong workforce — years of training and years of experience. There are currently 56 red seal trades in Canada, and we are fortunate to have in-territory training opportunities for many of them. I would like to thank Skills Canada Yukon for the work they do in the territory to showcase the different trades to youth and help them to build career foundations.

Throughout the last year, Skills Canada Yukon delivered over 100 workshops to Yukon youth, either in person or virtually. They were dedicated to our youth despite the challenges brought on by the pandemic. Thank you and congratulations on your 25th anniversary in the territory, which I understand is happening in the coming year.

I would also like to give special mention to Yukon Women in Trades and Technology, which is celebrating 22 years in the Yukon this year. This incredible organization helps to encourage girls and women to get into trades and technology fields and also to help provide a safe and productive environment for them when they get there. These organizations do amazing work to provide awareness, information, hands-on training, and support to many.

I understand that SkillsCompétences Canada is among the list of exhibitors in the 2022 education, career, and volunteer expo, as it returns in person. They will be in attendance along with representatives from a number of local organizations, businesses, and I understand a number of colleges and universities. That should be a great opportunity for those looking at education and career options.

I want to congratulate all participants in this year's territorial skills and Skills Canada national competitions, and a big congratulations to Lucas Henderson and Connor Kaszycki for the wins at the national competition. Thank you to all our red seal and other fully certified tradespeople, apprentices, and all those with dreams and aspirations to find careers in trades and tech.

Applause

Ms. White: As a tradesperson, it is a pleasure to stand on behalf of the Yukon NDP caucus in celebration of this year's National Skilled Trade and Technology Week.

The world as we know it wouldn't exist without tradespeople. Over the next five years, Canada will need over 256,000 new apprentices to meet the growing demand for skilled trades in the country. With no less than 56 recognized trades in Canada, there is a trade for anyone who is interested

and excited about this kind of work. Trades are a rewarding way to earn a living, and you get to see your skills truly make something happen.

Yukon has made leaps and bounds in the arena of skilled trades and technology since I was young. Organizations like Skills Canada Yukon and Yukon Women in Trades and Technology have sprouted, grown, and expanded. Through their outreach and hands-on approach, they are opening doors for Yukon youth toward exciting careers. Looking back at the past year, even with dealing with the effects of a global pandemic, Skills Canada Yukon delivered over 100 workshops to Yukon youth, either via virtual methods or in person, and distributed countless DIY kits across the territory.

This coming year promises to be a big one for Skills Canada as they celebrate 25 years in the territory. YWITT had another successful year with both their power program for youth and their adult programming. All of this hard work to get folks interested in the trades can even continue right here at Yukon University, where they offer classes for seven ticketed trades and a handful of other trades-related courses.

In Canada's current and future economy, the skilled trades are going to matter more than ever, so let's do our part to support the tradespeople of tomorrow.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under Tabling Returns and Documents, the Chair has for tabling the 2021-22 annual report of the Yukon Child and Youth Advocate Office, entitled *Upping Your Game on Children's Rights*.

Are there any further returns or documents for tabling?

Hon. Ms. McLean: I have for tabling today three legislative returns from questions brought forward by opposition members.

Mr. Istchenko: I have for tabling a letter from the Wilderness Tourism Association of the Yukon, dated October 24. It is to the Minister of Tourism and Culture and the Minister of Environment, referencing the *Animal Protection and Control Act*.

Speaker: Are there any reports of committees? Petitions.

PETITIONS

Petition No. 15 — received

Clerk: Mr. Speaker and honourable members of the Assembly, I have had the honour to review a petition, being Petition No. 15 of the First Session of the 35th Legislative Assembly, as presented by the Member for Whitehorse Centre on November 1, 2022.

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

Speaker: Accordingly, I declare Petition No. 15 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. 15 shall be provided on or before November 15, 2022.

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Minister of Health and Social Services to make public the criteria that will be used to assess and prioritize people who apply to be a patient at the government's new Constellation Health Centre so that Yukoners can better understand whether it is worth their time to apply to be a patient.

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

THAT this House urges the Government of Canada to remove the GST on home heating fuel, residential electricity bills, and freight bills for the transportation of essential goods and services.

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

THAT it is the opinion of this House that education workers in Ontario should retain their right to strike.

I also give notice of the following motion:

THAT this House supports the repeal of section 43 of the *Criminal Code of Canada*.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Patient journey mapping

Hon. Ms. McPhee: Thank you, Mr. Speaker.

I rise today on behalf of the Yukon Liberal government to speak about a new program to help improve Yukon's health care system. Since declaring the substance use health emergency in January, Mental Wellness and Substance Use Services has been using patient journey mapping as part of our outreach efforts with Yukoners who use substances.

Journey mapping tracks an individual's health care interactions and gathers helpful feedback about how they are experiencing care.

When someone is willing to share their experience, they meet with two Mental Wellness and Substance Use Services team members. The individual describes their experiences connecting services, as well as their detailed thoughts, emotions, perceptions, and any suggestions for improvements. Details of the experience are shared with a program analyst who creates a one-page visual representation of the journey.

This visual map indicates how a person's journey has been and quickly shows how services and communication can be improved for them and for others. Through patient journey maps, we have identified that clients were sometimes unable to access services at key times and that, at times, they felt staff should have been more responsive to their needs. We have heard that patients feel empowered, that they are grateful to be able to provide such direct, meaningful feedback, and that they found the journey-mapping process very rewarding.

Journey mapping gives health care providers a detailed, honest look at an individual's experience and point of view, as they seek, receive, and continue their care. Journey maps can show where patients have gone for help, what interactions and care they have received, and where they have experienced barriers or gaps.

Journey maps can also show where patients' interactions with providers were positive and supportive. Journey mapping provides a voice for Yukoners who access health care services so that together we can identify opportunities for improvement and find solutions for issues.

One of the most important aspects of these journey maps is to highlight where communication between service providers can be improved. They cover all stages of the health care journey from awareness of symptoms, or a need for care, to the consideration of options, diagnosis, treatment, post-treatment, and recovery processes. Particularly for Yukoners who use substances and seek support, journey mapping shows the interconnectedness of different departments, services, and supports and, of course, other governments, non-governmental organizations, communities, and families.

An increased understanding of how Yukoners access services from different departments, facilities, and organizations helps us develop a more seamless experience for people who use substances. We will use this information to deliver more personal, improved experiences and increase overall satisfaction for patients and health care providers alike.

Thank you to those who have shared their stories with our team, and thank you to our dedicated service providers for conducting this important outreach and engagement with Yukoners.

Mr. Cathers: While we are pleased to hear that this specific program is having some success, we continue to hear concerns from people across the Yukon about challenges getting access to mental health support and addictions treatment. Since declaring a substance use emergency in January, we have seen a troubling lack of action by this government in doing something that should be a high priority: expanding addictions treatment programs, including increasing the capacity of addictions treatment, making addictions treatment and mental health programming more available in communities, and improving after-care.

We hope to see the government take action to expand both mental health programming and addictions treatment services to help Yukoners who need the support to break free of any substance addictions that they have, overcome mental health challenges, and live happy and healthy lives.

Ms. Blake: Patient journey mapping is critical to providing quality mental health care to Yukoners. I want to thank the people who are working on the ground to close major gaps in the health care system with this project. I am hopeful that this means the Yukoners who have the courage to ask for help will get the care they need, instead of navigating a patchwork system alone.

Unfortunately, many Yukoners continue to fall through the cracks in our health care system. In every role I have worked in, I have seen how the current patchwork system has left people behind. People without family doctors are left to wait for hours in the ER for basic mental health care. They don't get the safety and comfort of having a relationship with one provider. Instead, they see a rotating list of different doctors every visit. For people in communities, access to care is even worse. When they seek help at the health centres, they are often sent to Whitehorse to go to the ER, only to be discharged with no plan in place. Then they are told to return to their community, where they continue to suffer. I have seen the cycle repeat itself many times over.

Just last year, a Yukoner wrote in *The Globe and Mail* about going to the ER in Whitehorse when they were in crisis, and instead of getting help, they were dangerously medicated and discharged into the cold, with no socks and no way to get home. These are real experiences that we have heard directly from Yukoners. Patient mapping is a real opportunity for the government's Mental Wellness and Substance Use centre to work with the Hospital Corporation and community health centres to address the gaps that I have shared.

What plans does the minister have to increase mental health services through the Dawson City and Watson Lake hospitals? Communities have highlighted the need for more mental health nurses practising in their communities. Does the minister plan to act on these calls and hire more mental health nurses? What work is the minister doing with the non-insured health benefits program to ensure that barriers to access, like costs, are removed for Yukoners who need mental health care? Can the minister tell Yukoners how her government is working with Yukon First Nations and communities on this project? Only when this government sits down at the table with all of these partners will Yukoners get the quality of mental health care they deserve. I look forward to the minister's response. Mahsi'.

Hon. Ms. McPhee: I certainly want to make it clear — I will address some of the questions that have been brought up by the opposition, but I am here today to hold up this amazing new program and the skilled experts who do this work with those of lived experience and help us change and improve Yukon's health care system in that way. Our government is taking action to respond to the substance use health emergency absolutely every day.

Just yesterday, we announced a new joint initiative with the Yukon RCMP to launch Car 867. Car 867 will be staffed by a police officer and a mental health nurse from the Yukon government's Mental Wellness and Substance Use Services

unit and will respond to calls for service related to mental health issues and suicide risks. By integrating police response and trained mental health nurses, we will be able to better respond to urgent situations and lead to better outcomes for everyone involved.

We have held two mental wellness summits to connect with community health partners and Yukoners across the territory to align our work to increase harm-reduction initiatives, to promote well-being, and to save lives. We absolutely need to work together at all levels across the territory and beyond to address this emergency. At those summits, we have talked about our ongoing work to expand safer supply of opioids here in the territory, including communities outside of Whitehorse.

Another one of the many initiatives that is saving lives and helping Yukoners who are struggling with substance use is the supervised consumption site. A new room was added to the facility in May of this year to support inhalation. The site can now offer inhalation, oral, intranasal, and injection methods of consumption, one of only three such sites in the country. The Yukon supervised consumption site is one of the first indoor facilities in Canada to support inhalation as a way to help reduce harm among people who use drugs. As I have said, it's only one of three in Canada to offer indoor inhalation as a method of consumption.

We have taken the most progressive steps in the history of the territory to advance harm-reduction approaches. We continue to work with our partners at all levels to continue this absolutely vital work. I want to thank our Mental Wellness and Substance Use Services staff, physicians, hospital staff, community members, as well First Nation, municipal, and federal partners that are all working with us to address the substance use health emergency here in the territory.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Atlin hydro expansion project

Mr. Hassard: The territory is in an energy crisis, and the Liberals have staked Yukon's energy future on the Atlin hydro expansion project. In 2019, the Yukon Energy Corporation conducted a study that estimated the cost of this project at \$120.7 million. In the corporation's 10-year energy strategy from 2020, that projected cost had increased to \$131 million. Then, in December 2020, the corporation told this Legislature that the cost had increased to \$200 million. Finally, the minister told this House last week that the cost had now skyrocketed to \$315 million. So, in short, this project has gone \$194 million over its original budget in just three years.

So, Mr. Speaker, why is this project so far overbudget?

Hon. Mr. Streicker: Well, I'll be sure to ask the Tlingit Homeland Energy Limited Partnership, which is the First Nation development corporation that is working on this project, about those costs. I appreciate that costs have gone up. They have everywhere around the country. This is still a good project. I think that it's before the Yukon Utilities Board right

now for the energy purchase agreement. I'm sorry to hear that the Yukon Party doesn't support Atlin hydro.

I will be sure to ask the Tlingit Homeland Energy Limited Partnership about their costs and why they have risen. Overall, I think that it is just inflation due to infrastructure projects. But I will say that I still believe this is an incredibly important project for the Yukon, and I would like to thank the Government of Canada, the Government of British Columbia — and on behalf of the Yukon government — for their investment in this project.

Mr. Hassard: So, Mr. Speaker, a project that started out with an estimated cost of \$120.7 million three years ago is now estimated at \$315 million today — nearly two and a half times its original cost in just three years. That's \$194 million overbudget, Mr. Speaker.

So, can the minister responsible for this mess tell us if he is concerned with the trajectory of this project?

Hon. Mr. Streicker: I'm disappointed to hear the members opposite refer to the First Nation-led project as a "mess". I think that's not something that I would like to say to them. They are welcome, of course, to talk to the Taku River Tlingit and say that they don't believe in this project. We do. We think that it is a solid project; it's going to provide energy for Yukoners at about 14 cents a kilowatt hour — a little under — and that's winter energy. That's a very good project for us. I think it's a strong project, and I'm happy that we're investing in it.

I am happy to say that the federal government is also investing — and the British Columbia government. We think that this is a good project for energy for the Yukon, and it's much, much better than the Yukon Party's plan to build an LNG plant for the Yukon.

Mr. Hassard: So, here is what we know. The project is going to cost almost \$200 million more than the Liberals originally told Yukoners, so the next question is: Where is the money coming from?

The latest publicly available information indicates that, between the federal government, the Canada Infrastructure Bank, and governments of Yukon and BC, the project is still not fully funded, years after it was announced. In fact, even with all the funding partners, there is still a \$133-million gap — what has been committed and what the new price tag is.

Can the minister tell us where the \$133 million is going to come from?

Hon. Mr. Streicker: There is a funding gap, and as I rose to speak to this subject in Committee of the Whole — I will check the record, but I'm pretty sure that I said it was \$60 million — the gap that exists. The members opposite are inflating that price by more than double — that's proven unreliable by the Yukon Party.

This work is a very good project for the Yukon, and we will continue to support the First Nation of the Taku River Tlingit and also their partnership with the Carcross/Tagish First Nation. We believe that this is good, to invest in renewable energy. The members opposite would have us investing in fossil fuels, the price of which is also going up.

Question re: Atlin hydro expansion project

Mr. Kent: The Liberals have staked our energy future on the Atlin hydro project and, as we have just heard, that project is now ridiculously overbudget. Not only that, but the project doesn't even have all the necessary funding, and it sounds like the Liberals have no clue where all the extra money is coming from.

What makes this more concerning are the comments made to the Legislature by the president of the Yukon Energy Corporation about this government's plans to deal with the energy crisis facing our territory. He said — and I'll quote: "I think our plan A right now is very much focused on making these projects happen, which again boils down to ... with Atlin securing the required funding."

So, Mr. Speaker, since the Liberals have so far failed with plan A, what is their plan B?

Hon. Mr. Streicker: The Atlin project is a very important project. I appreciate the member quoting the president of the Yukon Development Corporation and Yukon Energy Corporation when they were here. Just a reminder, Mr. Speaker, that it was the Yukon Party that decided to say no to having those same witnesses appear here this spring and said, "No, thank you. We don't want to hear from them."

Well, I'm glad that they are interested now. I'm also glad that they are taking an interest in the Atlin project, although I'm very concerned that they have called it "ridiculously overbudget" and a "mess." This project is being led by the Taku River Tlingit First Nation. My work with the Taku River Tlingit First Nation has been very productive, very professional. I think that they have got a great project. It's a brownfield project. It's going to supply us winter energy. We are working to secure the funding. We are supporting them in securing that funding. We will continue to do that good work on behalf of Yukoners.

Mr. Kent: So, let's move on to the timelines. The electricity purchase agreement for the Atlin hydro project indicates that completion and commercial operation of the project is set for October 2024. Considering that the project is way overbudget and still underfunded by over \$100 million, can the minister confirm if the project will be completed on time?

Hon. Mr. Streicker: You know, I'm not sure — I stood a moment ago and I said that the funding gap was \$60 million. I said that in the last week or so, and yet the member opposite just — again, proven unreliable — exaggerated and inflated the cost here in the House by 66-and-two-thirds percent. It's not appropriate. We should be talking about the facts as being presented.

I think that it is also important to note that the energy purchase agreement that's before the Yukon Utilities Board is to purchase this electricity at 13.7 cents per kilowatt hour. That is incredibly affordable for Yukoners. That's what we are working to do to make sure that life is affordable for Yukoners. That's important work. We will continue to invest in this project.

Mr. Kent: So, the funding was based on what we have publicly available for us, and the timelines were set out in the

electricity purchase agreement. The minister didn't answer whether or not the project will be completed on time.

Let's sum up the Liberal government's plan A for the territory's energy future: It's overbudget, it's underfunded, and it's late. This does not really inspire confidence. According to the electricity purchase agreement, the Yukon government had to give notice by June 14 of this year that they were satisfied with the financial viability of the project.

Can the minister responsible confirm whether or not he is satisfied with the financial viability of this project?

Hon. Mr. Streicker: If we are talking about information publicly available, how about Hansard? I stood in this Legislature and I gave the response of the funding gap being \$60 million. Obviously, the members opposite are not willing to believe me — that's fine. We invited the Development Corporation and the Energy Corporation folks to come in. They declined to have that in.

The information that I have is that the project is on track for 2024. There is still work going on to get it there. The lead of the project is our First Nation whose traditional territory comes into the Yukon. We think this is an excellent opportunity for First Nations to invest in energy infrastructure, which will give great advantage to the Yukon. Certainly, we are behind this project.

Question re: Yukon nominee program

Ms. White: On a day when everyone has stood to recognize the importance of local business, let's talk about how we can better support those very same businesses. Across Canada, businesses are experiencing some of the worst staffing shortages the country has ever seen. In the Yukon, small businesses have been halting plans for expansion, reducing hours, and, in some cases, closing their doors altogether.

One avenue small businesses have is the Yukon nominee program. This allows them to broaden their search for staff, sponsoring non-citizens to work in the Yukon so they can lend us their skills and knowledge and help our economy grow.

Will the minister tell us how many applications are currently open under the Yukon nominee program, the average wait time for processing, and how many Yukon businesses have identified a need to use this program?

Hon. Mr. Pillai: Thank you to the Leader of the Third Party for bringing an important issue to the Legislative Assembly today. Again, I want to thank the members from the immigration unit in the Department of Economic Development. They have been key drivers in ensuring that we have a lot of new folks who have made our territory a culturally richer place to live, but also have been key in ensuring that this economy — which, of course, has been leading the nation over the last number of years — continues to move forward.

Yes, we have had a series of challenges when it comes to some of our processing times. I think that it is important to say that the team within the immigration unit has done an extraordinary job of making sure that they process applications, but there is another step, and the next step of that is that it goes to the federal government — to the department, IRCC, which is Immigration, Refugees and Citizenship Canada.

So, at this point in time — I believe, but I will come back to the House if the numbers are incorrect — I think that we had 250 applications that we were waiting — and this has been a challenge across the country, both provincially and territorially — on getting those approved. It is that backlog that happened throughout the last two years of COVID at the federal level. So, again, I think that it is at 250, and I will do my best to answer the other questions for number 2 and number 3.

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

So, I know lots of people who have come to the Yukon through the nominee program. Many of them have gone on to be entrepreneurs themselves and sponsored their own employees. Folks who have come through the nominee program are important members of our community, especially when they decide to stay. Unfortunately, businesses need staff now, but sponsoring workers can be needlessly complicated, and every sole mistake adds time onto the process. Immigration is currently experiencing huge backlogs, and as it is with so many government programs, the smallest mistake in the application form can end in even longer delays.

Will the minister tell us how this government is supporting businesses through the application process for the Yukon nominee program?

Hon. Mr. Pillai: Just a bit of background information — again, the immigration unit continues to monitor all of our current nominees, and that is a question that we have had, and it really just highlights — the question from the NDP previously — and it really has to do with agreements that we have in place with businesses — the tripartite agreements.

So, I think that it is important to just focus on the fact that we have existing nominees who are here. We have been using all of our allotments. We are up to 300 in this past year — just over 300 — and we continue to monitor, but at the same time, when businesses come to us — and I know that members of the Third Party have reached out to me on occasion, as well as the Official Opposition. The team at Economic Development are extremely active in helping businesses, and so when we see somebody who is interested in using the nominee program, we try to make sure that staff reach out. They sit down with those individuals, and they help them through that process.

Yes, there is documentation and paperwork that has to be undertaken. We have to ensure that the workers who are coming here are treated respectfully and that they are well looked after. Again, I think the team does a very good job in that work. Unless there has been something I have missed, I think that the Department of Economic Development has always been there to help businesses go through these types of applications and processes.

Ms. White: What we believe is that there really is an opportunity to do more. We have been hearing from Yukon business owners who are in the process of sponsoring nominees, but they have been having a difficult time navigating the process. Timelines are already months long, and let's face it, most business owners are not immigration specialists. The Yukon depends on these businesses, and the businesses depend on staff.

The application process for any type of immigration is complex and can have real consequences for both the business and the person who is being sponsored. One thing that we have been told is that small businesses currently don't feel supported through the process. We understand that there are good people in the department trying to help businesses navigate the system, but what folks applying for these programs really want and need is hands-on help with the paperwork.

Will the minister open a position within his department to help businesses by giving direct, hands-on support filling in the complex paperwork that comes with a nominee application?

Hon. Mr. Pillai: Look, when we are thinking about immigration and these processes, first of all, we are very forward-looking. We are understanding; we are seeing the trend of where we are in the labour market. This government has always been solutions-based, so yes, if there is a challenge, we go back and we take a look at that, and we have a track record of being able to do this type of work. Of course, this is how we operate, and that's how, specifically our team at Economic Development, has always operated, but let's just put a couple of facts on the table.

At this particular time, we have used all of our allotments for this year. It's just over 300, and we don't find out in the Yukon — or the PTs, the provinces and territories — their new allotment numbers until the first quarter of 2023. We will have to wait to hear, and that is something that the Yukon was very vocal about and was a leader at the table with all ministers across this country earlier this year. I commend our staff for getting ready for the intervention that we did.

If there is a particular case and people feel that they are unsupported, then please send them our way. There are private sector folks and consultants across the Yukon who also do this work. They help private sector businesses, so there is that avenue for some folks, if they need extra help. I think our team has done a great job. Just like in the past, if there are businesses that are having challenges, please let us know, and we will make sure we reach out to give them the proper supports.

Question re: Big Creek bridge replacement

Ms. McLeod: I have some questions about bridge infrastructure in my riding for the Minister of Highways and Public Works.

The Big Creek bridge is well past the time it should have been completed by. Travellers on the highway continue to utilize the old original bridge. So, can the minister provide an update for Yukoners as to why the new Big Creek bridge is not complete and whether or not the significant delay has cost the project to go overbudget?

Hon. Mr. Clarke: The Big Creek bridge, as the member opposite indicated, is nearing the end of its useful life and needs to be replaced. The bridge is located approximately 65 kilometres west of Watson Lake on the Alaska Highway and is an important part of the Yukon's transportation network. The replacement bridge is currently under construction beside the existing bridge. I can also advise that when I travelled to Watson Lake in the late spring, I did see the new bridge under construction.

During our inspections of the new bridge, there were, in fact, some defects found on the new structure. We are working with the contractor to do an assessment of the new bridge and resolve any issues in a timely manner.

Ms. McLeod: This project was slated to be completed over a year ago, but once again, we see delays in getting this infrastructure completed. We have heard that the delay or the problem, that the minister perhaps referenced today, was that the concrete did not pass inspection and is therefore unusable. So, can the minister inform Yukoners if, in fact, this is true and tell this House if the new structure needs to come down before it's even used, and finally, who will be paying for this?

Hon. Mr. Clarke: Thank you for the question from the member opposite. As the member opposite did indicate, the Yukon government released a tender for the replacement of the Big Creek bridge in 2020. The contract was awarded and work began shortly thereafter. It is true that, during the inspection of the newly constructed bridge, some deficiencies were identified that warranted more investigation.

To better understand how these deficiencies might impact the structure, we are working with the contractor to do a full assessment of the bridge. The assessment will provide details of what additional work the contractor may have to perform to allow the bridge to be used by traffic. The rectification of the deficiencies is the responsibility of the contractor, and at this time, the contract has been extended for one year, with no additional funds currently added to the contract to complete the work.

Question re: École Whitehorse Elementary School replacement

Mr. Kent: Yesterday, in response to questions raised by the Member for Whitehorse Centre about the future of École Whitehorse Elementary, the Minister of Education said the following — and I will quote: "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..."

As we are now into November, can the minister let us know when the fall engagement that she referenced yesterday will take place?

Hon. Ms. McLean: I am happy to rise today to talk about the long-term capital planning for Whitehorse school replacements and other capital types of projects.

In addition to the Whistle Bend, Burwash Landing, and École Whitehorse Elementary school replacement projects, we are excited to develop a long-term capital plan for addressing aging infrastructure in Whitehorse schools. We absolutely need to meet the demands and requirements of modernized learning environments for our growing population in Whitehorse. Engagement with the broader Whitehorse community and partners is planned, yes, for this fall to determine a long-term plan for replacing and renovating aging Whitehorse schools. We want to hear from the public — as I said yesterday — and the school communities to better understand their user experiences with the school facilities and how to better reflect Yukon's K to 12 programming needs. We will be working

closely with the Chiefs Committee on Education, as well, and the First Nation School Board to begin conversations about all the infrastructure and those related to the schools that are in their operation.

Speaker: Order.

Mr. Kent: What I was hoping to hear from the minister is when exactly that fall engagement is scheduled for. As I mentioned, we are into November now, and fall is quickly running out.

As my colleague from Whitehorse Centre also mentioned yesterday, there is a lot of interest in what is going to happen with the current École Whitehorse Elementary School, so can the minister tell us what the government's plans are for the building? Will it be torn down, and if so, what is the plan for that lot?

Hon. Ms. McLean: I am happy to rise again today to talk about the replacement of École Whitehorse Elementary School. The school was originally built in the 1950s and is a top priority for replacement, among other Whitehorse schools. The current facility is not able to keep pace with current or future programming and community needs, including access to spaces for innovative, inclusive, and experiential learning. The Takhini land reserve has been identified as a central location that can accommodate this important new Whitehorse school.

As I stated yesterday, as well, a project advisory committee has been established, and they have started meeting. Again, we'll be working with all of our partners around the planning of this incredibly important new facility. There have been no plans put in place as of yet for the existing building.

Mr. Kent: So, I just wanted to repeat the questions that I asked today that I didn't get a response to.

When exactly is that fall engagement scheduled for? Can the minister also tell us what the government's plans are for the current Whitehorse Elementary School building? Will it be torn down, and if so, what is the plan for that lot?

Hon. Ms. McLean: We are in the process of working through the details of what that engagement will look like, but I can assure Yukoners that we'll be working with all of our partners. There are many educational partners. There are several school communities that I have committed to working with on this engagement and new partners that I'm really happy to be able to talk about today around the Yukon First Nation School Board and the Chiefs Committee on Education. This will be broad consultation.

I have committed to continuing conversations and feeding the information that I've heard from the downtown residents. I'm looking forward to also replying to the petition that was tabled here and accepted today by yourself. I'm looking forward to the consultation. I think these are exciting times, again, Mr. Speaker. This is about good government investing in school infrastructure, and that's something we're very proud of — that we are building schools in the Yukon to meet the modern learning needs of our students.

Question re: Psychology profession regulation

Ms. Clarke: In March, I asked the minister about why it has taken so long to develop a regulatory framework for

psychology in the Yukon. At that time, the minister said that psychology was one of many medical professions that are being considered in a broader health professions modernization project. While I appreciate that this is an important project, there are many in the psychology field who would like to see something in the meantime.

Can the minister tell us if the government has considered any measures to act as a stop-gap? If so, what are they?

Hon. Mr. Mostyn: The Yukon has declared a substance use health emergency, highlighting the importance for Yukoners to receive access to quality mental health services. Since we now know that improving the way in which health professions are currently regulated under the *Health Professions Act* — this is a multi-year project, and we are moving ahead with regulating psychologists in the interim. We look forward to working with the psychologists in the territory as work progresses to regulate the profession in the Yukon.

I understand how important this is. I actually met with the psychologists last Friday. We had a very productive meeting. I heard their concerns, and I have certainly heard them before. I am working as closely with them as I can to bring a resolution to this issue in the territory.

Ms. Clarke: In the spring, I suggested that the minister should consider the approach taken in the other two territories, which was an MOU with a provincial regulator. At that time, the minister told the Legislature that this was not possible.

Can the minister explain why the regulatory framework used in the NWT and Nunavut is not possible here in the Yukon?

Hon. Mr. Mostyn: Well, the regulation of health professionals helps Yukoners receive services from competent professionals who practise according to the high standards and ethics of their profession. It provides Yukoners with clear means and processes for dealing with complaints and disciplinary issues, should they require additional supports to resolve issues with a health care provider. We are working on a comprehensive review of the *Health Professions Act*, which will support enhanced standards of safety of health care for Yukoners by improving consistency in licensing, services to professionals, complaint processes, and overall efficiencies for the regulatory system.

As I said in my previous answer, I had a great meeting with the psychologists. The member opposite has brought forward a suggestion that has come before. We looked at it from a legal point of view: It was that the solution that was found in the NWT and Nunavut was not possible under the legislation we have in the territory.

It also, as I am told, contravened the *Canadian Free Trade Agreement*, so are looking at other options to make sure that these health professionals have a regulation as some way to provide some security and some confidence in their profession here in the territory.

Ms. Clarke: Last year, when I asked when this new regulatory framework would be put in place, the minister said that it was long overdue. While he did commit to advancing this regulatory framework, he did not give a clear indication of timing. Obviously, we would like to see this advance

immediately. Can the minister tell us when Yukoners can expect a regulatory framework for psychology?

Hon. Mr. Mostyn: As I said, I had a great meeting with the psychologists just last week. I heard their concerns. I have heard their concerns in the past, just as has the member opposite. We are working as quickly as we can to come up with a solution that will provide certainty for Yukoners who are seeking psychological help in the territory that those psychologists are professionals and are regulated. We are working that through right now with the department. I have had a meeting with them just on Friday afternoon, after meeting with the psychologists. I am going to continue to work on this file to make sure that Yukoners can have confidence in the medical professionals they seek in the territory and that the medical professionals can hold their heads high that they are working in a territory that actually takes their services seriously.

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

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 448

Clerk: Motion No. 448, standing in the name of the Hon. Ms. McPhee.

Speaker: It has been moved by the Minister of Health and Social Services:

THAT it is the opinion of this House that reproductive healthcare 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.

Hon. Ms. McPhee: I am very pleased to bring this motion for debate today. Abortion rights are human rights. Period.

Access to abortion is a necessary part of health care. There is nothing “pro-life” about those who oppose it. Everyone has the right to safety and bodily autonomy. Mr. Speaker, the only people who should be making decisions about pregnant bodies are the people who are pregnant. I am truly proud to be part of this Yukon Liberal government, which has always recognized reproductive care as essential for those who need it. Our members and staff were also proud to attend the *Roe v. Wade*: Feel Your Feels rally at Rotary Park on June 30 of this year that was presented at that time by the Victoria Faulkner Women’s Centre.

I think that this is an extremely topical issue and that is why I have asked that we bring it forward today. As we continue to see and feel the horrific and heartbreaking impacts of what is happening in the United States after the *Roe v. Wade* decision was overturned earlier this year, we know that we must keep up this conversation; we must keep it going. We must keep the conversation about abortion going. It is all of our responsibility.

We cannot get complacent about this issue. Sometimes this issue — discussing it — might be uncomfortable, but we must keep saying the word “abortion”. It is a right that must be protected.

I am going to speak a little bit about the fallout of this *Roe v. Wade* decision being overturned in the United States. I think that Canadians are feeling this in a way because the United States is such a close partner and ally of ours and we are close to them geographically and otherwise. We are culturally close to them. We see them sometimes as an older sibling, a bigger version of often the Canadian way of life, but I can say that this issue is clearly a wedge issue, and the change that we are seeing in the United States is seeping into conversations here in Canada. It is seeping into actions that are being taken by community members, and it is clearly a topical issue.

With a change in politics to a country that is so close to us, in numerous ways, we are seeing truly devastating change in access to abortion in the United States, and we must not think that we are that far removed from that situation. The decision to overturn *Roe v. Wade* was a politically charged decision, and it has impacted millions and millions of women and pregnant people.

I don’t know if any of us remember a situation or a single stroke of a pen — if I can describe it that way in the decision that came from the United States Supreme Court — that has affected so many people in an adverse way and so many people immediately. The world, Mr. Speaker, needs to stand up against the erosion of this human right. You have the human right to parent or not to parent. What happens when we force pregnant people to give birth, when we force parenthood on people? That’s traumatic, for one. It continues subjugation. It adversely affects mental health. It produces mental health challenges and intense pressures, not to mention issues of poverty, housing, and individual choice. There are few issues that have cut such a wide swath. It continues the barriers to ending poverty, and the list, Mr. Speaker, goes on and on. Let’s be clear: Women will die without access to this basic health care.

I’m going to turn for a moment to the history of abortion here in Canada — just some topical comments, not the full detail of the history. The National Abortion Federation of Canada reminds us all that, while abortion is legal here in Canada, Canada currently has no law regarding abortion. The law that existed in the *Criminal Code* in 1988 was struck from the *Criminal Code* following a 1988 Supreme Court of Canada decision that abortion law or that prohibition — that crime in the *Criminal Code* — was unconstitutional. The law was found to violate section 7 of the *Canadian Charter of Rights and Freedoms* because it infringed upon a woman’s right to “... life, liberty and security of the person”.

Mr. Speaker, Chief Justice Brian Dickson wrote in what may have been one of his absolutely all-encompassing quotations — although he wrote many. He wrote, as part of the decision in the Supreme Court of Canada striking down that provision of the *Criminal Code* — and I quote: “Forcing a woman, by threat of criminal sanction to carry a foetus to term unless she meets certain criteria unrelated to her own priorities

and aspirations, is a profound interference with a woman's body and thus a violation of her security of the person."

At that time, Canada became one of the small number of countries without a law restricting abortion. Abortion was now treated like any other medical procedure and was governed by provincial and territorial medical regulations. I will speak just a little bit about that later.

On a personal note, I was in law school in 1988 when this decision came down. There was much discussion about this issue at the time. There was much discussion about the Morgentaler case, which brought this matter before the Supreme Court of Canada, and Dr. Morgentaler's almost single-handed challenge, having spent many periods of time — some brief and some not so brief — in jail for having performed abortions and provided this medical procedure to women in Canada. He almost single-handedly brought an end to this unconstitutional law in the *Criminal Code of Canada*. In fact, his actions and this case left Canada as one of the small number of countries where abortion was treated like any other medical procedure.

In Canada, there are two options for abortions; there is surgical or medical. The cost of a surgical abortion is already fully covered by most provinces and territories. Accessibility is a separate issue. Accessibility to abortion is a responsibility of the provinces and the territories, and so access could be inconsistent for Canadians, depending on where they live.

We are very proud here in the Yukon to have the self-referral Opal Clinic here in Whitehorse. I will speak a little bit about that in a moment.

In 2018, the Yukon Liberal government expanded access to abortion services here in the territory by introducing universal coverage of the medication that is used for medical abortions. This has been helpful for our northern territory when it comes to equal access, and it reduced barriers for many. Offering such medication at no cost is one way that we, here in the Yukon, ensure that Yukoners are able to access the best possible care for their sexual and reproductive health.

Our territory needs to be on the record supporting the right of individuals to choose. Our territory needs to be verbal for the sake of everyone with ovaries and a uterus. They need our voice and our support, which is why we have brought this motion today. As I noted earlier, we cannot be complacent. It's incredibly important that Yukoners know that this right of theirs is protected by virtue of our actions here as a government, as leaders in this territory, and that we will continue to support and protect those rights.

Our territory needs to be clear that we do not take the overturning of *Roe v. Wade* lightly and that it has directly led to women dying. More pregnant people will continue to die because of this political decision in the United States. I feel very strongly that this is not a place for politics. This is about medical procedure, about medical decisions, and about an individual's right to care for their own health.

We have probably all read the articles and listened to stories shared that shatter your heart — stories about those suffering a miscarriage who were not cared for due to fear now or stories of young teenagers who are being forced to give birth

under the regimes that have changed their laws. Everyone has the right to have a healthy pregnancy, birth, and post-partum period. It is almost inconceivable to think that this is not happening wherever it is needed, especially in such an advanced country as the United States. Eighteen states have now banned some or all access to abortion. The United States has the highest maternal mortality rate among developed countries, according to the Commonwealth Fund, and headlines about the maternal mortality crisis continue to be all too common occurrences in a modern society — in a modern world — with medical advances that are almost too many to count.

Some may say, "Why is this an issue here in the Legislative Assembly in the Yukon?" It should be an issue everywhere that is concerned about health care, and I'm looking for support for this motion today, which I hope will be unanimous across this Legislative Assembly, to protect the rights of pregnant people and women who are seeking to make their own decisions about their own health care.

The federal Conservatives here in Canada have said they will not reopen the debate, but this is not leadership. This statement does not protect women in Canada. There could easily be private members' bills brought forward that attempt to end the rights of women in Canada with respect to their health care. This is terrifying, and this has happened. Again, we should not get complacent. There have been continued attempts to pass anti-choice legislation here in Canada between 2006 and 2015, and the conversation about abortion requires strong, accurate leadership advocating for the safety of all.

Here in the Yukon Territory and here in Whitehorse, we have the Opal Clinic that provides confidential care for medication abortions, surgical abortions, and miscarriages up to the 15th week of pregnancy. The clinic also provides IUD insertions by referral. You do not need a referral to get to the Opal Clinic or to attend there, but if you have seen a doctor or a nurse and had an ultrasound or blood test, the clinic would like to be updated about that.

People who live in Whitehorse can book an appointment by calling 867-393-6635. Individuals who live in Watson Lake or Dawson City can make an appointment with one of the doctors there to review their options. They can provide medication abortions, or you can be referred in those communities to the Opal Clinic. If you live in a community with a health centre — and there are many in the Yukon — you can see the nurse to confirm your pregnancy, and they can refer you to the Opal Clinic and help make travel arrangements. You also have the choice to refer yourself to the Opal Clinic by calling the Opal Clinic directly and booking your own appointment. Medical travel supports this kind of travel, should somebody need to come to the Opal Clinic directly.

The Opal Clinic provides two procedures at the Whitehorse General Hospital: an aspiration, or sometimes called a "surgical abortion", from six weeks to the 15 weeks plus three days of pregnancy, and a medication abortion from six to nine weeks of pregnancy. Those are as a result of medical decisions for individuals, and generally the weeks of pregnancy are noted to be appropriate for that medical service and procedure.

The Opal Clinic is an inclusive clinic that will treat you with respect, understanding, and expert care. The clinic's services are available to people of all sexual orientations and gender identities. Non-judgmental counselling is provided to all pregnant people on the day of their consultation.

In addition, the Opal Clinic has some amazing resources online, including a link to the pregnancy options website, with a workbook to help pregnant people examine their concerns and their options. They even have resources linked for those with spiritual concerns, pointing to helpful discussions that are taking place at the Catholics for Choice or the Religious Coalition for Reproductive Choice organizations here in Canada. The Opal Clinic website also has a pregnancy calculator to help people estimate the number of weeks that they may be pregnant, based on their last period.

We also have the benefit, here in the Yukon, of the Yukon Sexual Health Clinic. The Yukon Sexual Health Clinic is a private clinic that offers sexual and reproductive health services in the Yukon to people of all genders and sexual orientations. Again, you do not need a referral from another health care provider. You can contact the Yukon Sexual Health Clinic, which is located in the Whitehorse Medical Clinic at 406 Lambert Street. I happen to know that if you call the main number for the Whitehorse Medical Clinic, it will give you an option to contact, through their switchboard, the Yukon Sexual Health Clinic.

Women need to make their own decisions. In order to do this, there must be accessible and affordable medical care and those rights must be protected here in Canada.

I just want to review briefly the services that are available. I have described the Opal Clinic, but overall, I think that it is important to understand the services that are available and covered by our Yukon health care insurance plan here in the territory. In the Yukon, pregnancy termination options are available up to 15 weeks plus three days of pregnancy. For pregnancy over that threshold and up to 24 weeks, services are available through the British Columbia Women's Hospital. Currently, there are two types of pregnancy termination services available in the Yukon, as I've noted: therapeutic or surgical, and sometimes aspiration abortions; and medical or medication abortions. Both options are covered for Yukoners under the Yukon health care insurance plan.

Medication abortions are a combination of two medications that are used to provide a non-surgical option for early abortion from six to nine weeks of pregnancy. These services are available in Dawson City and Watson Lake and in Whitehorse, as I've noted, through the Opal Clinic.

Surgical abortion — also known as “aspiration” or sometimes colloquially called a “D and C” — procedures are performed in Whitehorse from six weeks to 15 weeks plus three days of pregnancy. This is a surgical procedure performed only through the Opal Clinic at the Whitehorse General Hospital.

If a pregnancy is over 15 weeks plus three days and up to 24 weeks, patients are able to travel to Vancouver to the BC Women's Hospital and have a procedure there. And that procedure is covered by Yukon health care insurance plan or by perhaps the non-insured health benefits with a referral.

Mr. Speaker, the Government of Yukon is committed to supporting Yukoners in creating their own reproductive care plans and expanding access to reproductive and gender-affirming care — something that we have talked about here in this Legislative Assembly. We are committed to making sure that Yukoners have access to the health care services they need, and that includes, on occasion, an abortion. We are working to support Yukoners to access reproductive care services by removing barriers to accessing things like fertility treatments, birth control, and period products.

I won't go into too many of those details, but we are very proud to have released the LGBTQ2S+ *Inclusion Action Plan* back in July 2021 and are implementing the recommendations of the *Putting People First* report — again, all with the concept and goal of providing better health care services for Yukoners.

We continue to work with stakeholders and partners, including the federal government, our health care providers, the Yukon Medical Association, the Yukon Registered Nurses Association, and Yukon First Nations to implement all of these initiatives to expand and improve Yukoners' health care. This fiscal year, we are providing \$1.54 million to support sexual and reproductive health care at the Yukon Sexual Health Clinic and the Yukon Women's MidLife Health Clinic. The Yukon Sexual Health Clinic and the Yukon Women's MidLife Health Clinic are supported by two nurse practitioners.

The Yukon government and the Council of Yukon First Nations signed a \$100,000 contract transfer payment agreement in March 2022 to deliver period products to Yukon schools and other venues. These are just some of the other projects related to this care and the spectrum of care that we are working to provide for Yukoners.

This is not a difficult motion. It seeks that it is the opinion of the House that reproductive health care is essential to the health, the freedom, and the social and economic futures of women and girls. As part of that reproductive health care, it states that the right to an abortion in the Yukon and access to abortion services in the territory need to be protected. I seek and expect unanimous support for such an important piece of women's and pregnant people's health care here in the territory.

Thank you for the opportunity to present this motion.

Mr. Dixon: I am pleased to rise and speak to this motion. This motion is fairly straightforward regarding reproductive health care and we will support it. I support a woman's right to choose what happens to her body and to choose what type of reproductive health care is right for her. My view is that these matters are something that should be left to a woman and the medical professionals who support her. I agree with the motion that reproductive health care is essential to the social and economic futures of women and girls.

I should also note that I am not aware of any current pressing threat to the right to abortion or access to abortion in the Yukon. As far as I can tell, the majority of Yukoners are not interested in reopening this issue. I and the Yukon Party caucus will be voting in favour of this motion.

Ms. Tredger: I know that my colleague, the Member for Vuntut Gwitchin, has more that she wants to say on the topic, but I want to start by just adding some of my own thoughts.

It's an interesting time to be discussing this, because on the one hand, as the Leader of the Official Opposition mentioned, I don't know of any immediate threats to this issue in the Yukon, but that is certainly not the case worldwide. We are seeing a really extraordinary rollback of rights across the States, and that's terrifying for people — as it should be.

It's a really frightening time, to be honest, across the world. So, I'm actually really happy that we're going to be making this really clear statement — as a House, I hope — that this is important to the Yukon and, even as things change in a global context, it's important here, and it's important now.

I had a lot of people reach out to me — I guess it was in the summer, when things started to really heat up in Texas and in other places. I had a lot of people reach out to me. I think it really made people realize how precarious progress can be. I feel lucky that I have never been in a situation where I doubted that I had abortion access if I needed it, but that's not true for so many people across the world. I think I, like many other people, just realized how precarious that can be — how quickly things can change — and how important it is.

Something that I think people often don't realize when we're talking about abortion and debating the different term lengths — by the time conception happens, you're considered to be two weeks into your pregnancy. That really cuts off the time people have to make decisions, when there starts to be restrictions on when they can and can't make decisions. And as many people have said, I think this comes down to: This is a personal decision, this is a medical decision, and it should be left to the people who need to make it, and that's not us; that's the choice of an individual.

I think the other key piece we want to talk about in the Yukon is that it's not just about legal rights but practical rights. You know, the legal right to abortion doesn't mean a lot if you can't actually access one, and I think that's important when we start talking about access to medical care in the communities across the Yukon, as well as just in Whitehorse. So, I hope that's something that we're all keeping in mind as we think about: What does having this right look like in Canada, and what does having this right look like in the Yukon? It's meaningless without easy access, and I hope we're all considering that, as we make decisions that affect this territory.

I will wrap up my comments there. Thank you, Mr. Speaker.

Ms. Blake: I will start by stating that my colleagues and I firmly believe in the right to access free and safe abortion services. The Yukon NDP has always, and will continue to be, a champion for abortion and reproductive health rights.

When we speak about the right to abortion, we must also think about access. The right to abortion is only upheld when everyone is able to easily access abortion, no matter who they are or where they live or how much money they have. Unfortunately, Yukoners do not currently have equal access to abortion. Currently, there is only one abortion clinic in the

Yukon. The Opal Clinic, which is located at the Whitehorse General Hospital, provides both medication and aspiration abortions to anyone who is pregnant, up to 15 weeks. For folks who do live in Whitehorse, information about the Opal Clinic is not widely shared. While folks at the clinic work hard to provide this critical service to pregnant Yukoners, this government must do more to ensure that every Yukoner, with or without a family doctor, knows that they can access the Opal Clinic for an abortion.

For folks in communities, it is much more difficult to access abortions. If you live in Watson Lake or Dawson City, you can only access a medication abortion. If you live anywhere else, you have to go to your health centre, where a nurse is only able to provide a referral to the clinic in Whitehorse. This means that, if you want an abortion and you live in Old Crow, or Mayo, or Pelly Crossing, or Carmacks, or Faro, or Ross River, or Beaver Creek, or Burwash, or Destruction Bay, or Haines Junction, or Teslin, or Carcross, or anywhere else in the Yukon, you cannot get an abortion nearby. Instead, you have to find a ride, take time off work, lose wages, and spend money on accommodations to travel to Whitehorse for an abortion. We know that the current medical travel subsidy still does not come close to covering the real costs of medical travel.

Another critical part of reproductive rights is the right to contraception. Unfortunately, contraception is still expensive and difficult to access. Although this government is committed to subsidizing contraception, Yukoners are still having to pay hundreds and even thousands of dollars out of their own pockets for contraception.

After six years in power, this government has not made the move to make contraception free or even affordable for Yukoners. While we do have access to free, safe abortions by medical professionals in the Yukon, there are huge inequities that must be resolved. People who live in communities, people in poverty, and other marginalized people deserve quality reproductive health services just as much as any other Yukoner.

When it comes to the rolling back of rights in the United States, I think about women in the United States who are directly impacted, like the Gwich'in Nation, the Tlingit people, and White River First Nation citizens who access health services in Alaska.

It's important to remind ourselves as leaders in this House how many people connected to the Yukon are impacted by this decision today. I am hopeful that the Yukon will always be a safe and dignified place for people to access abortion and reproductive health services. We have a long way to go before stating that it has upheld the reproductive rights of Yukoners. Mahsi'.

Hon. Ms. McLean: I would like to thank my colleague, the Minister of Health and Social Services, for bringing this important motion forward, Motion No. 448. As a woman, as a mother, as an auntie, as the Minister responsible for the Women and Gender Equity Directorate, I firmly support this motion. Access to reproductive health care, including abortion, is intrinsic to equality, equity, and well-being. I know that, here

in Canada, there were 74,155 abortions performed in clinics and hospitals throughout the country in 2020, according to the Canadian Institute for Health Information. The decision to have an abortion is an emotional, physical, and, in some cases, a spiritual one. The loss of abortion rights in the US has brought forward renewed debate here in Canada. I believe that access to reproductive health care is essential to the health freedom and social and economic future for women, girls, and those able to reproduce.

In Canada, abortion has been legal since 1988. There is no law regarding abortion in this country because it is treated like any other medical procedure. Abortion in Canada is legal and publicly funded in all stages of pregnancy. Canada has taken a comprehensive approach to addressing sexual and reproductive health rights. In 2019, Canada made a 10-year commitment to reach an average of \$1.4 billion in funding each year by 2023 to support women's, children's, and adolescents' health around the world; \$700 million of this funding is dedicated to sexual and reproductive health and rights. Canada is scaling up investments in underfunded areas of reproductive health care and rights, including expanding access to safe abortions and post-abortion care, advancements for adolescents including comprehensive sexuality education, supporting family planning, and advocating for the prevention of sexual and gender-based violence.

However, access to abortion varies by jurisdiction, and we are not immune to challenges to this critical service. Here in Yukon, over this fiscal year, we are spending \$1.5 million to support sexual and reproductive health at the Yukon Sexual Health Clinic and the Yukon Women's MidLife Health Clinic. This funding is in addition to work of the Women and Gender Equity Directorate where this year's budget is over \$3.5 million, focusing on program delivery, public education, and policy research and development.

I am so thankful that Yukoners can access the quality care at the Opal Clinic in Whitehorse. This clinic offers a wide range of reproductive care services, including in-clinic and medication abortions, which can be provided by both self-referral or in collaboration with another health care provider. The clinic offers miscarriage management and has on-site nurse practitioners who can provide a range of supports, including counselling. There is also a First Nation support worker available if the client chooses. The operative word here is "choose". Choice should be the fundamental backbone of any reproductive health care. Having a choice saves lives. Having a choice and access eliminates the need for dangerous complications from unsafe abortions and can absolutely save lives, both literally and figuratively.

We know that, in developing countries and indeed here in Canada, abortion can save the life of a birthing person in medical distress. Having a choice could mean not suffering a life of trauma, stress, and ill mental health for someone who simply did not want, or was not ready, to have a child. Having a choice may mean the ability to end the cycle of poverty or addiction. Having a choice means having options, and options allow people to be their best selves and to pursue the life they want. A government has no right to make these choices. The

rapid decline of these rights south of the border is a reminder of the importance of continuing to stand up for these basic health care rights.

Here at home, the Yukon government is committed to ensuring access to reproductive care. Of course, reproductive care is not just about abortion. We also want to make sure that everyone can access fertility treatment, birth control, period products, and a wide range of other supports. I am proud of the work that we are doing to support the critical issue of access to abortion in the Yukon. Simply put, we cannot achieve gender equity if we do not have the right to choose.

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. I will take just a moment to address some of the facts presented by the Member for Vuntut Gwitchin that were not accurate information about birth control for individuals who have difficulty paying for that. There are some programs — benefits — to assist. Birth control is covered for social assistance recipients by income support services here in the territory.

Coverage for birth control is also currently available to someone who might be under the age of 18 and is enrolled in the children's drug and optical program, which is easy to do, and that program is available to lower income families with children 18 years of age and younger. There is also some funding provided directly to the Yukon Sexual Health Clinic to support lower income clients to receive birth control. So, if the Member for Vuntut Gwitchin knows of anyone who is in the stress of being unable to provide themselves or have the money to provide those services for individuals, I urge them to contact the Yukon Sexual Health Clinic or other programs that are available.

I understand, Mr. Speaker, from the comments from the opposition parties that they will support this motion. I am extremely pleased to hear that because it will allow us to speak as a Legislative Assembly with one voice to support the rights of women and girls here in the territory and to speak loudly about the fact that these rights should be protected for women and girls everywhere.

I look forward to the vote.

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.

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 No. 448 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): I will now call Committee of the Whole to order.

The matter 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 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 further general debate?

Mr. Cathers: Thank you, Madam Chair. I will be very brief in my comments before turning it over to the minister. I will just recap from the tail-end of yesterday. As the minister will recall, we were discussing section 41 of this legislation, and I was expressing some concern with the specific requirements under that section all being a “must”. I was having difficulty finding a section of the legislation that provided any

exception to the specific requirement to keep your animal confined to your property or vehicle and, secondly, the prohibition regarding an animal being on public property.

The minister at the time indicated that he was looking into it and acknowledged that there might be a typo or the need to add some language in there. I am just paraphrasing from what he said, which can be found on page 2512 of yesterday’s Blues, and I would just turn it over to the minister now and welcome anything he may have to say about this section of the act.

Hon. Mr. Clarke: Thank you for the opportunity to speak to Bill No. 20, entitled *Animal Protection and Control Act*, in the Chamber today. I would just like to introduce chief veterinary officer Mary Vanderkop, to my left, and Rebecca Veinott, to my right, who is a legislative drafter.

I will be brief in my responses, but I would acknowledge the points that the Member for Lake Laberge made yesterday with respect to section 41 of the *Animal Protection and Control Act*.

I can advise that I have directed the policy persons and, if necessary, the legislative drafters to review the section and am open to receiving advice to that about possible concerns that may arise coming from the comments made by the Member for Lake Laberge. I have advised the member opposite that we can proceed — what I propose we do is proceed with general debate in Committee of the Whole for Bill No. 20 this afternoon. If we do complete consideration of — if we complete general debate in Committee of the Whole, I will propose to rise and move progress, and then we could come back with line-by-line review on a later date, having had the opportunity to do the necessary homework in review of that section and be in a position to report back to the House.

So, that’s what I would propose. Of course, I’m in the hands of the House as to whether the members wish to do that at that time. I suppose what I’m doing is telegraphing that this is what I would propose to do at that point.

I believe I have a few minutes of specific response to some of the points the Member for Lake Laberge made at the end of the day yesterday with respect to — I have some answers on cat control, dog control, and horse control. So, I’ll provide those, and then we can continue with the afternoon.

We want to take this opportunity to emphasize that owners not only have the responsibility to care for but to control their domestic animals. This was a key concept and request we heard during our extensive consultation on the development of this legislation. To more directly answer the questions posed by the Member for Lake Laberge regarding cats and what the bill means when it refers to “under control”, cats, like all other domestic animals under the act, will need to be under the owner’s control. The significant issue, in particular with roaming cats, is to prevent the potential for cats to become feral. When cats are at large and have not been spayed or neutered, they reproduce at a rapid rate. When these populations are established, disease may be rampant, and they have a significant impact on prey species, like songbirds and rodents.

In one instance alone where feral cats were established in a Yukon community, the residents noticed a significant decline in the number of songbirds. Additionally, conservation officers

were called upon to respond to wolves near the community, which were attracted to the community by the population of feral cats. I would also like to emphasize that there is a welfare concern that a high percentage of feral kittens die from disease or starvation. We have a duty of care to domestic animals. This bill supports the values Yukoners expressed, and our level of care needs to meet their expectations, not only for the care of domestic animals, but their control.

With respect to dog control, we heard from the public that they wanted control to be defined so that it is not overly prescriptive — for instance, like requiring an owner to have their dog on a leash. As I indicated in my preliminary comments, further analysis of section 41 is to come. Fully recognizing that exercise and socialization are extremely important to the well-being of dogs, we want to have certainty that dogs can be off leash as long as they are under control. This includes being able to take your dog for a walk — leashed — on public property, like the research forest. It allows for the free running exercise of sled dogs that is critical for their welfare. Focusing the obligation of the owner to have their animal under control provides for this allowance.

In addition, there is an ongoing demand that officials have the authority to take custody of domestic animals that are at large, for example, packs of dogs roaming in communities, or livestock that needs to be reunited with their owners. It is important that we have this authority and are able to take custody of animals at large for the safety of the public and the safety of the animals.

Finally, briefly, with respect to horse control, the member opposite also raised a concern with respect to grazing horses owned by outfitters or wilderness tourism operators, which may be free-ranging. Control in these situations does not mean that the horses need to be confined by a fence, but as the member opposite identified, owners will often provide feed or hobble individual animals to keep the herd in proximity to their camp. This is exactly why the act is not prescriptive; requiring a horse to be confined by a fence of a prescribed height would not reflect Yukon realities.

The act allows for control by other animals that respect the practices of working animals. We understand the importance of working animals to these businesses. We appreciate the value that outfitting and wilderness tourism businesses contribute to the Yukon's economy. As I have said a number of times, we will continue to engage with them as the regulations are being developed.

Mr. Cathers: I do thank the minister for the commitment to look at section 41 and the acknowledgement that amendments may be appropriate to that area. I do appreciate him acknowledging that some of the concerns I had brought forward are indeed relevant related to this section. In speaking to the value of consultation with people who are affected by it, I note that the specific issue with that section is actually something that a constituent, who looked at the legislation, brought to my attention. It wasn't until it was raised with me that I looked at it again and went, "Oh, that actually is a valid point." I assumed that it was not the intention of the

government to prohibit animals being off property or on public property running loose, et cetera.

I just want to give that brief aside there. When talking about both the legislation and regulations, I think that there is a real value in consulting with people who are directly affected by it, because the reality is that, even if government has the best intentions, they simply don't know how it may apply to every individual person or business in the same way that those people do.

Some of the feedback that I have heard from the stakeholders — since this legislation was tabled, I have heard of specific activities related to their business that I was not aware of, so I would not have been in a position where I could have even passed those concerns on to the minister or others in government, because they know their businesses better than I do, better than the minister does, better than officials do, no matter how well-intentioned someone may be in drafting language that they think reflects the situation.

I want to move on to a couple of other areas here where I had questions related to the act. I'm just going to ask the minister again — on the topic of exercise and socialization that's reflected — I'm just going to find the correct section. There's a requirement under section 30 in part 4 of the act that requires an opportunity for exercise and socialization. It's under another section, where it says that the owner of an animal "must" — and it states that they have to provide that opportunity.

The question in that area is, as I mentioned before, that putting it in place as a legal requirement is something that has a legal effect. In the case of individual situations, such as I gave the example of earlier in debate, what does that mean if someone has just one dog or one horse, especially if they are in a remote area or themselves have mobility issues, for example, and may not be able to provide that animal with the opportunity to socialize with other animals, even if they wished to do so? That's a question and a concern, if this is put in place as a legal requirement.

If it's not clearly defined, then there is the risk, in my view, that someone could run afoul of this legislation due to a situation that is somewhat beyond their control. I would certainly hope it's not the intention of the government — I doubt, in fact, that it's the intention of the government — to make it a situation where someone has to have more than one dog, if they have a dog at all, or has to have more than one horse, if they have a horse or — the same for cats or any other species.

So, I just ask the minister to explain a bit what the intention of this is and explain, in answer to the concern about the risk of putting this in legislation, where are the exceptions to this that would prevent someone who owns one pet from running afoul of the law.

Hon. Mr. Clarke: I just had the opportunity confer with the chief veterinary officer on this. So, in the legislation, there are a few responses, but the requirement is for an opportunity for exercise and socialization and not a requirement for that. Perhaps that's a distinction without a difference, but I mean, it is not so prescriptive. Also, it's not that a horse or a dog has to

socialize with the same species; the legislation contemplates socialization broadly, which is meant to include humans or other animals. So, section 30(b) says: "... provide the following with respect to that animal in a manner that is appropriate to the age, species, and type of animal...", and then (iv) says: "... opportunity for exercise and socialization..." For example, an older dog would not be expected to exercise the same as a younger dog. The act requires owners to manage their animals in such a way that the animal does not injure or kill another animal or wildlife — sorry, that's not really an answer to the question. It is paramount that animals known to be aggressive are under control at all times, but the owner remains responsible to ensure that the animal has appropriate opportunities to meet basic needs and can exercise in a safe manner.

So, not prescriptive — other species are included with respect to socialization. As with most, if not all, elements of this act, engagement and education is paramount, and as I said a few times, that includes humans as contemplated within the concern about socialization.

Mr. Cathers: I do appreciate that clarification, and the minister's comments will hopefully guide future interpretations of this as well. I do appreciate his indication that this clause of section 30 regarding the opportunity for exercise and socialization — he indicates "socialization" is meant to not be limited to the species the animal is a member of, but also be broad enough to include people or other species.

That certainly does reduce the concern that I had in reading this section — since it should, with any pet or other animals, be a situation where someone could themselves spend time with that animal. In my view, it doesn't completely eliminate my concerns about the section or how it may be applied, including the definition of appropriate exercise and who determines that, but the fact that socialization does include, as the minister indicated, socialization with a member of another species and with people definitely minimizes the concern with that particular word in the clause.

Before I forget, the minister made mention, in talking about section 41 about outfitters' horses being in an area, and seemed to be indicating, if I heard him correctly, that it's not the government's intention to prevent an outfitter or other business owner from having horses in an area where they may be on public land and grazing or eating hay or both and may not be either fenced, tied, or hobbled. Could the minister just confirm that I understand him correctly with that?

Hon. Mr. Clarke: It does reflect the policy intent of the legislation, yes.

Mr. Cathers: Just to clarify this, because I have had this specific concern registered with me by people — so, it would be the situation then that the government's intention would be, if a horse is owned by an outfitter or another owner and were in an area on public land not fenced, not tied, and not hobbled, that as long as the animals were not doing something like causing a problem to wildlife or some other form of damage or had simply gone off and were completely beyond the outfitter's ability to get them back under control, the government's interpretation and their intention is that this would be considered a lawful activity.

Hon. Mr. Clarke: Yes, and just for the record — just to confirm that section 41(b) of the *Animal Protection and Control Act* requires owners to manage their animals in such a way as to prevent any of the issues further identified in this section. This section is written to acknowledge that working animals, such as horses, can continue to be utilized on public land without being strictly contained by fencing — again, providing that the actions or presence of those animals does not result in any of the negative effects further identified in this section.

I think that accords with the member opposite's interpretation — or his question.

Mr. Cathers: I do appreciate the answer and the clarification from the minister and, of course, as he noted earlier — and I thanked him for it — he has committed, as well, to look further at section 41 and perhaps make changes to it.

I will move on to another part. I just did want to clarify that because it was a specific concern that has been raised with me by constituents.

I want to move back to part 30 since, as I mentioned, I just didn't want to forget to raise that point that I had written down. Under part 30, under "Duties of owners", it talks about the requirements for an owner to provide shelter that includes reasonable measures to exclude predators. I had the concern raised with me about what that means — what the definition of "reasonable" is. For example, for farmers who keep their horses, cattle, or other livestock in a field, if the fencing in that situation — it would be, in a situation like that, common that there might be a barn or other shelter that the livestock or horses could go into, but that there likely wouldn't be fencing that actually prevented predators such as wolves going through or bears from breaking through. So, the question in that, since the act includes a specific requirement for shelter that has reasonable measures to exclude predators — I just would appreciate some clarification from the minister regarding what they would view that meaning for horses or for cattle or for chickens, for example, that may have an outdoor pen that allows them to be beyond their chicken coop, but they may be in a situation where they are not necessarily in an area where a fox would be unable to dig in, a bear would be unable to breach the fence, or a bird such as an eagle might be able to come in, particularly if there were chicks.

I'm just seeking some clarification on whether those situations that I described are something that the government intends to be legal or to prohibit, because it will have a significant impact or could, I should say, have a significant impact on people, depending on how that is applied.

Hon. Mr. Clarke: So, the overarching desire is to provide shelter to the best of their ability — keeps out predators to ensure that an animal is not killed by the predator as well as reduces the cause for anxiety in that animal. Reasonable measures to exclude predators depends on the species and how much they are expected to be an attractant to predators. Historically, horses are capable of fending for themselves on the Yukon landscape.

We are interested, actually, in preventing the attraction of predators to smaller species and encouraging farmers to

undertake to protect these animals, including poultry and rabbits. Education is a cornerstone of any enforcement effort, so that is where the Department of Environment will start — with what is reasonable.

As the member opposite will know, in the section that he has brought to my attention, it is the reasonableness standard. The reasonableness standard probably, I would say, exists already in the Yukon. It doesn't say that owners have to take heroic measures that guarantee that an animal is not killed. There would be case law from across the country as to what a reasonableness standard is both in legislation such as the *Animal Protection and Control Act* but in all manner of other legislation. So, once again, as with a lot of this legislation, education is important. The reasonableness standard is also important for both the Department of Environment and the Department of Energy, Mines and Resources through the Agriculture branch in trying to educate farmers — it appears that smaller animals are a bit of a focus — to have a circumstance for the animals that does not unduly provide attractants to potential prey.

The governing principle is the reasonableness standard. Also, there does appear to be some sort of hierarchy of education and hierarchy of animals that both departments will be engaging with owners on to educate and ensure that there aren't negative outcomes.

Mr. Cathers: I do appreciate the information from the minister, because this is a topic, as I mentioned, of question and concern for my constituents and others. There are situations where, I think, typically speaking, it is fair to say that most owners of smaller species, such as what the minister was referring to — chickens, turkeys, rabbits, et cetera — try to make reasonable efforts to keep their animals safe from the risks that they believe may be present, but there are also a number of situations where that doesn't work.

The concern that I am driving at here includes the fact that, if an owner is actually making what they believe are reasonable efforts to protect their animals and it doesn't work, we won't have a situation where they are in breach of the act and face a fine, which effectively, on top of the bear just being a bear — but effectively creating an impact or a punishment, if you wish to refer to it that way, to the owner for them making a mistake regarding their chicken coop. Then, if the government comes along on top of that and makes matters worse when somebody has already suffered some financial hardship, in my view, that would not be a just situation to have people who were genuinely trying to take reasonable measures and then ended up losing their animals to a bear or a wolf and then being fined by the government on top of that.

I will also go to a specific example — without noting who it was — of a constituent. This summer, they were raising turkeys and had taken what they believed were appropriate fencing requirements to protect them from predators — specifically coyotes. They were also attempting to deal with coyotes in the area and avoid them being there to pose a risk to the turkeys, but ultimately, in the long run, the coyote ended up successfully getting some of the turkeys, despite their best

efforts to both keep the coyote out and to shoot the coyote when it was in the area and they believed it to be a problem.

I'm just seeking some clarification that, in situations like that, people who have taken what they honestly believed were reasonable measures to protect their livestock are not going to be facing a situation where the government then adds to the hardship that they have faced through the loss of animals by fining them for a breach of this section of the act.

Hon. Mr. Clarke: I agree with almost everything that the member opposite said with respect to situations where it would be, obviously, punitive on the livestock or animal owner to be punished in circumstances.

So, let's just be clear for the record. All owners must make reasonable efforts to provide exclusion from predation; however, the methods for exclusion will be primarily outcome-based. We have chosen not to be prescriptive in this situation and to work with individuals to support them to assess or upgrade shelter as required.

I also note that there are resources available to support owners to upgrade fencing. The enforcement is not intended to punish people who are making a sincere effort to keep their animals safe — and rather, to point people in the right direction to get help.

Mr. Cathers: I thank the minister for that clarification. I will move on to just another couple of questions specific to containment and fencing. There's a section that allows regulations for containment standards. I would just ask — two things — whether the government plans to implement any more double-fencing requirements than what it has in place under the sheep and goat control order. Do they intend to apply that to other animals?

I would just note, specifically around the question of poultry — I just ask for clarification that the government's idea of what are reasonable measures to exclude predation would not require an owner of a poultry farm to either fence or roof over an entire outdoor run or to have electric fencing around an entire outdoor coop area.

Hon. Mr. Clarke: The first question, I believe, is about double-fencing requirements for other animals. There is currently engagement with producers who have Eurasian boar, and there is an agreement on a fencing standard to support containment of these high-risk livestock. This was developed in consultation between industry and the Agriculture branch and has been endorsed, so we wish to empower that — to engage on that. There is an intent to adopt the current Yukon fencing guidelines for Eurasian pigs into regulations; however, it is important to note that the fencing standards developed in this guideline were done in cooperation and at the direct request of the Yukon Hog Producers Association and the Yukon Agricultural Association.

With respect to the other question — whether there will be a requirement for a roof over poultry fencing — the answer is no. We recognize the value of free range for poultry production. It would only suggest that poultry be confined at night, when predators are most likely to be out — so, no fence on top of the run.

Mr. Cathers: I appreciate the answers from the minister. The one that I believe he missed, though, is just a question about whether the government is contemplating electric fencing being required for chicken coops for an outside area. I'm just hoping to hear confirmation that this is not something envisioned becoming an absolute requirement.

Hon. Mr. Clarke: No, there is no contemplation currently of there being a requirement for electrical fencing.

Mr. Cathers: I thank the minister for that clarification. I would just note — I just wanted to, on behalf of colleagues, note some concerns from communities that they represent about the lack of consultation in those communities in the lead-up to the development of this legislation. Looking at page 2 of the government's "what we heard" document, which was released in July 2019, notably absent from the list includes the community of Ross River, which has been one that the government has often referenced as one of the communities where they argue that the measures in this legislation are most needed. While I certainly recognize, as we all do, that there have been serious issues in Ross River, which in one case proved tragic, related to dogs running loose in that community, it does seem that, if one of the major arguments for putting in place some of those dog control measures relate to that community, that the community didn't have consultation in the development of the "what we heard" document and didn't have the opportunity to be involved in the consultation on the legislation itself. If indeed this is intended to help solve the problem there, it would seem to me that the people in the community of Ross River might be very interested in what this means and might wish to have an opportunity for input on whether what government is purporting to be a solution to the problem, in their view, actually meets the needs of their community. So, notably, Ross River was not on the list, as listed in the government's document.

Also, Watson Lake has not been consulted. I know that my colleague, the Member for Watson Lake, has been in contact with her constituents, and I understand that the Town of Watson Lake is in the process of writing a letter, if they haven't already, to the minister asking for consultation on the legislation, noting that they were not consulted earlier on. While I don't wish to put words in their mouths, my understanding is that another of their specific concerns is about the downloading of responsibility onto the municipality as a result of government passing legislation, that they would then potentially be in a position where they would be expected to enforce and have their staff respond. So, I would just make the minister aware that, if that letter hasn't arrived, it is likely to soon.

I would note as well that, in the case with my colleague in Kluane, while there was a meeting in the Takhini River subdivision, which I believe is in reference to just inside the borders of Kluane — Kluane is one of the largest ridings in the Yukon, and for the communities within most of that area, there was no community consultation that occurred, according to the government's list.

So, for Haines Junction, there was no opportunity to be consulted four years ago or on the development of the

legislation now. The same goes for Beaver Creek, Destruction Bay, Burwash Landing; none of them had community meetings, according to the government's "what we heard" document. I would just note that, in my view, that is a mistake. If these provisions are intended to apply in communities, there should be the opportunity for those communities to be involved in discussions about that.

I would just note that the concept of something is one thing, but the details of how government actually proposes to do it can make a big difference. As the Premier, the Member for Klondike, was fond of saying when he was in opposition, the devil is in the details. One thing I do agree with him on is that the details are important. The concept of something that government brings forward or consults on at a high level can change very significantly, in terms of its implementation, once you see legislation.

I would also note that — without wanting at this point to get into too much of a conversation since we've discussed it before — of what the government heard during the earlier consultation, the issue of dogs running loose in a community and whether people believe that should be prohibited altogether or only if the dog is actually causing a nuisance or causing damage, that is probably fair to say that it is likely somewhat subjective, based on individual communities and whether those communities are having problems with that or have in the past. There are other areas, for example, in my riding of Lake Laberge where, in some rural areas, many people have dogs that are loose on their property during the day and generally don't create a nuisance to others in the area.

There are some exceptions to that, of course, but the answer the government might receive to the question of what rules should be in place for dogs — the answer would probably differ if you asked the question in Ibex Valley or the Hot Springs Road area versus if you asked it in Ross River. And the question if you asked people in Whitehorse for feedback on that may be a different answer than you would receive in a community such as Old Crow or Dawson City.

I want to be clear that I am not ascribing specific views to any one of those communities. I'm just noting that there are notable differences in all of those communities. One reason in the past that there has been more of a community approach to dog control areas under the *Dog Act* is recognizing that, in some rural areas, perhaps those additional restrictions were not actually wanted by residents in the area, while in others, they indeed might very much be wanted by people in those areas.

So, that, I would just note from a consultation perspective, is one of the reasons why I think it's important to do more consultation with not only stakeholders, but municipalities and communities that are unincorporated, because the individual needs and interests in those communities may vary enough that the rules, perhaps, should be different in those areas.

After having put that on record — I did want to note those points — I want to ask the minister another specific question in this case related to section 37 of the bill — if you'll bear with me while I find the exact page here. Section 37 of the bill relates to animal fighting. Of course, I want to note that I absolutely agree with the intention of stopping deliberate animal fighting

and making it an offence to deliberately seek to have dogs or other animals fighting. What I would ask for some clarification on is the wording. In section 37(1), it says: “The owner of an animal must not train the animal to fight another animal or permit the animal to fight another animal.” It’s the second part of that I have a question about — what the definition of “permit the animal to fight another animal” means. As the minister may know, if you have dogs, you may end up in a situation where, through no intention of your own, your dog ends up in a fight with another animal — either one that you own or is owned by someone else — and that is a situation where it is through no intent of the owner. But what I am seeking clarification on is, with that wording — “must not ... permit the animal to fight another animal” — I am just asking for clarification that it doesn’t make it an offence if your dog gets into a fight that you were not deliberately seeking to have them in.

Hon. Mr. Clarke: The member opposite knows that, over the last four and a half days, I have had a lot to say about engagement and next steps, but in the spirit of continuing to answer specific questions, I will provide perhaps just a few minutes on the record, as the Member for Lake Laberge has put concerns on the record. But I will keep these comments brief. We met with those First Nations and communities that invited us in and had time for us, but the department extended out the invitation to all. The department has not pushed the agenda onto any stakeholders but has made every effort to engage on an ongoing basis. The department has supported dog health clinics in Ross River on several occasions since this report came out, and I have shared information and concerns with them at the time.

We welcome the letter from Watson Lake and we will respond to engage with the Town of Watson Lake and the Liard First Nation, if they wish to engage as well. We do not intend to download requirements. What we are doing is making a standard baseline of animal control and protection legislation available to communities and to First Nations across the Yukon. It will be available for any government to implement and YG will assist with training, supplies, accreditation, and support. The intent of the engagement on regulations is to get those exact details that will support the implementation of the act.

The “what we heard” document is a snapshot of feedback that we received through that formal consultation. The animal health unit is very active in the communities and is aware of the needs of communities such as Ross River and parenthetically also certainly looks forward to the response from Kluane country.

This legislation is designed to allow for different enforcement in each community. There is not a one-size-fits-all approach. We know that there are community dogs in many towns that wander at will, and everyone is happy to have them out and about. They greet and wander and are accepted. The legislation is set up to ensure that enforcement is done differently in each area and that only the dogs that are causing problems — in terms of threatening people or property, including pets — are the ones where enforcement needs to take place. The legislation will allow communities and governments that would like the assistance of the Yukon government to

address animal protection and control issues in their communities to enter into agreements to do so. This is particularly helpful for communities that do not have bylaws or other lawmaking powers to address these matters.

With respect to the specific question about the proposed section 37(1) of the bill where it states that an “owner of an animal must not train the animal to fight another animal or permit the animal to fight another animal”, this situation may occur where dogs fight another animal or another dog. The response rests on the idea that the owner is permitting it — so, granting permission to his or her dog to engage in the fight. That is granting permission. This granting of permission to fight is what we seek to prohibit. It would not be an offence for dog fights to occur in the course of normal activities. We know that they are not avoidable — as the Member for Lake Laberge has put forward — in some cases, and we have no wish to punish anyone when this occurs.

Mr. Cathers: I appreciate that information from the minister regarding section 37 and appreciate the clarification that it’s not the intention to make it an offence if dogs get into a fight through no deliberate action on the part of the owner. It is the reality for many responsible pet owners, as well as dog mushers, that there are some dogs that may, when they come into contact with others, be prone to picking a fight. I know many owners who make best efforts to control that, but sometimes things happen. Flashing back into the past, when I was growing up and had a dog team of my own, it was an issue that I knew personally. I had a couple of dogs that were prone to being more aggressive and did everything in my power, short of not exercising the dogs, to try to prevent that being a problem. But sometimes, despite best efforts, there was nothing you could do to prevent a fight occurring between your own animals. So, I am pleased by the indication from the minister that they don’t intend to make it an offence if people are in a situation where dog teams come into contact or when loose dogs come into contact — that, as long the owner is not granting permission, as I believe the minister said, for them to engage in that fight, they would not be committing an offence. Did I hear him correctly on that?

Hon. Mr. Clarke: I will just repeat the position of the department so that it’s clear for the record. Hopefully, I’m answering the member opposite’s question.

The situation may occur where dogs fight with another animal or another dog. The response rests on the idea that the owner is permitting it — so granting permission to his or her dog to engage in a fight. That is granting permission. This — and I quote — “granting of permission” to fight is what we seek to prohibit. It would not be an offence for dog fights to occur in the course of normal activities. We know that these are not avoidable in some cases and have no wish to punish anyone when this occurs. I’m not sure if that was the specific follow-up question, but if it requires further clarification, I look forward to clarifying.

Mr. Cathers: I thank the minister for that clarification. That is indeed what I was asking, and I do appreciate that clarification occurring.

I am just trying to find the next part in my notes. There is reference in the “what we heard” document to talking about limiting the number of animals that someone can have. I want to be clear that I recognize that, in some cases where someone has a pattern of not adequately caring for their animals, that may be necessary, but in looking at page 17 of the “what we heard” document — and the minister made some reference to it in his comments, although I don’t have that section from Hansard open, though I am sure it is somewhere in my stack of papers here — there is talk of whether someone should have to get a permit to have multiple animals. According to the “what we heard” document — which for the benefit of Hansard and anyone listening or reviewing the Hansard transcripts here is on page 17 of the “what we heard” document — the heading in the “what we heard” document is: “Should individuals be required to get a permit if they have a lot of animals?” It says: “The survey asked whether a permit should be required for someone to have multiple animals, but responses showed that the question was not clear and a follow-up question about the number of pets that would require a permit was not consistently answered.”

It then goes on to say: “It was clear that people supported a threshold so that someone could not own an unlimited number of dogs or other animals with no oversight.” Then it went on to talk about how: “Over 100 respondents suggested a threshold of over 5 animals. No respondents to the survey proposed a threshold for this higher than 10 animals.” That is an area where it seems to be in reference to pets, not to livestock or to sled dogs, but it is concerning that, flipping to the next page, it does go on to mention mushers.

There is a reference on page 18, under “Next Steps”. One of the specific items cited says: “Create a requirement for someone with more than 10 dogs over the age of four months to obtain a permit...” I would just ask the minister if he could confirm if it is the government’s intention to require everyone with more than 10 dogs to get a permit. To clarify, in that context, would there be an exemption for mushers, or would that apply to anyone who has a dog team or dog kennel of 10 animals or more?

Hon. Mr. Clarke: I have a follow-up question for the member opposite. Was he referring to the “what we heard” document or a specific section of the proposed bill?

Mr. Cathers: Just in clarification for the minister, in the act itself — I believe it was under the regulation-making powers here, but I don’t have the exact page right in front of me. There is some reference to —

Bear with me, and I will find that section.

It is taking me longer than I expected for that, so I will look for that section later, but there was a part in the act that made reference to the ability to set regulations around the number of animals someone could have. Then I was referring back to the “what we heard” document and quoting from it and seeking clarification on whether the statements in the “what we heard” document reflect what the government’s intentions are today, whether they do plan to put in a threshold for the maximum number of animals someone can have. Then I was asking if that is intended to apply to dogs. Are dog mushers — in the

government’s plans, I should say — exempt from that requirement or included in that requirement? And I then asked them to clarify whether that would mean that anyone with a kennel of more than 10 dogs in the territory would then be required to get a permit.

Hon. Mr. Clarke: The section of the bill, I believe, is section 40 for the member opposite’s reference. Restrictions on the number of animals that someone can own is a mechanism that is provided for in response to hoarding situations, and it is specifically addressed in section 40, which states that a director can apply to a justice for an order that will limit the number of animals. Section 40(2) provides authority through the courts to manage hoarding situations and not only remove animals at risk, but also to prevent the situation from reoccurring, which typically happens without some intervention. In these situations, it is important that this authority be provided in a timely manner, without waiting for conviction or appeals to get through the court system. Again, this requires reasonable grounds to believe a high standard that must be met and attested to by an official and meet the standard of a judge of the Territorial Court.

There is no intention to limit the number of animals that anyone else may own. While this was discussed, it ultimately came down to: How are sled dogs different from livestock? And there are no limits on the number of livestock species, so it would not be reasonable. So, it was determined that it would not be reasonable to limit the number of dogs.

The potential for limiting the number of animals of a given species — reference in regulations is related to a partnership with local governments where they may seek to expand the legislation beyond what is currently specified that might be applied in their settlement lands. In those cases, governments would consider developing regulations to support a First Nation in those cases.

So, the first response, I believe — is it is a hoarding situation that requires an application to the court and that a certain evidentiary burden must be met? — reasonable grounds to believe — and then a certain order would be made, with no intention of limiting the number of sled dogs and there is no limitation on other livestock.

Mr. Cathers: I appreciate that clarification from the minister. It was certainly a concern I had heard from constituents and others about the potential for that, specifically considering what it said in the “what we heard” document. I’m glad to hear the minister clarifying that he’s only intending that section of limiting the number of animals to apply in the case of section 40, seeking a judicial order for that. In that area, I would also note my personal view that, generally speaking, I agree with the concept of allowing an application to be made before a judge — if indeed there is a case where someone has a history of chronically neglecting their animals’ care or abusing them — to create the ability where one of the potential measures that a judge could put in an order would be limiting the number of animals, or the number of a species, that a specific owner would have. I appreciate the minister’s clarification that they’re not planning on going beyond those situations — or I believe he said “communities” — and that’s

good, because the application of it beyond there was potentially concerning.

So, the minister indicated that they're not intending to apply a limit of a certain number of dogs to sled dogs or to livestock. Is that something the government is considering doing regarding any other animal, such as, for example, the minister has mentioned cats in the past. Is it the government's intention to place a limitation on the number of cats that someone can have, or is it a case, again, that such action would only be envisioned if there is a need to seek a judicial order under section 40?

Hon. Mr. Clarke: Yes, that's correct — in response to the Member for Lake Laberge. That would only be in the hoarding — the so-called “hoarding” — in the vernacular known as the “hoarding section” where an order was required and an appearance before a Justice or a Judge of the Territorial Court. So, that would be the same with respect to cats.

Mr. Cathers: I thank the minister for that clarification. I have also just had handed to me by one of my colleagues a letter from the Town of Watson Lake to the minister. That is the one that I made reference to earlier that would be coming if it wasn't already sent. I will table a copy of it, but I will also — just for the minister, for officials, for Hansard, and for other members who I am sure have not had the chance to read the content of it yet — read the content of that letter, and then I will table the letter for the record here. Since I only have one copy in my hand, hot off the press, I will just read from the letter before I table it.

The letter was addressed to the Minister of Environment. It notes his name, so the rules of the Legislative Assembly prevent me from saying it. It says: “Re: Animal Protection Act” — and I quote: “Mayor and Council was recently made aware of a new Animal Protection Act that has been tabled in the Legislative Assembly and hope that you can take some time to answer questions that Council has about this Bill and the Yukon government's consultation process.

“Based on information found on the Yukon government website, public engagement was conducted in 2018 with public meetings held in most Yukon communities, however, not in Watson Lake. Can you please provide some background information on why a public engagement meeting was not held in Watson Lake? Did the Liard First Nation participate in the consultation process? Were any of the survey responses that you received from Watson Lake residents? Was another engagement session held in the spring/summer of 2019 as planned?

“We are also curious to know if our Bylaw department was made aware of the consultation process and invited to provide feedback? As the consultation for this Bill was completed several years ago, is further consultation being planned? Was feedback provided from Watson Lake regarding what tools and mechanisms would best empower Animal Control/Bylaw Officers to design and enforce animal control requirements in our community?

“Lastly, based on the anticipated timeline in the “What We Heard” document, Legislative changes were meant to be

completed by 2020. Can you tell us the reason for the two year delay and what changes were made to the Act?

“We feel these questions are important, as the current Town of Watson Lake Council members and Administration do not recall any consultation in our community around the Animal Protection Act, and no information has been shared about what changes could potentially be required when it comes to animal enforcement and protection, and how it may affect our current Bylaws and practices.

“We thank you for your time and look forward to hearing back from you.

“Sincerely, Christopher Irvin, Mayor, Town of Watson Lake”

The letter is also copied to my colleague, the Member for Watson Lake, as well as the Leader of the Official Opposition, the Leader of the Third Party, and the Association of Yukon Communities. I will then table that letter, Madam Chair, for the official records.

So, having read that in, I would just ask the minister to respond to the concerns and questions of the Town of Watson Lake from their letter that I just read into the record.

Hon. Mr. Clarke: As we have done with all of the letters that we have received — the six or seven letters that we have received — in the last week or so, the departments will respond immediately and answer all those questions.

I could repeat myself, but what I would say is that I will allow the department to answer some of those operational questions that are being asked on the fly.

One question was with respect to how the enforcement — or how this legislation could be adapted in individual communities. And I would just repeat that this legislation is designed to allow for different enforcement in each community. There is not a one-size-fits-all approach. We know that there are community dogs in many towns that wander at will.

With respect to the engagement, we did meet with those First Nations and communities that invited us in and had time for us. I am advised that an invitation was extended to all.

Just to clarify as well, we do not intend to download requirements. What we are doing is making a standard baseline of animal control and protection legislation available to communities and First Nations across the Yukon. It will be available for any government to implement, and YG will assist with training, supplies, accreditation, and support. The intent of engagement regulations is to get those exact details that will support the implementation of the act.

I would also say that I did attend the community of Watson Lake in May of this year, and I met with Mayor Irvin and his council at the time. We had an agenda. I think there were more Highways and Public Works agenda items than perhaps Environment, and I can see that would have been a good opportunity to brief Mayor Irvin and his council at the time, and I would have been in a position to do so. I guess, candidly, I was not aware of whether the mayor and council required information on the progress of the bill in May of 2022, but I met with council for an hour — an hour and a half or so — at that time, and we canvassed a number of matters.

Certainly, I am very confident that the Department of Environment and the Agriculture branch will be reaching out to Watson Lake. I have every indication that we will answer all the questions that have been posed by this letter, but one thing I can verify for the record is that a letter was sent September 11, 2018, to the Mayor of Watson Lake, seeking input on the development of the new legislation. As well, a letter was sent to the Liard First Nation at that same time.

As I have said a number of times over the course of the last five days, my view is that this was a very thorough consultation that involved many First Nations and individuals and communities. Of course, it's not perfect. The members opposite are obviously familiar with the consultation process on legislation and the challenges therein. But given those challenges — and then ultimately the intervening factor of a global pandemic, of course, complicated matters further.

The letters to both the Town of Watson Lake and the Liard First Nation in the fall of 2018 sought guidance on the following: (1) the responsibility of individuals to control animals that they own, such as dogs and cats; (2) new standards for animal protection and welfare; (3) how to control domestic animals that have become “feral (living wild)”; (4) operational requirements for animal organizations, like rescues, kennels, and mushers; (5) control of exotic pets; and (6) enforcement of animal protection and control laws.

So, there does appear to be a record of having reached out. Can there be and will there be further conversations? Absolutely.

Mr. Cathers: I would just note, on behalf of my colleague, the Member for Watson Lake, that she has indicated to me that, in the community she represents — Upper Liard and Two and One-Half Mile Village, which, of course, are near Watson Lake but not within municipal limits — the dog problems in those communities have gotten worse, and the situation has changed significantly since both 2018 and 2019. She has also indicated, on behalf of her constituents in the area, that she knows that some of them would indeed welcome community consultation on the provisions of this.

I don't intend to belabour the point today about stakeholder consultation, as I have raised it many times, but again, I would point to the problem with the approach that this government has taken. Not consulting on the draft legislation with stakeholders who are directly affected by it, including businesses and organizations representing their members and including municipalities and First Nations, leads to the problem that the legislation has suffered and clearly so from that lack of consultation.

The minister himself has acknowledged that it is not perfect, and the point that I would again just make is reference to the “what we heard” document from the government on page 8, where they talked about — under the area of animal control, the section of the “what we heard” document — on page 8 of that document from 2019, it talked about next steps, including — and I quote: “Reach out to First Nations and municipal governments to further discuss building a better toolkit for animal control in communities”.

The problem with this, as I have noted in the letter that I just read into the record from Watson Lake and the concerns that I raised on behalf of my colleague and her constituents, is that the details of what is in the tool kit includes the legislation. We are hearing clearly from municipal stakeholders — including the Town of Watson Lake and the Association of Yukon Communities on behalf of other municipalities and local advisory councils — that they do want to be consulted on the details of the legislation. As my colleague noted to me, and as noted in the letter from the municipality of Watson Lake, they raised a question of why their bylaw department wasn't directly consulted. I would point out that for municipalities that do have bylaw departments that deal with enforcement may indeed be expected by citizens to enforce this legislation. I would contend that it is actually pretty key to the success or failure of legislation regarding dog control to engage those municipal partners and talk about who takes on what responsibility.

I understand that the minister had indicated that, in some cases, the Yukon government could provide that, if municipalities or other communities weren't, but the issue of whose jurisdiction it is, whose responsibility it is, whose costs, what facilities are in place to deal with any animals that are perhaps taken into government custody — all of those things have impacts. Discussing with those government partners the details of that is pretty key, and that includes discussing the legislation.

Again, we have discussed this point a number of times. The government has been clear that they intend to proceed with the legislation and not agree to those requests for consultation on the legislation. I would just again urge the minister and his colleagues to recognize that there isn't a burning need to pass this legislation here this Sitting. The government's own timelines indicated that, for regulations, the earliest they think they might have them in place is spring of next year. So, whether or not this bill is passed or paused this Sitting would not result in any enforcement or action taking place between now and spring, when they envision bringing the regulations into place. It would be an action by this Legislative Assembly, should it pass, that would still not result in any changes on the ground until the regulations themselves are in place and the act is brought into force.

Again, there is no urgency to deal with this during this Sitting, and I would encourage the minister — I doubt he is going to change his mind here today, but after the end of the Sitting here today, I would encourage him to discuss it with his Cabinet and caucus colleagues and consider doing what a growing list of stakeholders are asking for: just pausing progress on this bill, consulting on the details, similar to the better building program legislation coming back, and if any changes are necessary, making them at that point before the bill is passed — but providing that opportunity that a number of these stakeholders are asking for and requesting from government.

I want to move on to another specific area that the government — in the “what we heard” document, there was a reference to lower fines for first offences. We don't seem to see that reflected in the legislation. I guess, first, I just want to

confirm from the minister that sections, such as section 41 of the act and most parts of this legislation — that a violation of those sections — most sections of the act — is considered a general offence under section 60 of the act. I would just ask the minister if he could confirm that.

Chair: Would members like to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair: Committee of the Whole will now come to order. The matter 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: We will certainly be responding to the Town of Watson Lake and look forward to meeting with them, going forward, but we will also provide some information indicating that at least one meeting did take place in Watson Lake.

So, I have some information from that, which I will provide in our response to Mayor Irvin.

And then there was a response that was sent back to — anyway, there is a chronology that I have been provided with, which will be provided to the Town of Watson Lake.

Can we continue to have fruitful conversations with both the Town of Watson Lake and Liard First Nation? Absolutely.

I can also indicate that we have been in contact with leadership of the Liard First Nation over the past years to provide support in dog control and direct response to more recent concerns.

I think there was a specific legislative question, which I will respond to. Not to put too fine a point on it, but there is urgency in this legislation in that we just heard from the Member for Watson Lake that there are ongoing and perhaps even escalating concerns in the Town of Watson Lake with respect to dogs at Two Mile Village as well. The Member for Watson Lake has indicated that to her colleagues.

So, this whole process of combining this legislation — the *Dog Act*, the *Pounds Act*, and the *Animal Protection Act* — is long overdue, and a lot of fantastic work has been done. I have a high degree of confidence that both the departments of Environment and of Energy, Mines and Resources — the Agriculture branch — will continue to do this great, great work going forward.

But the member opposite had a specific question. He can follow up if I have missed it, but it was whether section 41 was a general offence. Any contravention — other than a contravention listed in section 61, which deals with major offences like torture — is a general offence. Alternative penalties — so, yes, I think that's the quick answer to your question.

Regarding meetings in Watson Lake, this was an example of our ongoing conversations with First Nations, communities, businesses, and stakeholders after the formal consultation closed. Certainly, I understand that, even though this has gone

in the relatively usual timing of relatively major legislation, town councils have changed, or potentially have changed, and there has probably been turnover as well in the First Nation leadership, but we will certainly make sure that we continue with the targeted consultation and provide information to the municipalities as to what our information was with respect to the engagement that occurred.

Mr. Cathers: I appreciate some of the information provided by the minister, but I do want to note that I would also ask him to share with us a copy of that information regarding the chronology of consultation that he mentioned — that he plans to send to the municipality of Watson Lake.

I would also just note that, under the section of enforcement, it was clear from the consultation that most people wanted the first penalty to be low. It seems that the penalty for a first offence under the general offences is now more than \$75,000, six months in jail, or both. It does raise a question about why there isn't a section related to minor offences.

In raising that specific question, I would turn it back to the minister and note that, at the start of the debate, he indicated today that when questions were done in general debate, he would seek to report progress prior to moving into line by line. I would invite him now to answer the question that I just asked and then to report progress so that we can move on to other items of business. The Government House Leader had identified that we would move into the budget after this today if debate wrapped up.

Hon. Mr. Clarke: So, the question is with respect to — just to confirm — first penalties and the thought around the amount and why that applies to minor offences?

Some Hon. Member: (Inaudible)

Hon. Mr. Clarke: The fines represent the maximums that would be allowed, not what might be typical. The option to impose alternative penalties was put in place because we recognize how many people cannot meet the needs of care and control of their animals because they are living on marginal incomes. Assigning them a fine is not helping them or their animals. In this case, the penalty of complying with an order and being subject to inspection would perhaps make more sense and lead to better animal care and control.

We can certainly continue that conversation about the whole penalty provisions.

I will just take this opportunity to thank the officials, Mary Vanderkop and Rebecca Veinott, for their attendance today and we will likely be welcoming them back at some point in the future during the Fall Sitting. Thank you for the opportunity to have this discussion about this important legislation today.

However, at this 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

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

The matter before the Committee is continuing 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 10 minutes.

Recess

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

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

Deputy Chair: The matter before the Committee is continued general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Dixon: I appreciate the opportunity to return to this. I'm not sure exactly where I left off, but I do have some questions to follow up on — the items that we were speaking about when we broke last.

I want to return to some questions that I had for the Premier around the conduct of the Liberal leadership election and to comments he made in the media, both in the *Whitehorse Star* and the CBC, which I quoted last time.

I just want to start again by asking the Premier to confirm that indeed his office did seek the advice of the conflicts commissioner with regard to the setting of rules — or not — with the conflicts commissioner.

Hon. Mr. Silver: As I recall, a staff member did reach out to the commissioner.

Mr. Dixon: Does the Premier know which one of his staff members reached out to the conflicts commissioner?

Hon. Mr. Silver: No, I do not.

Mr. Dixon: The Premier was quoted in the media — in the *Whitehorse Star* — in an October 4 article entitled “Premier told to clarify leadership rules for ministers”.

The quote from that article is: “His office has spoken to the conflict of interest commissioner...”, the Premier added.

“‘She doesn’t see any conflicts either, so the Yukon Party can talk about convention as much as they possibly want,’ he said.”

So, the Premier was comfortable saying that to the media, but he is not sure who it was who actually sought the advice of the conflicts commissioner?

Hon. Mr. Silver: Yes.

Mr. Dixon: Can the Premier explain how he is confident enough to know that the advice was sought, but he doesn’t know who it was who sought the advice?

Hon. Mr. Silver: As it turns out, the only person who is really interested in this is the Leader of the Official Opposition. I am spending very little time on it. I would like to get to general debate on this budget, and the member opposite wants to continue to talk about issues that really do not pertain to this

budget. I’m not spending any more time on it, because, again, it’s just the Yukon Party that is concerned about these things. I believe, as far as what the party is doing and how we are conducting ourselves — and I have made these statements already — they are well within the parameters laid out for us. That’s pretty much all I have to say about this.

Mr. Dixon: Last time we spoke, we laid out clearly why this was important to the future of the territory. This is about the selection of the next Premier — the Premier’s successor — and some comments that the Premier made in the media about him seeking the advice or his office seeking the advice. So, I find it odd that the Premier was willing to say to the media that his office sought the advice, but now the Premier is unable to even tell us who it was who sought that advice from the conflicts commissioner. I can appreciate that perhaps someone in his office did so without him knowing exactly who, but at some point, somebody must have communicated to the Premier enough for him to feel confident enough to say this to the media. So, can the Premier at least us who told him that advice had been sought from the conflicts commissioner?

Hon. Mr. Silver: Again, as far as who — I will ask the member opposite: Why is it so important that I name staff in the Legislative Assembly?

Mr. Dixon: I certainly don’t require a name; I just want to know that the Premier actually knows who it was who sought the advice.

Hon. Mr. Silver: I don’t know who actually called, but at the same time, I do know that when we had our caucus meeting, it was discussed that a call was made. That’s about all I’m going to say about this.

Mr. Dixon: Okay, thank you, Deputy Chair. I will move on. It doesn’t seem like the Premier is willing to provide any information about this.

I will circle back, though, to another issue related to the conflicts commissioner, and that is our previous discussion where we broke last about the fact that the Premier is the only person who can seek the advice of the conflicts commissioner in relation to the actions of the former Minister of Health and Social Services and Yukon Housing. When we left off, the Premier was confused about whether or not members of the Legislature can seek the advice of the conflicts commissioner in relation to whether or not a former minister had contravened the act. Since then, I’m sure he has had time to read the letter that was issued to my colleague, the MLA for Pelly-Nisutlin, and then tabled.

So, now I would like to start by just asking the Premier if he will acknowledge that he is in fact the only person in this Legislature who can seek the advice of the conflicts commissioner about this matter.

Hon. Mr. Silver: It’s good that the member opposite is now clarifying the comment that it is the only person in this Legislature currently who can, but I have already spoken and answered this question as well.

The issue is whether or not a former minister who is no longer in office, who was subsequently employed by Ketza Construction — so, again, the Yukon Party obviously has concerns about Ketza Construction and their decisions. I am not

the only person who could contact the Conflict of Interest Commissioner. The person — the Ketzka employee — could as well. I am not going to. I don't see anything done — for me to make that call. However, the members opposite do. Another person who could contact the Conflict of Interest Commissioner is the Ketzka Construction employee themselves.

It is good that they are finally correcting their inaccurate statements about me being the only one who could seek that advice. Now they are saying that it's the only one in this Legislature who can seek the advice of the Conflict of Interest Commissioner on this matter, but I do not plan to seek that advice from the conflicts commissioner on this matter. I said that in Question Period when they asked me about that and again when they posed the question as “now that you had a chance to read these letters”. I think I was very clear in my comments at that time.

The Yukon Party is concerned about this matter. They should take it up with Ketzka and their employee. I stick to those comments and really don't have much more to say about that, either.

Mr. Dixon: So, just to be clear, the Premier is right. The person who has possibly contravened the act could, indeed, seek the advice of the conflicts commissioner to prove that she has contravened the act, but I don't think that is very likely. I don't think it is likely that someone would write to the conflicts commissioner and then share that advice publicly if that person believes that they have contravened the act.

If the person believed that they hadn't contravened the act, they may very well do so, and that would make all of this go away, but since that person is unlikely to self-incriminate, the only other person, other than the person in question, is the Premier. He has now finally acknowledged that, which is appreciated, but there is certainly a lot of discourse about this in the public. The Premier may dismiss all of that and say that it's just the Yukon Party, but following the coverage of this, there has been a discussion in the public about whether or not the former minister did, indeed, contravene this particular section of the conflict of interest act. The only person other than the person who potentially contravened the act who could clear the air on this is the Premier.

I would like him to explain again why he won't clear the air on this and why he won't seek the advice and share it with us so that we can move on from this issue.

Hon. Mr. Silver: Because we do not share the concerns that the Yukon Party shares; if the Yukon Party was not making an issue about this, no one would be talking about this. We don't see a reason for Ketzka Construction or any other construction company to go forward and to look at conflicts of interest. They are known to assassinate characters in the political realm. They've done it with a few of my members here —

Some Hon. Member: (Inaudible)

Point of order

Deputy Chair: The Member for Copperbelt North, on a point of order.

Mr. Dixon: For the member to imply that someone is conducting some sort of assassination of anything is in contravention of the Standing Orders.

Deputy Chair: The Member for Klondike, on the point of order.

Hon. Mr. Silver: On the point of order, this is a conflict among members, and you know, there is a lot of evidence to prove that the member opposite will say just about anything to —

Deputy Chair's ruling

Deputy Chair: Order. The temperature of the debate is rising, and I would ask members not to use language about character assassination.

The Premier has the floor.

Hon. Mr. Silver: Again, I've made my comments known very well on this issue. The Yukon Party seems to have an issue with Ketzka Construction. I asked them to bring it up with Ketzka, but I don't see a conflict of interest.

Mr. Dixon: Of course, naturally, I think the Premier is inaccurate here. We have no issue with the contractor themselves; we have an issue with the contractor's employee. That is the person we feel may potentially have contravened the conflict of interest act, and it's quite clear that there are at least reasonable grounds for that. We've laid that out in our letter to the Conflict of Interest Commissioner, who has since advised us that the only person who can clear this up is the Premier, other than the person in question.

So, I think it behooves the Premier to look at this issue and realize that there are reasonable grounds to at least ask the question. His own mandate letters to his ministers indicate that they should proactively reach out to the conflicts commissioner and seek his advice on matters like this. It seems that he — at least, his office did — sought the advice of the conflicts commissioner about the conduct of the Liberal leadership election.

So, why would he ask his ministers to proactively seek the advice of the conflicts commissioner, and why would he ask the conflicts commissioner about the leadership election, but he won't ask the conflicts commissioner about this matter?

Hon. Mr. Silver: The two are unrelated.

Mr. Dixon: So, the Premier has said that he won't ask for the advice of the conflicts commissioner because he doesn't believe that there is a conflict of interest. Does the Premier think that he is qualified to judge whether or not there has been a violation of the conflict of interest act?

Hon. Mr. Silver: I don't know what the member opposite wants me to say, other than what I have already said. We don't believe that there is a conflict here, and we know that the Yukon Party does. I guess we are at a stalemate here, because I am not moving forward with any advice from the Conflict of Interest Commissioner. I have watched this from the beginning, and I have watched the Yukon Party try to do a scattershot to see what sticks, and I don't see a reason to pick up the phone or to put pen to paper and talk with the commissioner about this issue.

Mr. Dixon: The Premier is right; we are at loggerheads here, and the only way to solve it would be to ask the Conflict of Interest Commissioner to weigh in. Section 10(4) of the act is quite clear — and it reads as follows: “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.”

Can the Premier tell me which aspect of that section of the act doesn't apply here or is not relevant to this situation?

Hon. Mr. Silver: I can do the same. What action did the person or the company do that is this smoking gun that the Yukon Party has? Again, they can decide that they have figured something out. We have looked at this situation. There is nothing to see here, and for us to contact the Conflict of Interest Commissioner because the Yukon Party is trying their hardest to attach something to somebody who is now in the private sector — that is something that I don't want to entertain.

Mr. Dixon: I am happy to entertain the Premier with my interpretation of this section. So, it reads — and I quote: “A former Minister shall not make representations to the Government of the Yukon...” We have, in this exact case, a former minister who, by the own admission of the current minister, has made representations to the Government of Yukon. The issue is in relation to a transaction or negotiation to which the Government of Yukon is a party. This is about an ongoing contract between the Yukon government and the contractor, which is, in the case — according to the minister — discussions about that contract and therefore a transaction or a negotiation.

The subsequent section of the acts says that it applies in which the former minister was previously involved as the minister. Well, this is very much the case; this is a project that was managed by the departments the minister was responsible for. She was quoted in the news releases about the announcement of these projects. She was quite clearly involved as a minister in these, and it indicates that, if the representations could result in the conferring of a benefit, not of general application and, of course, her employment with the company is not a benefit of general application, and the benefits that could be conferred as a result of those representations would not be of general application.

So, each and every aspect of this section, I believe, is quite clearly checked. That being said, I can see that I am certainly not an expert here, and so the expert that we have on staff and paid for by the Legislative Assembly to provide us that advice and provide us the expert opinion on these matters is the Conflict of Interest Commissioner. So, as I have explained, there was quite clearly reasonable grounds to at least ask the conflicts commissioner about whether or not the former minister contravened section 10(4) of the act.

I am happy to hear if the Premier has a different opinion on that.

Hon. Mr. Silver: Again, we're going over the same question over and over again. I don't share the member

opposite's concerns. If the member opposite still has a concern, he can take it up with Ketz Construction.

Mr. Dixon: Okay, I appreciate that the Premier is not going to be willing to budge on this, so I will move on. I will move on noting, of course, my disappointment in the fact that I have quite clearly laid out reasonable grounds for the Premier to seek this advice and his refusal to clear the air on this and simply ask the advice of the conflicts commissioner, which would either make this issue go away or provide clarity, at least, for legislators to understand whether or not there is a contravention of the conflict of interest act. It's the decision that the Premier has taken, though. That is disappointing, but I will move on.

Earlier this spring, we raised a question in Question Period about some federal funding in relation to affordable housing. Following the federal budget, my colleague, the MLA for Porter Creek Centre, asked a question of the government about federal funding for affordable housing. We noted that, in the federal budget, the other two territories received \$60 million each to address the housing crisis, and unfortunately, the Yukon was only given half of that. We were given \$30 million. In response to that, the Premier — and I quote: “Mr. Speaker, what the members opposite are not telling you is there is dedicated funding to three territories. That's \$60 million to Nunavut, \$60 million to Northwest Territories, and \$62.2 million to Yukon. Now, out of that, what they're also not telling...” — you — “... is that \$32.2 million did not go to the other two territories for hydro expansion.”

I would like the Premier to explain that comment to me a little bit. Is it the case that the federal government offered to each territory \$60 million for housing and the Yukon's position was that we will take \$30 million for housing and we will take \$32.2 million for the Atlin expansion?

Hon. Mr. Silver: As the member opposite would know from his time in government, you don't just spend one day asking for things from the federal government. From our perspective, in our process, we speak with our communities, our other leadership, and we make requests. As it turns out, with all the requests going forward, the federal government and how they decide this — that's up to them. The member opposite can ask the federal government why they made these decisions, but they equally gave money right across the territory. In that equality of approximately \$60 million, we had the allocation divided into two things, whereas the other two territories had it for housing specifically.

There are other pockets of money for housing, obviously. The three territories, as much as we do share, have differences as well. We have made record investments in housing and lands. As far as the budget goes and the demands of the other territories, I can't speak to how they lobby or speak with the federal government for what they need on a monthly basis or on a budget cycle basis. But yes, in the end, in that particular tranche in that particular budget, it was equal funding right across the north. Yukon had two different pieces in that.

Also, just to be fair with that number as well, 15 million of those dollars is in this supplementary budget that we are debating today.

Deputy Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

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.

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 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 sessional paper was filed November 2, 2022:

35-1-70

Upping Your Game on Children's Rights: 2021/2022 Annual Report — Yukon Child and Youth Advocate Office (Speaker Harper)

The following legislative returns were tabled November 2, 2022:

35-1-66

Response to matter outstanding from discussion with Mr. Istchenko related to a ministerial statement re: Kêts'ádañ Kù project (McLean)

35-1-67

Response to matter outstanding from discussion with Mr. Dixon related to a ministerial statement re: early learning and childcare programs — Child Development Centre (McLean)

35-1-68

Response to matter outstanding from discussion with Mr. Dixon related to a ministerial statement re: early learning and childcare programs — early kindergarten (McLean)

The following document was filed November 2, 2022:

35-1-105

Animal Protection Act, letter re (dated November 2, 2022) from Christopher Irvin, Mayor, Town of Watson Lake to Hon. Nils Clarke, Minister of Environment (McLeod)

Written notice was given of the following motion November 2, 2022:

Motion No. 514

Re: removing GST on some expenses (Mr. Cathers)



Yukon Legislative Assembly

Number 90

1st Session

35th Legislature

HANSARD

Thursday, November 3, 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, November 3, 2022 — 1:00 p.m.

Speaker absent

Clerk: It is my duty, pursuant to the provisions of section 24 of the *Legislative Assembly Act*, to inform the Legislative Assembly of the absence of the Speaker.

Deputy Speaker takes the Chair

Deputy Speaker (Ms. Blake): I will now call the House to order.

We will proceed at this time with prayers.

Prayers

Withdrawal of motions

Deputy Speaker: The Chair wishes to inform the House of changes made to the Notice Paper. Motion No. 511, notice of which was given by the Member for Klwane on November 2, 2022, was not placed on today's Notice Paper at the request of the member.

DAILY ROUTINE

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

Introduction of visitors.

Hon. Mr. Clarke: In honour of the Project Red Ribbon and Mothers Against Drunk Driving tribute, I would like to welcome to the Assembly, Jacquie Van Marck, Cory McEachran, Lisa Martin, and RCMP members Rob Mason, Dustin Grant, Jolene Nason, and Natasha Dunmall.

Applause

Hon. Mr. Mostyn: I rise today to introduce some very special guests this afternoon from the Canada Summer Games and the Canada 55+ Games. We have in the audience today, Walter Brennan, David Boschman, Linda Casson, Nesta Leduc, Stella Martin, Adrienne Marsh, Sue Meikle, Tom Ulyett, who is my old colleague, Paul Warner, Don White, and Linda Profeit — and Barb Phillips' medals are here as well. We also have, from the Sport and Recreation branch, Trevor Twardochleb and Marie Cairns. Please join me in giving them a welcome.

Applause

Hon. Mr. Streicker: I wanted to welcome some folks from Energy, Mines and Resources, but could I also please just welcome Tracey Bilsky from Sport Yukon. Not new to the Legislative Assembly but new here as the Deputy Minister of Energy, Mines and Resources is Paul McConnell. Joining him is Michelle Crossfield, who is the senior advisor to the deputy minister.

Applause

Ms. White: Although he has been introduced, I would be remiss if I didn't introduce my dad, Don White, who is in the Chamber. We talk often about how we are a product of our environments, so if you ever wonder about how I am — as funny as I am — it is because of this man. He has taught me about forestry and about logging and about volunteerism and the importance of turning up for your community — if we could just welcome my dad one more time.

Applause

Deputy Speaker: Tributes.

TRIBUTES

In recognition of MADD Project Red Ribbon campaign

Hon. Mr. Clarke: I rise today to recognize the annual Mothers Against Drunk Driving Project Red Ribbon campaign.

Every year, this campaign runs over the holiday season. The holidays are, of course, a wonderful time of year and it can be easy to get carried away with festivities when alcohol is included alongside all the good food.

Unfortunately, the holiday season often sees and increase in the number of impaired driving incidents. This is why you will see the red ribbon displayed throughout your communities during the holidays.

This ribbon plays an important role. It is a small, powerful reminder to drive sober and to keep our roads safe. It also serves as a tribute to honour all those who have been killed, injured, or affected by impaired-related crashes.

Road safety is everyone's responsibility. Taking a stand against impaired driving begins with each of us, and we should feel empowered to take action if we see unsafe behaviour. The local MADD chapter has done incredible work here in the Yukon on raising awareness around this issue, and — let me be clear — this is a real problem in our territory, and while we have seen a reduction in the incidents since 2020, there is still much work to be done. In 2021, Yukon experienced a rate of impaired driving-related incidents that was over six times the national average. What this staggering fact cannot show is the emotional toll that impaired driving has had on Yukon families. The loss of someone loved — a parent, a sibling, a grandparent, an aunt or uncle, a cousin, a friend, or a child — cannot be undone. Each loss is completely preventable. We can prevent impaired driving by planning a safe ride home ahead of time, by calling a cab or offering to be a designated driver, by taking responsibility for your choices when impaired and not getting behind the wheel, and by calling 911 if you suspect that a driver is impaired. Every single one of us has the power to take action.

Our department will continue to support the work that MADD Whitehorse does to reduce the number of impaired drivers on our roadways through enforcement, education, and awareness. In addition, we will continue to implement Canada's road safety strategy, which includes working toward safe roads that are free of impairment.

Madam Deputy Speaker, on behalf of the Government of Yukon, I would like to thank the local MADD chapter — in particular, the current president Jacquie Van Marck and all of

the dedicated volunteers for their commitment to ending impaired driving.

Applause

Mr. Hassard: I rise on behalf of the Yukon Party Official Opposition to recognize the 35th anniversary of MADD Canada's Project Red Ribbon. Millions of red ribbons are handed out across the country for drivers to display on their vehicles as a pledge and a reminder to remain sober behind the wheel through the holiday season and well beyond.

Winter can be a nerve-wracking time to drive for a lot of motorists — not knowing whether other drivers have proper tires on their vehicles, not knowing what the road conditions are that you may face, and not knowing whether those who share the road with you are sober behind the wheel.

The Yukon's impaired driving convictions remain up to four times higher than the national average, and this, of course, is unacceptable. There is no excuse for impaired driving.

I would like to thank the Whitehorse chapter of Mothers Against Drunk Driving and local volunteers for their continued effort to eliminate impaired driving and to keep our communities safe. Thank you, as well, to our local RCMP M Division for the work that they do keeping our roads safe and to all those who have taken the pledge to drive sober.

If you haven't already, please get your red ribbon, tie it on to your vehicle, and show your support for this important cause. Never drive impaired or ride with a suspected impaired driver, and plan ahead if you know you will be drinking. Always talk to your kids about the dangers of impaired driving. Be there for them — take the call, no matter how late, and be the sober ride they need if you are asked.

Applause

Ms. White: I rise on behalf of the Yukon NDP to pay tribute to Mothers Against Drunk Driving's Red Ribbon campaign. When it comes to the death toll of impaired driving, the numbers are heartbreaking. They are unacceptable. But, more importantly, each one of them is a person we have lost.

It's not only the people we have lost. I also want to talk about the people who are affected by impaired driving — the parents who get the terrible phone call in the middle of the night; the people left with lifelong disabilities, big and small; and the families and communities left with a hole where that person used to be.

It has to change, and so I would like to thank the many people at MADD — the staff and volunteers — who have led the fight to keep our roads safe, to support the victims of impaired driving, and to make sure that there are no more deaths or injuries resulting from impaired driving. Thank you for all your work to keep Yukoners safe.

Applause

In recognition of Team Yukon representation at 2022 Canada Summer Games and Canada 55+ Games

Hon. Mr. Mostyn: I rise on behalf of our Liberal government to tribute two Yukon teams this afternoon: Team Yukon for the 2022 Canada Summer Games and Team Yukon

for the 55+ Games. This August, nearly 200 athletes, coaches, managers, and support staff represented us at the Niagara Games. They joined more than 5,000 Canadians from every province and territory. I was honoured to wave the team in at the opening ceremonies. Our incredible youth, the vibrant heart of our territory's future, literally glowed during that ceremony, and I have the photos to prove it.

Team Yukon competed in athletics, basketball, canoe and kayak, cycling, golf, soccer, swimming, beach and court volleyball, and wrestling. It was thrilling to have several Yukon athletes achieve personal bests against the country's top competitors.

Flag-bearer Mara Roldan rolled in to place fifth in the cycling road race. The men's soccer team beat Team Nova Scotia and Team Manitoba, finishing seventh overall, the team's best showing ever. Yukon volleyball athlete, Arcel Siosan, received the Canada Games Council's Pat Lechelt True Sport award.

Then, in late August, 143 classy and flexible Yukon athletes joined 2,500 other Canadians at the Canada 55+ Games in Kamloops. I attended their lively send-off in June and have reconciled the fact that 55+ Yukoners are, indeed, my people. Those enthusiastic Yukoners brought home an impressive 74 medals. Our caucus elder occasionally jangles a few of them at our Cabinet meetings.

Yukoners tackled 19 events, ranging from track and field and swimming to pickleball, slow pitch, dragon boat racing, and cycling with the nation's best. There was fierce competition at these games, and also swagger. We demonstrated our talent and skill, had fun, and formed friendships. Yukon was robbed of the coveted Spirit Award. However, I know we dominated end-of-day festivities. I am told our raucous kitchen parties were favourites of Canadians from coast to coast to coast.

These games provide important social connection and friendship. It is critical to both physical and mental well-being, healthy bodies and minds. We are indebted to the incredible volunteers and staff who supported both Team Yukons this summer. Thank you, all.

There is more, Madam Deputy Speaker. In January, Yukon attends the 2023 Arctic Winter Games in Wood Buffalo, Alberta. In February, another Team Yukon journeys to Prince Edward Island for the 2023 Canada Winter Games. And, who knows, you may find a team Mostyn at the next 55+ Games in Trois-Rivieres, Québec. After all, having no response to the caucus elder's jangling medals is becoming irritating. Thank you very much.

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to recognize Team Yukon — those who represent our territory in sport. This past August, the 55+ contingent of Team Yukon headed to Kamloops to take part in the 2022 Canada 55+ Games. Our representation was solid with close to 150 participants competing in 19 sports. I understand that 13 of those individuals were over the age of 80, which is impressive, to say the least. This year, Team Yukon brought home 74 medals — 20 gold, 30 silver, and 24 bronze. Congratulations to all the athletes.

Our thank you to the ElderActive Recreation Association, which offers a variety of programming for seniors and helps to organize and lead this Team Yukon to victory at the Games.

This year, the Canada Summer Games were held in Niagara, and I would like to recognize all those Team Yukon athletes, coaches, and support staff who travelled to Ontario in August to compete. Due to the pandemic, the 2021 games were postponed for a year, much to the disappointment of all involved. 2022 has seen the return of many gatherings and events, so it was wonderful that these youth had the opportunity to participate.

To the athletes, to be chosen to represent our territory at the Canada Games is quite an honour. Your skills and determination are what got you there, and having the opportunity to join and compete against some of the best athletes across Canada is something you will always remember. Congratulations to all those who participated in the Games, and thank you to all who helped to get them there.

Applause

Ms. White: I rise on behalf of the Yukon NDP to congratulate all of those who participated and supported Team Yukon at both the 55+ Games in Kamloops this summer and at the Canada Summer Games. Today I'm going to focus on the 55+ Games.

We are proud of each and every one of you who are showing younger generations that the love of sport doesn't have to stop as you get older, and if anything, it shines even brighter and, if the sound of your medals is an indication, it rings even louder as we get older. So, whether you participated, set a personal best, or medalled, the Yukon is proud of your accomplishments. Congratulations on your epic achievement.

Applause

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

Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Minister of Health and Social Services to provide Yukoners with an update, no later than at the official opening of the Centre de Santé Constellation Health Centre, on when the government will actually have any doctors working at this government-run clinic.

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

THAT this House urges the Government of Yukon to complete the terms of reference for the MOU on the employment and protection of Filipinos under the Yukon nominee program that was signed with the Republic of the

Philippines so that it can be implemented for the benefit of Yukon businesses and the Filipino community.

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

THAT this House urges the Government of Yukon to support Yukon apprentices through active recruitment in Yukon government departments.

Ms. Tredger: 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 maintain a public trail around the perimeter of the Eric Nielsen Whitehorse International Airport.

Deputy Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Fires and flooding

Hon. Mr. Mostyn: Yukoners came together and undertook extraordinary efforts to address threats of floods and wildfires in the territory this year. It was another difficult year. Climate change is causing more frequent, severe, and unpredictable weather, causing more natural emergencies around the world. The impacts are real and the Yukon is not immune.

This year, throughout the territory, we saw a record snowpack, rapid melt, and high groundwater. The emergency measures team supported 13 communities that experienced flooding. Around 60 fires threatened communities and transportation infrastructure in every fire zone in the territory. Our emergency coordination centre was activated on June 9 and worked with partners to respond rapidly as the situation developed. Our response was a collaborative effort, together with Yukon First Nations Wildfire, contractors, municipal and First Nation governments, residents, neighbours, and dedicated volunteers. Our sandbag machines ran continuously through June and July in Upper Liard, Ross River, Teslin, Carmacks, Lake Laberge, and Tagish, producing more than 286,000 sandbags and 6,350 superbags.

Municipalities and First Nations working with our team rose to the significant challenge that widespread flooding posed, saving waste-water treatment plants, roads, and homes.

The Yukon Housing Corporation deployed a flood recovery program to help Yukoners pay for damages to their property and possessions caused by this year's flooding. Those who have been impacted can still contact the corporation to apply for flood relief. The deadline for applications is November 25.

This year's record flooding was overlapped by two weeks of extreme storms that brought more than 21,000 lightning strikes and caused 136 new fires. Throughout the summer, the territory faced 274 fires, burning 175,000 hectares near communities, highways, and critical infrastructure in Watson Lake, Ross River, Mayo, Carmacks, and Beaver Creek. Wildland Fire worked with partners to protect homes, critical infrastructure, and communities threatened by 60 fires in

critical zones. Fighting these fires was not easy, but they were successful in keeping Yukoners and their properties safe.

Emergency response and preparedness is a shared responsibility, and it is truly a team effort. A big thank you to our Wildland Fire and our emergency measures teams, Yukon First Nations Wildfire, our First Nations and municipal partners, as well as our partners from Alberta, BC, and Ontario for their mutual aid, personnel, and equipment.

When emergencies strike, we rely heavily on these people. They work long hours under grueling conditions to keep our communities safe, and they do it with dedication and professionalism. We all owe them a debt of gratitude.

Ms. McLeod: First of all, I would like to express our thanks to volunteers, first responders, emergency preparedness workers with the YG, and government officials, Wildland Fire Management, Yukon First Nations Wildfire, municipalities, First Nations, and all Yukoners who helped with both the fire and flooding season in 2022. Both seasons frequently overlapped. I know some officials are still on high alert as we see higher-than-normal water levels in the Southern Lakes region.

I would also like to thank my colleague, the Member for Lake Laberge, for getting out in front of this issue in a press release dated February 21. In that release, he called for the government to begin flood preparations alongside residents and learn from the lessons of a very hairy 2021 flood season. At the time, we also made nine suggestions to the government to help mitigate the impacts of the flooding season.

Can the minister tell us how the government worked with residents leading up to and during the flood season?

Teslin was on high alert for several weeks in June and July, as Teslin Lake pushed into the community. I know the Member for Pelly-Nisutlin strapped on his steel-toed boots and was on the front lines, filling sandbags and running equipment. Residents of Marsh Lake and Lake Laberge watched water levels for months, wondering if they would experience 2021 levels again.

Thankfully, those residents were prepared, and, in some cases, took matters into their own hands to secure their property. Carmacks residents were also on alert, due to a rising Yukon River and I know that folks in Upper Liard dealt with the rising Liard River. In Dawson, while there was no notable flooding, heavy rain resulted in some highway washouts, so residents there had to be on alert.

Now, I need to point out a concern brought forward by the Member for Copperbelt South, and he has been advocating for residents in the McConnell Lake area, down the Annie Lake Road. Those residents have been asking for help from the minister, as they dealt with flooding the past two seasons. Residents are desperate for a solution. The minister said that he flew over the lake this summer, so why won't he visit the properties on the ground, and why is he refusing to meet with the affected residents?

As for the fire season, there was an evacuation alert in central Yukon in early June, due to wildfire activity in the vicinity of Mayo, Keno, and the Eagle Gold mine. Thankfully,

that was rescinded a week or so later, without an evacuation order being issued.

While we wait for the final statistics, according to media reports, as of early July, we experienced upward of four times the annual average of wildfires over the past decade. So, I thank all firefighters, even those who helped from out of the territory, who helped to keep these wildfires from threatening our communities. We certainly appreciate your efforts.

In closing, as we know, it is never too early to begin preparations. Can the minister tell us if and when the government will begin preparing for next year's flood and fire season? I look forward to the minister's responses.

Ms. White: Thank you, Madam Deputy Speaker. You only need to look at the supplementary budget to see the real-world implications of climate change — nearly \$60 million for Wildland Fire Management to address the increased fire activity near Yukon communities. With over 270 fires covering over 175,000 hectares, there wasn't a single community in the Yukon that wasn't affected in some way, and when was the last time that any of us can remember a high-water advisory being issued in October, but that is what happened this year. From culvert washouts that cut us off from the south, with flooding from the Upper Liard River north toward Carmacks, and west toward Ross River, communities have had a tough go this summer. From large-scale flooding in Teslin to the Yukon River blowing its banks in Carmacks, what was billed as a 100-year anomaly last year looks all too much like it was repeated again, one short year later. Melting permafrost, coupled with high precipitation, meant that we were faced with landslides, the likes that we haven't seen in recent memory, and all of these events are environmental, and all of these events can be tied directly to climate change.

So, how does the Yukon move forward? What measures is the Yukon government taking to help build the resiliency of Yukon communities to these climate events? Are there dike projects planned for next year, and if yes, in which communities?

As we talk about this year's number of wildland fires and the crews that were tasked with their management, what work has the minister — who has both the portfolio for managing wildland fires and protecting those who fight those same fires — done toward presumptive cancer coverage for wildland firefighters? It's one thing to stand here and thank them for their work, but words without actions are just words.

Can the minister tell us what actions he has taken to extend presumptive cancer coverage for wildland firefighters? Who has he consulted to date? When pressed to treat wildland firefighters as equal to structural fire crews, he said that the financial implications meant it was impossible. So, what research has he done since that point? It has been a tremendously stressful season for emergency workers, and I hope that the minister will do more than just send them a nice speech to show his appreciation.

Yukon's emergency workers and support crews from down south spend days and weeks away from their friends and families, and risk their health to keep us all safe. For that, I

know we are all grateful. We thank all of those community members, staff, volunteers, and others who got us safely through this year's emergencies.

Hon. Mr. Mostyn: I appreciate the remarks and the praise for our very hard-working civil servants and communities, First Nations, and all the people who stepped up in this last year, during a very challenging season for both floods and wildfires. This is the second year that it has happened, Madam Deputy Speaker.

In 2021, when I assumed this position, this role, and faced some of the worst flooding we had seen since 2007, I went to the department. We didn't have a good read on what happened in 2007. We hadn't had many floods, and for the one historic flood we had, there wasn't an awful lot of information to guide our direction forward, and frankly, we hadn't done a lot of work in the intervening years to get anything done.

So, we took a lesson in 2021, when I remarked that I felt like the minister of the Four Horsemen of the Apocalypse. We had COVID going, so there were fires, floods, plague, and pestilence. This year, we had, again, a really awful year — a lot of fires, a lot of flooding. In some ways, it was more challenging than it was in the previous year, and I can't thank and laud the Department of Community Services — in fact, many of the departments of the Yukon government that stepped up and provided the resources we needed to help make Yukoners safe. We were largely successful. A lot of that was through foresight and action, but some of it was just merely the luck of the way the winds were blowing or when the water fell from the sky — the rain.

The member opposite mentioned Teslin. I will say that Teslin did an extraordinary job this year. It was great to be down in the community last summer as they were putting up the sandbags, going down to talk to the folks who were putting those sandbags up — both the superbags and the smaller bags — and seeing how that community adapted to the flood. They did a tremendous job. So many municipalities did this year, and I really want to commend them all. Teslin certainly was extraordinary. They really do deserve some thanks and some credit for doing that. As a municipality, they really got on top of it.

Now, I am just going to quickly touch on the presumption that the Leader of the Third Party just mentioned. We talked about this last year, of course. There is a lot to that. If you are presuming that wildland firefighters are exposed to a certain carcinogen, part of the workers' compensation is to make sure that you take action to prevent exposure or the hazard that you are being exposed to, which would mean heavy equipment, breathing apparatuses, and that type of thing, with virtually no evidence of any of those cancers in the wildfire area. I think it behooves us to actually understand what is going on there before we saddle our wildland firefighters with enormous gear that would be very prohibitive during the summertime when they are out in the woods fighting these fires.

The other things are severe weather events, global warming, and climate change. We, as a government, are taking great strides to move the territory forward on that front through

the nation-leading *Our Clean Future* plan that we have, and also through our support of carbon pricing in the territory and our work with the federal government. Unfortunately, we have seen that the Yukon Party does not hold those values either. We are going to see more of this unless we take it seriously —

Deputy Speaker: Order.

This then brings us to Question Period.

QUESTION PERIOD

Question re: Atlin hydro expansion project

Mr. Hassard: We know that the Minister of Energy, Mines and Resources has struggled to provide reliable information about the Atlin hydro project, so I would like to ask him to clarify a few things. Yesterday, he said — and I quote: “The information that I have is that the project is on track for 2024. There is still work going on to get it there.”

However, last week, he said this — again, I quote: “The current projection is for the fall of 2025, which is roughly one year past the original planning timeline.”

Can the minister tell us if he provided unreliable information yesterday or did he provide unreliable information last week?

Hon. Mr. Streicker: You know, yesterday, the Yukon Party rose to ask questions about Atlin. They talked about the original price as being \$130 million — something like that. I said at the time that number was wrong. I said I would look back into it and see where they were getting that number from. It appears to me that they have pulled the number for the hydro portion of the project, but not the transmission line portion of the project.

So, I asked Yukon Energy. I know that they also reached out to the Tlingit Homeland Energy Limited Partnership. There was a dialogue that went back and forth. The original projected price of the project was in the range of \$250 million. As I said, the current costs, due to inflation, are in the range of \$315 million.

This is a very good project. I am disappointed that the Yukon Party doesn't support the Atlin hydro project. We think it is a good project, and we are very supportive of this project.

Mr. Hassard: So, the question was about providing reliable information on timelines. So, as I said, the minister yesterday — and I will quote again: “The information that I have is that the project is on track for 2024. There is still work going on to get it there.” Last week, the quote was: “The current projection is for the fall of 2025, which is roughly one year past the original planning timeline.” So, again, was the minister unreliable yesterday or unreliable last week?

Hon. Mr. Streicker: I will confirm the target date for the Taku River Tlingit's project, and I will report it back to this Legislature. I'm happy to confirm the appropriate date.

What I can say today is that the Yukon Party is throwing around numbers that have been proven unreliable. They continue to throw those numbers around, and I think that they should stand up and correct the record.

Mr. Hassard: So, still no response — yesterday, the minister told the media — and I'll quote again: “I think we are

all re-evaluating how much we've been putting in to try to close that gap." So, it is clear that the Yukon government is considering putting even more taxpayers' money into this project. How much more money will the Yukon government spend on this project?

Hon. Mr. Streicker: I will tell you what. What we are not going to spend money on is a liquefied natural gas plant. That's what the Yukon Party wants to spend money on. They believe that the future is in fossil fuels. I don't know if folks have noticed, but those costs are going up.

So, no, that is the wrong direction. Next generation hydro — wrong direction. I stood in this House and said in the past weeks, yesterday, and I will say again today that we support community-led projects. We are going to work with First Nations and get them an equity stake. I listened to Tlingit Homeland Energy Limited Partnership stand in the lobby of this beautiful building and talk about this important project and talk about it as economic reconciliation. We are behind the Atlin project.

Question re: Atlin hydro expansion project

Mr. Kent: So the minister has touted the Atlin hydro electricity purchase agreement, or EPA, between the Yukon and the Tlingit Homeland Energy Limited Partnership, including in a ministerial statement earlier this year. I had some questions about the EPA for the minister.

The agreement notes that it has no legal force until certain conditions are met. One of those conditions is that THELP must submit to the Yukon a detailed funding plan. Then, on or before June 14, 2022, Yukon is required to give notice that it is satisfied with the funding plan and the financial viability of the project.

Can the minister tell us if the Yukon did indeed give formal notice that indicates satisfaction with the funding plan and financial viability for this project on or before June 14?

Hon. Mr. Streicker: Again, I am disappointed that the Yukon Party doesn't support the Atlin project. The reason is — the Atlin project is a community-led, brownfield, hydroelectric, renewable energy project, which is going to provide us dependable winter energy at 13.5 cents per kilowatt hour, or at least that is the energy-purchase agreement that is in front of the Yukon Utilities Board right now. That price is a great price. That is why we are investing in this project. I think that is also why British Columbia is investing in the project. I think that is also why the federal government is investing in this project — because it is a good project for Yukoners.

Mr. Kent: My question was with respect to the electricity purchase agreement and whether or not a funding plan was received on or before June 14, but I will move on to another important condition of the EPA that must be met, and that is the approval of the Government of Yukon.

So, the Yukon Energy Corporation's submission to the Yukon Utilities Board says clearly that Yukon government approval is required. Section 2.1(d)(v) of the EPA conditions says that approval must be granted on or before 215 days after January 14, 2022. That would be around the middle of August.

So, did the Government of Yukon grant the necessary approvals by this deadline?

Hon. Mr. Streicker: These are really incredibly technical questions. I wish that the members opposite were willing to have Yukon Energy and Yukon Development Corporation come in as witnesses, but the Yukon Party voted against that happening.

I will endeavour to investigate the very specific nature of the questions and the very technical sense of it, but what I can say about this project is that it is a good project, and 13.5 cents a kilowatt hour is a great price. I'm amazed that the members opposite are not interested in that kind of energy price for Yukoners.

Mr. Kent: This is about the purchase agreement for the electricity that has been signed, and that last question was about Yukon government approval, so I'm not sure why the minister doesn't know the answer, unless he hasn't read the EPA.

Another condition is the receipt of necessary approvals from the Government of British Columbia. According to the Government of BC's Crown lands application website, those approvals have not been granted. In fact, here's what that site says — and I quote: "The project is currently being redesigned. A new Development Plan will be submitted and will be posted for public review. A public comment period will follow. The re-submission timelines are unknown at this time."

It appears that many of the necessary conditions of the EPA have not been met by the deadlines prescribed in the agreement. Can the minister tell Yukoners what this will mean for the project?

Hon. Mr. Streicker: For Yukoners, I will take the energy purchase agreement and, if it is within my power to table that, I will table it here so that everyone can see it. I think it is a great price for Yukoners — 13.5 cents a kilowatt hour, firm, winter power, displacing diesel generators. Of course, the Yukon Party wants to build a liquefied natural gas plant. I say, no, that's the wrong direction for the Yukon. Clearly, they have a different vision for the Yukon — it is fossil fuels. That is not our vision. We will continue to work on this project, and I will share with the Legislature the energy purchase agreement.

Question re: Trades apprenticeship

Ms. White: Not everyone learns in the same way, and many students who have a hard time focusing in a classroom environment are naturally inclined to working with their hands. So, what if there was a way that we could support students and strengthen a critical part of Yukon's workforce? BC schools have a program called "Youth Work in Trades", where students, as young as 14, are able to turn hours worked in trades into credits and bank them toward their red seal certification afterward. A program like this would be highly beneficial in the Yukon.

Will the minister direct the Department of Education to work toward developing this type of trades program in Yukon schools for the benefit of Yukon students?

Hon. Ms. McLean: I stood yesterday and talked about our government's support for the trades, and I stand here today, as well, to reiterate that. This is our week to celebrate the trades

and technology throughout Canada. I am very supportive — our department is completely committed to working with all of our partners around enhancing Yukon trades. The Yukon apprenticeship program continues to support registered Yukon apprentices to complete their program requirements, in partnership with Yukon University and Alberta apprenticeship programs. I do think that there certainly are ways that we can enhance and encourage young Yukoners to be more interested in the trades. There is a lot to offer there, and I believe that our partners will continue to work together. I am certainly willing to have more conversations, as well, with the Leader of the Third Party around some of her ideas. I would like to do that, and we have said many times, in this House and outside of the House, that good ideas come from —

Deputy Speaker: Order.

Ms. White: So, I am so grateful for the pre-apprenticeship program at Yukon University, because it gives folks of all ages a chance to learn what they want to do, and become comfortable in the trade before going out into the workforce. It also ensures that employers are able to hire people with the knowledge needed to be a helpful asset to the company from day one.

Yukon government is the single-largest employer in the territory. Within their ranks, there are trades from carpenters to heavy-duty mechanics, and just about any other trade you can name. Any business with that many tradespeople on staff would have the capacity to train countless apprentices.

As we were told yesterday, there are currently 456 apprentices training in the Yukon, and today, we've been told again how much this government supports those trades. So, my question is: Can the minister tell us exactly how many apprentices currently work within Yukon government?

Hon. Ms. McLean: I am very happy to stand and speak about trades in the Yukon. I 100-percent support Yukoners pursuing trades and technology. I think that this is an amazing opportunity for young people in the Yukon. I will just say, again, that I want to hold my hands up to all the partners. We have had a chance to do that this week in our tribute to trades. I know that there is a job and volunteer fair going on today at Yukon University. There are a lot of private sector, and a lot of partners, that are represented there. We are very supportive of the work that Yukon University is doing to support Yukoners who are going into the trades.

Yes, we have 456 registered apprentices; 117 of them identify as First Nation apprentices, and 52 identify as female apprentices as well. As we go forward on the questions, I will continue to build on that.

Ms. White: Although I appreciate breaking apart those numbers, what I wanted to know is, of those 456 apprentices, how many are currently employed by Yukon government?

For as long as I can remember, there has been a shortage of trained tradespeople in Canada and in the Yukon. The current shortage is leaving Yukoners out in the cold. There are so many stories of people wanting to get work done, but no tradespeople available to do it. This doesn't even address the shortages we can expect for folks accessing the new better building program.

Training for a trade is a lengthy, but rewarding, process; however, it does involve finding an employer willing and able to take on an apprentice. Unfortunately, becoming a journey person takes a number of years, and there are only so many tradespeople working in the private sector to take on apprentices. If the Yukon government were to take on more apprentices, it would fill gaps in staffing and get more qualified workers into the private sector.

Will the minister commit to working with Yukon University to get more apprentices into Yukon government?

Hon. Ms. McLean: Yes, the majority of Yukon apprentices are employed by the Yukon's private sector. I was trying to find the number in my note; I knew it was here. We currently have five apprentices employed with Yukon government. There are two heavy equipment and transport technical apprentices with Highways and Public Works, two cook apprentices, and one baker apprentice with Health and Social Services. Do I think that our government could be doing more and should be doing more to encourage more apprentices in Government of Yukon? Yes, I do, and I'll continue to work toward enhancing that number.

I want to reassure Yukoners, always, that we are in support of trades in the Yukon. The Yukon apprenticeship program is a very important one. We continue to work with our partners. As I've stated, Yukon University is very supportive. As we transitioned from a college to a university, we maintained that ability to have that type of programming at our university and will continue to do so.

Question re: *Animal Protection and Control Act* consultation

Mr. Cathers: Since the Minister of Environment tabled animal control legislation, it has become clear that groups that are most affected by it were not properly consulted. The minister chose not to share the details of his proposed animal control legislation with people affected by it most. The details of the legislation have the potential to impact lives and livelihoods of thousands of Yukoners, including people who work with animals or have livestock. The minister has admitted there are problems with his legislation. He has also said the earliest it could come into force is spring, after the development of regulations.

A growing list of stakeholders have asked him to consult on Bill No. 20, including farmers, dog mushers, tourism operators, outfitters, and municipalities. Will the minister agree to listen, pause the legislation, and consult with the stakeholders who are asking him to consult?

Hon. Mr. Clarke: We have listened; we are listening; we will continue to listen. Our consultation was thorough. The public input demonstrated substantial support to improve animal welfare standards and set control requirements across the territory. Without this 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; we will fail to mitigate the risks that uncontrolled animals pose to public health and safety, the environment, and property.

Approval of the bill is essential to take the next step to develop the regulations. As I have indicated, the act will not come into force until the regulations are developed and passed. Critical to this is ongoing engagement with affected stakeholders. Their additional involvement and feedback will ensure the regulations reflect Yukon values and way of life.

We look forward to re-engaging with key stakeholders on the specifics, like standards of care for domestic animals, cosmetic surgeries, and exotics. Important stakeholders include, but are not limited to, veterinarians, pet store owners, the Association of Yukon Communities, the Wilderness Tourism Association of the Yukon, Yukon Dog Musers Association, Yukon Outfitters Association, Yukon Agricultural Association, Growers of Organic Food Yukon, and the Klondike Farmers' Forum — but to name a few.

Mr. Cathers: When government receives a reasonable request from multiple stakeholders for consultation on details of legislation that will affect them, they should listen, unless there is a compelling reason not to. In the case of the *Animal Protection and Control Act*, they have heard that request from a growing list of stakeholders. Delaying passage of the bill until spring would not delay when it comes into force. The only reason that the minister and his colleagues have to refuse requests for consultation with farmers, other businesses, mushers, and municipalities is that they seem to feel they would lose face by doing that and have to admit that they misjudged the importance of consultation.

That is really not a good reason to refuse to consult. The Liberal government literally ran on an election slogan of: "Be Heard". Will they now agree to listen to Yukoners, pause, and consult on this legislation?

Hon. Mr. Clarke: I personally have absolutely no concern with losing face with respect to this matter. I am concerned with having progressive, modern legislation for all Yukoners that protects Yukoners and moves the territory forward. This should have happened decades ago. The members opposite, the former Yukon Party government, had the opportunity on numerous occasions in their 14 years in government to do so. They chose not to. We have consulted.

Let me be clear — our engagement started in 2018, but continues to this day. We are still having conversations — still taking feedback — and formal conversations happen every week. The 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 affected Yukon stakeholders. I know that this engagement will also be thorough, as it has been so far. We will get it done.

Mr. Cathers: Even the Minister of Environment himself has admitted that there are problems with his animal control legislation. When I pointed out that section 41 of the act seems to make it an offence to walk your dog or ride your horse on public land, earlier this week, he admitted that they might have made a mistake. Two days in a row, he was unable to point to anywhere in the act that allowed these activities despite the prohibition in section 41.

On Tuesday, he said it might be a typo. Yesterday, he said he directed officials to look at the section and opened the door to the possibility he might need to amend it. We appreciate that, but it is becoming clear that this act isn't ready to be passed — especially not without consultation with the growing list of stakeholders asking for that.

Will the minister agree to listen, pause the legislation, and consult with the stakeholders who are asking him to consult?

Hon. Mr. Clarke: We have had a fulsome debate in Committee of the Whole for five days, and we will go into our sixth day. We have taken the concerns under advisement, and I will report back to the House.

As far as amending legislation, the former minister for Copperbelt South amended his own legislation in Committee of the Whole in 2015. The former minister, the Member for Lake Laberge, has amended his legislation in Committee of the Whole as well. So, obviously, there isn't a perfection standard. When the Yukon Party former government was in power, they were in Committee of the Whole, there was legislation that was reviewed, and perhaps through the diligent questioning of members opposite, they pointed out a drafting error, and those had to be corrected as well. That's exactly what Committee of the Whole is.

In any event, this is strong legislation, notwithstanding what the Member for Lake Laberge is saying. We will move this forward. This is progressive legislation, protecting the animals and the citizens of all of the Yukon. It is overdue.

Question re: Affordable housing and land development

Ms. Clarke: It is clear that what the government is doing is simply not working. Yukoners are facing a Liberal-made housing crisis. This summer, a government-caused two-month delay to access Whistle Bend phase 6A lots limited the ability of the private sector to get housing to market. We know the minister also cancelled tendering phase 7 in 2021 and delayed those lots to market.

A confidential briefing note says, "Delays to Phase 6 completion (originally schedule for 2021, but now to 2022) triggered access issues to other phases."

Briefing notes show that phase 6B was planned to be completed in July 2022. Can the minister confirm if phase 6A and phase 6B have been completed as scheduled?

Hon. Mr. Mostyn: The issue before us this afternoon is lot development in the territory. It's something we've committed to do, and it's something we've done extraordinarily well over the last six years, and we're going to continue to do that. We know that the record of the Yukon Party in the benches opposite was less than stellar. We are taking a different approach. We are actually getting lot development done. We continue to advance Whistle Bend as quickly as possible, in phases. We see progress every year, releasing lots by way of lottery for private citizens and contractors before the spring start to the construction season.

In 2022, 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 lots to the market, on

route to our pledge of fulfilling 1,000 lots by the end of our mandate.

Ms. Clarke: Salamat. Earlier this week, I asked the government about their constant delays in getting new building lots to market. This lack of supply continues to push housing prices to record levels. So, I asked if the government had delivered on its commitment to tender phase 9 lots in Whistle Bend. The Premier failed to answer the question. The confidential briefing note says: "Phase 9 (and lift station) will be tendered in summer 2022, once Phase 6 is completed."

So, I will ask again: Can the minister confirm when phase 9 will be tendered?

Hon. Mr. Mostyn: As I mentioned, the issue before us this afternoon is lot development. In fact, it's about historic investments in lot development and housing in the territory. We agree that lot development in the territory is an important matter for Yukoners. That's why we've increased our budget to \$30 million this year for new lots — \$30 million, Madam Deputy Speaker. As we move the territory forward, \$30 million is a lot of money.

The member opposite may not know this, but in their last year in office, the Yukon Party invested \$7.7 million in lots. We are nearly four times that amount. That's the big difference — we're getting it done. The members opposite ignored this and put us in a deficit, which we're now still trying to dig ourselves out of this many years later. This was an atrocious negligence on the Yukon Party's part, and we're moving the territory forward.

Ms. Clarke: The Yukon Bureau of Statistics showed that the average cost of a house had risen to \$701,000 by the end of September. Madam Deputy Speaker, earlier this week, the minister failed to answer another of my questions about providing more housing. We know municipalities are strapped for resources. We know that permitting and zoning have caused delays for developers. The Yukon government could budget to help Yukon municipalities with those costs.

Will the government help expedite the release of land and development of housing during the short building season by providing extra resources to Yukon municipalities?

Hon. Mr. Mostyn: As this Liberal government moves the territory forward, we are making historic investments in Yukon housing lot development. The \$30 million that I mentioned in my last statement — the member opposite may not know this, but over the entire last term of the Yukon Party — their last term — they averaged just \$6 million in lot development, which was a million dollars less overall than their last year.

Our Liberal government has built strong, collaborative relationships with municipalities, private land owners, developers, and First Nations across the territory to speed up the development of lots and homes in the territory. In the last two years, municipalities across the territory have issued almost 1,300 permits for residential construction, a significant increase over the historic average. Over the last four years, we have seen an addition of more than 1,000 new homes in Whitehorse, which is a 60-percent increase over the previous four-year period.

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 the price for that Yukon Party's inaction on housing. We have tripled investment in lot development, compared to the Yukon Party. This Liberal government is moving the territory forward on this file. We will continue to do so.

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

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

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

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

Motion agreed to

Deputy Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Ms. Tredger): Order. 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*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 20: *Animal Protection and Control Act* — continued

Deputy 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?

Hon. Mr. Clarke: Thank you for the opportunity to stand in Committee of the Whole debate on Bill No. 20. Beside me, we have chief veterinary officer Mary Vanderkop, and to my right is Rebecca Veinott, legislative drafter.

Where we left it yesterday was that the Member for Lake Laberge had sat down and, I think, indicated that he may have finished his questions in general debate, although in fairness perhaps he does have a few more because, as I understand after the fact, we did not formally finish general debate, but I am certainly prepared, in consequence of that, to answer questions in general debate. I certainly look forward to getting to clause-by-clause debate and answering potentially similar questions,

as the Member for Lake Laberge has certainly asked specific questions about specific clauses during the last few days. So, my anticipation was that we might be going into clause-by-clause debate, but I understand that, procedurally, general debate has not quite finished, but I do look forward to getting to clause-by-clause debate.

Mr. Cathers: I would just ask the minister — he had indicated that he was going to look at section 41 and get back to the Assembly. He had acknowledged that there may be a problem with that section. One of his indications was that it might be a “typo” as he described it, but as we dealt with earlier, there were two days in a row where the minister was not able to point to anywhere in the legislation that created exceptions to the specific duties laid out in section 41 — specifically, that applies to whether it is legal to have dogs, horses, and other animals on public property.

I would just ask him if he could report back to the House on whether he has concluded anything regarding that section.

Hon. Mr. Clarke: Thank you, Deputy Chair, for the question. Yes, I would still characterize — after further review and discussion with both policy and my officials, I would now confirm that I would characterize it as a typographical error, and that we will be proposing a friendly, hopefully, amendment to section 41(1) when we get to that specific clause in clause-by-clause.

Mr. Cathers: I appreciate that indication from the minister, and I would actually just ask him if he could send over copies of the amendment that he will be proposing now, so that we, as well as the Third Party, could have the opportunity to review that. As the minister knows, it does take some time in reviewing legislation and changes to it, sometimes, to understand how different parts of the bill interact with each other. If we don’t see that legislation before we get to clause 41, it is also possible that consequential changes or solutions that might be discussed might actually be earlier in the bill than section 41. So, just in the interest of providing that information to members and recognizing the fact, as the minister knows, that there is a reason the government is expected to table its legislation within the first five days. That is so that non-government members have a chance to consider it and understand it, in part. I would just ask him if he could — before we get into the line-by-line stage — just send across copies for all members of the change that he intends to present later.

Hon. Mr. Clarke: It’s on the record now. I can direct now that the very minor amendment be provided to both the Yukon Party MLAs and to the Yukon NDP MLAs for their review. As indicated in prior debate, it is a very minor proposed change, but in our view — or my view — it does address the issue about allowing for, among other things — and I’m sure that we will have further discussion — other things responsible — primarily dog-owning Yukoners. I think that the member opposite talked about things like the Gunnar Nilsson and Mickey Lammers Research Forest, or other areas within Whitehorse or in the communities, if there is no requirement for that dog to be leashed, but that there are other requirements. We believe that the amendment meets that objective.

Mr. Cathers: I do appreciate that undertaking for the minister to share the proposed amendment with us. As I noted, I would appreciate it if he could actually do that before we proceed into line-by-line debate so we can have a chance to review it and understand it. I would point out to the minister that one of the reasons why that is relevant is, for example, this section may affect things that are earlier in the act, including the definitions, depending on what the minister is proposing.

I would note, for example, that “at large” is a defined term early on in the legislation. I haven’t seen the minister’s proposed amendment, but among the solutions that we considered as possible changes to this section of the bill included use of the term “at large”. Consequentially, if the minister uses that term or others containing definitions, or something that is earlier in the bill, there may be a need to discuss the impact of that and potentially consider amendments to a definition or an earlier clause.

I would just ask him if he could provide us all with physical copies of the amendment that he will be proposing later on, before we get into line-by-line, so we can have an opportunity to review that information and then ask the minister questions accordingly, including earlier on in line-by-line debate.

Hon. Mr. Clarke: Is the question that I get you the proposed amendment prior to the commencement of line-by-line debate?

Mr. Cathers: Yes, that is exactly what I am asking — if the minister provide that to us, and then if we could then have an opportunity to review that before we get into line-by-line debate, that would leave all of us — again, I don’t know what is contained in the amendment that the minister intends to propose. That’s the whole reason for it. Consequentially, I don’t know if it will affect questions that we have earlier on in line-by-line debate. Having made that request, I would ask the minister to send over copies of that before we proceed to general debate in the interest of allowing us to do that. That would give us some opportunity to review that before we proceed to line-by-line debate.

Hon. Mr. Clarke: I received some information, indicating that some MLAs do require, in addition to any clarification I would be providing today — they require some additional clarification with respect to a number of matters prior to getting to line-by-line debate.

So, in light of that, I move that you report progress.

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

Motion agreed to

Deputy Chair: The matter now before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair (Ms. Blake): Committee of the Whole will now come to order.

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Hassard: I thank the Deputy Minister of Finance for being here today with the Premier.

This morning at House Leaders, the Member for Copperbelt South indicated to House Leaders that we would be asking questions about Highways and Public Works today. Hopefully, the Premier is ready to go with that and has done his homework and studied up on things.

I guess the first question I would ask is if the Premier is aware, or has the government met with the Governor of Alaska regarding anything in general, I guess, but particularly in regard to Shakwak funding? Are there any negotiations underway? Is there anything he could update the House on in regard to Shakwak?

Hon. Mr. Silver: I am not aware of the latest meetings with the governor. I do know that also, not only Highways and Public Works, but Economic Development is reaching out to officials in the state as well on a plethora of different topics. I have obviously met with Governor Dunleavy in the past. We have discussed a lot of different topics during COVID and during the opening up of the borders, as well, having conversations about everything from tourism to federal funding. The bipartisan investment law is a different way of formulating the funding for the States, one that we are hoping gives a lot more control to the State of Alaska, as opposed to Washington, DC, and that was basically a lot of the conversation I had with the governor.

We spoke in-depth with the governor about how we can access those bipartisan investment law pools of money, including the RAISE program. I do know that Highways and Public Works officials met with the consul general office last month. Over the summer, the minister met with the US consul general as well.

We continue to work with the Alaska department of tourism to peruse other funding opportunities, including, as I said, the Rebuilding American Infrastructure with Sustainability and Equity program, RAISE for short. This grant is a US merit-based discretionary funding program for infrastructure, and our application process says that highway reconstruction is a priority, of course, with sections of the Alaska Highway being impacted by permafrost between Beaver Creek and Destruction Bay.

Mr. Hassard: Could the Premier tell us if Highways and Public Works has a role in dealing with the Skagway port, or is that strictly under Economic Development?

Hon. Mr. Silver: Of course, it all depends on what ends up happening. We have had an awful lot of conversations about municipal responsibilities, assets that would go on to municipal land, and a whole conversation about what that means, as far as

ownership of assets — mining companies' participation in that as well — and until more decision is made, it is hard to say at what level, moving forward, Highways and Public Works would be involved with the specifics of a to-be-determined solution. When it comes to the Highways and Public Works department and their engagement with the State of Alaska, they will continue to do that good work on behalf of our government when it comes to access into and out of the State of Alaska.

Mr. Hassard: I received a question from the Member for Kluane. He was wondering if I could ask the Premier so we could get on record — “the Yukon dedicates to veterans” sign, north of Haines Junction. Unfortunately, it spent more time lying in the ditch, rather than standing, as it has been a little damaged by high winds, I guess, or not permanently put in place. So, he was curious if it would be possible to have that sign erected as a permanent structure, as has been requested by the highways crew in that area. The hope, of course, is to have that done in time for Remembrance Day, as I am sure the Premier can appreciate.

Hon. Mr. Silver: I don't have that information at my fingertips. I would ask the member opposite if he could just send an e-mail to the minister responsible and he can probably give an update on that.

Mr. Hassard: Certainly, we will get that e-mail off, but I would just hope that, since the minister is listening, maybe the Premier could whisper in his ear, just as a reminder — if we could have that done before Remembrance Day, it would certainly be much appreciated.

I have a question around vehicle inspections. About a year ago, the government changed the rules on people who were allowed to do commercial vehicle inspections — that they could only be done by red seal mechanics. So, they gave a year's grace period for people who were certified inspection people, but not red seal mechanics.

So, quite a few people asked and brought it forward, and said, “We've been certified for X number of years. Suddenly, we won't be allowed anymore. Why would the government want to take away our ability to be able to do this?”

It's particularly important in rural Yukon, as the Premier can appreciate. There is not an abundance of red seal mechanics in every community. So, when we have the opportunity to have other people certified and able to do it, it makes life a lot easier for a lot of people.

So, the government has said that the course could be challenged, but it requires the person to take six weeks of schooling. Obviously, in a community like Teslin — I will use it for an example — there is a young fellow there who has been doing these certifications for quite a number of years, but he has a family and a full-time job, and this is just kind of a side gig for him. So, for him to take six weeks off of work and leave his family to go to Whitehorse to take this training, it doesn't really make a lot of sense for the few hundred dollars that he is going to make every year off of it. But, by taking that person or that ability out of the community, now we run the risk of commercial vehicles being on the road without proper certification because it's not that easy just to phone a red seal mechanic from Whitehorse and say, “Hey, I just realized that

my truck — my inspection runs out next week, and we're in the middle of a job, and I need to get this done." You don't always get those people at the drop of a hat. Obviously, they are very busy too.

So, I was wondering if the government would consider either extending the grace period or looking at other options for people who — you know, maybe if you have been certified for X number of years, or you can prove that you have done inspections on X number of vehicles without any infractions or without doing anything wrong, you could be considered to be able to continue on with being certified to do these commercial vehicle inspections.

Hon. Mr. Silver: I do remember, even when the member opposite was in government, a conversation about red seals at that time. There were changes in the procedures when they were in government, and I remember the member opposite speaking exactly about this. You have an awful lot of people in rural Yukon who have the expertise. They may not have the time to go get red sealed. If they did, their expertise of 20- or 30-plus years alone would probably give them enough to teach the class, as opposed to getting the certification. I don't disagree with the member opposite in that.

I can say, knowing the people who work in the goldfields in Yukon, the apprenticeship being a third-generation placer miner and being able to work through with the guidance of maybe your father or mother teaching you — this is very instrumental and comprehensive training when it comes to the field of heavy diesel mechanics or working with boilers or whatever you have.

Also, the importance again — we talked today about apprenticeship programs. We need to do more. We absolutely need to do more. I have seen really dedicated, rural government officials working in different departments — maybe they have a son or a daughter or somebody else going up through the high school system — and we've seen initiatives where the leadership from those individuals as parents or as friends and family doing the apprenticeship program, but when they leave the government or whenever something else happens with the kids — the kids grow up and maybe go a different way — we see a loss in more apprenticeship opportunities.

I will say, though, that I do take this to heart. I have some other questions, as well, about the certification process. I know that I have been bothering the Department of Highways and Public Works with stuff on this capacity. It brings me to the modernization of the act. As we know, the *Motor Vehicles Act* rewrite is in place right now. We are moving on that. I have directed the department to do everything that they can to expediate the timeline on this while ensuring that we get it right for the current and future needs of Yukoners. In these conversations is where we get to have that debate of what we have been doing in the past and what makes sense to modernize. What makes sense as well, as far as making sure that our roads are safe — that's an extremely important part of this conversation — and making sure that, if we do certify, the departments do so with the best interests of all Yukoners in mind. I know that the department is meeting with industry to

discuss permitting and also exemptions as well as other things, like electronic logging devices.

They are also meeting with industry — I believe it's later this month — in November. They are very active in trying to work toward some solutions to these concerns. On the principle of it, when it comes to the specifics that the member opposite is speaking about, it's hard for me to disagree that there are definitely people in rural Yukon who have huge expertise, but maybe not the red seal certification.

Mr. Hassard: It is not just rural Yukon. There are certainly people in Whitehorse who are in a similar situation. It's maybe just a little more challenging for rural Yukon.

I want to ask the Premier some questions about the Nisutlin Bay bridge. Obviously, it is the largest capital project in Yukon government history. It is certainly an important piece of infrastructure.

I have asked the Minister of Highways and Public Works in the Legislature during Question Period about permitting. I certainly didn't get any answers in Question Period, but the minister later on spoke to media and said that all of the permitting was in place.

I have a motion on the floor asking for the production of papers to provide that information, but I'm hoping that maybe the Premier could just give us an update in the Legislature today about which permits are in place and which permits they are currently still waiting for.

Hon. Mr. Silver: I am not sure if I can give any more information than the minister did, after listening to the debate the other day here in the Legislative Assembly. We can all agree that this is an absolutely critical link along the Alaska Highway. It's an extremely important landmark for the member opposite's community.

I hope we can all agree as well that projects that have been done in the past — not only do we have an obligation to making sure that our roads are safe, but we also have an obligation to reconciliation when we take a look at the ways in which things were built well before any of us were in this Legislative Assembly. This particular road — that bridge and the Alaska Highway — all has a history to it.

I am very proud of the work that was done to get this project to fruition and to do so with partnerships, as well, when it comes to recognizing the importance of reconciliation when we build back.

We do know that, in the spring of 2019, the Teslin Tlingit Council signed the project charter for the bridge replacement. Through that charter, we have been working together to design and build this structure — a structure that can accommodate an increase in traffic, while also improving access to pedestrians and cyclists.

I don't know, Madam Chair, if you have ever tried to drive a motorbike on that bridge, but it is quite interesting, to say the least. The project will provide a significant positive impact — economic impact — to the territory, and also an impact to reconciliation, when it is done as well — and a huge impact to local businesses in the community of Teslin. I know that the member opposite's family does a lot of work in these fields, so

I understand why this is extremely important to the member opposite.

The \$159.68-million contract was awarded in May, and that was to Graham Infrastructure. There were open houses that happened in May as well. The department is working collaboratively with the community. The bid prices did come in higher than anticipated, due to current economic circumstances and a high premium on steel and other materials. We hope that the member opposite supports us moving forward on this project, because it is extremely important.

We know that the department is continuing to engage, like I said, with the Teslin Tlingit Council, and also others — the Department of Fisheries and Oceans, for example, on implementation of the *Fisheries Act* authorization. The next implementation working committee for the bridge — that is a standing meeting — is later on this month.

That is about all I have for an update in general debate on this project. I appreciate the question from the member opposite.

Mr. Hassard: Of course, I have been critical of the government for not ensuring that permitting was in place months and months and months ago. This project was awarded in May. There is still no activity anywhere near the water yet; the work can't proceed. I am told, by a lot of people, that it is due to the fact of a lack of a water licence. Again, I would hope that the Premier would at least know if the water licence is in place and when it was issued on the largest capital project in the history of all governments, not just his government.

Hon. Mr. Silver: I do believe the minister did say, in the Legislative Assembly, the water licence for the project was issued, and that was issued this summer. The *Fisheries Act* authorization, as I said, was also issued just recently, and it was in October. As far as mobilization, site preparation, construction camp, and project office set-up, pit quarry development for rock — for granule and rock production — is progressing. So, this is all work that has been completed to date by the contractor. There is also planned work by the contractor for the fall to continue, which are things like temporary work, such as a trestle bridge construction, which includes the pilings and building access ramps; also, civic work, such as cleaning and grubbing for the new alignment. I do know that the department is working with the contractor to assess and potentially adjust the work plan, based upon the *Fisheries Act* authorization conditions.

Mr. Hassard: So, just to confirm — the Premier said that the authorization from Fisheries is in place now to move forward with the trestle bridge and the pilings — correct?

Hon. Mr. Silver: So again, the *Fisheries Act* authorization was issued in October, and then the rest of what I talked about is giving an update of what the actual contractor is doing. Whether mobilization or site preparation — is all under the authority of the act, or the water licence, or these things — I can't speak definitively as to which things I just listed are in the *Fisheries Act* authorization, but that authorization has been given, and so has the water licence for the project, which was issued in the summer of this year.

Mr. Hassard: I appreciate that answer from the Premier. It is good to hear that it is finally getting moving.

I am curious if the Premier could tell us — when we talk about capital projects now, we talk about the importance of looking at these projects through a climate lens. I am wondering if the Premier could tell us what options his government has looked at in terms of reducing the carbon footprint of this project.

Hon. Mr. Silver: I don't necessarily have anything specific as to what the department did in the context of the environment for this specific project, other than to say that it's extremely important that, as we build, we need to consider the environment in everything we do.

For example, if you are going to build something back, you can't be relying on old standards, because we are not just replacing things. We have to consider the effects of climate change; we have to consider the effects of reconciliation. Even if we were looking at just replacing something, that wouldn't be the cost. There are other costs on a shorter-term basis to identify climate change, which to me, circumvents longer term costs, when it comes to our climate.

I don't have anything else more for the member opposite specifically as to how we connected those two for this specific project, but the minister would be the best source of information for that particular question.

Mr. Hassard: I will just remind the Premier that we don't have the option of talking to the minister about this, as the department isn't up in the supplementary, so that's why I'm asking these questions of him. I appreciate what we can get.

I am wondering, since we are talking about bridges, if the Premier could give us any updates on the status of the Big Creek bridge — a status report on that.

Hon. Mr. Silver: I will push back a bit. General debate is absolutely not the only time where members opposite can get in touch with ministers. They can write letters, e-mails, and we do our utmost to make sure that those are responded to. There are other avenues in which the members opposite can reach out to our officials. Again, this is general debate, so you are going to get general responses.

The Big Creek bridge — as the member opposite knows, it is ending its useful life, and it needs to be replaced. The bridge is west of Watson Lake on the Alaska Highway, so you can imagine how important it is to our transportation network. It's currently under construction. The replacement bridge is currently under construction beside the existing bridge. During our inspection, as the member heard in the Legislative Assembly when he asked the question of the minister, they found some defects on the new structure. So, the department is working with the contractor to do an assessment of the bridge and to resolve any of these issues in a timely manner.

Mr. Hassard: I am wondering if the Premier could talk to us at all about the \$250,000 that the government had budgeted for the Dawson bridge. If he could give us an idea of who has been consulted and when the consultation took place — just some things like that, I guess.

Hon. Mr. Silver: Again, with this particular project, I know that there were conversations with the Department of

Highways and Public Works, and the municipality, and I believe, the First Nation government — I will clarify that later — and supplementary conversations therein.

You can imagine that there would be some concern from both governments on this project — for example, where it would be, and what the defining characteristics are of the federal money and the flexibility therein — and also, bigger conversations from the community of West Dawson, and, as the community expands, bigger questions as to what we are going to do with waste water, timing of a bridge — if that happens. Those would be some of the conversations that would be had with the actual other governments in the community.

But, as far as public engagement, I am not aware of any public engagement right now. If I am wrong on that, I will update the member when I get to speak with the minister.

Mr. Hassard: Would the Premier be able to tell us how much of that \$250,000 has been spent — as the Minister of Finance?

Hon. Mr. Silver: As the Minister of Finance, no. Again, we do the budget parts, and then it is the departments who then start the spending part, and I don't have that at my fingers — as far as whether or not they spent all of the \$250,000 or not. But, again, it can be another thing that I can endeavour to get back to the member opposite with after I talk with the department.

Mr. Hassard: I would appreciate it if the Premier could get that information back for us.

I have a couple of questions regarding the winter road to Old Crow. I am curious if the Premier can tell us if his government anticipates doing the winter road again next season.

Hon. Mr. Silver: This is an important conversation for you as well, Madam Chair. The previous winter road that was January 5 of this year — and was opened to authorized traffic on February 24 of this year. It was closed on March 25 after supporting 67 truckloads of materials to the community to support a number of community infrastructure programs that are happening there. The goal is always to construct a winter road based on need. This year is no different. There is a need to construct a winter road, and the project is funded through a two-year transfer payment agreement with the Vuntut Gwitchin government.

I believe that the plan is to move forward. Of course, when making decisions like this, consultation is extremely important. I know that Minister Clarke is going to be meeting with the Vuntut Gwitchin —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: The Premier just made reference to one of his ministers by name, which, of course, is contrary to our Standing Orders. I would ask you to remind him of that, Madam Chair.

Hon. Mr. Silver: I'm not on the point of order — I am just saying that, yes, I messed up, no problem.

The Minister of Highways and Public Works is meeting with the Vuntut Gwitchin First Nation to discuss the winter road over the next week to begin planning.

As you know, Madam Chair, we partnered with the Vuntut Gwitchin First Nation to build and maintain the road last year, and we will do that again this year.

Mr. Hassard: I am wondering if the Premier could give us any insight into whether the projects in Old Crow that are being undertaken currently in Old Crow — if there have been any significant cost increases to those projects. I know that when the winter road closed, within days, pipe for pilings, in particular — and we've seen loads of insulation — were actually hauled to Fairbanks and then flown in by airplane. I am curious who covered those extra costs and how it has impacted the projects.

Hon. Mr. Silver: So, the design/bid contract started with a \$44.8-million increase — if we're talking specifically about the wellness centre or the tenplex. So, we know that the contract that went to Ketza, for example, started at \$44.8 million, and that did increase to \$49.5 million, with an additional change order pending. That would bring the total cost of the contract value to \$53.5 million. As far as the specifics about specific piping, I don't have those numbers, and I don't know if that's what drove the costs. But, based upon the increases in the project, the Government of Yukon has been responsible for covering the cost of some increases.

Mr. Hassard: From \$44 million to \$50 million — almost \$54 million — is fairly significant. So, I would hope that the Premier would know what has caused those costs to go up.

I have a question regarding the hill on the north side of Lewes River bridge. Of course, there was a tragic incident there a couple of years ago, and the government had talked about widening the road through there. I know that I saw equipment there doing drilling and getting soil samples. There was talk of engineering taking place for that expansion.

So, I'm curious if the Premier can update this Legislature on whether any work is planned to be undertaken on widening that section of road and, hopefully, reducing the chances of something like that happening again.

Hon. Mr. Silver: I will go back to the member's comment that the Premier should know more about these contracts. We look at about half a billion dollars' worth of capital projects. I think I would get a grain of sand here — that I don't know every single increase of every single cost. Also, this is general debate, so I'll keep my comments general.

If we do get into more specifics, there is always an opportunity to reach out to the department and to write them and ask them the specific questions.

There are examples of shipping materials in the contract. It is structured as a cash allowance, and the contractor is paid for shipping needs, if that is what the member opposite is looking for. The majority of the increases, actually, to the contract value had been — increased shipping budget for materials from Whitehorse to Old Crow. There is inflation happening right across the world right now. Changes to market conditions and a higher than estimated total number of loads have resulted in significantly higher total shipping costs.

A lot of the cost overruns that we do see — including other projects throughout the Yukon — follow a very similar trend in that we had to deal with supply chain issues due to COVID-19. Also, through the illegal conflict in Ukraine, we are seeing inflationary conditions as well.

With any project, unanticipated events may occur that result in change orders. All of the change orders are subject to departmental oversight, and due process is always followed — I can say, as the Minister of Finance. This year, the effects of supply chain disruptions, as I said — inflation, changes to market conditions — have resulted in higher costs for most projects.

We do a five-year capital plan. Five-year capital plans are based upon our ability to balance budgets and also to work with the federal government. These things will change based upon those conditions. What we try to do is to make sure that we move forward on projects, even if there are some increases in costs because of these conditions. Take a look at the context of the years in which we are building. These are years where, because of COVID, we have seen maybe a little bit more of a slowdown in other areas of the economy. We have seen consumer demand switch, based upon limited mobility during the pandemic — especially internationally. People spent in different areas. Our markets fluctuated. What we decided to do as a government was have a strong capital build, and projects like this came in overbudget. We made the decision to still move forward with them. I think that it was the right decision to make, including bridges like the Nisutlin Bay bridge.

Mr. Hassard: I just thought that it was interesting that the Premier was rather dismissive of nearly \$10 million, so that is why I asked the question.

Then the question that I asked further was regarding the hill on the north side of the Lewes River bridge, and I did not hear anything on that, Madam Chair.

Hon. Mr. Silver: The member opposite isn't getting my tone at all — never dismissive of over-costs — and I certainly wasn't dismissive of those — more dismissive about — not dismissive at all. I am hoping that the member opposite would give me a little bit of leeway in that I don't know the dollar-by-dollar indexing of every over-cost in every project of a capital budget that is in the hundreds of millions of dollars, especially in general debate.

When it comes to the horrific accident that did occur a couple of years ago, which the community of Yukon is still reeling about, I do know that there is design money, and it is being included in the next year's capital planning, to address engineering concerns that are at that site — so that is probably what the member opposite is seeing there with any of the actions at that corner, as he drives home from sessions. We are definitely aware of the concerns of activity, and definitely working to adapt this area, and so, more to be said on that as the work comes in and continues.

Mr. Hassard: I certainly look forward — as many others do — to seeing that work progress.

I had a question regarding licence plates in the Yukon. Now, as the Premier is probably well aware, we no longer receive stickers for our licence plates. So, I am wondering how

the government plans to monitor licence plates. If you don't have a sticker, obviously no one — the RCMP, in particular — wouldn't know if your registration was up to date or not; so, I am curious if the Premier can give us some insight into that. Does the government plan on setting up cameras to maybe regulate or control certain things?

Hon. Mr. Silver: We're certainly not the only jurisdiction in Canada to be going this way. I also know that, as we were going through this process and looking at it, the number of licence plates that you can actually see in winter conditions is very minimal. If you are infringing on any of the laws that are posted by the speed laws, then, of course, you have an obligation to show your registration and your licensing.

I think that this is a good move, especially when it comes to the overall work that they're doing to modernize the department. The work that they're doing on your ability to not even have to go into Motor Vehicles and see the amazing workers there, but actually do your work online — this is also a helpful step in that pursuit. Again, looking at all of the pros and cons of this system, we felt that it was important for us to move in a way that reduces some of the red tape a bit and streamlines things. I know that, talking to some of the employees when I was down there — I just had a birthday, so of course, my licence was due — they were pretty jazzed that these stickers were gone.

Mr. Hassard: I have some questions for the Premier regarding FTEs in Highways and Public Works. I am curious if we could get an update on numbers of FTEs and how they compare to last year. Are there more or less?

Hon. Mr. Silver: If we go back to the 2021-22 mains, the Department of Highways and Public Works would have had a 774.8 dedicated FTE count. Then, if you move forward to this current year's FTEs, we have increased that number by 7.8. Some are term, and some are permanent. We put 1.0 in *Our Clean Future* initiatives, 3.0 FTEs for airport equipment operators, 1.8 for ferry services, one for flight path implementation, and one for IT security.

Mr. Hassard: I thank the Premier for those numbers. Would the Premier be able to inform the House how many of those positions are not filled?

Hon. Mr. Silver: I don't know that number at this time.

Mr. Hassard: I'm wondering if the Premier would be willing to provide that information through a legislative return, or however is easiest for him? The reason that I ask this question is that we hear quite often that the camps — highway camps, in particular — are having trouble staffing all of their positions, especially with mechanics, in particular. I know that Highways in Dawson City, in particular, has been challenged with keeping mechanics on staff, so we had hoped that the Premier would be able to agree to get us those numbers, just so we can see them.

Hon. Mr. Silver: I could definitely look into that and see if I can get those numbers for him. I do agree that, when it came to some unforeseen closures that we saw in my community, that was due to some staffing issues on the ferry, and it was on a reduced schedule this year. It is very difficult in this modern climate that we're in right now in Yukon, having the lowest

unemployment rate in Canada — a booming economy. We've been seeing shortages everywhere.

When I worked with other governments, we hear of staffing shortages there. I'm dealing with it in my departments, as well, as every department does. So, it's something that we're aware of. We want to avoid any unnecessary — in the specific cases of the staffing shortages in Dawson, it's extremely important that we don't burn out our crews. They work extremely hard to have the *George Black* ferry into operation as quickly as possible and to avoid any unnecessary wear and tear on the remainder of the season — that's always a consideration, as we're taking a look at hours, human resources, and also providing the service that is completely necessary.

Typically, the ferry is reduced to 12-hour services by mid-September, and that kind of helps, as far as staffing for the ferry goes. I understand that there are staffing shortages in a lot of different sectors. Every time I go out on official business, either with the Council of the Federation or other responsibilities, I'm trying my best to drum up some business, I guess, to maybe get some people to move to the Yukon, and the other Premiers are usually telling me to back off, because they're experiencing similar shortages right across Canada.

Mr. Hassard: So, we talk a lot about climate change. So, I'm curious if the Premier can tell us how much fuel is used each year by Highways and Public Works maintenance — or Transportation Maintenance?

Hon. Mr. Silver: I certainly wouldn't have that information at my fingertips in general debate, but I'll endeavour to get back to the member opposite.

Mr. Hassard: When the Premier is at it, if we could get how much greenhouse gas emissions are produced by Highways and Public Works Transportation Maintenance at the same time. And also, maybe the Premier has this at his fingertips, as Minister of Finance: How much carbon tax is paid for the fuel used by Highways and Public Works Transportation Maintenance?

Hon. Mr. Silver: We can take a look in to see if I can find those numbers for the member opposite. I will add, as well, that the money we do pay as a government, we do not rebate ourselves in the carbon-pricing mechanism. That money goes on to other governments, like First Nation governments, municipal governments, businesses, and also individuals.

Mr. Hassard: So, in last year's budget, in the briefing binder that we're able to get, Aviation and Transportation Maintenance talks about \$6 million in expenditures, but the actual details of it have been redacted. So, I'm curious if the Premier could tell us what those \$6 million in expenditures are, since we're not able to see that.

Hon. Mr. Silver: Aviation money is a very general question. I might need some more information from the member opposite. The aviation system is obviously essential for connecting our communities, building our economy, and linking Yukoners together and to the rest of the world as well. We have 23 registered aerodromes and five certified airports, so we have been making significant investments into aviation over the past few years, including upgrades to equipment and

facilities, so I might need more information from the member opposite.

In the 2021-22 fiscal year, we spent \$19.4 million on capital projects. In 2022-23, we are forecasting to spend about \$56 million on capital projects. This year, we are also upgrading the parallel runway for the Whitehorse airport, which will allow us to move forward with the construction of the main runway. The parallel runway is expected to be operational later in this fiscal year. We are prioritizing operation and maintenance and capital spending based on a number of factors, safety being the most important. In addition to that, regulatory requirements are in there as well. Costs, traffic volumes, impact to communities, and impact to the industry are also considered. I am really not sure — in all of that redacted line or note that the member opposite has — so if he gives me a little more information, I might be able to either respond here, if it is a general question, or, if it's more specific, I will have to get the answer from the department.

Mr. Hassard: I will have to go back through my notes to find which page or which line that was in particular. I didn't write it down.

The Premier talked about the work at the Erik Neilsen Whitehorse International Airport here in Whitehorse. One of my questions was about the runway improvements, so I appreciate that I got that answer before I even had to ask the question. One of things that we have asked in the past and haven't received a response to is: Where is the government at with regard to restaurant services in the Erik Neilsen International Airport? I am curious if the Premier could give us a bit of an update on that while he is talking about that particular building.

Hon. Mr. Silver: I am not sure if I have too much more information. I think he asked for expansion on some of the Whitehorse airport airside improvements as well. Just on that, the construction tender for the reallocation of the taxiway G was awarded and work started last spring. Anyone travelling would have seen the good work of Terus Construction Limited and Skookum Asphalt — approximately \$21 million worth of work there. Construction began this spring, with completion expected this fall.

Planning for the reconstruction of the main runway, as I said, is currently underway. Just to remind members, in the summer of this year, pavement friction results for the main runway began to decline to levels that triggered remediation action. We worked on that.

In September, just two months ago, industry expert Skidabrader Group LLC provided a surface texture treatment, which has restored the main runway to acceptable conditions — so, just to give the member opposite a little bit more information on the question that he didn't ask.

Also, the food services at the Erik Nielsen Whitehorse International Airport were put on hold, as everybody knows, during the COVID-19 pandemic. The folks who ran that place were very nice people who seemed to always remember who you were. I was very fascinated to watch those folks, sitting at tables and talking to people. I really liked their scrambled eggs, by the way.

With the removal of the state of emergency on March 18 of this year, the department was engaging with the highest ranked proponent to provide food services at the airport — hopefully later this year. The food and beverage options will continue to be available within the gift shop. Vending machines are nearby as well, and there is a nearby hotel — the Taj Mahal. If anyone hasn't been in there yet, it has fantastic food. Again, we really want to see the food services back to at least what we have seen in the past, if not something better.

Mr. Hassard: I am sure there are plenty of people who would be happy to see the restaurant back in operation at the airport here in Whitehorse.

Since we are talking about airports, I had a question regarding the Old Crow Airport. In the budget, it said that there was \$400,000 for runway improvements in Old Crow. So, I am curious as to what those improvements might have been, and if they were, in fact, completed or not.

Hon. Mr. Silver: During the winter months, we have on-site daily maintenance coverage at our certified airports in Dawson, Mayo, Old Crow, Watson Lake, and also Whitehorse. There is also aircraft movement. Surfaces are cleared, as well, on a timely basis — on a priority basis. Also, other ground-side surfaces need to be cleared as soon as possible, after the runways. I don't recall anything else specific, past regular maintenance, for this line item, and if I am wrong on that, I will let the member know as soon as possible.

Mr. Hassard: It was actually in the capital budget where it listed \$400,000 for runway improvements for Old Crow. So, it was not just for maintenance.

Hon. Mr. Silver: I will have to get back to the member opposite if it is a capital-specific asset. I can't recall what that would be specifically right now.

Mr. Hassard: Moving to street lights, Madam Chair, I am wondering if the Premier could provide us with any updates on street lights and crosswalks in Watson Lake, as well as the street lights that were anticipated to be put up in Stewart Crossing — if that, in fact, has been done, or where we are at in regard to those two projects in particular.

Hon. Mr. Silver: I do know that in August of this year, the department received an approval in principle from the federal government for \$1.1 million in funding for improvements for Watson Lake through Infrastructure Canada's active transportation fund and that Highways and Public Works officials will be returning to Watson Lake — hopefully soon, if they haven't already — to further discuss plans with stakeholders. The department has also engaged with ATCO to develop design and implementation plans for the new street lights along the Robert Campbell Highway. It is expected that construction work will begin there in 2023.

Also, as far as the lighting, the lighting has been installed, as far as I know. Testing functions for lights have been along — the member opposite asked about more up in my neck of the woods, so I do know that for the Mayo bridge, the testing functions for lights along there have been completed. That is about all I have right now for an update on lighting in rural Yukon.

Mr. Hassard: I appreciate those updates. Since we're talking about the Premier's riding, would he be able to update the House or let us know what work is being done on the Klondike Highway near the Dempster Cut-off. Obviously, the road was closed this fall, as they had some landslides. Obviously, there is a possibility of instability still in those slides. Is Highways and Public Works or the government doing continued testing on those hillsides? Do they anticipate building any retaining walls or permanent structures to keep that road from being closed again?

Hon. Mr. Silver: I was remiss to mention — again, I talked about the Mayo bridge, but the Stewart Crossing lighting — that's now installed, and it's working. It has been completed — just from the member opposite's previous question.

We're still looking at the stabilization of the slopes right now. As the member opposite knows, this was a record rainfall in the Klondike region, since we started keeping these statistics. So, I do know there was some drilling testing that was completed this fall, and that the department is still working on this, basically. They're conducting testing and assessing options to stabilize the slopes. Driving through there, it's very interesting to see the — of course, when you come down into the Klondike Valley from the lookout, from Tintina, and you finally get down into the valley a bit more, the road is very similar in design. It's very close to the banks there, as you hit on to the Klondike River for the first time in your journey. It's remarkable how, you know, over tens and tens of kilometres, the very similar effects happened right away.

So, again, by just looking at that and knowing the rainfall, I'm hoping this is the result of record levels of rainfall, but I won't speculate as to the cause. I do know the work is ongoing, and the assessment of options to stabilize the slopes is still ongoing as well.

Mr. Hassard: So, continuing with the north Klondike, I'm wondering — we've heard concerns that the tenders haven't gone out for further construction along the north Klondike this fall, because the government is not sure what there is going to be for funding for that part of the world next year.

And we know that with all of the issues that we discussed at length, about supply-chain issues, and labour force issues, it is very important for the contracting industry to have those tenders come out now, rather than next spring, so that they can actually move forward with getting supplies in place, whether it be culverts or geo cloth — you know, all of these different things that we have seen issues getting, due to supply-chain restraints.

So, I would encourage — or hope — that the government would be proactive in getting tenders out much earlier, rather than later, because waiting until spring could create challenges for contractors to actually get the projects done in next year's construction season. I know that the forecast showed one job, in particular, for the north Klondike for next year, but I am hoping that the Premier could provide us with a little more accurate information, I guess, as to what projects contractors can be looking at, or looking forward to bidding on, on that section of highway next year.

Hon. Mr. Silver: This is definitely a project that I am extremely happy about. We do our budgeting, and then we get funding from the federal government, as well, through the national trade corridors fund, which was extremely great to see. We are upgrading sections of that road that needed upgrading for years, and it just never happened. We all know how vital a link it is for tourism, but, again, for industry, getting up to a certain classification of road is extremely important for those folks as well. And so, through that national trade corridors funding, the Department of Highways and Public Works did an exceptional job of getting that cash and upgrading critical sections of this highway. It is going to take time; it is a 10-year project. These upgrades are extremely important for safety, and also improving driving conditions.

You know, we definitely know in that first year to two, there was probably the worst rainy summers that definitely caused some challenges, but, again, driving through there right now and seeing upgrades — like, for example, the bridge just before Stewart — it's remarkable, the work that's being done, and even more remarkable, because for the most part, we get an awful lot of local folks doing this road. If there's one thing that Yukoners know how to do, it's to move dirt — based upon our industries. It's just exceptional work and exceptional pride, as well, from these local companies when they do this work.

This project is, again, why I'm so happy to talk about this. This supports over 800 jobs in the construction period. It will also provide our government an opportunity to strengthen our relationships and collaborate in our partnerships with Yukon First Nations, because we are using the First Nation procurement policy on this particular build as well.

By the end of the 2022-23 fiscal year, the construction of approximately 46 kilometres of road will be completed — a little more of an update. We also have already installed a digital messaging sign to make drivers more aware of construction zones. We've cleared vegetation in corridors, and improved a number of other things, like culverts, for example — massive culverts. A total of 209 kilometres between Carmacks and the Dempster Highway intersection will be completely reconstructed, and the department will expand the use of technology in the corridor that collects data on traffic, road conditions, weather — all of which will really help to improve the safety of that very long, winding road.

The department is also planning the development of electric vehicle charging stations along this corridor to support the growth of electric vehicles. The upgrade, right now, from Stewart to Dawson — that's 65 kilometres of highway — the Moose Creek bridge being rehabilitated, and the upgrade from Carmacks to Stewart Crossing will reconstruct 144 kilometres of highway between the communities of Carmacks and Stewart Crossing, as we continue down this road.

I agree with the member opposite — as much as we can to make sure that we have tenders out on time for the construction season, especially if we have local folks who are bidding in these processes. The first tender is planned for next month; it'll be out in December. The second one is planned just for a little bit later, in January. So, we're continuing to work on wrapping up this season of construction projects — that program — and

already turning to getting these tenders out in December and in January.

Mr. Hassard: The Premier mentioned the rehabilitation of Moose Creek. McCabe River was also listed this year for bridge rehabilitation. I am curious if we could get an update on whether that work will be done this year, or if that project has actually been either cancelled or delayed.

Hon. Mr. Silver: As far as I know, the tendering work on the bridge was early this year, in February, and the contract is already in place.

Mr. Hassard: I am well aware that the tender was released, bid on, and awarded, but none of the work has actually taken place to the best of my knowledge, so I was curious if there was a reason for that, and if the job has been delayed, or if it had been cancelled for some reason.

Hon. Mr. Silver: Not cancelled, no; it is awarded, and I believe that the completion date is for next year.

Mr. Hassard: I am curious if the Premier could give us some updates on the Gateway project. I know about the funding around the Gateway, and we know that the work was done in the Carmacks area, but if we could get some information as to what is next and when he anticipates that work to start coming forward.

Hon. Mr. Silver: I won't steal any thunder from the ministers responsible as far as what is happening next. We know that a lot of work has gone into the Carmacks bypass. Starting in the spring of 2019, that project agreement was signed with the Little Salmon Carmacks First Nation, and that included a new road and a bridge, which allow the industrial traffic to bypass Carmacks, creating a much safer flow of traffic for residents. It's a pretty impressive project, actually. It is also helping to improve access to mining activities, enabling the Little Salmon Carmacks First Nation to benefit from contracting, education and training associated with the project. It's an extremely important piece, for sure.

I do know that, in November of last year, Pelly Construction was awarded the \$29.6-million contract to construct the new bridge and new road. That work has been going on. I think the contractor was scheduled to complete approximately 80 percent of that work of the road and 60 percent of the bridge this construction season, and then the remaining work on that will continue next year, but the entire project is anticipated to continue until 2024.

As far as next sections of the roads — I don't have any updates for the member opposite as far as any announcements of any new projects on that. I won't go into details about how we got here with Gateway and the history of the project because the member opposite is well versed in all of that. It is extremely important funding, and it's great to see this money being spent as we continue to work forward — with our First Nation governments as well — getting access to roads and also moving this project forward.

As far as federal governments, this money came from two different federal governments, so it's a long time coming and I am really glad to see the money flowing, especially in this bypass project.

Chair: Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Hassard: I have a question for the Premier regarding rural roads and resource access roads. Of course, I know that these two particular funding pots have been very important to both my riding and the Member for Klondike's riding. The funding has been zero for these two line items this year, and we don't see any funding for those programs in the five-year capital concept, so I am curious if the Premier could maybe shed some light on why those two particular pots of funding have dried up, and if and when he anticipates that funding to be renewed.

Hon. Mr. Silver: So, just for folks listening at home, the objectives of the rural road upgrade program are to serve the transportation needs of Yukoners, to upgrade non-industrial rural roads in Yukon, whether currently maintained by YG or not — to upgrade rural roads based on requests and input from the communities, property owners, and other stakeholders and to accomplish the work with local contractors, where available. I know that a lot of folks up in the goldfields did some exceptional work in the past with this. We evaluate the projects on a geographical basis, to ensure that all regions of Yukon benefit from the program and also to develop a cost-sharing agreement for projects that are not in the current inventory of our Yukon government-maintained roads. You can apply for this program. Applications are considered for funding in the next fiscal year.

The 2022-23 program funding was reallocated to address flood mitigation requirements in various locations. We know that the resource access roads are the first link in the resource industry. This is an extremely important investment, for sure. I do know that the highway will be incorporating rural roads funding in the next year's capital plan, but the pickup in this programming was due to the flood mitigation responsibilities.

Mr. Hassard: Just to confirm, the Premier said that there will be funding in the resource access road funding pot for next year. I don't recall seeing it in the five-year — I will take the Premier's nod as a yes.

Moving on, we have talked at great length about brushing here in the Legislature — and the Premier brought it up a few minutes ago — and ensuring that the brush is cleared in the highway right-of-way for obvious safety reasons, whether it be line of sight or animals jumping out in front of vehicles.

In 2019, the then-Minister of Highways and Public Works talked about a new program and standardizing highway maintenance — and this is a quote from a news article: "In six years ... 'we'll have the entire network done, a total of 6,200

kilometres of road..." I know full well, as I'm sure the Premier knows full well too, that we certainly haven't reached that 6,200-kilometre mark yet. I am wondering if we can get an update on where we are in terms of this program. Are we going to hit that 6,200-kilometre mark by the end of the six years?

Hon. Mr. Silver: I don't necessarily have too much more of an update than what the minister has already spoken about in this conversation in the Assembly. We have implemented a roadway safety improvement program under the guise of safety and brushing. By brushing and improving lane markings, removing hazards in the right-of-way, and installing and maintaining road barriers — it's a bigger picture of safety improvement, which encapsulates brushing as well.

Since 2019, the department has brushed over 2,800 kilometres along Yukon highways. They installed over nine kilometres of new barriers and painted more than 3,000 kilometres of highway lines. When we consider money for safety improvement, there are also wildlife considerations. Obviously, anyone driving our roads know that this presents a real danger for our drivers, so frequent brushing obviously allows us to see wildlife better and hopefully prevent collisions. That's an extremely important part of why we do this work.

Last year, we put out a request for qualifications for contractors interested in bidding on vegetation brushing. These tenders were established — establishing a qualified source list of pre-vetted contractors. Having that pre-vetted source of contractors, as the member opposite knows, helps us to move the tendering process quickly and effectively as we provide the assurances that potential contractors have the capabilities to do that work, such as the equipment and the experience. It becomes easier in that process. We currently have 37 projects from this program. They are in various stages of the procurement process. Depending on the size, projects are offered by direct award or invitation or open tenders for the full list of qualified companies.

I do know also that Highways and Public Works sent out close to 1,000 letters to property owners who were nearby upcoming vegetation control — also an important part of the safety work that we do — directing owners to an online platform that maps the locations where vegetation control will be taking place and notes the specifications of planned vegetation control, and explains the benefits of that control as well. We are finalizing the inspections for the 2022 brushing season, and we will provide a progress update on that.

Mr. Hassard: If I could just go back to the rural road program for a minute, the Premier said that the funding had been put over into dealing with flooding. So, I'm curious why the government would have chosen to take and put that money into flooding yet come up with \$2.5 million or somewhere in that neighbourhood to redo the parking lot out here where we, as MLAs, park our vehicles. I guess I'm just looking for some kind of justification as to why the government building parking lot would have taken precedence over things such as rural road upgrades.

Hon. Mr. Silver: I don't think, necessarily, that there is a relationship between a parking lot and the need for the rural roads. Decisions are made based upon budget allocations for

capital projects through the Department of Highways and Public Works. I wouldn't say that it was prioritizing the flooding concerns that we saw with the parking lot here compared to other things. The funding for the rural road program will continue and, in the short term, it was delayed due to the need for flooding. So, these are decisions that are made by the department, and I don't have any more information on it at my fingertips in general debate as to why the decision was made to use that money for flooding.

Mr. Hassard: I think the interesting thing about that statement from the Premier is the fact that the parking lot was never in the budget. I guess that's what makes me curious as to why something that isn't in a budget can suddenly appear, yet things that have been ongoing would get defunded because of money going somewhere else, but I will move on.

I'm curious if the Premier could inform the House how much BST was done this year and a comparison as to whether that was more or less than previous years.

Hon. Mr. Silver: As far as a comparison of the years, I don't have that, but I do know that, on average, we resurface about 130 kilometres of BST and 10 kilometres of asphalt every year, and clear about 250 kilometres of highway right-of-way vegetation for visibility and road safety.

Mr. Hassard: Earlier, the Premier and I were discussing the winter road to Old Crow, and the Premier mentioned that the minister was engaging with the First Nation about the upcoming road. Could he just elaborate — I didn't write it down and I'm obviously not able to access the Blues yet — on what it was he was saying around the Minister of Highways and Public Works engaging with VGFN regarding the winter road?

Hon. Mr. Silver: As I said in answer to one of his questions earlier, the minister — I got called out for calling him by his name. The Minister of Highways and Public Works is meeting with Vuntut Gwitchin to discuss the winter road over the next week to begin planning.

Mr. Hassard: That's the reason I wanted to clarify that, because I thought that is what the Premier had said. I guess I have to ask the Premier — he said that it is going to happen next week. The Premier, I would hope, is well aware that VGFN is in election mode, so I'm curious as to how those talks will take place since, essentially, the government of the Vuntut Gwitchin is in caretaker mode. Will those discussions still take place, or will that be delayed now that the election has officially been called?

Hon. Mr. Silver: So, it wouldn't be with the chief — would be the answer — and the minister is meeting on the request of the First Nation. So, it was their request to meet next week.

Mr. Hassard: Can the Premier tell us who requested the meeting and who the minister would be meeting with then, since they are in election mode?

Hon. Mr. Silver: I would assume that it would be done with members of their government, but I do not have that information.

Mr. Hassard: Would the Premier be kind enough to get back to the Legislature next week and inform this House who it is that the Minister of Highways and Public Works will be

meeting with in Old Crow regarding these negotiations or these talks?

Hon. Mr. Silver: Again, when we have bilateral conversations, it is two governments, so, if I can, I will.

Mr. Hassard: Thank you, Deputy Chair. I appreciate that. I certainly hope that the Premier will be able to provide that information to the Legislature.

In regard to the winter road, previously there have been monitors from Old Crow — people hired to monitor the progress of the road — to ensure that no damage actually occurs to the land. So, I am curious if the government will be funding these road monitors again, should they proceed with building a winter road to Old Crow again this season.

Hon. Mr. Silver: Again, there is a reason for meeting, and those conversations are ongoing. I am not sure if the specifics of the arrangement, the agreement, have been solidified yet. I will say that if these monitors have worked in the past, I don't see any reason why we would not continue down that road, but, again, I am not involved in those conversations.

Mr. Hassard: When I was in Old Crow in September, it was certainly brought to my attention as a concern that, in the past couple of road seasons, there has been less monitoring of damage to the lands, so I think that the people of Old Crow would certainly like to see some assurances from the minister and from the Premier that they really work toward ensuring that monitoring is done, and done well. I would just encourage the Premier to hopefully have that conversation with the minister to ensure that, moving forward, that is something that is taken seriously.

One of the other things that we have heard is that the winter road has become a channel for importation of alcohol, which leads to bootlegging in the community. We know that Old Crow is a dry community. Can the Premier tell us if the government is taking steps to ensure that this doesn't occur, and what steps those might be?

Hon. Mr. Silver: Again, each year comes with different complexities and situations — temperature as well. There are lots of things that have to be worked out on the operational level to address everything from environmental concerns to ensuring oversight, as the member opposite is concerned about.

We do know that there have been different approaches in previous years, as far as the build goes. Previously, the government would fund the Vuntut Gwitchin government for the management and construction of the winter road. That was back in 2013-14. So, every year comes with different challenges and concerns. Hopefully, these conversations that the two governments are having together will address these concerns and make sure that every year that we work together as government, we have a better approach to a very, very important piece of infrastructure, albeit temporary.

Mr. Hassard: One of the 2021 Liberal platform commitments was to establish an internal Yukon government team that would work to maximize local food purchases through procurement. I am curious if the Premier could give us an update on how the government is making out with that particular commitment.

Hon. Mr. Silver: I don't think that would be under Highways and Public Works. That would be more of an EMR pursuit. I do know that a couple of ministers were working on this, but I don't have any new update for the member opposite today, as far as advancement of that particular commitment.

Mr. Hassard: We talked about brushing, and we talked about line painting. I am curious if the Premier can tell us — a couple of years ago, Highways and Public Works did a contract to supply concrete barriers, or Jersey barriers. They had talked about putting out a plan to show where those Jersey barriers were going to be installed and when.

I don't believe that we have ever seen a copy of that plan. I have asked for it, but I am curious if the Premier knows. I am sure the Premier notices when he is driving around the Yukon that there are gravel pits throughout the territory that have stockpiles of these Jersey barriers. I am curious if there is any update on what the plan is for installing those Jersey barriers and when they plan on installing them.

Hon. Mr. Silver: Again, I don't think I have anything else to add, other than from the context of the brushing road safety improvement program, the one I spoke earlier about, that part of that money in that envelope is for maintaining the roadside barriers. That's important work to be done.

I agree; I do see them lined up on some of the roads as we go, but I don't have any updates for him as far as when those will be installed.

Mr. Hassard: I have a couple of questions regarding the First Nation procurement policy. I'm just wondering if the Premier can provide an update to the Legislature on how he feels that this new procurement policy is working.

Hon. Mr. Silver: I would say that I'm extremely excited that we have a First Nation procurement policy. We now know that there are local contractors who don't normally bid on government contracts who are now taking a look at the requirements, taking a look at their ways of doing, and going: "this is something advantageous to us". We hear comments from the private sector, from also the development corporations in the First Nation governments, about recycling those dollars. We've heard folks call them "sticky dollars", because you have less opportunity, as you go into a bidding, to cut corners and to hire more people from down south who may not want to actually grow roots in this community. A healthy, capitalistic model is going to encourage a good percentage of both, but we've seen it — and the member opposite has seen it, as well — companies that might be not doing so well down south underbidding just to keep people in jobs — and probably not the best model.

So, I think there is a huge strength that comes from working together with the First Nation governments and with Yukon First Nation peoples and their businesses to provide active partnership right across the territory.

Is it perfect? I mean, every single new project is going to have growing pains — absolutely — but I see the exponential growth, year by year. I see the departments working together with stakeholders to make this better, and I think it's extremely important. With this initiative, we are providing huge opportunities for local businesses to participate in Yukon's

economy — specifically, First Nation businesses — ensuring procurement policies and processes are done in accordance with the final agreements.

Drawing down on these final agreements is an obligation that every single government should be undertaking if they are in the Yukon, and that is extremely important. This is just one of those activities that we are moving forward in accordance to the Yukon First Nation final agreements. We speak about advancing reconciliation; this is an extremely important part of it. Reviewing the relationships on a regular basis, as far as how we move forward here, is extremely important — making sure that we have a program that works and does what it is intended to do — renewing relationships with Yukon First Nations and respecting treaty and aboriginal rights.

So, we are listening to the public as well. We took a phased approach to the implementation of this important policy to ensure that all Yukon businesses, Yukon First Nations, and also Yukon government employees had adequate time to prepare for and to understand the policy.

There was an industry working group that was established, as well, to provide a forum for stakeholders to meaningfully engage in the development of what the process is, or just the tools that the government now uses to implement this policy. Change is hard — that is for sure — but, when people see the ability for us to, again, recycle those dollars through this policy into the Yukon, I think that it is very important and it is helpful for all Yukoners. I think that this is really important.

There is a six-month interim review of the policy that is posted on yukon.ca, so I would encourage the member opposite — if he hasn't already — to take a look at that. I will end there for now, because the question was pretty general — are you happy with the progress? I am. I know that there are always going to be issues. Change is always hard when we build from one system to another, but, again, with the original intent — and at every meeting that I had with the folks who were designing and developing this — it was talking about our opportunities to really strengthen the private sector here in Yukon and, at the same time, owning up to our obligations in the final agreements.

Mr. Hassard: So, we know that, when the First Nation procurement policy was first implemented, the idea was to ensure — or to attempt to ensure — that at least 15 percent of government contracts went to First Nation businesses. So, I am curious if the Premier can tell us how we are actually measuring that, and does the government intend to put out a report or anything at some point just to show Yukoners where, in fact, we have managed to get to in that regard?

Hon. Mr. Silver: Just to quantify — the member opposite is talking about BVRs, bid value reductions. We definitely have heard concerns from industry representatives about the use of the bid value reductions — the BVRs. The Monitor and Review Committee is provided with monthly reporting on the impacts of these reductions, and we will continue to work with our First Nation partners to adjust those bid value reduction parameters, if that becomes necessary. They are important. They are an important way to meet the First Nation procurement policy objectives. They allow benefits to

flow to the entire Yukon economy, which is a win for all businesses in the territory. All businesses can earn bid value reductions for Yukon First Nation participation in those contracts. I do have some information about — per sector. As far as BVRs in services, that represents about 32 percent of these, construction is about 35 percent, and in the goods category, it would be about 32 percent.

A lot has happened over the past six months. Again, if the member opposite wants to go to the six-month interim review, there is some information there that can give him some updates.

Mr. Hassard: I appreciate that. I will certainly have a look at that. I have a couple of questions regarding the Dempster fibre project. We know that some concerns were brought forward from the Tr'ondëk Hwëch'in government in Dawson.

We understand that the minister — or the government, I guess I should say — I'm not entirely sure that it was the minister. But the government has been talking to the First Nation government there to try to alleviate their concerns. I am curious if the Premier could give us a bit of an update on how those talks are going, what the government is doing to alleviate the concerns of the First Nation, and, in general, whether the project is on time, on budget, and how things are going in general.

Hon. Mr. Silver: I do know that more than \$25 million is budgeted for the construction of the Dempster fibre line. This year, in the mains, the federal government is contributing \$59 million to this project, and Northwestel is contributing \$15 million as an upfront payment on the 20-year lease with exclusive rights to operate that line. We do know that there were some concerns addressed by Tr'ondëk Hwëch'in. I believe the department has done a great job of addressing those concerns and getting back to the First Nation to hopefully alleviate any of their concerns and to address the specifics of that.

As far as timelines, I'm not aware of any changes in timelines as to whether or not they have been expanded from the last time the opposition has asked this question. I have nothing new to report as far as whether I would speculate about whether or not there are any delays on this project.

Mr. Hassard: One of the things that I had forgotten to mention when we were talking about the Whitehorse airport was the Whitehorse airport maintenance facility replacement. There was \$4.25 million in the budget, so I am curious if the Premier could provide any update on where we are at with the replacement of that facility.

Hon. Mr. Silver: I don't think I have too much of an update for the member opposite other than that planning work is underway for the replacement of the maintenance facility, which is absolutely critical for the operation of the airport. The new facility is being considered in a location that maximizes land availability for the private sector at the airport, which has been an ongoing concern and issue with some of the private folks who are accessing and using this airport for their business.

Mr. Hassard: I guess that is an update because, obviously, we're not spending — or I certainly hope that we are not spending — \$4.25 million on planning. I guess the update

would be that nothing is happening other than that they are still planning.

As well, the budget had \$200,000 allocated for the Whitehorse grader station. I am curious if the Premier could provide an update on where the government is with regard to planning and developing the new Whitehorse grader station.

Hon. Mr. Silver: We are talking specifically about the Marwell grader station. It is in poor condition. It is old — approximately 60 years old. The current buildings definitely have high energy use and maintenance costs — that's for sure. The department has determined that replacing the grader station is the most economical option and will free up valuable land that may be better suited for other types of development. It is a pretty central place in the core here of Whitehorse.

We are still determining where the new grader station may be located before we move this project forward. There are several possible sites. A final decision on that location will be part of the next phase of planning.

Mr. Hassard: Under the title of Green Infrastructure under Highways and Public Works, there is \$7 million allocated. I am curious if the Premier could give us a breakdown, a list, or an idea of what has been done and how much of that money has been spent?

Hon. Mr. Silver: I am assuming that the member opposite is talking about the green infrastructure program. That started in 2020 with Highways and Public Works creating the program. It is a multi-year investment program. Of course, the aim is to reduce our carbon emissions and to improve the climate resiliency of Yukon government buildings and assets. I am sure that it is not a coincidence that the question about the Marwell grader station is right after this question about investments in green infrastructure programs.

Just for some information, 51 energy assessments were completed last fall to identify opportunities for building energy retrofits in our government buildings. We will assess 25 more buildings located in Yukon communities this fall. We are continuing to conduct a larger feasibility study to evaluate biomass, geothermal, and other renewable heating options for over 50 different sites around the territory. These assessments will result in the construction of several renewable energy projects over the next several years. The design for the first of these systems is planned for tender in the winter of 2023. The department has completed feasibility studies at four off-grid diesel-powered sites to transition to renewable energy. Construction of solar systems is underway at two of these sites, with the other two that are planned for future years.

Mr. Hassard: There have been some concerns regarding the Dempster Highway. Of course, it has been brought up here during Question Period, as well. I am curious if the Premier could tell us what the plans are, moving forward. We know that there has been very little in the budget for capital for the Dempster Highway for the past couple of years. There certainly hasn't been any increase to O&M for the Dempster, either. I am just wondering if the Premier can update us on the status of things with the Dempster, and if there are any plans moving forward.

Hon. Mr. Silver: I am not sure if I will give much more of an update than what the minister has already spoken of on the floor of the Legislature, but as we know, it's a major highway — a very long highway, at 740 kilometres. It's all gravel. We also know that the Government of Northwest Territories operates ferries at the Peel and the Mackenzie River side, with ice bridge use in the winter, so there is kind of a joint responsibility.

The Yukon section of the highway is supported by the three grader stations, and those are at Ogilvie, the Klondike, and Eagle Plains. The southern section of the highway, up to Tombstone, receives moderate traffic volumes — about 80 vehicles a day, compared to the northern part of the highway, which receives about 50 vehicles a day.

While traffic volumes for the 300-plus kilometres of the highway north of Tombstone are not necessarily significant, Highways and Public Works does ensure that this sector of the highway is maintained at a safety standard. This is money coming directly out of their budget.

The ongoing work to ensure that Canada's first all-season road to cross the Arctic Circle remains safe and open is very important work that the Department of Highways and Public Works does. We are engaged with our counterparts in the Northwest Territories, as we always look to collaborate to find ways to improve on the joint management of the highway into the future. This year, the Department of Highways and Public Works conducted gravel resurfacing on both the Ogilvie and the Klondike sections of the highway.

As you recall, there was a vehicle that collided with the Eagle River bridge, resulting in the closure of the Dempster Highway. Highways and Public Works engineers immediately dispatched out there to inspect the damage and to repair the bridge to ensure it was safe. Since reopening the bridge, it is back to no weight restrictions, and a subsequent inspection has also taken place to determine if further repairs are required to maintain the long-term safety of that bridge. Ensuring the steady flow of traffic on that highway is — well, it's understood in both governments to be very critical — again, mostly if you're living in these communities in the Northwest Territories, it's extremely critical to these folks who live there. So, it's great to have that partnership.

Again, the highway has “stabilized” — would probably be the way to say it — for this winter, and its conditions have improved substantially. So, again, to say that the government is not spending any money on the Dempster Highway, I would disagree, but that would be the update that I have for the member opposite.

Mr. Hassard: Another question that was brought to my attention was about the charging stations. I'm just curious if the government has heard any concerns about the reliability of them. I'm also curious who does the maintenance on these units throughout the Yukon?

Hon. Mr. Silver: So, one of the ways that we can reduce our emissions and meet our goals of *Our Clean Future* is to switch to electric vehicles. In the Yukon, the road transportation accounts for 64 percent of our greenhouse gas emissions, and we have committed to making it possible for

electric vehicles to reach all driveable communities in the Yukon by 2027. So, this is where the electric vehicle charging stations come into play. They are being built alongside of our highway network. So, all electric vehicle charging station sites will be designed and constructed to ensure the safety of the travelling public. This is, of course, important.

The first of seven highway electric vehicle charging stations is planned for installation this fall at the Canol Road rest area of the Alaska Highway. A new shelter for travellers will be installed at this location next year. Highways and Public Works is finalizing the network plan that would identify where the other six charging stations are required along the highway between communities, and these stations will likely be installed over the next two years. The stations located along highways between communities require additional time to plan and to implement, because they are dependent on the availability of power and communication sources, which, of course, as folks know, as we travel our highways, is sometimes extremely “intermittent”, would be a good word to use, I guess.

Specifically, on maintenance, well that is a joint responsibility of two departments — that would be Energy, Mines and Resources and also Highways and Public Works. The installation part would be Highways and Public Works and then EMR would maintain the operations through an external contractor.

This is important work. It is important that we also, as a government, invest in electric fleet vehicles, as well, if we are leading by example, and so, that again is one of the components of our commitment to reduce emissions in all possible areas of government work. Highways and Public Works continue to meet and work with local dealers to build relationships and to understand market conditions. Take a glance at some of the businesses in town — the people who sell vehicles in town — there is not a lot of extra stock out there right now, that is for sure, and if you take a look on any of the websites, they are usually prompted with messages of supply-chain issues and demands.

So, it's not without its own problems of getting access to these vehicles, but we are committed to making it possible to travel by electric vehicles to all road-accessible communities by 2027. Planning is definitely underway to develop, as I said, the charging stations. It is important work that they are doing with Energy, Mines and Resources to add these stations to government buildings, as well, and to parking lots, to support the general uptake of the electric vehicle by the public. We know that there are government incentives for buying electric vehicles. Highways and Public Works is going to continue that work of installing those charging stations for electric vehicles in our fleet, as well.

I think that's about all I have for an update right now. I know that we do have a couple of the Chevrolet Bolts that are available for our government to use as fleet vehicles. I also know that Energy, Mines and Resources maintain a highway map of all the charging stations, so if anyone is listening or reading this in Hansard, again, you could go to yukon.ca and just take a look at these charging stations.

Mr. Hassard: Could the Premier tell us if the government anticipates ever starting to charge for these charging stations, and if so, when? And does the government have a plan as to how much they are going to charge and how they are going to do that?

Hon. Mr. Silver: No update on that. It is something that we are definitely looking into. Of course, in the future, changes will have to be made, as the supply and demand of this situation changes, but nothing to add right now, as far as timelines.

Mr. Hassard: Shifting gears a little bit here, I am wondering this: As the Premier knows, under the *Canadian Free Trade Agreement*, there are 10 contracts, either sole-sourced or invitationally, put out each year up to \$1 million. I am wondering if the Premier can update us on what the 10 contracts were for this year.

Hon. Mr. Silver: As the member opposite knows, when it comes to the regional economic development exceptions, we're helping to boost the economic development across the territory through the use of these trade agreement exceptions. They allow us to restrict procurement competitions exclusively to qualified Yukon businesses 10 times per year in order to keep government dollars in the territory and to support local businesses. Over the last five years, manufacturing, construction, and consulting contracts have been awarded for work in communities across the Yukon through these 10 times \$1-million exceptions.

Since 2018, Yukon businesses have competed for and secured 49 Yukon-exclusive government contracts worth \$24.6 million. For the 2022-23 fiscal year, we awarded three projects to Yukon businesses totalling \$2.17 million with plans to use all of the 10 exceptions within the fiscal year. The criteria for selecting the regional economic development exceptions includes how much of the money spent on the project will create economic opportunities in the Yukon and whether the projects support the territory's industries and whether or not the project supports our suppliers as well.

So, at the close of the project, suppliers are now required to report on the total dollar value expended on Yukon labour and materials to quantify the direct positive impact that these projects do have on Yukoners. So, to be able to take a look retrospectively is an extremely important part of this ongoing development of this policy.

To date, 12 projects have submitted reporting on their completion contracts, with eight projects using 100-percent Yukon labour and 100-percent Yukon materials. The reporting from the 12 projects show that just over \$1 million was spent on Yukon employee labour. We have three contracts that were awarded, as I said, for the 2022-23 fiscal year — six direct current fast chargers in Yukon communities: so, that's Ross River, Faro, Burwash Landing, Beaver Creek, and Whitehorse, and that's to Solvest Inc., doing some great work on those chargers.

The green street paving project in the Whistle Bend subdivision of Whitehorse was awarded to Castle Rock Enterprises, and also, the community-scale composting program design and installation in Deep Creek, Tagish, Carcross, and Marsh Lake, that went to Boreal Compost

Enterprises Ltd. We know that further exceptions are being considered at the moment, so there is definitely going to be more to come. Again, in those three contracts: \$2.17 million. One additional project is in the process of being tendered, I believe, and that is the building management system upgrade at the Mayo Community Centre.

Mr. Hassard: I appreciate that update. In the "Appendix A: Status of all Government of Yukon actions", regarding *Our Clean Future*, as of December of 2021, there is a list of action items, some of which fall under the purview of Highways and Public Works. I'm wondering if the Premier could provide us with an update of where we are with some of those action items.

The first one is to develop and implement a system to prioritize the purchasing of zero-emission vehicles for all new Government of Yukon fleet acquisitions, where available — if we could just get an update as to where we are in terms of that action item.

Hon. Mr. Silver: As members know, in September, we released our second annual report on *Our Clean Future*, outlining the progress that we have made in taking action on climate change in 2021. Of the 19 actions within the 2021 timeline, we completed 13, made progress on three, and revised three. As members opposite know, *Our Clean Future* is an adaptive strategy, meaning that we assess and adjust the actions that we are taking year over year to make sure that we stay on track with meeting our long-term goals.

As we were developing *Our Clean Future*, that was always the goal. If you limit yourself with what you are doing with information that you have and then it's a decade-long process, there is just so much technological advancement that we need to make sure that this is an adaptive strategy. This year, we introduced five new actions and revised 13 existing actions to better meet our goals.

When it comes specifically to the Department of Highways and Public Works, they are, as all departments are, working extremely hard to meet the goals that are outlined in *Our Clean Future*. They are undertaking several action items that will improve energy efficiency, reduce greenhouse gas emissions, and strengthen our resilience to the ongoing impact of climate change. For example, the department is doing energy retrofit projects and renewable energy projects in government buildings. They are also working on enhancing the ratio of electric vehicles in the current fleet. Again, there are supply chain issues there but they are working as best as they can to do so. They are planning for climate impacts on infrastructure through climate risk assessments and permafrost monitoring. They are also updating procurement processes to better support sustainable and local businesses. Last but not least, they have been tasked with modernizing the heavy equipment that the government fleet has. We have committed to taking actions on climate change, and we will continue to make progress forward on that.

The Department of Highways and Public Works has 27 specific action items that would be outlined in *Our Clean Future*, many of which are ahead of schedule, I would say — either ahead of schedule or they have already been completed. In addition, this summer, the department committed to several

new actions. Some of those would be: creating a new system to promote the re-use of government assets throughout the Government of Yukon; developing and implementing new guidelines for addressing climate change hazards in all major infrastructure projects by 2024; developing and implementing a framework to incorporate greenhouse gas emissions and climate risk into government infrastructure investment by 2024; also this summer, committing to align the Yukon government's energy management program with international standards by the year 2025; and finally, the work that they were doing this summer in the department was to continue working on a joint project with First Nation and municipal partners to reduce greenhouse gas emissions.

I will leave it there for today. Deputy Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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

Motion agreed to

Deputy Speaker resumes the Chair

Deputy Speaker (Ms. Blake): I will now call the House to order.

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

Chair's report

Ms. Tredger: Committee of the Whole has considered Bill No. 20, entitled *Animal Control and Protection Act*, and directed me to report progress.

Committee of the Whole has also considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Deputy Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:26 p.m.



Yukon Legislative Assembly

Number 91

1st Session

35th Legislature

HANSARD

Monday, November 7, 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
Monday, November 7, 2022 — 1:00 p.m.

Speaker absent

Clerk: It is my duty, pursuant to the provisions of section 24 of the *Legislative Assembly Act*, to inform the Legislative Assembly of the absence of the Speaker.

Deputy Speaker takes the Chair

Deputy Speaker (Ms. Blake): I will now call the House to order.

We will proceed at this time with prayers.

Prayers

DAILY ROUTINE

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

INTRODUCTION OF VISITORS

Deputy Speaker: Under Introduction of Visitors, the Chair would like to introduce Mr. Dustin Fredlund, the Chief Electoral Officer, Nunavut, and Maxwell Harvey, Yukon's Chief Electoral Officer.

Please join me in welcoming them.

Applause

Hon. Mr. Streicker: I would like to welcome several folks here today for our tribute to the agricultural award. From the Agriculture branch, we have Heather Mills, our assistant deputy minister; Kirk Price, our director; we also have Jonathan Lucas, our manager of our Agriculture Lands unit; and Kristine Ferris, who is our agrologist. As well, sitting in the middle of them is Beez Duncan, who is one of our award winners this year, from Lastraw Ranch. She is a student here in Whitehorse, but her farm is up in Dawson.

Please welcome them all.

Applause

Deputy Speaker: Tributes.

TRIBUTES

In recognition of Lastraw Ranch and Klondike Valley Nursery

Hon. Mr. Streicker: I rise today to pay tribute to Lastraw Ranch and Klondike Valley Nursery. These two farms are the joint recipients of the 2022 Yukon Agriculture Award. Lastraw Ranch is one of the largest meat and egg producers in the Klondike region, owned and operated by Megan Waterman and her daughter Beez.

Megan is being celebrated for boosting local food security and culinary tourism in the area. She has done this by developing and growing sustainable agriculture in the north, supporting other Yukon food producers, and collaborating on a

cold storage network that links producers between Whitehorse and Dawson City.

We also celebrate today the Klondike Valley Nursery. The Klondike Valley Nursery is Canada's northernmost research nursery, owned and operated by John Lenart and Kim Melton. John and Kim love growing fruiting trees in cold climates and high latitudes. Their 30 years of innovative research with hardy fruiting trees has allowed John and Kim to expand production in Canada's north, diversify the local landscape, and broaden local fruit production in the Klondike Valley.

Madam Deputy Speaker, we received nominations for other exemplary members of our farming community, including: Meesha Wittkopf for the White River First Nation community greenhouses; Tom, Simone, and Graham Rudge of Tum Tum's Black Gilt Meats; Wilderland Botanicals; and Alpine Bakery. They were all nominated by their peers for their commitment to and passion for local farming.

The Government of Yukon started this award in 1999 as the Farmer of the Century Award. The following year, it became the annual Farmer of the Year Award, and the Government of Yukon has been giving out this agricultural award for over 20 years. So much has changed in the Yukon's agricultural landscape in the past couple of decades. We can see it in the breadth of locally grown and produced foods available in our grocery stores, restaurants, retailers, and farmers markets.

Again, congratulations to Megan and Beez, John and Kim, and, in general, to the Dawson area's thriving farm community. Thank you to all involved in Yukon agriculture. I thank them for their harvest, for putting delicious, local food on our tables, and we wish them a good rest over the coming winter months.

Thank you, Madam Deputy Speaker.

Applause

Mr. Cathers: I am pleased today to rise on behalf of the Yukon Party Official Opposition to acknowledge and congratulate the winners of this year's award — Lastraw Ranch and the Klondike Valley Nursery. I will be much shorter than the minister and not repeat the comments that he made, but I would like to thank Lastraw Ranch for their contributions to local food production, especially in the Klondike area, as well as the cold storage network, and the Klondike Valley Nursery for their work in growing new varieties of fruit and other things here in the territory. I would just note that it is a real treat to be able to buy and eat a Yukon-grown apple.

So, congratulations to the winners, and I would like to, as well, acknowledge the contributions of all those who were nominated for this year's award.

Applause

Ms. White: It's a pleasure to rise on behalf of the Yukon NDP to tribute this year's Yukon's Agriculture Award. Yukon farming has come a long way in the last 20 years, and the renaming of the award from "Farmer of the Year" to "Agriculture Award" shows that growth.

Yukon's booming agriculture scene is made up of a many different parts, from growers and producers to those who

process and market them. It's an industry that openly learns and celebrates the successes of one another, and the North of 60 banquet is an opportunity to come together and celebrate the achievements of the last year.

With a dinner made up of ingredients sourced from 13 separate farms, there was plenty to celebrate. This year's winners brought the focus straight to the Klondike and the territory of the Tr'ondëk Hwëch'in where we have seen innovation, collaboration, and research. From its beginning as a home-schooling project for Beez that started with 12 laying hens and a neighbourhood egg route, Lastraw Ranch has really grown in the last decade. From eggs to pork, this family farm has never slowed down. They have shown what true collaboration looks like. From partnerships to get grazing on mining claims to a beautiful website cheering on and connecting customers to their peers, Lastraw Ranch does it all. So, congratulations to Megan Waterman and Beez Duncan on that epic achievement.

The northernmost nursery in Canada can be found in the Klondike Valley where they are uniquely situated to explore the boundaries of what can be grown in cold climates at high altitudes. John Lenart and Kim Melton are the dynamic duo behind the Klondike Valley Nursery. These two found their way to the Klondike via different routes but share a passion for growing and exploring ways to diversify our local landscape, broaden northern food production capabilities, all while remaining integrated with their natural landscape. Congratulations to John and Kim and Klondike Valley Nursery.

A big congratulations, also, for the agriculture community and to all of those nominated for this year's award.

Applause

TABLING RETURNS AND DOCUMENTS

Deputy Speaker: Under Tabling Returns and Documents, pursuant to section 318 of the *Elections Act*, the Chair has for tabling the *Report of the Chief Electoral Officer — Recommended Changes to the Elections Act 2021*; the *Report of the Chief Electoral Officer — Election Financing Returns 2021 Territorial General Election*; and the *Report of the Chief Electoral Officer — The Administration of the 2021 Territorial General Election*.

Are there any further returns or documents for tabling?

Mr. Dixon: I have for tabling pages 132 and 133 of the *YEC 10-Year Renewable Electricity Plan Technical Report*, dated November 25, 2019, which shows that the total project costs for the expansion of the Atlin hydro project, including a 69 kV transmission line, is estimated at \$120.7 million.

Mr. Cathers: I have for tabling here today a letter to the Minister of Justice from the chair of the Yukon Utilities Board entitled *Report on the Yukon Energy Corporation Electricity Purchase Agreement with Tlingit Homeland Energy LP*, dated October 18, 2022, and the attached report from the Yukon Utilities Board entitled *Report to Yukon Minister of Justice on Yukon Energy Corporation Electricity Purchase Agreement*

with Tlingit Homeland Energy LP under Section 18 of the Public Utilities Act.

Mr. Istchenko: I have for tabling a letter from the Yukon Dog Musers Association to the Minister of Environment dated November 4, 2022. It's in reference to Bill No. 20.

Ms. White: Today I have for tabling three letters: one in support of a national truth and reconciliation day statutory holiday from the Ta'an Kwäch'än Council; one in support of amendments to the *Oil and Gas Act* from the Ta'an Kwäch'än Council; and a letter of support from Yukoners Concerned about the amendment to the *Oil and Gas Act*.

Deputy 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 give notice of the following motion:

THAT this House urges the Government of Canada to exempt home heating fuel from the federal carbon-pricing system.

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

THAT this House urges the Government of Yukon to delay the closure of the Keno City transfer station and to work with the residents of Keno City to ensure a sustainable, long-term waste management solution for the community.

Deputy Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

United Nations climate change conference

Hon. Mr. Clarke: This week, the Government of Yukon sent two representatives as part of a Yukon delegation to attend the 27th Conference of the Parties to the United Nations Framework on Climate Change, known as "COP27", in Egypt.

COP27 is an opportunity for countries to come together to take action toward achieving our collective climate goals as agreed to under the *United Nations Framework Convention on Climate Change and the Paris Agreement*. It also provides an opportunity for local governments, the business community, youth, and academics from all over the world to share their voices and promote global climate action.

Madam Deputy Speaker, the Yukon is warming at twice the rate as many parts of the world and we are experiencing disproportionate impacts of climate change compared to many other jurisdictions. This is why we are working hard to be a national leader in climate mitigation and adaptation.

I want to now acknowledge and thank the assistant deputy minister of Corporate Services and Climate Change, Shehnaz Ali, and the director of the Climate Change Secretariat, Rebecca Turpin, with the Department of Environment who are

attending the conference as part of a Yukon delegation. As representatives of the Government of Yukon, they will ensure that our voice will be heard on the global stage at COP27.

Shehnaz Ali and Rebecca Turpin will present on two panels at COP27. The first is partnering with the Government of Northwest Territories. They will speak to the severe effects of climate impacts on the north and the importance of partnerships in climate adaptation and building resilience. The second seminar is partnering with British Columbia and PEI. They will speak to our efforts to achieve net zero emissions from coast to coast to coast by 2050.

Madam Deputy Speaker, I look forward to hearing how they will demonstrate our successes when it comes to climate action and bring back important insights on how we can continue to address the climate change crisis. The Yukon delegation also includes other climate advocates in the territory, including strong indigenous representation from the Assembly of First Nations Yukon Region, Yukon University, and the Yukon First Nations Climate Action Fellowship. Indigenous voices and perspectives are important to share as part of the global climate action conversation. Climate action is a part of reconciliation, as indigenous cultures and history are closely tied to the land and environment. It is important to note that Yukon's delegation will include a strong indigenous perspective.

Mr. Istchenko: Thank you, Madam Deputy Speaker, for the opportunity to respond to the ministerial statement regarding the 2022 United Nations climate change conference, otherwise known as "COP27". This important conference got underway on the weekend in Egypt. I am pleased to see those nations in attendance coming together to talk about tackling climate change. As we know too well, climate change is affecting us here in the Yukon at greater rates than elsewhere. We need to look no further than my riding of Kluane. The north Alaska Highway from Haines Junction to the Alaska border is heaving in many spots as the permafrost is melting. This is a direct result of climate change.

Part of the work of the government now is adapting and mitigating the effects of climate change; however, the amount of funding to maintain and upgrade the north Alaska Highway by this Liberal government since 2016 amounts to a very small drop in a very large bucket.

Can the minister tell us when the Liberal government will start mitigating the impacts of climate change on the north Alaska Highway and fund proper highway upgrade projects? I hope that the permafrost melt and its effects on the north Alaska Highway will also be mentioned by the Yukon delegation who will be attending. According to an official government press release, there will be two people attending on the government's behalf, including the assistant deputy minister and the director of the Climate Change Secretariat.

Under a previous Yukon Party government, the Yukon delegation also included a youth delegate. The youth delegate who attended the 2014 conference is now a leader within the Climate Change Secretariat. Unfortunately, the youth delegate position that travelled to the conference was cut by the Liberals.

Has the minister considered reinstating the youth delegate position as part of the Yukon delegation to future conferences?

Speaking of delegates, aside from the two identified in the press release, we understand that there are a number of other Yukoners who will be part of the formal delegation. The minister just highlighted the indigenous representation of Yukon's delegation. I am happy to see such representatives as part of Yukon's voice at the conference, but can the minister tell us how many other Yukoners are going? Can the minister also indicate the cost that the Yukon government is covering for the entire Yukon delegation, and what is the budget? Finally, what outcomes or goals does the minister expect from the speaking engagements of our Yukon government representatives who are there? I look forward to the minister's answer.

Ms. Tredger: It's hard to know how to feel coming into COP27 knowing that Canada has continued to miss its targets. Here in the Yukon, we missed our targets entirely under the Yukon Party. Under the Liberals, we are working with an official plan that only gets us partway there.

I am glad that a number of local experts and officials — particularly glad that there will be First Nation leaders attending this conference. We hope that the people who attend can bring their knowledge and experience to the conversation, and we hope that they bring back new ideas and energy. We hope that this government will hear those ideas loud and clear and understand the urgency, but it is a missed opportunity for the Premier to show leadership.

In 2016, the Yukon sent a bipartisan delegation to COP21 in Paris. That included the Premier and his chief of staff, the Leader of the Official Opposition, and the Leader of the Third Party, who is now the Premier. Even the Yukon Party, which has long opposed green initiatives like the carbon tax and new hydro projects, thought it was important to attend.

Most of all, what we need is change here at home. We need a government that takes action even when it's difficult, even when it's unpopular, and even when it's making sacrifices and hard choices. Regardless of what meetings or conferences are attended, we need a government that will ensure a livable future for everyone.

Hon. Mr. Clarke: Yukoners are feeling the impacts of climate change now and we must continue to work together to take bold and aggressive actions to reduce our emissions, mitigate climate impacts on our communities, and build a more resilient territory. The Yukon's *Our Clean Future* strategy is an adaptive plan that will allow us to assess and adjust the actions we are taking year over year to ensure that we stay on track to meet our long-term goals. I'm proud of our efforts to legislate our 45-percent emissions-reduction targets through the *Clean Energy Act*, which recently passed third reading in this Assembly. This legislation is an incredibly important step that, if passed, would ensure action and accountability on climate change and make the Yukon home to some of the most progressive greenhouse gas emissions-reduction legislation in North America.

Madam Deputy Speaker, one of the key topics set this week at COP27 is climate adaptation and resilience. This past September, our government released the Yukon's first climate risk and resiliency assessment. This assessment is a key commitment under the *Our Clean Future* strategy and a step toward our goal of ensuring that the Yukon is highly resilient to the impacts of climate change. Identifying the areas where we are vulnerable helps us to participate and coordinate and to adapt, respond, and plan for the impacts of climate change.

We are strengthening the territory to be more resilient to the impacts of climate change by protecting our transportation infrastructure, preparing for fires and floods, and responding to permafrost thaw.

By working toward the goal in *Our Clean Future*, the Yukon is truly becoming a national leader when it comes to tackling climate action and reducing greenhouse gas emissions. We are thrilled that the Yukon delegation can share our territory's insights with climate leaders from around the world and learn more about climate initiatives that other jurisdictions are taking, and we look forward to hearing back from what we have heard.

I can also advise that two young persons from Yukon — young adults — are going to COP27 with Students on Ice and they include Emily Ross, who, of course, facilitated our youth leadership council, and Meesha Wittkopf from White River First Nation. There were other questions that I can report back to the House on.

Thank you again to the Yukon delegates who are attending COP27 this week.

Deputy Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Atlin hydro expansion project

Mr. Hassard: So, last week, the Minister of Energy, Mines and Resources told the Assembly that the Yukon Utilities Board was currently reviewing the electricity purchase agreement for the Atlin hydro project. That turns out to have been inaccurate. The YUB actually issued their report on the Atlin hydro EPA back in mid-October and submitted their report to the Liberal Cabinet on October 18, so that is, of course, almost three weeks ago.

So, can the minister tell the Legislature if he misspoke last week when he said that the YUB was still reviewing the EPA, or was he not aware that his office had already received the report of the YUB?

Hon. Mr. Streicker: To explain and to help the Yukon Party to understand, the Utilities Board reports to the Minister of Justice. Yes, that letter arrived, and I understand that the Department of Justice is reviewing it. I met with the Yukon Energy Corporation and Yukon Development Corporation this morning. They told me that the letter was generally favourable to the energy purchase agreement, which is a good thing for Yukoners because it's cheap energy. This is 13.5 cents per kilowatt hour — which is being applied for —

for dependable winter energy. That's a good result for the Yukon.

Mr. Hassard: I'm not surprised that the minister wasn't keen to highlight the YUB's assessment of the Atlin hydro EPA, because it contradicts his message on this project. One of the most concerning things that the YUB raised was the adverse effect that the Atlin hydro project would have on ratepayers. In fact, it is clear that rates are going to go up as a result of this deal.

So, does the minister now know how much Yukoners' electricity rates are going to go up because of this deal?

Hon. Mr. Streicker: The members opposite would build a liquefied natural gas plant. We saw that this pushed up rates for Yukoners when they built that plant. I have spoken about that here in the Legislative Assembly before. The price of that plant is likely to have gone up. It would not attract investment by Canada or British Columbia. I don't know whether it would attract investment by First Nations because it's a fossil fuel plant. We don't want that.

What we want is renewable energy. What this project is going to do is give us a price for energy of 13.5 cents per kilowatt hour, which is much, much less than the cost of producing electricity with fossil fuels.

I wish that the Yukon Party would get with the program. We just talked about COP27 earlier today in a ministerial statement. They themselves mentioned the importance of getting off of fossil fuels. I don't understand how they think that this is the right route to get off of fossil fuels — to go with an LNG plant here in the territory.

Mr. Hassard: So, let us recall what the YUB actually said in the report, and here is a direct quote from the board findings and recommendations page: "In the Board's view, YEC started its negotiation high with this CPI term, and therefore, customer rates are likely adversely affected by the approach to this term."

So, the YUB is raising a concern about the impact of this project on the rates that customers pay. In other words, they are saying that the electrical rates are going to go up. So, last week, the minister told this House that this was a great deal for ratepayers.

So, who should Yukoners actually believe: the independent tribunal with a mandate to look out for ratepayers or this Liberal government?

Hon. Mr. Streicker: We welcomed the Yukon Energy Corporation and the Yukon Development Corporation, which put in this application to the Utilities Board earlier this spring. The Yukon Party said: "No, thank you; we don't want to hear from the Energy Corporation." They obviously don't trust the Energy Corporation.

I say now, as they pick out small pieces from within the overall report, which I believe says that this is a good rate — I will happily go back and pull out some other quotes for them at another time — no problem. Overall, for Yukoners, 13.5 cents a kilowatt hour — LNG costs 21 cents a kilowatt hour right now, and diesel is even more. The prices of fossil fuels are going up. Please don't believe the Yukon Party; they would have us invest in fossil fuels.

Question re: Atlin hydro expansion project

Mr. Kent: So, throughout last week, the minister told the Legislature, as well as the media, that he thought the Atlin hydro deal was good for ratepayers. The Yukon Utilities Board makes their view of the electricity purchase agreement very clear in their report. They express real concern about the impact that this EPA will have on customer rates. It says — and I quote: “Therefore, the Board finds that customer rates are likely adversely affected by this term because it is at 50% of CPI...”

So, can the minister tell Yukoners how much these adverse effects will cost Yukon ratepayers?

Hon. Mr. Streicker: Thanks, Madam Deputy Speaker — 13.5 cents a kilowatt hour — that is the energy purchase agreement. That is what we’re talking about paying. The reason that it is at 13.5 cents a kilowatt hour is because we are looking to find other ways to pay for the capital — not through our rate base. The purpose of that is to keep that 13.5 cents a kilowatt hour down low.

For example, the price in our small communities is even higher for fossil fuels because we have to fly those fossil fuels into some of our communities or drive long distances for others. No — it is the wrong choice to go with fossil fuels. I know that the Yukon Party believes in investing in fossil fuels. We disagree. It’s a fundamental difference. We believe that the right thing to do is to invest in renewable energy. We believe this project is good because it is community-led, it’s a brownfield site, it’s renewable energy, and it’s going to give us dependable energy for winter at 13.5 cents a kilowatt hour.

Mr. Kent: Last week and again just now, the Minister of Energy, Mines and Resources told the Legislature that the EPA for the Atlin hydro project would provide the Yukon with dependable winter energy at 13.5 cents per kilowatt hour. But the Yukon Utilities Board has expressed a different perspective. Here’s what the Yukon Utilities Board says in their October 18 report — and I will quote again: “However, in the Board’s view, the benefit of the reduced winter energy price is a phantom benefit.”

On one hand, we have the Minister of Energy, Mines and Resources saying that this is a great deal, and on the other hand, we have significant concerns being raised by the independent, non-partisan board whose mandate is to look out for Yukon ratepayers.

Who would the minister have Yukoners believe?

Hon. Mr. Streicker: Not the Yukon Party — they are proving unreliable. When they are talking about that rate, they are not talking about the 13.5 cents per kilowatt hour. What they are talking about is whether we buy extra winter energy. That’s the other piece that they are not mentioning. However, the 13.5 cents per kilowatt hour is a great rate all on its own. Will we buy more than that? That really depends on the future, and it will unfold depending on the demand on our side and the production on the side of the Taku River Tlingit First Nation or Tlingit Homeland Energy Limited Partnership project. It’s a good project at 13.5 cents a kilowatt hour. I’m surprised that the members opposite don’t agree with that.

I will go through and find quotes from the Yukon Utilities Board letter to the Minister of Justice to share as well, but I

hope Yukoners will take a look at it and see that it’s 13.5 cents a kilowatt hour. That’s a great price.

Mr. Kent: So, unfortunately, it is the minister who is proving unreliable. He didn’t even know last week that the Yukon Utilities Board report was done. While the minister has been claiming that the Atlin EPA will be great for Yukon ratepayers, the YUB is raising some serious concerns. They say that rates are going to be adversely affected, and we know what that means: The amount that Yukoners pay for electricity is going up. The YUB calls what the minister has claimed to be a benefit a “phantom benefit”. Here’s what they said — and I will quote: “Energy delivered beyond the thermal displacement level and in excess of that used for storage purposes is of no value to YEC.”

Does the minister still think that this is going to be a good project for Yukon ratepayers or Yukon taxpayers?

Hon. Mr. Streicker: Again, right within that quote, it talked about “beyond”. In other words, the first part of it is good, and beyond that, we’re not sure. The “beyond” price, though, is lower, so this project will displace four rented diesels. The Yukon Party would like us to invest in liquefied natural gas and build another LNG plant — no thanks.

Question re: COVID-19 public health measures

Ms. Tredger: Many public health experts are predicting another wave of COVID-19 this fall and surging case numbers over the winter as people head back indoors. This government, though, appears to have given up on public health measures to protect Yukoners from the virus. Vaccination rates have stalled. Only 55 percent of Yukoners have received three doses or more, and less than 10 percent of children under five have had their first shot.

According to yukon.ca, access to booster shots remains by appointment only and kids under 12 can’t get an appointment until at least November 17. Will the minister commit to streamlining the booster-shot campaign and reducing the barriers to vaccination?

Hon. Ms. McPhee: I appreciate the opportunity to talk about how well Yukoners have fared during COVID-19 and during the very long and very difficult period of time that we have all suffered through with respect to how we have adjusted over the period of time of this world pandemic. Public health measures continue with respect to providing service and safety for Yukoners.

I can indicate that I do disagree with much of what has been said in this question. It is clearly a fact — and Yukoners know this — that they have risen to the challenge of vaccines here in the territory.

We have had an amazing response to vaccines and the availability of vaccines across the territory to communities delivered throughout the Yukon Territory, sometimes by just amazing fly-in teams to make sure that our most remote communities were well protected with respect to vaccines.

I look forward to that campaign continuing. We are continuing to provide vaccines across the territory to Yukoners.

Ms. Tredger: In April, the minister told this House that waste-water testing for COVID-19 — and I quote: “... may

become a useful surveillance tool here in the territory in future.” That was more than six months ago.

While the government has taken time to figure things out, others are stepping up and filling the void. Champagne and Aishihik First Nations and the Village of Haines Junction have implemented their own waste-water surveillance program. Their data show rising viral load. What little public data we have for the Yukon show the test positivity rate rising sharply last week.

Waste-water testing is a solution that works in other northern communities. It would allow this government and all Yukoners to make decisions based on information, not guesses. Why hasn't this government implemented waste-water testing for COVID-19?

Hon. Ms. McPhee: While I appreciate the suggestions from across the way, we are going to take our public health guidance from our chief medical officer of health. We have in our territory a new chief medical officer of health, Dr. Ranade, who is working with his team with respect to new methods, a new perspective, a new vision for the territory. We are working forward with his guidance and the guidance of his team.

Waste-water testing is one of the opportunities that is being considered, but what Yukoners should know is that waste-water testing for the virus that causes COVID-19 continues to evolve. It could become a useful tool. It is not currently being used here in the territory. With the support of the Public Health Agency of Canada, Champagne and Aishihik First Nations have implemented a waste-water testing pilot project in Haines Junction and we are watching that closely. We continue to work with our partners, including Health Canada, the Public Health Agency of Canada, First Nations, and municipal governments to explore whether or not that's an option that is supported by those communities.

Ms. Tredger: In June, the Public Health Agency of Canada announced that it will stop distributing rapid tests for COVID-19 to the provinces and territories. In the absence of available PCR testing, many Yukoners still rely heavily on rapid tests to make decisions. Should they go to work today with a runny nose because they can't afford to stay home again? Should they send their kids to their first birthday party in two years? These are the kinds of questions that many Yukoners are struggling with. Without access to affordable rapid tests, many Yukoners will be left to guess.

Will the minister tell Yukoners how many rapid tests the Yukon has left, and will she continue to supply them free of charge beyond 2022?

Hon. Ms. McPhee: I think the message that needs to be delivered to all Yukoners — Yukoners know this, but they are spreading it to their friends and family throughout their communities — is that, if you are unwell, you should remain away from your workplace or away from school. You should remain at home until you are feeling well again.

The truth of this situation is that we have learned that going to work with symptoms of illness is not helping any of our community. Since March 2020, Yukon has provided lab-based PCR tests — at that time — to symptomatic patients. With the arrival of new rapid-testing resources, we have shifted lab-

based PCR testing resources to focus on populations with the highest risk of negative impacts. At-home rapid tests are readily available for Yukoners throughout the territory in pharmacies, local businesses, and community health centres. They are free of charge. They will remain available.

Question re: Student support services

Ms. White: For more than 25 years, the Teen Parent Centre in Whitehorse has been supporting young parents finishing high school. One essential component of that centre is the daycare. It allows parents to concentrate on their studies, knowing that their little ones are being cared for in the shared space. It seems that this Liberal government may be the death of that important service. Despite hard work from community members, the daycare society is no longer in good standing. Without a daycare, the Teen Parent Centre will be unable to serve its purpose.

What work has this government done to ensure that the daycare located within the Teen Parent Centre remains open and operational?

Hon. Ms. McLean: The Department of Education works collaboratively to provide services and supports to Yukon children and families. The department is committed to supporting teen parents. Our government is committed to supporting teen parents.

The Teen Parent Centre brings together a variety of supports for students during and after pregnancy, including providing a safe and caring environment, access to healthy meals, academic support, and on-site childcare.

I acknowledge the absolutely caring staff of the Department of Education — from the Teen Parent Centre — who provide important supports to teen parents to ensure their learning success. There are no plans to close the Teen Parent Centre, and there has been no change to the support available to teen parents.

The Teen Parent Access to Education Society operates and manages the daycare located at the Teen Parent Centre. Teen parents can also access free childcare at other licensed childcare facilities in the Yukon. We acknowledge the Teen Parent Access to Education Society's many years of important work and dedication to supporting students and young Yukoners.

Ms. White: So, after inviting the minister for a meeting — but instead meeting with department officials — parents using the Teen Parent Centre have been told by the Department of Education that if they want the daycare to remain open, they should consider starting their own society to run that daycare. These parents or teenagers with young children trying to finish high school shouldn't have to start and run a society to maintain a daycare within their school. There are real concerns that the minister is simply happy to let the Teen Parent Centre close and have no daycare within that facility. So, the minister either needs to work with the society to help them get back on their feet or transition that daycare into a publicly run daycare.

Will the minister commit that the daycare at the Teen Parent Centre will remain open and transition it to a publicly run daycare?

Hon. Ms. McLean: I have stated that there are no plans to close the Teen Parent Centre. There has been no change to supports available to teen parents. The Teen Parent Access to Education Society operates and manages the daycare located at the Teen Parent Centre. Teen parents can also access free childcare at other licensed childcare facilities. We have made huge investments in childcare over the last couple of years. We are now leading the country in terms of our early learning and childcare programming. As I have stated, we acknowledge the Teen Parent Access to Education Society's many years of hard work.

The Teen Parent Access to Education Society is not currently in good standing with the *Societies Act*. We are supporting the society to work through these licensing matters. The society recently hosted a public meeting to plan for next steps, and we are working with them on options that are available. While the society is still not in good standing since the order was given, they are taking responsibility for childcare operations. Again, we value the work that this centre has done for Yukoners and will continue to support it.

Ms. White: So, while on the subject of the government failing to uphold their responsibilities in the education sector, it seems that the Gadzoosdaa student residence just around the corner is also falling apart. We know that the residence is severely understaffed to the point of putting both the students and the staff at risk. We know that the minister is reducing the funding allocated to the Gadzoosdaa residence. We also know that this residence is an essential service for the students who travel from communities to pursue their education.

The last time she was asked, the minister said that she was meeting with the advisory committee and was looking forward to the results of that. Madam Deputy Speaker, will the minister commit to students and parents that she will reinstate the former model of service instead of transforming this residence into what would essentially be a hostel for high school students?

Hon. Ms. McLean: Again, this is a very important service for young Yukoners and for families. I have stated in this House a few times now that we support the work that is being done at Gadzoosdaa. The annual operating budget is \$1.39 million, and this has not been reduced. There is no intent to close the residence and/or diminish the services that are available.

An advisory committee meeting was held on October 28 to discuss recent concerns raised and to identify immediate steps, as well as mid- to longer term actions that may be required. Financial and human resource allocations at Gadzoosdaa have, and continue to, remain stable. Additional resources are being provided while program evaluation is completed. The program evaluation will assess how the needs have changed since the residence opened and what is required for today's programming. First Nations and partners will be involved in this work.

I look forward to further meetings of the advisory committee. I have written letters back to the First Nation that has raised some concerns as well, just to clarify our government's continued support for Gadzoosdaa.

Question re: Fuel-wood supply

Mr. Istchenko: Since we asked about the cost of home heating fuel last week, we have seen the prices increase even more. The average home heating fuel prices in the Yukon are now more than 60 percent higher than they were last year, and we expect that it is probably going to go up this month again. We note that the price of fuel wood is going up too and that is if you can even get wood delivered at all in this Liberal-caused and -created supply crisis that we have here.

Well, now we have learned from the Yukon Utilities Board that Liberal energy decisions are going to increase the electricity rates as well. The simple fact is that the policies of this Liberal government are making life more expensive for Yukoners.

So, will the minister admit that the Liberal policies are causing serious issues for Yukoners heating their homes this winter?

Hon. Mr. Streicker: I think that there are two choices out there. One is that the Yukon Party presents their idea — invest in a liquefied natural gas plant. In the question where they talk about the price of fuel going up, they are suggesting that their best idea is to build an LNG plant to provide electricity. The prices for fossil fuels are going up. We want to move off of fossil fuels. That is why we think that investing in renewables across our communities is a great idea.

How about the grid-scale battery project, which is coming online now? That work is progressing. That is going to remove the need for four rented diesels. How about the work that is happening up on Haeckel Hill with new wind turbines? How about the work that is happening across our communities that are off grid? All of these are good projects. They are good projects to get us off of renewables.

I disagree with the Yukon Party. They think that the future is in fossil fuels. We do not.

Mr. Istchenko: Well, Madam Deputy Speaker, I don't think that Yukoners who are concerned about heating their homes this winter will find much comfort in that answer. It is more of the same old routine from this out-of-touch government.

For over a year, the Yukon Party asked the minister to start taking the issue of fuel-wood supply seriously, but all evidence shows that we were simply seeing increasing heating costs each month. Fuel wood remains in short supply as suppliers struggle during the poor harvesting window that the minister provided.

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

Hon. Mr. Streicker: There is a concern with fuel wood around the territory. I have acknowledged that. I have asked the forest resources branch to do all they can to increase supply for our harvesters, who are doing great work. We provided an incentive for harvesters. The Yukon Party said, "No, they don't want that." Actually, I have heard back from harvesters who say, "Thank you very much for that". We have given a rebate for the price of a cord of wood for Yukoners. We have increased by providing an extra 1,000 cubic metres in the Watson Lake

area for our main harvester there. We've just signed a contract to do the firebreak around the Quill Creek project, which will allow us to extend the time of year when that work can be done. There is a range of ways in which we are working to support our firewood harvesters, our suppliers, and the users of firewood here in the territory to help make it more affordable for all Yukoners moving forward.

Mr. Istchenko: While the minister continues to announce a bunch of subsidies that ignore the real problem, Yukoners who are concerned about heating their homes this winter are getting very frustrated with this government.

We live in the middle of a territory covered in forests, and this minister has actually managed to create a fuel-wood shortage. In typical Liberal fashion, his solution is to throw a bunch of money at the problem instead of fixing the real issue.

When will the minister address the real problem by eliminating the red tape that is holding back our commercial harvesters?

Hon. Mr. Streicker: I know that the Yukon Party is fond of calling YESAA "red tape". I know, as well, that they aren't very supportive of First Nation initiatives.

Look, I think it's important that we work under the rules of YESAA. I think it's important that we work with First Nations and we will do it working with the industry, the Yukon Wood Products Association, and all of our harvesters.

I just stood and said that we got a 1,000-cubic-metre cut lot available for our harvester in the Watson Lake area. When his permitted areas in BC were running out, we were happy to do that. We are happy to sit down with the First Nation and talk about creative ways to do more of that in the Watson Lake area. We are happy to work in the Quill Creek area and to try to extend the season for our cut lots to get more supply on line. It's really important.

I should also acknowledge that we have done a lot to address the cost of inflation around heating our homes. We gave a \$150 rebate when we were in this Legislative Assembly back in the spring. We've done that again this fall. So, for six months now, there has been \$50 off on our home electricity to try to bring down our heating costs.

Deputy 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. 16 — *Second Act to amend the Legal Profession Act, 2017 (2022)* — Third Reading

Clerk: Third 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 third time and do pass.

Deputy 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 third time and do pass.

Hon. Ms. McPhee: I will not be too long with respect to my presentation at third reading. I appreciate the members of the Assembly for their questions and contributions to the debate of this bill earlier at second reading and Committee of the Whole.

We are proposing in Bill No. 16, or what is known as "*Second Act to amend the Legal Profession Act, 2017 (2022)*", a number of small changes that will make the law more effective. The amendment before us today is necessary to support the law society's work in the public interest. The proposed amendments will ensure that the Law Society of Yukon can streamline its complaints process, provide an appeal process through that investigation stage, and provide statutory immunity to those who act in good faith on behalf of the society.

The amendments will ensure that the society and its staff and committee members are afforded the same protection from liability as all those in other Canadian jurisdictions. Every other Canadian jurisdiction but ours has this provision at the moment. Additionally, a streamlined complaints process supports the healthy operation of necessary Law Society of Yukon processes and promotes access to legal services and, by extension, justice and legal remedies. It also ensures that any person's complaint that is dismissed after initial investigation has the right of appeal. The amendments here presented in Bill No. 16 would allow the complaints process to operate more effectively without compromising a person's right to appeal a decision of their complaint.

The Department of Justice has worked to ensure that the amendments are compatible with the concerns that the Law Society of Yukon has raised for their operations and to ensure their work in the public interest. I would like to take the opportunity here to thank the law society executive, staff, experts, and their committees who have brought forward these concerns in the attempt to have the legislation that governs their operations in the public interest be as modern and effective as possible.

With respect to implementation, we are proposing to bring the amendment into force upon assent. This will allow the Law Society of Yukon to implement its processes as intended as quickly as possible.

Lastly, I recommend that the members of this Assembly — I'm encouraging them to support the passing of Bill No. 16. I expect unanimous consent for the *Second Act to amend the Legal Profession Act, 2017(2022)*. The support, questions, and comments by Members of the Legislative Assembly have been very appreciated and worked to get us to this stage of this process, which I truly appreciate on behalf of those who have worked on this piece of legislation — the staff and experts at the Department of Justice, as well as those who have guided this process at the Law Society of Yukon.

Mr. Cathers: It is interesting that the minister's speech at third reading does not really reflect the debate that has occurred with regard to this legislation. I just want to note that, with regard to the content of the legislation, our concern is less with the content than with the question around the involvement of ministers and whether they followed mandate letters.

We recognize that there was a letter from the law society making a request of the government that the minister shared with us partway through the debate, and we do acknowledge that request that relates to the content of the bill. However, one thing that we have unfortunately established throughout this — through the minister refusing to provide an answer to questions that we asked — is that it seems that ministers did not — two ministers I should be clear about, the Minister of Justice and the Member for Riverdale North — do not appear to have followed their mandate letters from the Premier which required them to proactively seek advice from the conflicts commissioner.

I read excerpts from those letters earlier during debate, and I would note that what this relates to is the fact that both ministers are, according to their own statements, members of the legal profession, and this bill is amending legislation governing the profession of which they are members. In a situation such as that, Madam Deputy Speaker, it is incumbent upon ministers to consult with the Conflict of Interest Commissioner, as their own mandate letters indicate they should, prior to involvement in the discussion leading up to changes and the finalization of those decisions that amend legislation governing the profession of which they are members.

The fact that two ministers refused to indicate whether they sought that advice from the Conflict of Interest Commissioner does seem to answer the question, unindicated, in the negative. Had they sought that advice and received the go-ahead from the Conflict of Interest Commissioner to be involved in this legislation, then one would think that they would be eager to share that advice.

As I indicated before, we are not, at this point, in a position to say whether indeed there was a conflict of interest that occurred. What we can conclusively say is that ministers should have done as their mandate letters indicated and sought the advice of the conflicts commissioner prior to being involved in discussions related to legislation affecting the profession of which they are members — and then, only if cleared by the Conflict of Interest Commissioner, be involved in those discussions, should they have done so.

I wrote to both the Minister of Justice and the MLA for Riverdale North. I received a response from the Minister of Justice earlier, refusing to answer the question, demonstrating a disturbing lack of accountability to the public and this Legislative Assembly, and I received then, at 12:37 today — finally, I received a response from the Member for Riverdale North in response to my inquiry about whether he had sought the advice of the Conflict of Interest Commissioner prior to involving himself in discussions related to this legislation. I will just read from that e-mail in response to my letter and then table it. He wrote to me, oddly, by my first name, which is somewhat strange in formal correspondence — but fine — indicating that:

“With respect to your letter and inquiry, I can advise that I have satisfied myself that as a Member or as a minister, I would not be in conflict of interest under the Conflict of Interest (Members and Ministers) Act because of either participating in the debate about or voting on the Bill. Regards...” — and then signed by the Member for Riverdale North, who is also Minister of Environment and Minister of Highways and Public Works.

Unfortunately, the response misses the point or deliberately avoided answering the question. The question, with regard to both ministers, is whether they sought the advice from the Conflict of Interest Commissioner prior to being involved in discussions of this legislation and, if so, if the Conflict of Interest Commissioner indicated that it was fine for them to participate and that it did not constitute a conflict. The issue at hand is that ministers are supposed to — in fact, their own mandate letters require them to — proactively consult with the Conflict of Interest Commissioner. It is not the role of individual members to determine and decide whether or not they are in a conflict of interest, especially when their mandate letters indicate that they should be asking the Conflict of Interest Commissioner for advice first.

So, Madam Deputy Speaker, what we do unfortunately have through the failure by ministers to answer the questions that I asked in the affirmative — they have failed to confirm that they sought the advice of the conflicts commissioner and failed to provide that advice, and I would note that a minister would undoubtedly be all too happy to provide that information if they had followed the steps that they should. They would be undoubtedly more than happy to confirm that the Conflict of Interest Commissioner had indeed cleared them to be involved in this.

It is, again, not clear whether there's an actual conflict of interest, but it is clear that ministers have failed to follow the mandate letters and failed to meet the standard of accountability that people should have a right to expect from those two ministers in this instance.

Madam Deputy Speaker, this is also at a time where we're seeing a bit of a disturbing pattern from this government, including, particularly, certain ministers of — a pattern of not always complying with legislation. The Minister of Health and Social Services wrote —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker: Government House Leader, on a point of order.

Hon. Mr. Streicker: The member opposite just suggested that the government is not following the law. I believe that we recently had a ruling from the Speaker talking about opinions around this — that we should not be indicating directly that the government is not following the law, and I think that it's under Standing Order 19(g).

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

Mr. Cathers: The minister seems to have a very selective and off-kilter memory of what the Speaker actually

said in that ruling, which included a reference, because of the importance of these matters, that they could be raised by members. I would reference also that I was making reference to what the Public Accounts said in making a statement that the member took issue with. I don't believe there's a point of order; the minister is just very touchy on this subject.

Deputy Speaker's ruling

Deputy Speaker: There is no point of order.
Member for Lake Laberge.

Mr. Cathers: Thank you, Madam Deputy Speaker. I would just note that it's not me saying that the Minister of Health and Social Services broke the *Financial Administration Act*; it's the Public Accounts —

Deputy Speaker: Order.

Deputy Speaker's statement

Deputy Speaker: I would ask that members not accuse other members of breaking the law.
Member for Lake Laberge.

Mr. Cathers: Thank you, Madam Deputy Speaker. I am a little confused at your ruling compared to the previous Speaker's ruling. They appear to say different things.

I will just note, Madam Deputy Speaker, that — I would encourage members to read the —

Some Hon. Member: (Inaudible)

Point of order

Deputy Speaker: Third Party House Leader, on a point of order.

Ms. Tredger: There is a procedure for appealing Speaker rulings. I would ask that members follow it if they are going to question Speaker's rulings.

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

Mr. Cathers: Madam Deputy Speaker, I don't think that was a point of order. I wasn't challenging your ruling; I was just trying to understand it.

Deputy Speaker's statement

Deputy Speaker: The Speaker's rulings are final.
Member for Lake Laberge.

Mr. Cathers: Thank you, Madam Deputy Speaker. Again, I appreciate that we are hearing from members of the government side that they are very sensitive on this issue regarding the *Financial Administration Act*, the *Corrections Act*, and the *Child and Youth Advocate Act* — all of which this government has been out of step with and failed to comply with in the past year. Compliance with the law is a serious matter and it is something that ministers are, in fact, expected to do.

Again, with regard to the content of the legislation itself, we have far less concern with the content than the conduct of individual ministers and the issue that they appear to not have complied with their mandate letters. I will table the e-mail that I received from the Member for Riverdale North earlier today

with regard to this for the record of members. I would encourage all members to read the audited Public Accounts.

Ms. White: The NDP will be supporting this legislative amendment. We do thank the minister for the debate, including the assurance that an appeal process still exists if someone wasn't happy with what the tribunal found. We understand that this process came about due to a request from the legal community. We appreciate the speed with which this has been done, and we look forward to the law society being able to better manage or facilitate their time with very tight resources. The NDP will be supporting this bill.

Deputy 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, Madam Deputy Speaker. Thank you very much to the Third Party for their comments and questions during debate and for the support going forward.

I certainly hope that, despite the unnecessary distraction by the Member for Lake Laberge — which, of course, is fuelled by innuendo that the Yukon Party is unfortunately not only permitted to do here but is quite interested in doing it on all occasions. The Member for Lake Laberge failed to, for some reason, despite the fact that the letter that I responded to his request was — read the sentence where I clearly said I'm abiding by my mandate letter. I think that's all that needs to be said about this. There is no conflict of interest. There isn't with respect to this bill, with respect to the last bill, and with respect to the original new bill introducing the new *Legal Profession Act*, which was back in 2018, I believe. In any event, I appreciate all of the support and the important questions that were brought forward about the actual bill. I look forward to support.

Deputy Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Deputy Speaker: Division has been called.

Bells

Deputy 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. Tredger: Agree.

Clerk: Madam Deputy Speaker, the results are 16 yeas, nil nays.

Deputy Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 16 agreed to

Deputy Speaker: I declare that Bill No. 16 has passed this House.

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Ms. Tredger): 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*. Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair (Ms. Blake): Committee of the Whole will now come to order.

Bill No. 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*.

Hon. Mr. Clarke: I think we are here for day eight, perhaps.

Beside me, to my left, we have the chief veterinary officer, Mary Vanderkop. Welcome back to the Assembly. To my right, I have Manon Moreau, the Deputy Minister of Environment.

I don't have a great deal to say, except that I certainly look forward to getting to line-by-line debate. If the members opposite continue to have questions, I don't believe that their ability to ask those questions are circumscribed in any meaningful way. I must confess — you live and learn, but I was under the impression two days ago when the Member for Lake Laberge sat down that there was an intention at that time to finish general debate and to go to line-by-line debate. I am

mistaken. Live and learn — I won't make that error as well, but I have certainly heard, during the course of these seven days, the member opposite talk about promises made to the Assembly that don't even exist.

All I would say is that, generally speaking, where there can be some informal agreement on procedural matters, I will certainly try to make those agreements where no rights or privileges are compromised.

A number of times, a few afternoons ago, the member opposite went on about promises about speaking lengths. Although I certainly agree that the Standing Committee on Rules, Elections and Privileges can gather at the call of the chair and review that. That may very well be where certain additional rules are made with respect to Committee of the Whole — sure — but for the Member for Lake Laberge to assert that, on a number of occasions, it was some sort of promise — a pinky promise — that the MLAs had made with respect to speaking lengths — but I am certainly open to abiding by the wisdom of decisions that are made by the Standing Committee on Rules, Elections and Privileges. All to say is that I did believe that I had an agreement to proceed to line-by-line debate, but if that is not the case, then I look forward to further questions.

Mr. Cathers: So, the minister has indicated — we have had a number of days of debate on this legislation. The starting point — I would just mention to recap for anyone joining in now — is that the minister and his colleague, for some reason, chose not to share this legislation with stakeholders whose lives and livelihoods would be directly affected by the details of it. There has now been a list of seven stakeholders that I am aware of — possibly more — who have written letters to the government regarding this, asking for consultation. Some have been very clear and very explicit in wanting to see consultation on the details of this legislation and have asked for that, respectfully, from this government. Some have expressed concerns that they feel their views were not, in fact, reflected by government during the earlier consultation, and they were upset by the lack of consultation since. Ultimately, the minister to date, rather than being willing to press the pause button on this legislation — legislation that he admits himself would not come into force until spring at the earliest due to regulation development timelines — the minister, for some reason, has been insistent on charging ahead rather than consulting with stakeholders.

The minister acknowledged — first, he was unable to point to anywhere in section 41 of the act, or anywhere else, that created an exception to the rules set out in there, which appeared to make it illegal to have any animal off your property or out of a vehicle, and it would be illegal to be on public property at all times. The minister was first unable to point to another section in the act that created an allowance, and then he suggested that it was maybe a typographical error, and then he said that they were going to look at it in more detail, and then the minister, on the next day, indicated that they would be bringing forward an amendment.

When we last debated this legislation on November 3, the minister indicated, on page 2552, that he would be bringing forward an amendment to this section, and I asked the minister

to share a copy of that proposed amendment before we entered the line-by-line debate. We had a little bit of a debate there. The minister, at the time, seemed willing to do that, and then he himself moved that the Chair report progress on the bill. So, that was Thursday. We didn't receive anything later on Thursday; we didn't receive anything on Friday, or over the weekend, or today.

So, can the minister explain why he hasn't shared the amendment that he is going to be proposing with members yesterday, as he seemed to be indicating he was willing to do on Thursday, and how he thinks that this is in the best interest of debate in the Assembly for him to not provide us with a copy of that revision to the legislation that he tabled at the earliest opportunity?

Hon. Mr. Clarke: With respect to consultation, I would commend those listening — and for those reading Hansard on a later date — to review the prior seven days of proceedings with respect to the significant outline that I have provided with respect to consultation and steps going forward.

With respect to the amendment, I will provide the amendment to members opposite when we get into line-by-line debate.

Mr. Cathers: Madam Chair, we covered this issue the other day. It's unfortunate that the minister is insisting that he won't share this copy of the amendment before line-by-line debate on section 41.

As I noted to the minister at the time, depending on what he is proposing to change, it is possible that it might have an effect earlier in the act and lead to either questions or possible suggested changes from members. As I gave the example in pointing out that when we were looking at potential changes to that section of the act, one of the approaches was that we had referenced the definition of "at large", which is contained earlier in the legislation. I don't know if the minister's amendment contains that reference or reference to another part of the act, and it is because the minister has unfortunately chosen not to share it, despite the repeated requests on Thursday afternoon.

The minister knows that there is a requirement in our Standing Orders for government to table all legislation within the first five sitting days. Part of the reason for that is to provide members with an understanding of what the business is before the Sitting length gets set. The other part of that is to provide non-government MLAs with the time to read the legislation and try to understand its effect. This is an area where, by the minister's own admission, he made a mistake. The effect of the mistake that he made in section 41, had it been passed in its current form — has a significant impact on a great many Yukoners because it made horse riding on public property, dog mushing off private property, walking your dog on a leash off private property, walking your dog loose off private property, and a whole host of other activities unlawful according to this legislation.

Now, he has acknowledged that there is a mistake. He has told us that he is going to propose changes to fix it, but unfortunately, we know that the minister has a copy of it. The minister could, if he had a copy of it Thursday — there's

nothing other than stubbornness and a lack of willingness to work with members on this side of the Assembly that is preventing the minister from sending over a copy to each and every member of the proposed changes to section 41. This is something that is affecting the lives of Yukoners. This legislation has raised concerns. There is a list of seven stakeholders that I'm aware of, including farmers, outfitters, dog mushers, and municipalities — one municipality on its own has now written as well — all expressing concerns about the impacts to them and asking for consultation on the details.

The minister claimed — he admitted that they forgot to consult with the outfitters, which is rather strange, considering that his department and his predecessor, as minister, deal with outfitters regularly as part of regulating their business. This is an industry that, according to the Yukon Outfitters Association's website — "... provide 150 Yukoners with jobs and spend over \$8 million annually in the territory, much of it going to small businesses in the communities." That is a quote from their website. The minister claims that, under his predecessor, the government just forgot to consult with them.

So, we have had a lot of conversation about stakeholders here to date. There have been requests made to the minister by stakeholders and by us for him to consult with them. Can the minister tell us what he has actually done in terms of reaching out to stakeholders since this legislation has become controversial in the Legislative Assembly?

Hon. Mr. Clarke: As I stated previously, there will be, and there continue to be, many opportunities for key stakeholders to provide feedback on 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 they are reflective of our Yukon values and traditions and to the animal, whether it is a pet, 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 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 previously, demonstrates substantial support to improve animal welfare standards and set control requirements across the territory. I can advise that the animal health unit and the chief veterinary officer have reached out to all the indicated stakeholders and that our office has spoken to the Town of Watson Lake, the Yukon Agricultural Association, the Yukon Outfitters Association, and the Association of Yukon Communities. We left a message for the Dog Musers Association. We phoned the GOOFY board and have spoken to the Dawson humane society.

With respect to the Agricultural Association, we've spoken to both the president and the executive director. We've been in touch with the Wilderness Tourism Association, as well, and the Minister of Energy, Mines and Resources spoke with the Yukon Agricultural Association at their AGM on Saturday.

Mr. Cathers: Well, Madam Chair, unfortunately, it looks like the minister is trying to check the box "consultation",

but in contrast, just to briefly summarize, we have the Growers of Organic Food respectfully requesting debate on the legislation — from their letter, I should say: “... respectfully request that debate on the legislation be halted for a reasonable period of time to allow us to review it thoroughly.”

The Yukon Outfitters Association, in their letter, said: “... we are disappointed that we were not consulted on the contents or details of this legislation.”

The Yukon Dog Musher's Association followed up the minister's phone message, saying — and I will quote from the letter that my colleague tabled earlier: “It does seem a bit late to reach out, but we would be interested to meet with you and the Chief Veterinarian Officer. We are upset that we are not being heard. We attended a meeting in 2019 and our concerns were not addressed up to that time. We would suggest that a meeting be conducted with all of our members present. The legislation appears to be very complicated and our members have not had a chance to go through all of it. This time of year is a very busy time of year for our members as most of us are now conditioning our teams for racing with the longest miles we will do all year. We will need to give our members some advance notice of a meeting.”

Last but not least, I was also at the agriculture dinner and talked to board members, including the president of the Yukon Agricultural Association, and there was no indication that they are satisfied with the government at this point in time. There is still a request for consultation on details, and drawing forward to our current situation, we have the minister still refusing to share the section of the legislation that he said he is going to make an amendment to.

So, with that, Deputy Chair, I move that you report progress.

Deputy Chair (Ms. Tredger): It has been moved by the Member for Lake Laberge that the Chair report progress.

Are you agreed?

Some Hon. Members: Count.

Count

Deputy Chair: A count has been called. We will ring the bells for two minutes.

Bells

Deputy Chair: All those in favour, please rise.

Members rise

Deputy Chair: All those opposed, please rise.

Members rise

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

Motion for the Chair to report progress negatived

Deputy Chair: Is there any further general debate on Bill No. 20, entitled *Animal Protection and Control Act*?

Hon. Mr. Clarke: I am just waiting for my officials to arrive.

A major focus of the new act is to improve animal control across the Yukon, not just the welfare of animals in our lives. We heard and responded with provisions in the act to

communities that expressed significant concerns about public safety and the ability to prevent damage to the environment caused by animals not under control.

I would like to thank the Member for Lake Laberge for drawing our attention to section 41. We have discussed the questions with our legal team and agree that there is a need for clarification to meet our intention. With respect to the questions raised, we are proposing a friendly amendment to the section, which I will get to later.

As I have stated several times, the government has been working for several years to develop this new legislation. Our consultation was thorough. The public input demonstrated substantial support to improve animal welfare standards and to set control requirements across the territory. Our discussions with key stakeholders and receiving feedback are vital, but so is it from the public at large. 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. We will fail to mitigate risks that uncontrolled animals pose to public health and safety, the environment, and property.

Approval of the bill is essential to take this next step to develop the regulations. As I have indicated, the act will not come into force until the regulations are developed and passed. Critical to this is our engagement with affected stakeholders. Their additional involvement and feedback will ensure that the regulations reflect Yukon values and way of life. We look forward to re-engaging with key stakeholders on the specifics like standards of care for domestic animals, religious ritual slaughter to produce halal or kosher meat, cosmetic surgeries, and exotic animals.

Important stakeholders include but are not limited to veterinarians, pet store owners, Association of Yukon Communities, Yukon Muslim Society, the Jewish Cultural Society of Yukon, Wilderness Tourism Association of the Yukon, the Yukon Dog Musher's Association, the Yukon Outfitters Association, Yukon Agricultural Association, Growers of Organic Food Yukon, and the Klondike Farmers' Forum. We will also consult and have targeted consulting again with First Nations, municipal governments, and local area groups.

As 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 Department of Environment and the Department of 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 that owners are required to provide for their animals, including setting requirements for killing animals humanely, thus raising the bar for animal welfare, and it will create an effective framework for managing animal rescues and

other animal-related business, in turn reducing the extent to which the public would need to rely on civil litigation to address concerns with their operation.

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 that we currently face around enforceability and will improve animal welfare and care standards in the Yukon to keep pace with other Canadian jurisdictions.

Animals are vitally important to Yukoners. The Government of Yukon supports animal owners to be responsible stewards of domestic animals, both livestock and companion animals, and therefore, we are committed to updating and improving animal protection and control laws.

The act allows for regulating specific types of animals, permitting and prohibiting ownership of animals of designated species. Typically, exotic animals will be defined in the regulation. I would like to assure Yukoners, again, that this legislation is not a tool to ban or restrict the 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.

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.

The new act also meets the expectations of Yukoners by regulating animal-related operations, including pet stores, boarding facilities, and animal rescues, through a permitting process. The intention of this permitting requirement is not to interfere with the operations of these facilities but to bring comfort to Yukoners that welfare standards are being met and inspected for in these facilities.

I might just leave it there, but I just have a few comments.

Firstly, I look forward to — because I know that the Member for Lake Laberge, a number of days ago, asked some fairly germane questions about sections of the act. If he has some of those questions left to ask, we have the subject matter professionals here and available to respond to that.

I would also indicate that my outreach to the various interested organizations during the course of this Committee of the Whole debate is certainly not intended to substitute for consultation whatsoever; it's reaching out to all these organizations indicating my government's commitment to direct targeted consultation of both the Department of Environment and the Department of Energy, Mines and Resources Agriculture branch to continue with the fantastic work that they have all done so far and to continue with that work going forward.

It's my role, as the Minister of Environment, co-sponsored with the Minister of Energy, Mines and Resources, to assure those organizations that this is the commitment. As I have said a number of times during the course of the prior seven days, I have no intention of there being, if at all possible, unintended consequences, undue additional regulatory burden, or any unintended negative economic impacts to any of the

organizations that we are liaising with. So, I maintain that, as I said over the course of the last seven days, and I will continue to provide that message to Yukoners listening and reading in Hansard later. That is my commitment, and that's the commitment of the subject-matter experts at the Department of Environment animal health unit and others and the commitment of the Agriculture branch at Energy, Mines and Resources.

This is the first step and we will move forward.

To the extent that I'm able to agree with the Member for Lake Laberge, I do agree that my outreach during this debate is not intended at all to substitute for consultation; it's rather to provide some assurances of the intention of this government with respect to the targeted consultation and the drafting of regulations.

I look forward to finishing general debate and getting to line-by-line debate.

Mr. Cathers: At this point, I'm not going say much more in general debate. We have spent a number of days on this. It is unfortunate that the minister has created a time crisis that is entirely artificial in nature. The minister, by his own admission, acknowledged that, even if this legislation were passed, it would not come into force until the spring of 2023. That would certainly allow consultation on the legislation that a number of stakeholder organizations have asked for. We have recapped that. I went through that in some detail earlier. It wouldn't be a good use of the House's time, since we do need to get to other matters, including the budget, for me to list all those concerns once again. They stand on the record.

This minister and this government did a high-level consultation several years ago. They didn't think that they should consult on the details of this legislation with the stakeholders who are affected by it most. Then when they received requests from those stakeholders for consultation, they refused those requests. After days of criticism in the Legislative Assembly, they finally relented with an after-the-fact attempt by the minister to make some phone calls that seemed to be about the pretense of consultation. We understand from the feedback we have heard from stakeholders that those phone calls largely asked those stakeholders to put out a full list of concerns and questions at that point, to which stakeholders replied something to the effect of the fact that they hadn't had a chance to go through the details and didn't actually understand the legislation yet, and the minister seemed to consider that a successful consultation.

We know that the government is going to be resistant to consulting. That is unfortunate. It is unfortunate that they are dismissing the requests — both polite and insistent — from stakeholders who have asked for consultation. We will allow this to proceed to line-by-line debate, unless the Third Party has additional questions, simply because we must get on to other matters.

The bottom line is — and the minister knows it — that there is absolutely no reason why this government couldn't listen to the Yukoners who are asking for consultation on this legislation, pause the bill, and consult with them on the details of the legislation affecting their lives and livelihoods. The only

reason to dismiss that request is a refusal to lose face — and arrogance.

Chair (Ms. Blake): Is there any further general debate on Bill No. 20, entitled *Animal Protection and Control Act*?

Seeing none, we will proceed to clause-by-clause debate.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Clause 4

Clause 4 agreed to

On Clause 5

Clause 5 agreed to

On Clause 6

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 Clause 11

Clause 11 agreed to

On Clause 12

Clause 12 agreed to

On Clause 13

Clause 13 agreed to

On Clause 14

Mr. Cathers: Section 14 is “enter without a warrant”. As members will recall, we have expressed concern with the ability to enter a house or “dwelling place”, as it’s referred to in the act, under certain circumstances without a warrant. We have also expressed the view, just as we did in the *Animal Health Act* in 2013, that because of the increasing accessibility of telecommunications in this modern era, the ability for an officer to apply for a telewarrant exists, and therefore, the Yukon Party caucus will be voting against clause 14 of this bill and hoping that it is defeated from this legislation.

Hon. Mr. Clarke: I am not going to go into a lot of detail on this. We have probably spent the better part of two hours on this topic some time ago. I once again commend members — Yukon citizens listening now or listening to Hansard later — to review the debate that occurred between the Member for Lake Laberge and me. But briefly, I would point out that the highest level — hopefully not trying to get into a big debate right now — that section 4 of the *Animal Protection Act*, the predecessor of this proposed legislation, brought forward and presented to the House by the then-Minister of Energy, Mines and Resources, the now Member for Lake Laberge — because I don’t want to get into excruciating detail on this because we are just going to go back to where we were six or seven days ago, but the bottom line is that the wording of section 4 of the *Animal Protection Act*, supported by the then-

Minister of Energy, Mines and Resources, the Member for Lake Laberge, in 2008, when he provided his supporting speech — I imagine that it was likely in second reading — indicating that he recognized that, in certain exigent or emergency circumstances, it would be necessary for the RCMP to enter a residence without a warrant.

In fairness, he recognized that should be a limited circumstance, and I don’t disagree that, generally speaking, telewarrants or warrants before a JP should be readily available so that this will not occur very frequently, but that is exactly what the then-minister, the current Member for Lake Laberge, said in 2008. The standard to get a warrant in 2008 was that an animal be in “distress”. The standard now — first of all, for getting a warrant — is that an animal be in “severe distress”.

We heard some position taken by the member opposite that this legislation was somehow — and really kind of inexplicably — reducing the legal test for getting or for warrantless entry to some unacceptably low threshold, which is, in fairness, a bit of a bear that he has poked with Yukoners, as far as there being now an assertion under this new act of there being government overreach. And although those aren’t the only issues that will have to be dealt with, with user groups and Yukoners, as we draft progressive regulations, there was an undercurrent of alleging overreach, which is not supported by a comparison of the *Animal Protection Act* of 2008 and the proposed *Animal Protection and Control Act* of 2022; it doesn’t add up.

I could go on, but it really will just then be Groundhog Day from six or seven days ago. What I accept from the member opposite, the Member for Lake Laberge, is that, in this time of electronic communication — instant communication — it should be possible to get telewarrants fairly readily or even to attend before a JP or a Supreme Court Judge or Territorial Court Judge fairly readily. I don’t disagree with that, but I think the assertion that this is somehow different and that this is now much less Charter-compliant or subject to greater Charter review under section 8 of the Charter, for those listening today, is not borne out by a comparison of the two pieces of legislation.

So, severe distress — in order to get a warrant, there has to be evidence of severe distress. You cannot have a warrantless search unless the conditions — unless there are exigent circumstances and the conditions are borne out that you could have gotten a warrant otherwise but for the exigent or emergency circumstances. So, it’s the same, but actually, it’s creating an even slightly higher standard of “severe distress”.

I think that is probably enough. The Member for Lake Laberge has put forward his position.

Chair: Is there any further debate on clause 14?

Shall clause 14 carry?

Some Hon. Members: Count.

Count

Chair: A count has been called.

Bells

Chair: All those in favour, please rise.

Members rise

Chair: All those opposed, please rise.

Members rise

Chair: The results are nine yea, seven nay.

Clause 14 agreed to

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 15 through 33 of Bill No. 20, entitled *Animal Protection and Control Act*, read and agreed to.

Unanimous consent re deeming clauses 15 through 33 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 clauses 15 through 33 of Bill No. 20, entitled *Animal Protection and Control Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

*Clauses 15 through 33 deemed read and agreed to
On Clause 34*

Ms. Tredger: This is a section that deals with humane killing of animals and, in particular, the slaughtering of animals, which we have had some discussion on during Committee of the Whole. This is important because the section, as it is, puts restrictions on the practice of exsanguination without prior, simultaneous loss of consciousness, which is a component of halal and kosher slaughtering. I want to propose an amendment to this section. I have the copies here. I will let everyone get their copy and then I can speak to it.

While it is being passed out, I will read the text of the amendment.

Amendment proposed

Ms. Tredger: I move:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended in clause 34 at page 23 in paragraph 3(c) by adding after the phrase “or guidelines prescribed or adopted by the regulations” the phrase “which must allow for reasonable ability to follow cultural or religious practices for animal slaughtering”.

Chair: The amendment is in order.

It has been moved by the Member for Whitehorse Centre:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended in clause 34 at page 23 in paragraph 3(c) by adding after the phrase “or guidelines prescribed or adopted by the regulations” the phrase “which must allow for reasonable ability to follow cultural or religious practices for animal slaughtering”.

Chair: Is there any debate on the amendment to clause 34?

Ms. Tredger: So, this amendment is to address concerns that I have had with speaking to people in the Muslim community, in particular, about the way the legislation is

structured right now. Currently, it prohibits exsanguination without prior or simultaneous loss of consciousness — so that is slaughter without stunning — and then allows it under regulations.

I know that the intent of this government is to allow it under regulations — in a manner following or consistent with — I guess, mirroring the federal guidelines — and I think that is a good intent. I think it is a good way of doing it. However, the legislation, as it is right now, makes no guarantee that it will be the case.

I believe this government, when it says that’s its intent, it doesn’t give us any security against changes in future governments or future times. Regulations can be changed without debate or scrutiny in the legislation.

I think it is not an unfounded concern that there may be restrictions on religious freedoms in the future by governments and they might like to do that without scrutiny. We are in a time of incredible Islamophobia in Canada. To point to a few things we could talk about, just over a year ago, in 2021, a family of four was killed in a premeditated attack that was based on them being Muslim. We could look to Bill No. 21 in Québec, which prohibits people from participating in public jobs if they are displaying religious symbols, which of course, very specifically targets Muslim women. Religious freedoms are being rolled back in different places across the country. I think it is a very valid concern that people are worried that could happen here and want certainty that it won’t.

I have referred to Islamophobia. Anti-Semitism is also not going away and is, in fact, on the rise. We saw an increase in the number of anti-Semitic hate crimes in Canada in 2019, and there’s no reason to think that this has changed since. In fact, the Leader of the Official Opposition has a few motions on the books regarding this. In particular, on April 25 of this year, he moved that this House urges the Government of Yukon to condemn anti-Semitism and all forms of religious discrimination. I absolutely agree, and if we are going to condemn this in other people, it’s essential that we scrutinize our own laws and our own decisions to make sure that these are also not providing for the possibility of religious discrimination.

Everybody wants animals to be humanely treated. I have heard no one who disagrees with that premise. Everyone who I have talked to is comfortable with reasonable restrictions on practices such as exsanguination without prior stunning. Everyone seems happy with the idea that regulations will mirror the federal regulations, but there must be assurances that this doesn’t change under a future government and that these religious rights are protected. Currently, this legislation doesn’t guarantee that.

So, this amendment would require the regulations to still allow for these cultural and religious practices. It still allows for regulations restricting how that’s done, which means that this and future governments can make sure that these practices are done in a humane way, that they’re done in a safe way, and that they’re done by people who are qualified, but it does not allow for regulatory changes in the future that would prohibit these practices outright. We believe that this amendment

achieves the current goal of the legislation while still enshrining the right to religious practices. I hope that everyone will join me in supporting it.

Hon. Mr. Streicker: It has been our practice to allow for a brief recess in the Assembly when we get amendments to pieces of legislation like that. So, if I might request — or if you could request a 10-minute recess, that would be much appreciated.

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: Is there any further debate on the amendment to clause 34?

Hon. Mr. Clarke: Caucus has had an opportunity to review the amendment proposed by the Member for Whitehorse Centre, and although we believe that the general section this would apply to is 34(3)(c)(v) and that it could potentially just apply to that, recognizing that there may be all manner of fact patterns and cultural or religious practices that could be captured by the other subsections, I suppose, we are prepared to support the proposed amendment.

Ms. White: I do thank the minister and his caucus for that. In the conversation with the imam, one of the big concerns, of course, is that regulations aren't discussed in a place like this Assembly. So, when my colleague was having conversations and he understood that, his concern was what could happen under future governments, which we have discussed in this Chamber before. I think that this is really important for that — in terms of that it is future-proofing it to make sure that this isn't inadvertently changed, no matter the temperament of governments in the future.

So, thank you for the minister's statements.

Mr. Dixon: I appreciate the opportunity to speak to the amendment. I certainly agree with the intent of the amendment and I appreciate the Member for Whitehorse Centre bringing it forward. I do think this is a perfect example of why consulting groups before the tabling of the bill — on this bill — would have been useful. So, if groups had a chance to review the legislation thoroughly in advance, I don't think that this amendment would have been necessary.

I do want to confess that I have a bit of a worry with some of the wording. I do note that the term "cultural practices" is something that I don't think is well-defined, and I am a bit concerned with what that might mean for the legislation going forward, but I do note that the government seems to support it. So, if that is the case, I assume that they have had advice suggesting to them that the definition of "cultural practices" is something that is un concerning to them.

I would note that it is the type of language that would typically raise some level of attention when it comes into law. I do have some trepidation about the wording which would lead me to not be in favour of the amendment, but it sounds like it does have the support to pass. We will listen to hear if there is

any further input from members, but at this point, I am a bit concerned about the excessive vagueness of the amendment, and I am a bit worried about what ramifications it could have down the road. So, I don't, at face value, support the amendment. I certainly appreciate the intent. I certainly agree with the intent and the protection of religious rights, but I am a bit concerned about the lack of definition around "cultural practices" that leads me to be skeptical of the amendment. Ultimately, I will likely vote against the amendment.

Hon. Mr. Streicker: This is about the ability for cultural and religious practices around animal slaughtering. When it comes to halal and kosher slaughtering, the people who are appropriately trained, using national standards, do so in a way that is even better than the normal slaughter standards that we have to make sure that slaughter is happening in a humane fashion. In other words, those religious groups — when doing that slaughter, it is done in a way that is as humane as normal slaughter practices or even more. That's the type of training that they go through — or the requirements.

The minister has indicated that the intention is to go with those national types of standards. I know that we have had communications with the Agriculture branch and with various religious communities about this. Our indication to them all along has been that we will go with those national standards that are already set out here in Canada, but I think this amendment is saying that we need to allow for this through the regulations.

So, given that this is our intention, I hope that the Official Opposition will see that this is just ensuring that we are going to have a regulation that allows for this.

Chair: Is there any further debate on the amendment to clause 34?

Amendment to Clause 34 agreed to

Clause 34, as amended, agreed to

On Clause 35

Clause 35 agreed to

On Clause 36

Clause 36 agreed to

On Clause 37

Clause 37 agreed to

On Clause 38

Clause 38 agreed to

On Clause 39

Clause 39 agreed to

On Clause 40

Clause 40 agreed to

On Clause 41

Amendment proposed

Hon. Mr. Clarke: I move:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended by replacing clause 41 at page 27 with the following:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended by replacing clause 41 at page 27 with the following:

41 Duties of owners

- (1) 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; or
- (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 onto
- (A) public property, including a highway or a right-of-way,
- or
- (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 of these resources or their suitability to sustain wildlife populations, or
- (vii) have any other negative effect prescribed by the regulations.
- (2) Subparagraph (1)(b)(ii) does not apply to an animal that is controlling or eliminating a pest.
- (3) The owner of an animal must comply with any requirements for the control of animals prescribed by the regulations.

Chair: The amendment is in order.

It has been moved by the Member for Riverdale North:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended by replacing clause 41 at page 27 with the following:

41 Duties of owners

- (1) 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; or
- (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 onto
- (A) public property, including a highway or a right-of-way,
- or
- (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 of these resources or their suitability to sustain wildlife populations, or
- (vii) have any other negative effect prescribed by the regulations.
- (2) Subparagraph (1)(b)(ii) does not apply to an animal that is controlling or eliminating a pest.
- (3) The owner of an animal must comply with any requirements for the control of animals prescribed by the regulations.

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.

Is there any debate on the amendment to clause 41?

Hon. Mr. Clarke: With respect to the issues raised with respect to section 41, we are proposing the following, I hope, friendly — but in any event, I believe it is a constructive amendment to this section.

This administrative amendment will make it clear that, if a domestic animal is under control, it does not have to be confined to the property or the vehicle of the owner, which was not the intent of the legislation. The proposed amendment is as follows, under section 41(1)(a), adding the conjunction “or” after “keep the animal confined to the property or the vehicle owned or occupied by the owner of the...” vehicle. This administrative change clarifies that an animal does not have to be confined to the owner's property at all times.

Then read directly in the next subsection:

41(1)(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 onto
- (A) public property, including a highway or a right-of-way,
- or
- (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 of these resources or their suitability to sustain wildlife populations, or
- (vii) have any other negative effect prescribed by the regulations.

This provides clarity with respect to managing when the animal is off the owner's property. Again, this is to recognize that animals under control or being managed can be on public property, which was always the intention of the legislation.

Lastly, to ensure that we are consistent with legal drafting, we propose an administrative change to renumber what was subsection 41(1)(c) to now be 41(3). This ensures that the provision regarding “the owner ... must comply with any requirements for the control of animals prescribed by regulations” applies to all situations.

In summary then, there is an “or” added at 41(1)(a) after “animal”; there is an “or” added. Then there is an “or” after (b)(vi) into (vii) — so after “populations, or”; then, finally, what was previously 41(c), “comply with any requirements for the control of animals prescribed by the regulations...”, becomes 41(3). That is in order to provide effect to the intent of the legislation, that an animal owner would have to comply

with any requirements prescribed by regulations, and also, in the first scenario, clause 41(1)(a), it is crystal clear that there is that requirement to comply. So, there are two “ors” and then a stand-alone — 41(c) becomes 41(3).

We trust that the note of clarification of the wording in the bill addresses most of the concerns raised by the Member for Lake Laberge, and I do thank him for bringing forward that concern in order to create more usable legislation that now expresses the policy intent of the legislation more clearly.

Mr. Cathers: I would like to thank the minister for acknowledging that there is a problem with the legislation he tabled and committing to tabling an amendment. It is unfortunate that the minister didn’t share this with us on Thursday, when we know it was ready or earlier in debate. It leaves us — and obviously intentionally so on the part of the minister — trying to read it quickly and understand how it interacts with the legislation. It doesn’t allow that time for perusing it at length or consulting with legal counsel, should we wish to do so on this.

It’s concerning that the minister seems to be reflecting what he indicated in his initial reaction when I raised the concern about the section, that maybe it needed the addition of the word “or”. Unfortunately, while this legislation is not quite as bad as it was initially in this section, it doesn’t actually reflect what I would hope the minister would have brought forward, which is actually making it clear in the legislation that, if your animal is on public property and is not causing harm or damage, or creating a hazard to the safety of the general public, or running at large, that it’s lawful behaviour.

All the minister did here is create the ability — it still says — it has created it to either clause (a) or clause (b). The options under this section now say that, under section 41(1), the owner of an animal must keep the animal confined to the property or the vehicle owned and occupied by the owner of the animal. That’s one option.

Option 2 is that the owner of an animal must manage the animal in such a way that the animal does not injure or kill any individual, injure or kill any other animal or wildlife, stray onto public property, including a highway right-of-way, or 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 habitat or the productivity of these resources or their suitability to sustain wildlife populations, or have any other negative effect prescribed by the regulations.

So, in proposing his change, the minister hasn’t actually fixed the problem. It is still — most of clause (b) is not of concern to us in reading it. The requirement about straying onto the property of another person without that person’s consent, damaging the property of another person, causing damage to wildlife population, damage to the environment, et cetera — we don’t take issue with those parts of it. The part we have concern about is the part that makes it a case of — still under this legislation — instead of under section 41, as the minister originally tabled it, if your animal was off your property and on public land, you were guilty of breaking two sections of this proposed legislation, should it pass. So, instead of being in

violation of clause (a) and clause (b), it would be a situation where somebody would be in violation of either clause (a) or clause (b) just for taking their dog for a walk on a leash, Madam Chair. That is where this government has certainly not got it right. There should be a part that clearly allows someone to have their animal on public property, as long as they’re not causing damage.

So, again, in the interest of doing this, I thank the Clerks for their assistance in responding quickly to the proposed amendment that we came up with, revising our original amendment to respond to that which the minister has tabled.

In the interest of fixing this so that there’s a clear allowance that, if somebody’s animal is on public property, as long as the animal is not causing damage, endangering the safety of the general public, or running at large, that they are indeed in compliance with the law, I’ll be proposing an amendment here, Madam Chair.

I’ll pass copies out to members here and apologize for not circulating it in advance. It’s similar to a version I believe we shared with the Third Party earlier, but it is revised to reflect the amendment that the minister tabled.

Subamendment proposed

Mr. Cathers: So, I am proposing an amendment to the amendment brought forward by the minister. I move:

THAT Bill No. 20, entitled *Animal Protection and Control Act*, be amended in clause 41 at page 27 by replacing subclause 3 with the following:

“(3) Paragraph (1)(a) and subparagraph (1)(b)(iii)(A) do not apply to an animal that is on public property if the animal is not causing damage, endangering the safety of the general public, or running at large.”

and renumbering the following clauses accordingly.

I’ll just submit that to the Table, Madam Chair, along with copies for members.

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: Order. The proposed subamendment is not in order.

Is there any further debate on the amendment to clause 41 as moved by the Member for Riverdale North?

Mr. Cathers: I would just note and thank the Clerks. I had misunderstood earlier. The amendment that I had previously proposed I had understood as being vetted and, in fact, it was still in process. I will now move a subamendment to this, which is different just in the subamendment wording of it. The content of it is still the same.

Subamendment proposed

Mr. Cathers: I move:

THAT the amendment to clause 41 of Bill No. 20, entitled *Animal Protection and Control Act*, be amended by adding after subclause 2 the following new subclause:

“(3) Paragraph (1)(a) and subparagraph (1)(b)(iii)(A) do not apply to an animal that is on public property if the animal is not causing damage, endangering the safety of the general public, or running at large.”

and renumbering the subsequent subclause.

I would just note that the reference to “endangering the safety of the general public” is a reference that is pulled from the *Motor Vehicles Act*. I believe it is sections 10 and 21. “Running at large” refers to “at large” and is a reference earlier in the *Animal Protection and Control Act*. The intent of this is simply to ensure that there is something that clearly says that if an animal is on public property — as long as they are not damaging or violating another section of this area — it would be lawful.

Chair: The amendment to the amendment to clause 41 is in order.

It has been moved by the Member for Lake Laberge:

THAT the amendment to clause 41 of Bill No. 20, entitled *Animal Protection and Control Act*, be amended by adding after subclause 2 the following new subclause:

“(3) Paragraph (1)(a) and subparagraph (1)(b)(iii)(A) do not apply to an animal that is on public property if the animal is not causing damage, endangering the safety of the general public, or running at large.”

and renumbering the subsequent subclause.

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.

Is there any debate on the subamendment to clause 41?

Hon. Mr. Streicker: First of all, I want to talk about the intent that I hear from all sides of this House. The intent always has been that, if an animal is well behaved and managed well, there is no issue with that animal being on a road. If it’s a dog that is beside you and the dog is acting appropriately, we’re all good. Clause 41 says, as proposed in the amendment by the Minister of Environment — now we are debating the subamendment. I also understand from the Member for Lake Laberge that he is also trying to reinforce this. I am worried that his amendment does not do this, and there are a couple of worries that I have.

I will also say that the instructions to the team doing this drafting was exactly this: how to make sure that this clause supports Yukoners who have animals that are managed well — that there is no problem.

This is why the section is called “Duties of owners”, and then, under (b), it is about making sure that the animal is managed in such a way that the animal is well behaved.

The problem with the subamendment as proposed by the Member for Lake Laberge is that he has listed some things in

here — not causing damage, not endangering the safety of the general public, not running at large — but there are other things. For example, an individual injuring or killing another animal or wildlife, damaging — well, damage is there, causing damage — and then having other negative effects as prescribed by the regulations. I was glad to see that this wasn’t replacing subclause (3) in the amendment because we would lose that. But the whole point is that the section, as written by the drafters — and as the minister just went back over the past several days to make sure that it clearly captured the intent — is exactly there now, and this then starts to muddy it. I don’t believe that the muddying is in any way intended. I think that the intention is honourable, but the challenge is that you are trying to add this thing in at the end, pointing back to a couple of the subsections, whereas the sections are there — and it’s all under the heading of “manage the animal”.

So, the drafters, as we have talked to them, have said to us that this language as proposed in the amendment by the Minister of Environment exactly captures that intent and that this subamendment will start to get this not working in the way that the member opposite, I believe, wishes.

Finally — I’m just trying to say that the clause 41(1)(b) right now talks about how those animals need to be managed so that, when they are on public property or when they are on another person’s private property, they are making sure that they do not injure or kill another individual, injure or kill another animal, cause the damage as listed under (iv), (v), (vi) — and then also applying to the regulations. So, thank you very much. I thank the member opposite for their intent. I don’t think that this is achieving what they are trying to, but I appreciate the intent.

Deputy Chair (Ms. Tredger): Is there any further debate on the subamendment to the amendment to clause 41?

Shall the subamendment to clause 41 carry?

Some Hon. Members: Count.

Count

Deputy Chair: A count has been called.

Bells

Deputy Chair: All those in favour, please rise.

Members rise

Deputy Chair: All those opposed, please rise.

Members rise

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

Subamendment to Clause 41 negatived

Deputy Chair: Is there any further debate on the amendment to clause 41?

Amendment to Clause 41 agreed to

On Clause 41, as amended

Clause 41, as amended, agreed to

On Clause 42

Clause 42 agreed to

On Clause 43

Clause 43 agreed to

On Clause 44

Clause 44 agreed to

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. 20, entitled *Animal Protection and Control Act*, read and agreed to.

Deputy Chair: The member can't request unanimous consent for all clauses to carry, but they can request unanimous consent for clauses 45 through 79 to carry.

Ms. White: Thank you, Deputy Chair, and I appreciate that. Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 45 through 79 of Bill No. 20, entitled *Animal Protection and Control Act*, read and agreed to.

Unanimous consent re deeming clauses 45 to 79 of Bill No. 20 read and agreed to

Deputy Chair: The Member for Takhini-Kopper King has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 45 through 79 of Bill No. 20, entitled *Animal Protection and Control Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Clauses 45 through 79 deemed read and agreed to

On Title

Title agreed to

Hon. Mr. Clarke: Deputy Chair, I move that you report Bill No. 20, entitled *Animal Protection and Control Act*, with amendment.

Deputy Chair: It has been moved by the Member for Riverdale North that the Chair report Bill No. 20, entitled *Animal Protection and Control Act*, with amendment.

Motion agreed to

Hon. Mr. Clarke: I move:

THAT, pursuant to Standing Order 60(1), Bill No. 20, entitled *Animal Protection and Control Act*, as amended, be reprinted and tabled in the Legislative Assembly in its reprinted form before the House proceeds with third reading and passage of the said bill.

Deputy Chair: It has been moved by the Member for Riverdale North:

THAT, pursuant to Standing Order 60(1), Bill No. 20, entitled *Animal Protection and Control Act*, as amended, be reprinted and tabled in the Legislative Assembly in its reprinted form before the House proceeds with third reading and passage of the said bill.

Motion agreed to

Deputy Chair: The matter now before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

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

Deputy Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Dixon: Thank you, Deputy Chair. I appreciate the opportunity — given where we are at timing-wise, I will skip to what could be some shorter questions, rather than where we left off last time. Through the Council of the Federation, the premiers have launched an initiative targeting the federal government's health transfers. There have been a series of ads — an ad campaign that has been launched, both radio ads and print ads across the country, and the intent of those is what the premiers call "... a pan-Canadian awareness campaign on the critical need for a new and sustainable health care funding partnership with the federal government through the Canada Health Transfer..." I am hoping that the Premier can weigh in on this and let us know what the Yukon's position is with regard to our request of the federal government for increased health transfers; what it is that we are seeking; what we can look for from a response from the federal government, in terms of what the current government would deem acceptable; and what sort of increases or further support that the Yukon is seeking through the COF initiative for increased health transfers.

Hon. Mr. Silver: These are ongoing conversations, and they are actually ongoing even today. I know that federal Minister Duclos is meeting today and having continuing conversations with the provinces and territories — with the health ministers.

We, as premiers, called upon the federal government to increase the contribution to health spending through the Canada health transfer, also known as "CHT". We are looking for a long-term financial boost to our funding that will help implement things like *Putting People First*, for example, and improving the quality and access to care for all Yukoners.

Interestingly — as the members opposite would know, as well, from their time in office — we rely very heavily on jurisdictions like Alberta and British Columbia when it comes to a lot of our extended care, with medical travel, specialists, and that type of thing. In preliminary conversations that we have in northern premiers conferences or western premiers conversations, as well, we do very much put the opinions of Alberta and BC at a forefront, where, as you go from west to east, right across the north, the territories would have different jurisdictions that they would do the same for, because that is where people would access medical services, through medical travel, in each of those other northern communities — northern territories, respectively.

So, you know, in all things medical or all things in conversations at the premiers tables, it's about what we can agree on, but in this context, we have even a lot more onus on what is good for British Columbia, what's good for Alberta, and what is good for the territory. It's always an important conversation. The reason why I define it this way is, if you took a look at the differences between the ask of the premiers compared to what is currently funded, it doesn't really make a lot of difference in the territories as compared to other jurisdictions, because we do have the THIF funding. We have other dedicated funding streams that really are the bread and butter of health transfers in the Yukon, in the Northwest Territories, and in Nunavut.

There is much more at stake in the provinces. The differences between five percent of that transfer is a massive amount of money to these jurisdictions as well. Not that it's anything to sneeze at — it's still in the millions of dollars, but I am really emphasizing the importance of what happens in Alberta and what happens in British Columbia, as well, when we are talking about these transfers. We're not alone in the pressures that we face. We're not alone in that, and we are definitely committed to working with all the premiers and the federal government to find ways to support our health care professionals and to ensure that Yukoners get the care and support that they deserve in the context of supporting all Canadians to have equal access to medical services.

We are definitely looking forward to continuing the dialogue among the First Ministers so that our health systems are well-resourced and also preparing for any future challenges. This is definitely a bigger conversation, for sure. I'm sure we will get more time to speak about it later.

Seeing the time, Deputy Chair, I move that you report progress.

Deputy Chair: It has been moved by the Member for Klondike 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

Deputy Speaker (Ms. Blake): I will now call the House to order.

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

Chair's report

Ms. Tredger: Committee of the Whole has considered Bill No. 20, entitled *Animal Protection and Control Act*, and directed me to report the bill with amendment.

Committee of the Whole has also considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Deputy Speaker: I declare the report carried.

Hon. Mr. Streicker: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:26 p.m.

The following sessional papers were filed November 7, 2022:

35-1-71

Report of the Chief Electoral Officer — Recommended Changes to the Elections Act 2021 (Deputy Speaker Blake)

35-1-72

Report of the Chief Electoral Officer — Election Financing Returns 2021 Territorial General Election (Deputy Speaker Blake)

35-1-73

Report of the Chief Electoral Officer — The Administration of the 2021 Territorial General Election (Deputy Speaker Blake)

The following documents were filed November 7, 2022:

35-1-106

Meeting with Yukon Dog Musers Association, letter re (dated November 4, 2022) from Mandy Johnson, Vice President, Yukon Dog Musers Association to Hon. Nils Clarke, Minister of Environment (Istchenko)

35-1-107

National Truth and Reconciliation Day Statutory Holiday, letter re (dated November 4, 2022) from Deputy Chief Kristina Kane, Ta'an Kwäch'än Council to Kate White, Leader of the Third Party (White)

35-1-108

Proposed amendments to the Oil and Gas Act (Yukon), letter re (dated October 28, 2022) from Chief Amanda Leas, Ta'an Kwäch'än Council to Kate White, Leader of the Third Party (White)



Yukon Legislative Assembly

Number 92

1st Session

35th Legislature

HANSARD

Tuesday, November 8, 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, November 8, 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 a change made to the Order Paper. The following motion has been removed from the Order Paper as it is now outdated: Motion No. 515, standing in the name of the Member for Lake Laberge.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. McLean: I would ask my colleagues to help me welcome a number of very special guests who are here for the National Indigenous Veterans Day tribute that we will be doing in a few moments. I will start with: Major Greg Theriau; Captain Andrew Rector; Warrant Officer Andrew Macleod; Corporal, retired, Ian Angus, US Marine Corps; Sergeant, retired, Rose Davis, US Army; Sergeant, retired, Joe Mewett, who is also our Deputy Sergeant-at-Arms, and he is joined by Jackie Mewett, his wife; EMS deputy chief, Ann-Marie Paquet; and Jon Trefry, retired, EMS. I would be remiss if I didn't mention our MLA, Wade Istchenko, Ranger sergeant, and our Sergeant-at-Arms, Karina Watson, who is a retired RCMP corporal as well.

Applause

Hon. Mr. Streicker: We also have a number of guests here for World Town Planning Day and possibly for the ministerial statement on the Dawson City regional land use plan. Could we welcome, please, from the Department of Energy, Mines and Resources, Jerome McIntyre, Kristi Horton, Mike Ellis, Joseph Petch, and Jocelyn McDowell. Also, from the Yukon Land Use Planning Council, we have Sam Skinner — I apologize that I don't recognize the guest beside you, but welcome everyone.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of National Indigenous Veterans Day

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to National Indigenous Veterans Day.

Today we honour the important contributions made by First Nations, Inuit, and Métis veterans in service of Canada. It

is estimated that as many as 12,000 indigenous people served in the great conflicts of the 20th century, and at least 500 of them sadly lost their lives.

The rate of indigenous participation in Canada's military efforts over the years has been impressive. Many had to learn a new language, adapt to cultural differences, and travel great distances from their remote communities just to enlist.

The service of indigenous veterans is even more remarkable because it is underscored by the tremendous racism and social inequities faced by them and their communities.

National Indigenous Veterans Day is meant to remember the indigenous soldiers who put themselves in harm's way to fight against oppression, despite facing oppression from the very country that they were fighting for. At the time of the First World War, First Nations were exempt from conscription because they were not considered citizens and did not have the right to vote.

Yukon First Nations contributed to the war efforts through their vital role as guides and suppliers during the construction of the Alaska Highway. Disgracefully, though, for a long time, indigenous soldiers dedicated and sacrificed — were ignored or erased from our collective acts of commemoration. It is only since 1995 that indigenous veterans have been allowed to lay wreaths at the National War Memorial in Ottawa to remember their fallen comrades. The Government of Canada apologized and offered compensation to First Nation veterans in 2003 and to Métis veterans in 2019.

During Canada's wars, indigenous soldiers fought side by side with non-indigenous soldiers. They shared experiences, broke down barriers, and created a sense of camaraderie and unity. Elijah Smith was one Yukon soldier who was deeply impacted by his experiences in serving in the Second World War. For Elijah Smith, the experience of camaraderie that he found in the Second World War motivated him to fight for equality for Yukon First Nations upon his return. He led the long movement toward Yukon land claims and greater participation for First Nations in Yukon's governance and economy.

National Indigenous Veterans Day is meant to shine light on the incredible valour and sacrifices of the indigenous people who served in Canada's war efforts. It is also a day to better understand our history of racism and how that played out with regard to these veterans' recognition, support, and rights. National Indigenous Veterans Day is an opportunity to re-examine our history, salute indigenous veterans and celebrate their contributions.

Today I would like to thank all indigenous people who served in the wars and those who supported them at home.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to pay tribute to Aboriginal Veterans Day, celebrated each year on November 8. When putting pen to paper to write a new perspective on this topic, it struck me to ask: Why is this important to remember and have a separate day to remember aboriginal veterans? We must remember the era — whether World War I or II, or the Korean War — aboriginal

people did not have the same rights. So, to join a force to fight for the good of all was not taken lightly.

This year, I will tell the story of Sergeant Tommy Prince. His name should be prominent in our minds as a stamp was just unveiled at the Canadian Museum for Human Rights on October 18 of this year in Winnipeg and issued on October 28, 2022. Tommy Prince was from the Brokenhead Ojibway Nation just north of Winnipeg and went on to become one of the most decorated soldiers with 11 medals, including the Military Medal and the American Silver Star. One might ask: Why an American medal?

When Tommy enlisted, it was found he was an amazing sniper and scout. His skills quickly put him into a special unit, called the Devil's Brigade, or as the Germans called them, the Black Brigade. This unit was an elite, special trained, US-Canadian commando unit organized in 1942 and trained near Helena, Montana. After landing on the Aleutian Islands, Italy, and southern France, word spread about this unit. There are many, but I chose one story about Sergeant Prince, who, along with his reconnaissance partner, trekked 24 kilometres behind enemy lines to scope out German outposts and camps. They came upon a group of Free French partisans who were surrounded by a German troop. Prince and his partner immediately took position and took out 12 and injured many. Retreat was in order for the Germans. The French asked where their platoon was, and Prince said: "here", pointing at his partner. They were amazed, and the story grew. They did return to the main unit two days later with the needed intelligence, and Prince lead his troop to take the German camp.

They never failed a mission — the stuff of legends and movies, for, in 1968, *The Devil's Brigade*, starring William Holden, Cliff Robertson, and more, outlined the formation, the training, and the first mission of the joint US-Canadian commando unit.

Tommy also fought in the Korean War, and as with many veterans, he suffered from a war trauma and could not cope well after leaving the military. He passed in 1977.

Our Yukon aboriginal vets are all gone, but here in spirit. Uncle Dan, Archie and Alex Van Bibber, John Adamson, and Elijah Smith all served with dignity and honour. Dan, Elijah, and John went overseas, and we were fortunate that they survived and returned home. Alex and Archie had trained, but then the war ended, so we were fortunate they did not see the front lines, but they had the camaraderie and learned so much during their time in service, and I am sure their lessons learned from a lifestyle of living on the land were shared with many soldiers.

May all their service and sacrifice never be forgotten. They have allowed me to live in a world of freedom and choice.

Lest we forget.

Applause

Ms. Blake: I rise today on behalf of the Yukon NDP to pay tribute to National Indigenous Veterans Day and to honour all indigenous Canadians who have served, and continue to serve, in Canada, both in times of war and in peacekeeping. Twelve thousand indigenous people volunteered for the First,

Second, and Korean Wars. Many came from the residential school system and were encouraged to join the military, some with the promise of post-education funding. Unfortunately, this just led to a further loss of identity, family, and community connections. It also resulted in loss of status for those who volunteered and joined the military.

Indigenous people were not allowed to join the Canadian Air Force until 1942 and the Canadian Navy until 1943. Both men and women enlisted, serving as soldiers, nurses, and in other roles. Many served with distinction, winning medals for bravery in action, but all was forgotten when they returned home. Having enlisted to serve their country overseas, many returned home to Canada to find that they were no longer accepted on their home reserves, because as enlisted people, they had become enfranchised and were no longer considered eligible for any of the programs or services that the federal government provided.

At the same time as they were unable to access those services, indigenous veterans were also not able to access the services provided to returning veterans through Veterans Affairs, because they were "Indians", a terrible and shameful catch-22.

Returning indigenous veterans, who had fought in overseas wars on behalf of democracy, who were denied the most fundamental exercise of democracy on Canadian soil until 1960, when they were given the right to vote. So, as we celebrate National Indigenous Veterans Day, let's remember that it wasn't until 1995, 50 years after the Second World War, that indigenous people were allowed to lay remembrance wreaths at the National War Memorial to remember and honour their lost comrades and family members.

Today, we remember all indigenous people and their families who have given their lives, and express gratitude to those indigenous members in the Canadian Armed Forces who continue to serve on behalf of all Canadians.

Applause

In recognition of World Town Planning Day

Hon. Mr. Streicker: Today is World Town Planning Day. This day was founded in 1949 to get people interested in the profession and the topic of planning. Today, more than 30 countries join in celebrating this special day that allows us to reflect on the places we live and how we shape our streets, our neighbourhoods, our communities, and our land.

At the heart of World Town Planning Day is land planners. For me, land planners are like librarians and recreation directors. They are unsung heroes, so I rise today to sing their praise. Planners connect us with walkways to schools and cafés, green spaces, grocers, and good food. They consider future trajectories and a vision of what we can be.

Planners have to be creative problem-solvers who balance the needs of many different perspectives and lifestyles. The challenge is often anticipating what a community will need in years to come, and figuring out how to reflect that in current proposals, projects, and plans.

Planning isn't easy. No two communities are the same, and a lot of planning centres are the voices at the heart of our

neighbourhoods. While a vision for an area guides the actions and tools used to achieve it, flexibility is often key to ensuring a final plan that reflects what citizens really want. Planning is complex. The places we plan change drastically, and we can never be truly certain of the future. The best planners know how to gather the most accurate feedback, analyze data in the proper context, research and interpret future projections, consider all the factors and competing interests, and then chart a strategic course forward.

Just think about how much the Yukon has changed over the past 10, 20, 30 years. From sidewalks to streets, green spaces to subdivisions, industrial districts to school districts, infrastructure and construction to resource extraction and remediation, conservation and ecosystem management to agriculture, and from recreation to tourism, and everything in between, planners have helped shape our world.

Planning affects our health, both physical and mental. It affects neighborhood safety, a sense of belonging, and community identity.

It can affect your commute, your overall quality of life, and your accessibility to services and social activities. The spaces we interact with every day can affect our view of the world, our choices, and our support networks. These aspects of our lives can be improved by ensuring that each decision we make is for the betterment of the community as a whole.

So, today, we are pleased to recognize the hard work, creativity, and dedication of the Yukon's professional planners and their contributions to our healthy, vibrant, and sustainable Yukon communities.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to recognize November 8 as World Town Planning Day. Also known as World Urbanism Day, this day of recognition was founded in 1949 as a bid to look at urban planning from a global approach and to promote its role in creating liveable communities.

The accomplishments and contributions of planners are celebrated and it takes a unique set of skills to develop our communities to reflect changing circumstances such as population growth, infrastructure requirements, and demands on housing and neighbourhood amenities. Town planning requires technical skill and informed decision-making from our planners and leaders.

Effective town planning takes much more. It takes a combination of planning from experts in the field and consultation or engagement from leadership with those most affected — the residents. It is important to incorporate public feedback and needs in planning in order to allow residents to enjoy their neighbourhood and all that they offer. It is equally important to honour contractual agreements with homeowners based on that planning.

I would like to recognize the hard work that goes into town planning in each of our communities across the Yukon. We face common demands in many of our municipalities, such as housing and lot development, and work to develop official community plans to address these issues.

As the MLA for Watson Lake, I look forward to our municipality being able to implement our OCP, hopefully in the very near future, as it has been approved and accepted. Progress is important, and this type of planning will help move our small town, and others across the territory, forward.

Applause

Ms. White: It is a pleasure to rise on behalf of the Yukon NDP to tribute the folks who aim to achieve sustainability. On this World Town Planning Day, we celebrate those who walk the tightrope of balancing different social, environmental, and economic issues. These folks work at making spaces that allow people, places, and environments to thrive together. These planners have many titles that cover many different areas from town and city, land use and environmental, urban and development, and so many more. They help make our towns and cities livable, and organize our values in the wilderness and surrounding areas.

We thank those professionals who work in the Yukon, planning for today, tomorrow, and into the future.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Dixon: I have for tabling two letters from the Yukon Outfitters Association to the Yukon government regarding Bill No. 20.

Ms. White: I have for tabling a letter directed to the Minister of Education, entitled "Loss of childcare at the Teen Parent Centre".

Hon. Mr. Pillai: I have for tabling a document showing that the Yukon led the country in 2021 in real GDP growth, with a rate of 10 percent.

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

THAT this House congratulates Shadelle Chambers, Erin Pauls, Dana Tizya-Tramm, Jocelyn Joe-Strack, and Gillian Staveley, on their election as trustees to the first-ever First Nation School Board.

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

THAT this House urges the Yukon government to take action to improve access to health care by working with partners in health care delivery to develop a wait-time reduction strategy that includes clear targets.

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

THAT this House urges the Government of Yukon to support the teen parents seeking to finish their education by ensuring that on-site childcare remains available at the Teen Parent Centre beyond the end of 2022.

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

THAT this House congratulates the Yukon on leading the country in real GDP growth in 2021, with a growth rate of 10 percent.

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

THAT this House urges the Government of Yukon to ensure that mental health care positions in communities are fully staffed before and during the winter holiday season.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to establish a permanent crisis response team to support Yukon communities.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Dawson regional land use plan

Hon. Mr. Streicker: Last year, Yukoners had the opportunity to provide their feedback on the Dawson Regional Planning Commission's draft plan for the Dawson region. All that feedback was gathered and analyzed, and aspects of the plan were adjusted by the commission based on what was heard during the many engagements, stakeholder meetings, and consultation with First Nations.

The commission then produced its recommended plan, which was presented to the two parties to the plan — the Yukon government and the Tr'ondëk Hwëch'in government — on June 10 of this year. The two parties released the recommended plan to the public for review this past September. We encourage all Yukoners to review the commission's recommended plan at onthelandwewalktogether.ca and to submit their feedback by filling out the survey or attending one of our community meetings. Yukoners' thoughts, opinions and ideas will help us to determine if they are supportive of the commission's recommended plan, which will help the parties decide whether to accept, modify, or reject it in its current form. Participating is the best way to ensure that their voices are heard.

This is an important step toward the implementation of the *Tr'ondëk Hwëch'in Final Agreement* and for reconciliation with First Nations. This will be a very important plan for the region, determining not only what the area will look like now, but also into the future. Regional plans like this one help to define the future trajectory for the area and can include economic development, conservation, heritage, community development, recreation, wildlife habitat, and future infrastructure.

The vision for the plan emphasizes shared responsibilities that centre on a diverse economy, protecting a rich cultural legacy, maintaining a healthy environment, and respecting use of natural resources. It has specifications for: access to roads; protection for caribou; conservation; culture and heritage values; cumulative effects; mineral development and exploration; stewardship; the co-management of implementation; traditional knowledge; and recognition of the importance of our wetlands.

Since regional planning is a highly collaborative, multi-party process, an approved plan will represent an array of different perspectives and considerations.

I want to thank everyone who has been involved in getting us to this stage. I also want to recognize all the hard work that has gone into developing the recommended plan for the Dawson region. This plan represents all the vibrant discussions that took place and the thousands of hours of hard work and participation by people who care deeply about the future of this region.

I want to thank the Tr'ondëk Hwëch'in government for their continued dedication, collaboration, and leadership throughout the process. Our commitment to the integrated planning approach ensures that we uphold our shared responsibility in the future of this land. Engagement has been extended until December 20, and I encourage all Yukoners to share their thoughts with us.

Mr. Kent: I am pleased to rise to respond to this ministerial statement on the Dawson regional land use plan. First, I would like to take the time to thank all of those individuals who served as members on the planning commission since it was first appointed in 2010. This list includes three distinguished Dawson City residents who have since passed away. They are: former Chief of the Tr'ondëk Hwëch'in First Nation, Steve Taylor; former Member of the Legislative Assembly for Klondike and Mayor of Dawson City, Peter Jenkins; and, of course, very well-respected local businessman, Bill Bowie.

I would also like to thank all of the organizations and individuals who took the time to respond to the commission reports and participated in the process throughout the years that gets us to this point where consultation is underway on the final recommended plan. I would also take this opportunity to thank the staff, both past and present, of the Dawson Regional Land Use Planning Commission and the Yukon Land Use Planning Council for their work as well.

I do have some questions for the minister regarding the plan, as this issue was on almost every meeting agenda when the Leader of the Official Opposition and I travelled to Vancouver in late September to meet with a number of mining companies. I'm hoping he can share answers with us in his response here today.

I have heard recently that industry is wondering where their comments and recommendations are reflected in the final plan or the draft plan. So, I'm hoping the minister can point to any changes that were made that reflect comments made by industry. Also, I'm wondering if the minister will grant relief

from assessment for all those claims that are located in areas that are currently off-limits for new staking as part of the temporary staking bans put in place by the Yukon government. I also have a written question on the Order Paper from last spring regarding compensation for mineral claims that are impacted by the plan. It is about claims in the Peel land use area but applies here as well. So, what it essentially asks is: What policy framework is used to choose the value of the claims that were given up? So, I'm hoping the minister will respond to that as well, when it comes to claims impacted in the Dawson area.

The plan says that existing claims in areas off-limits to new staking can continue. So, does that mean that road access to those claims will also be granted as part of that?

Industry shared concerns with us regarding cumulative effects and thresholds for development, so I'm hoping that the minister can give us an update if any changes are being contemplated to that particular part of the plan.

I also have a couple of questions regarding other land use planning initiatives. I'm hoping that the minister can update us on progress of the Beaver River planning process. It has been over two and a half years from the March 2020 deadline, and we are coming on five years, in March 2023, since this work was initially announced. I'm curious where it is at and when we can expect to see the final plan.

Finally, the NDP-Liberal confidence and supply agreement says that the pace of land use planning will be accelerated. It also says that adequate resources will be allocated to complete existing processes and start new ones. I'm hoping that the minister can update us on this work and the amount of new resources that have been allocated to it.

I look forward to hearing answers to the questions that I have posed here today.

Ms. White: We congratulate and thank all of those who worked so hard in getting the Dawson recommended plan to the Yukon government and the Tr'ondëk Hwëch'in earlier this year, and we agree that it's important for Yukoners to share their thoughts on the recommended plan before it reaches its final version.

Land use planning in the Yukon was a commitment and a promise that the Yukon government made when it entered into treaty negotiations with Yukon First Nation people. When the final agreements were negotiated, the land use planning process was clearly described in chapter 11 of the *Umbrella Final Agreement*. The objective of land use planning is to ensure that the management and use of land, water, and resources is done in an integrated and coordinated manner so as to ensure sustainable development.

Currently, only two of seven land use plans have been completed, and as we have just heard, a third is in its recommended form. That means that no plans exist for the Kluane, Whitehorse, and Teslin regions, and despite waiting for nearly 30 years, there is also no regional land use plan for the Northern Tutchone region, an area that encompasses nearly 80,000 square kilometres.

So, although I appreciate the minister's words, one has to wonder why his government chose to step outside the

boundaries of chapter 11 when it came to the First Nation of Na-Cho Nyäk Dun. The final agreement set out clear guidelines for how all regional land use plans should be developed, yet this government chose to not follow those guidelines.

So, when the minister's government chose to forego land use planning and not use the existing subregional land use planning process, problems that the Yukon NDP warned about back in 2019 have come to fruition. I would suggest that, to the surprise of no one outside of this government, the First Nation of Na-Cho Nyäk Dun has taken the Yukon government to court over its planned Beaver River land use plan. The petition opens by saying that the Yukon's approach is deeply flawed, and closes by saying that the treaty promise of land planning is meaningless if there is no land left to plan when the planning finally begins. It is meaningless if nearly 30 years — an entire generation — can pass without the promise being acted upon.

Since the petition was initially filed, the Yukon government has tried various means to end the lawsuit. In September of last year, the government's petition to dismiss the First Nation of Na-Cho Nyäk Dun's case was finally struck down. What is maybe most striking was the Yukon government's own lawyer arguing the wording of chapter 11 — that regional land use planning is voluntary. In other words, the government is not obliged to ever begin the process. This should be a concern to all other nations still waiting for land use planning to begin and for all those who have signed final agreements where the signatories participated in good faith.

Because, even with a signed final agreement that clearly laid out the required steps, this government has chosen to step out of bounds, arguing the intention behind wording — wording, I might add, that was painstakingly chosen by negotiators at the time.

So, what does this mean for Yukon, and more importantly, where does this leave Yukon First Nations trying to ensure a future for their children, their traditions, and their cultures?

Hon. Mr. Streicker: First of all, I thank the members opposite for their comments. I appreciate that everyone here is saying that they support land use planning.

When it comes to meeting with First Nations, we recently met with the Selkirk First Nation to talk to them about a range of subjects, including land use planning. Falling out of that conversation, I reached out to the Little Salmon Carmacks First Nation. We are setting up a meeting with me and other ministers to put land use planning on the agenda.

Every time I meet with the First Nation of Na-Cho Nyäk Dun, we talk about land use planning. I am very happy to work on both — a regional use plan that will be driven by those First Nations when they are ready to go. Of course, for Northern Tutchone, there are three First Nations within that region — and also work on the Beaver River land use plan, which I have had a briefing on recently. I have been informed that it is on track for next year, for 2023.

What are some of the differences, though, around how land use planning is being done? When the Peel land use plan was underway, the Yukon Party basically got a failing grade from the Supreme Court of Canada. We don't want to make that

same mistake. We have done a very different approach to land use planning. What we have done is that we have said that, as the plan is in development, we would withdraw lands that are identified by the commission.

So, we did that twice with the Dawson regional land use plan — at the draft planning stage — well, sorry, three times actually. We did some at the beginning, based on conversations with Tr'ondëk Hwëch'in. After the draft plan was given to us, we put in place withdrawals on the lands that were identified for conservation, and then finally, when the recommended plan came out, we did that again, and this is an important way to try to reduce or prevent nuisance staking. We think that it has been successful and we think that it is a much better approach. There are differences between the draft plan and the recommended plan regarding cumulative effects. I am happy to draw those to the attention of the Member for Copperbelt South — no problem.

So, overall, land use planning is a commitment. I met recently with the Land Use Planning Council and we talked about how to accelerate the planning process across the four remaining regions, how to work on implementation across all of our plans, and how to use the supports from the Land Use Planning Council in order to enable that. I want to thank the Land Use Planning Council for their hard work on land use planning in general.

So, Mr. Speaker, overall, we are going to accelerate land use planning here in the territory. We know that it is very important and we appreciate working directly with First Nations on it.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Diesel generators

Mr. Dixon: The most defining aspect of the Liberals' energy policy is their long-term reliance on renting diesel generators to keep up with Yukon's electricity needs, and it is that reliance that the Yukon Utilities Board is so critical of in their October 18 report that we tabled yesterday. The report highlights the 2018 decision that the Liberal government made to forego the construction of a permanent thermal electrical plant, which led to the issue that we now face.

The report points out, on page 30, that this decision had the effect of — and I quote: "... cementing its reliance on the diesel rental option." Does the government now recognize that the decision to cancel the permanent plant in 2018 cemented Yukon's reliance on rented diesel generators?

Hon. Mr. Streicker: Last fall, we had the Yukon Energy Corporation here in the Legislative Assembly as witnesses with the Yukon Development Corporation. This spring we welcomed them again. The Yukon Party said, "No, thanks." They said that they didn't want to hear from the Energy Corporation.

When those witnesses were here, the president of the Yukon Energy Corporation said — and I quote: "How much does it cost you to obtain a kilowatt of capacity? That is a really important metric, because those kilowatts are important — and

how much is it going to cost over the life of the asset. So, if you look at the cost of renting — the numbers that we presented in the battery hearing, when there was full transparency on those different options compared — the cost of rental was \$211 per kilowatt year. That's the metric that gets used. The cost of the most recent diesel plant analysis we did, which was a 12.5-megawatt facility, ended up at \$212 per kilowatt year. So, it's almost identical."

So, the president of Yukon Energy has said that the price is the same for rentals and for building a plant. The Yukon Party wants to build a fossil fuel plant. We do not. We want to displace those fossil fuels with renewables, batteries, et cetera.

Mr. Dixon: Starting back in 2018, when that decision was made, the Liberals claim that they were only relying on rented diesels in the short term. According to the independent regulator that looks out for the interest of ratepayers, that is not the case. Here is what they say on page 11 — and I quote: "... YEC has been renting diesels since 2016 and expects to be renting diesels past 2030. Renting for at least 14 years is not a short-term event or solution. YEC has not shown the rentals to be a least-cost solution on a short-term or a long-term basis."

Most Yukoners won't be surprised to learn that renting diesels for at least 14 years is not a wise decision. Now, we also have the independent regulator pointing out this obvious fact. Will the Liberal government finally admit that relying on rented diesel generators well into the 2030s does not make any sense?

Hon. Mr. Streicker: The reason we have rented diesels is because we are working to displace them. For example, the grid-scale battery project, which is invested in by the Kwanlin Dün First Nation, the Ta'an Kwäch'än Council, and the Yukon Energy Corporation, will replace four of those diesel gensets. If the Yukon Party was in power, they would build another — a second — liquefied natural gas plant, and then you would have that plant and pay for it anyway. No, we want to replace those diesel gensets.

I thank the Utilities Board for their work. They also said, on page 45 — and I quote: "... permanent diesel..." — generation — "... is not an alternative to the..." — energy purchase agreement.

Mr. Dixon: Well, what the minister forgets to say is the second part of that quote, which is that it is a complement to the renewable energy future.

Now, beyond the cost, the Utilities Board also agreed that rented diesels are an inadequate solution for reliability. Here is what they say on page 10, quote: "YEC also confirmed at the hearing that rented diesel units are not as reliable as more permanent solutions. The Board is persuaded that only relying on rented diesel generators would be challenging and would not be a reliable way of closing the capacity shortfall gap." So, we can add unreliable to the list of problems with the Liberals' plans to rent diesels well into the 2030s.

Will the minister now accept the findings of the YUB that, not only are rented diesels not the least costly option, but they face issues of reliability and operational challenges as well?

Hon. Mr. Streicker: Here's the difference: The Yukon Party wants to build a second liquefied natural gas plant. We want to invest in renewables. That includes Atlin, but it also

includes Moon Lake; it also includes grid-scale battery; it also includes Haeckel Hill; it also includes solar at Sima and solar up in Dawson — and the list goes on.

So, we think that it is wrong to build a second liquefied natural gas plant. The first one jacked up our electricity rates. We think it's wrong to build a second liquefied natural gas plant, because it will tie us to fossil fuels. We think the future is not fossil fuels.

Question re: Diesel generators

Mr. Dixon: What the Liberals have tied us to is a future of renting fossil fuels. The independent regulator that looks out for ratepayers does not stop there, Mr. Speaker. Here is what they say on page 39: “Although the Board agreed with the rental of diesel-generation units on an urgent short-term basis for YEC’s 2021 GRA, the evidence of YEC in this proceeding is that the diesel rentals are not a good solution and that the need for additional capacity is for more than the near term.”

You can almost hear the regret in the words of the YUB there — regret that they bought the story that the Liberals have been pushing that renting diesels will be a short-term solution.

Will the minister now agree with the Yukon Utilities Board that renting diesel generators is not a good solution and that the government has no idea how long we will be renting them?

Hon. Mr. Streicker: What I can say is that, as soon as this grid-scale battery comes on, we’ll have four less rented diesels. If the Yukon Party was in power, they would be building a liquefied natural gas plant. How much does that cost? Quite a bit, it seems. I mean, that price is definitely more than we’re investing in the Atlin hydro project.

Second of all, the price per kilowatt hour for the Atlin hydro project is 13.5 cents per kilowatt hour. The price for LNG is over 20 cents a kilowatt hour. I don’t get how the members opposite don’t see that math, but that’s fine. The Yukon Party wants to invest in fossil fuels; we want to invest in renewables.

Mr. Dixon: What the minister conveniently forgets about on all the renewable projects he cites is that fossil fuel backup is a necessity for any new renewable project; therefore, permanent Yukon-owned thermal generation capacity is not mutually exclusive with the development of renewables.

In the words of the YUB on page 40, regarding a permanent generator, here’s what they say, and I quote: “... is not an alternative to the EPA but complementary to it.” It seems that only the Liberals don’t understand that, and their lack of understanding is going to increase rates, harm the environment, and put our energy security at risk.

Will the minister now acknowledge that the Liberals’ plans to rely on rented diesel generators makes no sense for the environment, for ratepayers, or for taxpayers?

Hon. Mr. Streicker: I wish I had more than a minute and a half. By the way, we would have more time if the members opposite would have welcomed Yukon Energy in here as witnesses. Then we could hear from the technical experts, but I will say flat out that diesel as backup — or thermal as backup — is required, because we are an islanded grid, but in terms of growth, in terms of what we need for the development of this territory — whether it is new homes, new

folks, new mines, whatever it is — we should not go for thermal; we should not go for LNG. That is a mistake. That’s the wrong direction, and we want to go with renewables; the Yukon Party wants to go with fossil fuels.

Mr. Dixon: All that the Liberal government has secured is that we will be renting diesel generators well into the 2030s. The YUB report makes that clear. The overwhelming theme of this report, by the independent regulator that is tasked with looking out for ratepayers, is a thorough deconstruction and criticism of the Liberals’ energy policy. It shows that not only will this adversely affect ratepayers going forward, but the decisions the Liberals have made to date have locked us into a long-term future of relying on rented diesel generators to meet our growing electricity needs.

Does the minister really think that is what Yukoners want?

Hon. Mr. Streicker: What do I think Yukoners want? I think they want us to invest in renewables. I think this is absolutely what Yukoners want. I think, as a government, we are listening to Yukoners regarding the direction they want us to go. I don’t think Yukoners are asking us to invest in fossil fuels, in a new or second liquefied natural gas plant. No, I don’t think Yukoners want that at all. I also think it makes more economic sense to invest in these renewables for the long term.

I think the Yukon Party believes that we should have an investment in fossil fuels that we will have to have for the long term — no. We are going to work to get off the fossil fuels.

Question re: Health care services

Ms. Blake: Just months ago, the Yukon Employees’ Union created and fully costed a community health care investment fund. This fund would have increased recruitment, retention, and training for health staff, like nurses, home care workers, and paramedics in almost every community outside of Whitehorse, and it would have cost just \$1.5 million, which is less than what this government spent on the parking lot outside of this House. But when the union presented this plan to the government, the Liberals gave them a hard “no”.

Why did the minister turn down a chance to get more health care workers in communities?

Hon. Ms. McPhee: I will be looking very closely into the facts just presented in that question. What I should be speaking to Yukoners about, and what this issue is about, is really community nursing and health care provided in the Yukon communities.

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. What I should also say is that I will not be making any comments with respect to the union position that has been expressed by the Member for Vuntut Gwitchin, because it wouldn’t be appropriate to do so here. Community nursing staff have continued to work tirelessly to provide Yukoners with health care services and play an integral role in our ongoing response, not only to COVID-19 and the substance use health emergency, but in addition to the daily care they provide for Yukoners across this territory. We must continue to support them. We must continue to make sure those services, and the hubs, and

the *Putting People First* recommendations are implemented to the care and benefit of Yukon citizens.

Ms. Blake: While this government refused to spend \$1.5 million on better public health care in communities, they spent over \$5 million on new management positions. The Yukon is losing health care workers every day from burnout and stress, and yet this government thought the best solution was to hire more managers to manage fewer and fewer health care workers.

Why is the minister prioritizing management positions over health care positions and training in communities?

Hon. Ms. McPhee: Thank you, again, Mr. Speaker, for the opportunity to speak about the importance of our medical professionals — doctors, physicians, nurses, lab technicians, and others — here in the territory, and the service that they provide to Yukoners. Again, I will be carefully checking the facts, because they are not, certainly, as I understand them to be.

We continue to mitigate the increased pressures resulting from the local, national, and global shortage of health care providers. As a matter of fact, as I stand here, the Ministers of Health are meeting in Vancouver and having these conversations, in which I participate every moment that I haven't been here in the Legislative Assembly in the last number of days, since Sunday morning. As a result, I can assure Yukoners that these issues are on the top of mind, not only of citizens across this country, but of those individuals who are responsible for health care services across the country.

We continue to mitigate the increased pressures that are before us all. The Department of Health and Social Services has undertaken several actions to attract and retain not only nurse practitioners — we have registered nurse positions, licensed practical nurses, registered psychiatric nurses, and health care aides in all Yukon communities. We are working to serve Yukoners.

Ms. Blake: Most communities in the Yukon do not have a resident social worker, or even a visiting social worker who serves them regularly. Communities like Dawson City, Haines Junction, Faro, Ross River, and Old Crow are left to share only two regional supervisors among themselves. From youth justice, to mental health supports, to family and children's services, community social workers are a safety net for many situations.

When and how will the minister address this shortage and high turnover of social workers in communities?

Hon. Ms. McPhee: I can indicate, of course, that social workers are an integral part of services that are provided across Yukon, and in Yukon communities, but it is a different question than the ones I have been addressing, which deal with nursing issues and shortages.

This fiscal year, we are investing \$17.74 million in the Community Nursing branch of Health and Social Services. The Community Nursing branch has 52 FTEs for registered nurses. Community Nursing is currently experiencing a vacancy rate of over 40 percent of primary health care nurses.

We have worked diligently to make sure that no community health care centres have closed. In fact, we have

maintained health services with very few interruptions. On one or two occasions, there have been emergency requirements only, but the opportunity for us to use nurses moved from location to location — or the results of using four agency nursing organizations — has allowed us to meet our staffing needs due to the high demand across Canada and across the territory.

I look forward to continuing to uphold our Community Nursing staff.

Question re: Municipality funding and support

Ms. McLeod: Last week the Premier issued a statement congratulating the federal government on their fiscal update and highlighted a number of new spending commitments made by the federal government.

We did notice that there was nothing in the fiscal update about the federal government's commitment to infrastructure funding. As I noticed last month, the federal government's Investing in Canada infrastructure program — also known as ICIP — is coming to an end soon.

Can the Minister of Community Services tell us what federal funding for municipal infrastructure will be available once ICIP ends?

Hon. Mr. Mostyn: I can report to the House that, just yesterday as a matter of fact, I was in a federal-provincial-territorial meeting on infrastructure. We were discussing, as a nation, where the next focus of the nation is going to be as far as infrastructure funding. That funding is currently being developed, and I'm sure the federal government will have more information when they table their next budget.

Ms. McLeod: Okay, right. Thank you, Mr. Speaker. The minister does not know.

On October 20, the Minister of Community Services said this in response to questions about infrastructure spending — and I quote: “We have actually spent all of our ICIP money in the territory.”

Can the minister confirm if this is correct? Has all the ICIP money been allocated? If so, what happens to projects that haven't yet received support?

Hon. Mr. Mostyn: I am very, very proud. What we are talking about is the investments that this government has made in the infrastructure in the territory with our federal government over the last six years. It has been profound. We have invested in every single community, and we have done so to make our communities stronger, to make our citizens more prosperous, to give them access to more recreation facilities — ice hockey arenas, pools. We have invested — bridges, roads — in every single community to make our communities stronger, more economically sustainable. We have done it fairly and with an eye to the future, and we are going to continue to do that, Mr. Speaker. It is important that we continue to invest in our communities to make sure that they can prosper into the future. We're going to continue to do that.

I can tell the member opposite — she asked about the ICIP — the Investing in Canada infrastructure fund. We have actually invested all of the money that we were allocated from the federal government. We are one of the jurisdictions to have

done that. I know that there are other jurisdictions that decided not to do that, but we decided that investing in our communities was important, and we have done that. I'm quite happy to report on that at any time.

Question re: Dawson City recreation centre

Ms. Van Bibber: The current five-year capital plan includes \$18 million to \$25 million for the new Dawson City recreation centre. According to a joint statement on October 3, the total cost is expected to be \$60 million. Can the minister tell us how the Government of Yukon intends to fill that funding gap?

Hon. Mr. Mostyn: It is expensive — it's not expensive; it is what it is, Mr. Speaker. We are seeing supply chain issues across the country; we're seeing, in every jurisdiction — in the federal-provincial-territorial meeting that we had yesterday, every single jurisdiction is talking about the increasing cost of infrastructure in the country. It is something that the entire Canadian nation is dealing with. I can also say it is an issue that the entire North American economy is dealing with.

So, yes, the cost of building the Dawson City recreation facility has gone up from the initial estimate. It is certainly a lot more money today than it was in 2011, when the Yukon Party had their sod-turning event up in Dawson to announce that they were going to build the facility right before the election, but guess what? They didn't get 'er done, Mr. Speaker, and today, we're having to build a recreation facility for Dawson because, quite frankly, the existing facility is not up to the task, and we have to step in and build a new one. I'm proud to do it.

Ms. Van Bibber: Thank you, Mr. Speaker, and I didn't get an answer. In the joint statement issued on October 3, the government said that it was exploring federal funding opportunities to help offset the cost of the new facility.

Can the minister tell us if the federal government has committed to fund the Dawson City recreation centre yet, and when does the minister expect a response from the federal government about this project?

Hon. Mr. Mostyn: We have invested in all of our communities. The Dawson City recreation centre is one of the other facilities that we have agreed — working with the municipalities, we have, and my predecessor has, as well — to identify the projects that are most important to the communities. The Dawson City recreation centre is one of those facilities. We are actually going ahead with that project, unlike the Official Opposition, the former Yukon Party government, which actually made a promise and didn't follow through and deliver on that promise. That has cost this government probably tens of millions of dollars. We are not going to make that same mistake.

We have gone to the federal government; it is part of the ICIP allocations that we have made. We are going through to make sure that the Investing in Canada infrastructure program is backstopping now. We have made the application. Once we have word from Ottawa, I will let you know, but I have no indication from Ottawa that this project wouldn't be approved, as many of the others have.

Thank you, Mr. Speaker. We are getting support from the federal government to build this important piece of infrastructure for Dawson, and we are going to do it to make the lives of people in Dawson — as we have with the rest of the territory — better.

Ms. Van Bibber: If the minister does not get a commitment from the federal government, will construction still commence in the 2024 construction season?

Hon. Mr. Mostyn: Our intention is to make good on the commitment that this government has made to the citizens of Dawson and build the recreation centre that they deserve. They have been without, really, a functioning recreation centre for far too long. If you go into that recreation centre today, you will hear about how they are shovelling snow off the roof. They are working very diligently to try to keep that facility open for the citizens of Dawson. They have been doing this for far too long — since 2011, in fact, when the promise was made and not delivered. Well, we are not going to do that. We have the program in our capital plan, we have made the commitment to build it, and we are going to build it.

Question re: Canada Winter Games infrastructure

Ms. McLeod: I have some questions for the Minister of Community Services about our bid to host the Canada Winter Games in 2027. The Yukon government has made it very clear that we will need to receive considerable support from the federal government to make this happen.

One of the biggest ticket items is a proposed \$115-million replacement of the Takhini Arena. On September 15 of this year, the *Whitehorse Star* reported that this new venue would be the location of the opening and closing ceremonies.

So, can the minister tell us if the federal government has committed to funding this massive project and, if so, how much funding has been committed?

Hon. Mr. Mostyn: We believe in the power of sport to keep young people active and to build strong communities. Our government has been working with the City of Whitehorse and the Government of Canada and the Bid Committee over the last 16 months to get the bid to this stage. We are currently awaiting word from the federal government. Once we have word from the federal government, we will have more to say on this matter.

Ms. McLeod: Now, the other large capital investment that was included as part of the bid package was housing for the athletes. On September 16, the CBC reported that the chair of the bid committee estimated that it would probably be something in the neighbourhood of \$60 million. Can the minister tell us whether or not the federal government has committed to funding this project and, if so, how much has been committed?

Hon. Mr. Mostyn: Once again, we're talking about support for sport in the territory. We have invested in sporting facilities across the territory. Like our colleagues — the Yukon Party opposition — we have committed to pursuing a games bid. We have done that, and we worked diligently over the last 16 months. Part of that bid is to actually build housing for athletes in Whitehorse, with the host society. We are pursuing that with federal housing authorities. That is part of our bid

package, and we are going to explore those funding options fully and completely.

Ms. McLeod: Now, on October 13 of this year, the Yukon government did a joint statement with the City of Whitehorse and our MP about the visit of the bid evaluation committee to Whitehorse. So, can the minister provide an update for Yukoners on what feedback the bid evaluation committee provided? Did the committee indicate whether they found our bid proposal satisfactory or did they seek changes? Can the minister tell us when we will have a formal response from them as to whether our bid was accepted or not?

Hon. Mr. Mostyn: It was great to gather down at the Kwanlin Dün Cultural Centre to meet the bid committee when they came up here, around the sacred flame. We had a very good meeting with the committee. At that time, they were very impressed with the City of Whitehorse and the amenities that we have here. In order to host the games, we need a certain number of facilities to be able to do it, one of which is a fourth sheet of ice. They also want to make sure that we have housing. Both of those needs were put forward by the bid committee. As we worked through that with the bid committee, we took them through a tour of Whitehorse. We showed them the university site. We showed them the facilities that they had, and I can report that they were very impressed with the City of Whitehorse, and they are very excited about the potential for hosting the games here in Whitehorse.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

Ms. Tredger: Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, November 9, 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, November 9, 2022. It is Motion No. 519, standing in the name of the Member for Kluane.

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

ORDERS OF THE DAY

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

Speaker: It has been moved by the 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 continuing 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

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

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Kent: I want to thank the Deputy Minister of Finance for being here as well today to support the Premier this afternoon as we continue with general debate on the supplementary estimates.

I mentioned at House Leaders this morning that the focus of our questions this afternoon will be education and then, if time permits, housing. So, I'll jump right in to my questions.

I will start with the mandate letter that the Premier sent to the Minister of Education, dated July 5, 2021, shortly after the new government was sworn in and responsibilities were set for ministers. Obviously, some of the stuff in here has been implemented, so I'm not going to go through the responsibilities that the Premier set for the Minister of Education.

I guess the first question that I would like to ask is: Does the Premier receive progress reports with respect to the mandate letters from his various ministers? If so, are they made public anywhere as the work on the mandate letters progresses after they were sent, as I said, in July of 2021?

Hon. Mr. Silver: So, as the member opposite will probably know from his experience in government, a lot of this work, as far as progress goes, comes to the DMRC table, and, from that table, there are bilaterals from the Executive Council Office.

Mr. Kent: So, the progress on the mandate letters is discussed at the deputy ministers' level and shared at bilaterals, I guess, with the ministers. Am I correct in assuming that? If I could just get the Premier to confirm that for me, that would be great.

Hon. Mr. Silver: That's correct and, of course, I think it would be no secret as well that, as progress goes through the mandate letters and things happen, I don't know of a minister worth their ilk who wouldn't then use that as an opportunity to announce these things to the public.

Mr. Kent: So, I will just ask a few questions with respect to the mandate letter here, as I mentioned. So, at the top of this particular portion of the letter, it says: “As the Minister of Education, you will work to create successful learning outcomes for all Yukon learners by...” — and then there is a series of bullets.

One of them says: “Improving educational programs, services and outcomes for Yukon students, in collaboration with First Nations and educational partners. This includes...” — and the second bullet under that is: “Developing and implementing a student outcomes strategy.”

Can the Premier explain to us what exactly that work he envisioned would involve, and are there any timelines on when that strategy will be ready? If it is ready now, where can we find it?

Hon. Mr. Silver: We continue to work with Yukon First Nations to ensure that all schools meet the needs of First Nation students and offer all students the opportunities to learn about Yukon First Nation ways of knowing, doing, and being. Really, this is a lot of the reason why I left the classroom — as a rural educator, seeing what I considered to be a lot of work that we needed to do to make the system a lot more equitable to all of all citizens in the Yukon. I could spend a lot of time talking about some of the stories that I have seen, opportunities that are found in certain parts of our community but not in others — especially when it comes to First Nation communities.

I spent my career working mostly with rural, indigenous folks. Knowing the opportunities — when I would see a student in grade 7 and then see folks being able to cross the finishing lines with a lot less impedance than some folks in the rural communities, for one, but also some of the impediments to a quality education for our indigenous youth. That is something I definitely wanted to see more action on.

We know that there were recommendations from the 2019 audit that stated that the department should complete and implement its policies to collaborate with Yukon First Nations to meet the *Education Act* requirements. So, a lot of the work has been done by the minister and her team in that pursuit. We also know that, just in February of this year, for example, department officials and members of the Yukon First Nations Education Commission finalized the Yukon First Nation collaboration framework, which is extremely important to note as well.

Many factors are contributing to a student’s success at school, including, obviously, high- quality education and instruction, engaged learning, and a student’s support network, both at and away from school. When it comes to learning outcomes, students, and working with First Nation partners, the department contracted a well-known name in education, Tosh Southwick, from IRP consulting, to engage with Yukon First Nation governments on the initial development of a student outcome strategy. That strategy, of course, is going to help us to develop a deeper understanding of how we can best support Yukon First Nations and make evidence-based decisions to ensure that every student in the territory has an opportunity to succeed — Tosh being no stranger to curriculum and pedagogy, but also to the importance of decisions being made on a

community basis, especially when we have the opportunity, through the British Columbia curriculum, to develop that locally developed curriculum, which is extremely important.

So, working collaboratively with Yukon First Nation governments, as well as our education partners, will help to sharpen our focus and also target some supports to basically help with the outcomes of all of our students. We will also work with our partners on the Advisory Committee for Yukon Education and with students to ensure that there is a youth voice also reflected in the student outcome strategy.

I don’t have a lot more in general debate to add on this. I would encourage the member opposite, if he has more questions on this specifically, to e-mail or send a letter to the minister responsible, who would be chomping at the bit to talk more in-depth about this particular issue.

Mr. Kent: From the Premier’s response, I gather that this work is underway on the development. Obviously, it has to be developed before it’s implemented, so we are still in the development phase of that student outcome strategy. Is that correct?

Hon. Mr. Silver: It’s on its way in earnest, I would say. Implementing the implementation phase of work to develop the student outcome strategy, which will also look at root causes of poorer student outcomes, developmental targets, and evaluation progress on closing gaps — that work is ongoing right now. That’s also including the completion of the engagement with Yukon First Nations, and that’s going to be followed by a broader educational partner engagement that’s happening this fall.

Mr. Kent: I thank the Premier for that response, and we look forward to following up with the minister at a future time. One of the other bullets that is included in the mandate letter for the Minister of Education is to begin the planning process for the next elementary school to be replaced in Whitehorse in consultation with stakeholders. Obviously, that decision has been made to build a new École Whitehorse Elementary School. The location that has been chosen up in the Takhini subdivision on what is now three ball diamonds that Softball Yukon uses — of course, it is on an educational reserve, I understand that. But, during Question Period earlier in this Sitting, I did ask the minister — she did make a commitment for a stakeholder meeting this fall. So, I don’t believe that I got a response at the time so I’m curious if the Premier can let us know when that stakeholder meeting is expected to take place.

There is \$200,000 in the current main estimates for consultation and design of an aging Whitehorse replacement school. So, I believe that money is earmarked for this, so I’m also curious how much of that money has been spent so far as we move toward next year’s budget.

Hon. Mr. Silver: As the member opposite knows, our government is investing in school infrastructure. I’m not sure if I can give too much more of an update from just last week when the minister was on her feet answering this question.

The École Whitehorse Elementary School has been identified, as we all know, for replacement with a new modern facility that will meet the needs of the community for years to come. This school has to be replaced; it is very obvious. It was

originally built in the 1950s and is the top priority for replacement among other Whitehorse schools. The current facility is not able to keep pace with current and future programming and community needs, including access to spaces for innovative and inclusive and experiential learning.

The Takhini education land reserve has been identified as a central location that can accommodate French immersion students from around Whitehorse. When it comes to renovating or replacing the current facility, that is not going to be viable for on-site, and so the Takhini education land reserve provides a central location that has better access to greenspace, desired for modern learning. The minister also spoke about the project advisory committee that is established to facilitate collaboration and the exchange of ideas between key partners and stakeholders and also the Government of Yukon. Now, that advisory committee met on October 3, and representatives from the school administration, council, and the City of Whitehorse were in attendance. Engagement with the broader Whitehorse community and partners is planned, as the member opposite said, for the fall to determine a long-term plan for replacing and renovating other aging Whitehorse schools.

That is about all that I have for an update for the member opposite on this topic for now.

Mr. Kent: I don't have the budget document for next year in front of me, but I know that there is a significant multi-million-dollar investment that would suggest that the government is planning on construction beginning on this next year. Obviously, the immediate challenge is with respect to Softball Yukon and the use of those diamonds. Has there been any engagement yet with Softball Yukon on an alternative plan for them, once those diamonds are no longer available for their use?

Hon. Mr. Silver: No update from the last time the Minister of Education stood during Question Period to answer this question — I will recognize, as do the member opposite and the minister, how important our baseball and softball teams are as recreation and the important work that has been done there over the years. It's a great activity for connecting communities all over the Yukon as well, but I don't have anything new to report from when the minister was on her feet, speaking about this engagement. I think it was either last week or the week before.

Mr. Kent: I have pulled up the five-year budget document that was tabled in the spring — elementary school replacement, Whitehorse, \$200,000 to \$500,000 for this current fiscal year, which is 2022-23. As I mentioned, in the Education briefing notes, it says that there is \$200,000 allocated for this year. Next year, that jumps to \$5 million to \$6 million, then \$15 million to \$20 million, and then \$25 million to \$30 million in the 2025-26 fiscal year. I am hoping that the Premier can understand the urgency of the question.

We are already into November. It looks like construction, with these kinds of numbers, is scheduled to begin in the next fiscal year and next construction season. So, can the minister tell me what engagement took place prior to the decision being made to locate the school on that Takhini educational reserve? Were there discussions with — well, we'll stick with Softball

Yukon. Were there discussions with Softball Yukon prior to that decision being made?

Hon. Mr. Silver: Our government is investing in the education system by building new schools or even renovating existing ones so that they do meet the needs of all Yukon students for years to come. We are at a bit of deficit here when it comes to replacing schools. Also, with the increase in population that we have and the booming economy, these are very important projects to be putting the taxpayers' dollars toward. In addition to new schools like the one in Whistle Bend and Burwash Landing, we will continue to replace or renovate existing schools on a priority basis.

The Whitehorse Elementary School is the highest priority for replacement because of accessibility, lighting, and acoustic issues — and the age and condition of the building — as well as its energy use and its greenhouse emissions, and the need for significant seismic upgrades, which is a whole different list of things that are prioritized here, compared to what I just spoke about, because we are talking about two different departments.

We are talking about Highways and Public Works when it comes to the tendering of these projects and prioritizing the five-year capital plan, and also, of course, when you talk about programming inside the schools, the Department of Education would be talking about the deficits internal when it comes to its ability to provide excellent education opportunities for the folks that would be in that school.

The new school will be much more energy efficient, and when we talk about budgeting and the dollars that we will be using — and could see a reduction of up to 260 tonnes of greenhouse gas emissions compared to the current school. Again, it is a reason for us — I'm wearing my Management Board Secretariat hat a bit here for the justification and the prioritization and the process that we go through there. So, the new school is in the early planning phase, which is being led by the Department of Education, but it's important to add into this a whole-of-government approach when it comes to how we prioritize the capital plan and how we work with a multitude of different departments when we are planning the replacement and the renovations to these schools. Also, just to mention — the project advisory committee is continuing to provide us with input on key aspects of school planning and design as we move through this process.

When it comes to the five-year capital plan and Education projects, we see that in the elementary school replacement, Whitehorse category, \$200,000 to \$500,000 in 2022-23, and then, with that replacement moving forward, 2023-24, we still have, on forecast, \$5 million to \$6 million in that year. But again, there are also then two more years in there — there is 2024-25 at \$15 million to \$20 million, and finally, for 2025-26, it would be \$25 million to \$30 million.

Mr. Kent: I thank the Premier for mentioning that. I think it is essentially what I had said in my previous question. So, I guess in the four fiscal-year time horizon, my question for the Premier would be: When does he expect the construction of this new school to start within that time frame?

Hon. Mr. Silver: When it comes to scheduling major capital projects, we go through a yearly cycle where we talk

about the priorities — what hits the capital. We compare it to the mains of previous years. We are still figuring that this is on schedule as far as the five-year capital plan. I don't have any updates right now for the member opposite in general debate, as far as speculating as to when things are going to maybe veer or move forward on those particular years, but that would maybe be a question for the Minister of Highways and Public Works when it comes to the tendering process there. I don't have anything to speculate on as far as changes in those numbers at this time.

Mr. Kent: I think the question that I was hoping the Premier would respond to is: When, during that four fiscal-year time horizon that is set out for this elementary school replacement, would he expect construction to start? Obviously, it has a bearing on a number of things but, most urgently, is the use of those softball diamonds for Softball Yukon. However, I will follow up with the Minister of Education or the Minister of Highways and Public Works on that particular issue.

I did have some questions — but I think I will leave them to the Member for Whitehorse Centre — with respect to plans for the existing land downtown where the school currently sits, once that facility is no longer needed for the school — so what the plans are for the building and the land that is there.

I do have a number of other capital budget questions, however, for the Premier with respect to Education. I am going to leave those for a second and just finish off with the mandate letter. I have just a couple of quick questions for the Minister of Finance. Again, in the mandate letter that he sent to the Minister of Education, it says: "Working with communities and stakeholders to develop and implement school safety transportation plans." This is following up from the Liberal election platform in the last election, essentially saying that it will cover safe drop-off and pickup areas, snow removal, safe crosswalks, speed control and proper lighting.

I know there are some schools that have had this done. I am hoping I can get an answer from the minister here this afternoon with respect to how many of the schools have been completed with the school safety transportation plans and how many are still left to be done.

Hon. Mr. Silver: This is, again, one of our top priorities — the safety and health of our students. The school buses are considered to be one of the safest modes of transportation available, but yet we still need to plan accordingly.

Our current contract, as the member opposite knows, is with Standard Bus. We have additional safety features such as strobes on the top of those vehicles, and dash cameras on some vehicles. It is great to see the modernization of these buses, especially when we know the climates that we are dealing with, and also some of the aggression of some drivers on our roads. I could tell you some horror stories as I peeked out my window and watched the buses stopping at Robert Service School, and people driving by these buses with their lights out. So, as much as we can do with these strobe cameras is extremely important to really get people's attention about the safety of our students.

We are participating in a Transport Canada national Task Force on School Bus Safety, and, of course, our school buses must meet the federal requirements for buses. Just for the

record, at this time, the installation of seat belts is not required or recommended from national codes.

We are working with Standard Bus, the RCMP, and committees to promote driver safety near the school buses and to reduce risks on these bus routes. I am not sure if I am going to be able to give an update, other than what the minister has already spoken to about the safety issues. Basically — also to share that if parents do have concerns, they can contact their school, the student transportation office, or even Standard Bus as well, in that regard.

As a refresher to folks' memories, as well, in the Legislature, Motion No. 332 was passed in October, which was that the House urges the Minister of Education, in partnership with all stakeholders, to participate in the recently announced Transport Canada assessment of seat belt safety and continuing to review the school busing in Yukon.

I figured that I would give that response as far as the national safety organization and their recommendations as well.

Mr. Kent: My understanding of this particular request in the minister's mandate letter — I'm sort of cross-referencing it with the 2021 Liberal election platform — is that it would be more about infrastructure improvements on the ground at schools rather than the school bus safety issues. I know we have touched on that, so that is sort of where I was focusing the question. The school that I am most familiar with, because my son goes there, is Golden Horn Elementary School. I know there has been a lot of work done with respect to the drop-off and pickup areas, crosswalks, proper lighting, and that kind of thing. That was the focus of the question that I was asking the Minister of Finance to respond to. What schools are similar to Golden Horn where that work has been completed, and then what schools are planned for additional work in the future to meet this mandate letter commitment and the election platform commitment that the Liberals put forward?

Hon. Mr. Silver: I wouldn't have an update right now with the work. As the member opposite would know, this would be individual conversations with the department and these individual schools, based on the geography and the different layouts in each of these communities and each of these schools. When you take a look at what would be constant among all these schools would be the school buses themselves. Recommendations from the task force focusing in on four recommendations — infraction cameras to prevent dangerous incidents by passing motorists, extended stop arms, exterior 360-degree cameras, and bus emergency braking — would help with the severity of collisions. These are issues that are going to be affecting each of the school communities as the department works with all the individual schools when it comes to their entrance and egress when it comes to dropping off our students.

Mr. Kent: I will take the opportunity again to follow up with the minister, either in the Legislature or by letter or written question, with respect to those improvements on the ground at schools and the prioritization.

I do want to ask a couple of questions with respect to Yukon University. Again, in the mandate letter is a request for the minister to work with the Yukon University to support their

new science building. I know that, a number of years ago, the federal government made a budget announcement around supporting the construction of a new science building. I don't believe that the construction has started yet. Is the Premier able to update the House on that particular project, and how much money — it's not currently in this fiscal year's budget, so when does he anticipate that expenditure to take place?

Hon. Mr. Silver: I don't have any update for the member opposite as far as timing, other than what the department has already spoken about as far as the importance of these assets. We know that the Yukon University has gone through an awful lot of transition and it's really important for us to follow that transition as a hybrid university. It is really great to see that the university is offering degrees, diplomas, certificates, careers, trades training, second language support, and upgrades to meet the diverse learning needs of Yukon communities. I am not going to speculate on any future announcements that the department will be making.

In the 2022-23 budget, our government has allocated \$1.5 million in operation and maintenance, with \$200,000 in capital, to further support the transition as we work through getting these opportunities — degrees, diplomas, and certificates — to fruition. I am very proud of the bachelor of indigenous governance program — the notorious “BIG” as I like to call it — and also all of the work that is being done on advancing strategic initiatives through the joint agreement management committee that's with the Department of Education and the university as well.

So, we're looking forward to continuing to collaborate with the university to help it achieve the commitments that are outlined in the strategic plan.

Mr. Kent: So, with respect to the federal funding that was announced to support the construction of the new science building, is the minister aware of any sunseting of that funding? I know it was announced a number of years ago, and we have yet to see the project begin. So, is there any deadline with respect to that funding being available or, I guess, has it already been transferred to the university in support of their work on the science building?

Hon. Mr. Silver: That's a 2019 commitment, I believe, and I don't have any updates on that right now, but I will look into the member opposite's question as far as how permanent that funding would be.

Mr. Kent: Thank you very much for that, and I'll look forward to getting that information from the Finance minister when he has it available. He did mention that there is \$200,000 in capital support for the university in the main estimates for this year. So, I do have that note in front of me that says \$100,000 of that is for Yukon University transition signage — to install new signs at YU campuses — and then another \$100,000 for equipment and furniture upgrades for lab equipment and classroom equipment that is outdated. However, the minister also mentioned a \$1.5-million O&M investment. I do not have that note in front of me, so can he explain what that expenditure is for?

Hon. Mr. Silver: As far as the breakdown for that, I would have to go back and take a look. Of course, this would

have been a conversation in the spring when the opposition parties would have had a full briefing from the department explaining all of the different line items. We also had the university in here as witnesses, and the minister also was on her feet for the mains when this appropriation was deliberated and discussed, but I don't have that at my fingertips here in general debate.

Mr. Kent: Again, hopefully we get an opportunity to get that information from the minister and the department in either a legislative return or a letter back to MLAs. We never had a chance, I don't believe, in the spring to discuss that particular aspect of the budget, so I'm curious about what that entails.

One of the other pieces from the mandate letter with respect to the university is to ensure that the demand for early childhood educators and licensed practical nursing is met. So, have there been any additional resources allocated to the university since this mandate letter was sent in 2021 to assist in meeting the demand for ECEs and LPNs?

Hon. Mr. Silver: Not to date — otherwise, we would have a line item in the supplementary budget for that purpose. We were continuing to support the university to provide annual intakes to the practical nursing program, and that program provides opportunities for up to 18 new students each year pursuing health care careers. The graduates of this program provide a lot of much-needed talent to fill vacancies in this important health care role in the Yukon. As we know, we are seeing shortages right across the country, if not the world. The Bow Valley College provides the course curriculum to the university cohorts — they did until this year — and the university is engaging in seeking new curriculum for future cohorts as well — so, pretty exciting times with the departments as they work with the Department of Health and Social Services, as well, to consult and to update to make sure that the successor program is developed.

There could be some work going on internally where the department funds internally, but, as far as from the Minister of Finance's perspective, any extra requests for this program have not been asked for to date. Education contributes, annually, very close to \$750,000 to support the program, within its allocation currently — very specifically, \$740,780 to the program.

Also, the graduates receive a nursing diploma and they are very successful in finding employment in their fields. Hopefully, all of them find that employment in Yukon.

Mr. Kent: I was jotting down some notes as the minister was speaking. There is just over \$740,000 for the licensed practical nurse program in the main estimates. Is there any money in the mains for the early childhood educators program, which is also referenced in the mandate letter that he sent the minister?

Hon. Mr. Silver: I would have to get an updated number for the member opposite. All of the ELCC providers signing on to universal childcare have committed to collaborating on all improvements, activities, quality measures, professional development for their staff in collaboration with early learning specialists, all of which have expenses attached.

The ELCC launched the online early childhood educators learning hub, and that was this summer. Then, in late summer, in late August, they started hosting open houses for professional development for educators and operators, both in-person and online, with over 100 educators attending as of October 22, which is great to see.

The Professional Diploma Pathway, which is PDP for short — as of August of this year, 43 students are enrolled in this program. In addition to the partnerships with Yukon University, the ELCC is partnering with La Garderie to support their French-speaking, level 3 equivalent educators to become qualified. All of these, of course, come with expenses, but it's great to see these programs continuing throughout the summer and into the fall.

Mr. Kent: So, I will again follow up with the minister or the university about which aspects the Premier just mentioned are part of the university program as set out in the mandate letter. One final question about the mandate letter is: Is the Premier able to give us an update on the feasibility study for a varsity sports program at Yukon University? It's a partnership, obviously. It is being led by the Department of Education with support from the Department of Economic Development. I'm curious if there are any updates on expenditures so far with respect to this particular commitment in the mandate letter.

Hon. Mr. Silver: Again, I don't know if I would have much of an update for the member opposite on the work that's being done by both Education and Economic Development. However, because it is done by both, Economic Development will be appearing here.

If we get through general debate and talk about a department that has some funding in this budget — then the minister will be here and available to answer questions for the member opposite, as this is a joint project between the two. They are working with the university as well to assess the feasibility of establishing the varsity sports programming. The study is expected to be completed at the end of this year, trying to examine things like measurable and intangible benefits of varsity athletics for small- to mid-sized Canadian universities and colleges, as well as to host communities.

To me, this question begs to be part of the index of well-being, as we have worked on expanding that to local parameters over the last few years, so being able to compare how our institutions and communities work with other parts of Canada and other institutions that are of similar sizes.

Also, it's tasked with examining things like the process by which the university would gain and maintain administration to regional athletic associations, or staffing requirements and O&M requirements — those types of things — and the viability of most likely entered sports — is that curling, futsal, or badminton — along with costs or infrastructure and also other supports. That work continues, looking into things like requirements, including costs, to estimate an athletics department at the university. What would that look like and what is the necessity therein?

It's also a process by which the university could scale up a varsity sports program to participate in a regional athletics association. There are other unique factors as well that they are

considering and are expected to complete this year — things like opportunities and challenges in general, and also opportunities for Yukon First Nation participation or partnership in a varsity sports program.

Also, the contractor that was selected is Sidekick Consulting. They were selected to provide the feasibility study and a road map as to how Yukon University may develop a varsity sports program, including the estimated costs for all the stages and these considerations that I'm talking about. We are hoping to see this very soon. The minister and department can report on the progress therein as we complete this important work before heading down the road of varsity sports and looking at that feasibility.

Mr. Kent: So, I will look forward to following up on that if we have questions for the Minister of Economic Development when we get to his department, or perhaps, as it is an Education lead, questions for the Minister of Education at some point.

I do have some questions now about some of the expenditures that are in the 2022-23 capital budget for Education. There are four different questions, but I will just go through them one by one. The first one is a \$2-million expenditure on a modular classroom. Can the Minister of Finance tell us how many modulars this will give us and where they will be located? Are they complete and in place at those schools, as we speak?

Hon. Mr. Silver: I am going back to my notes from the main budget on this and looking at — there were just some highlights of that. I am not sure if I have any updates for the member opposite as far as modulars are concerned, other than what has been spoken about in the Legislative Assembly in the past. We know that Schools and Student Services had a total increase of \$12.5 million there. In that, there was an increase of \$300,000 for modular classrooms — the goal being to increase projected costs associated with procurement and just continuing to work with the school communities on planning for their facilities over all different terms — short-term, long-term, and medium-term needs and options. Modular classrooms in a lot of different communities provide more flexibility to meet short-term and medium-term school space requirements.

I recall that in Dawson, when I was teaching, there were times when we were getting so close to a smaller population that we were actually in a situation where we had to kind of do more with the number of teachers that we had to continue to provide K to 12 education when we had smaller populations, and then, of course, when the population booms like now — something like 12.5-percent Yukon-wide over the last five years — it is really important to be able to meet that short term — but also knowing that the population is increasing here in the Yukon.

The department is currently assessing the various needs, and the total estimated capital expenditures for the department is \$2 million in 2022-23. For modular classrooms, there are needs in Selkirk, Hidden Valley, and Robert Service School. Rather than install a third portable at Selkirk in 2022-23, a modular addition is being added, which will free up an additional classroom in the school as well. This project is being

funded from our capital budget, and the project is anticipated to be completed this year — in December, hopefully.

We are working with the Kluane First Nation to relocate Kluane Lake School into Burwash. It would be another one of those items that was developed in our Student and School Services amount of \$12.5 million. Of course, there would be monies in there for some of the other projects that we spoke about in the Legislative Assembly over the last year, including increases of \$100,000 for experiential learning spaces, for example.

That's about all I have for the member opposite when it comes to modulars.

Mr. Kent: I have a couple of questions based on the minister's answers — \$2 million, as I mentioned, has been allocated in the current budget for modular classrooms. The Minister of Finance mentioned that Selkirk was getting an addition. Could he clarify whether or not that addition is coming out of that \$2 million, or is that a separate line item?

He also mentioned a need at Robert Service School for modulars; however, in a separate line item, there is a \$2.7-million expenditure at that school. I will ask some further questions about that, but I am just curious if that Selkirk addition is coming out of this \$2 million that is earmarked for the modular classroom line item in the current mains?

Hon. Mr. Silver: Yes, it is.

Mr. Kent: Can the Minister of Finance tell us how much of that \$2 million is allocated to the addition at Selkirk?

Hon. Mr. Silver: I would hope that the member opposite would understand that, in general debate, I don't necessarily have that granule detail, but I will endeavour to get that back for the member opposite.

Mr. Kent: I look forward to getting that amount for Selkirk and then whatever is leftover. Perhaps in that response, we can also get an idea of where other modular classrooms are being established — which schools they will be located at. Those are the words I am looking for.

Just bumping down to the Robert Service School, the \$2.7 million in the capital budget in the spring when it was tabled — the Robert Service School modular/addition was scheduled to be completed in June 2022. We know that this was bumped out a couple of months, I believe, delaying the start a little bit of the school year in Dawson City. If the Premier can just confirm for us that this project is indeed now finished, and \$2.7 in this fiscal year — if he can give us an idea of the overall cost of that addition to the Robert Service School for the project life, that would be great.

Hon. Mr. Silver: Again, continuing to work with school communities on planning — there is no difference here when it comes to the Robert Service School expansion. As the member opposite did mention, there were delays in obtaining certain building components. That definitely pushed the anticipated date to later in October. The building is looking fantastic right now, which is a really good complement to not only the school — but also the bright colours that the school has been painted in. If you ever get an opportunity during sunset or sunrise, come up to Dawson to take a look at Robert Service School.

We are working to getting that full occupancy — and the goal was by the end of October, beginning of November. That is my update here — making sure that our school can occupy that space as soon as possible, knowing that we have had some delays here. I am looking forward to seeing how these four new classrooms will enhance and complement the school learning space, basically replacing something that should have been replaced a long time ago at Robert Service School as a temporary solution for decades — those modulars that were there. I believe there were, like, two classrooms there before; now we have four.

So, the delay of this building, based upon the supply chain management issues that we are seeing, basically, around the world — I do not have much more of an update for the member opposite. I do know that there is an estimated cost for the complete project that was \$6.4 million, and Canada is providing funding under the Investing in Canada infrastructure program for their share of that. This was a contract by Wildstone Construction. I think that's about all that I have for any update for the member opposite.

Mr. Kent: Just to go back to Robert Service School — and I want to make sure that I heard the Minister of Finance correctly that the final occupancy has not been granted yet for Robert Service School. So, if he can just indicate whether or not that's what he mentioned in his remarks and, if it hasn't, does he have any idea when that part of the school will be available for the students?

Then, one final question with respect to the current capital budget — there is a \$2-million expenditure on Ross River School remediation. I'm just looking for confirmation that all of that money was spent, and if the Premier can let us know what exactly it was spent on, or if he anticipates it being spent before the end of the fiscal year.

Hon. Mr. Silver: As I said, the project is nearing completion, with occupancy for staff and students targeted for November. The work is continuing and expected to be completed as soon as possible, in the fall, here. The project was targeted for completion, obviously, prior to the school year. However, as we spoke about the equipment and material shortages due to global supply chain issues, they have delayed that occupancy until November.

When it comes to the Ross River School, as the member opposite knows, the school was built on changing permafrost, as much of the community is, actually. Changing permafrost has contributed to the need for structural assessments and repairs over the years, but we continue to ensure that the school is kept safe by mitigating structural movement through upgrades like a re-leveling system and by performing repairs to lessen the effects of the building movement — as we spoke about in the Assembly a few different times here.

The school is inspected quarterly by a multidisciplinary team that includes architects and structural engineers, geotechnical engineers, and also a surveyor. The latest building condition inspection report that we received was in late August, and it confirmed that the school remains safe for occupancy. The next inspection is to occur this month, and so I don't have an update on that yet but will be expecting that update to come

in — as I said, trying to do this quarterly to make sure that the health and safety of the students in Ross River is the utmost — in our endeavours here.

We are currently building a re-levelling system at the school that will mitigate effects of further permafrost deterioration, and we are also building a new modular mechanical room to replace the existing mechanical plant. The heat emitted from the mechanical plant was a contributing factor to the degradation of permafrost under the school, so we are trying to remedy that with some upgrades to that system.

Work for both of these projects is underway and scheduled to be completed in 2023.

As far as what amount of the appropriation has been spent by the department, I would have to ask the department for an update on that.

Mr. Kent: We look forward to getting that information from the department as far as that estimated \$2-million expenditure because I know that, in past years, a significant portion of that has been lapsed — identified in the mains and then lapsed in the fall supplementaries — so we were curious as to how much of it has actually been expended this year or if it will be expended prior to the end of the fiscal year.

I want to take the Premier back a little bit. So, I'm going to read from their initial five-year planning document in March 2018. It says: "Beginning in 2018-19, the Government of Yukon will release a Five-Year Capital Plan as part of the annual budget process. The Capital Plan summarizes the Government of Yukon's priority infrastructure projects."

So, obviously this plan has evolved over the years since it was first introduced. As we talked about earlier, it now includes dollar figures, but when this first one came out, it just included the fiscal year that was targeted. So, it started in 2018-19, and this fiscal year, 2022-23, is the last year for this initial five-year document that was tabled with the budget.

So, I just have a couple questions with respect with some Education projects that were identified back then. The first one is Christ the King Elementary School, which was to have started in 2020-21 and concluded in this fiscal year. But, you know, unless I'm missing something, I can't find any expenditures. I'm hoping that the Premier can give us an idea of what exactly that expenditure was for.

I will ask, as well, about Holy Family School that was anticipated to have expenditures in 2021-22 and 2022-23. Again, we can't find those expenditures. So, when this initial five-year document came out, those two projects were identified, and I'm curious if the Minister of Finance can provide us with an update on those two projects, and what was envisioned back then, and what work has been done in the case of Christ the King Elementary School over the last three fiscal years and Holy Family School over the last two?

Hon. Mr. Silver: As the member opposite knows, the five-year capital plan for this current fiscal year builds on our commitment to communicate those capital spending intentions to Yukoners, municipalities, the private sector, and First Nation governments. It has always been billed out as a window to the future that didn't exist in the past. Also, as we have seen over the years, projects will move and shift from that plan for a

myriad of different reasons. I have been in communities with two different ministers of Community Services, where conversations are always about "if your plans change, or if your priorities change, then ours will as well, and we will reflect that in our capital plan". This is one example of changes we have seen in this plan.

We have been through a pandemic during this five-year capital plan as well, which definitely has some impacts on people's ability to build, which also would affect things. We have definitely seen evolving priorities and circumstances and needs that have changed community-wide.

We spoke today about a project in the Legislative Assembly that really, for me when I became Premier, was one of the most important pieces of why we need a five-year capital plan. When a government commits to build something like a community asset such as a rec centre, making sure that knowing where those things are on a five-year basis is extremely important. We came into government and realized there was no commitment from the perspective of the departments for a rec centre, so that was extremely important for us to showcase in the budget forecasts these priorities on a five-year capital plan basis.

As capital plans change and mature, our government will work to meet both project and vendor needs. For example, departments may spread out major projects that have several components, such as, for example, a bridge project, rather than tender them all at the same time. Again, we are trying to support our local businesses — especially now that we have the ability to work with the First Nation procurement policy to get some more sticky dollars in those subcontract trades — fuel, you name it. It's extremely important that we keep in mind local capacity in our five-year capital plan, and over a five-year period, those capacities will change.

It also supports the implementation of, as I mentioned, that First Nation procurement policy through information-sharing on projects and through direct engagement with Yukon First Nation governments. I have to say, as well, that the Yukon Forum is instrumental in including information about not only priorities, as we take a look at dedicated federal funding, but also First Nation priorities and what they want to accomplish inside of their own budgets, working with our government as well.

So, laying out that long-term capital investment strategy, we believe, is extremely important. We know that the two projects that the member opposite mentioned both had parking lots that were done in those schools in that five-year capital plan — that would be what the member opposite is referring to — and we are continuing to have conversations with school councils right now on priorities for Whitehorse school capital planning, when it comes to some of these school projects the member opposite mentioned, but I don't have any other update, as far as direction, for some of these projects right now.

Mr. Kent: When this initial document was tabled, those were two of the schools singled out in that initial document. Again, there is no dollar figure, so we can't tell what the expenditure was that was envisioned at the time, but I just wanted to confirm with the Minister of Finance that Christ the

King Elementary School and Holy Family Elementary School, when they were mentioned here, those were for parking lot improvements. Is that what I understand? When this was first tabled in 2018-19, that was what was envisioned — a parking lot? It doesn't mention that. It just says, "Christ the King Elementary School — Whitehorse" and "Holy Family Elementary School — Whitehorse". It doesn't say, "parking lot improvement", so I just wanted to confirm with the Minister of Finance that this is what they were including in this planning document.

I think in subsequent years — I will have to look back, as I only have this first one — but those two projects disappeared from the five-year plan at that time. I am just trying to get a sense of what was envisioned back then that appears to no longer be included in capital projects that the government is committed to.

Hon. Mr. Silver: Correct. In both those schools, parking lot work was done, and that was listed in those capital plans. I will endeavour to get back to the member opposite, if these allocations include anything else.

Mr. Kent: I wanted to move on to some issues I wanted to talk about with respect to the minister's spring briefing binder, which I have with me here today. The first one is just a question — or, I guess a concern — around the session briefing note with respect to Jack Hulland and the Grove Street concerns and investigation around holds. So, I'm just going to read a couple of bullets for the Minister of Finance and the Premier from this briefing note.

So, the first one is: "Education provides Nonviolent Crisis Intervention training — an industry standard training — to school staff to provide them with the tools to de-escalate situations and protect themselves and others from student outbursts." So, I mean, that's obviously something that we feel, and I know the government feels, is extremely important training to provide to school staff. My question isn't about that. I know the RCMP investigation is still ongoing into the situation there, and there is an active court case, but the one thing — when I was reading through these briefing notes in preparation for the Fall Sitting — that jumped out at me is on the bottom of that same page, where it says: "On February 23 and 24, the minister used her authority under CEMA to close the school for two days to allow for the training to occur..." So, that's where I have a concern — the *Civil Emergency Measures Act* and the authority under that act — my understanding was that it was used for COVID-related aspects and COVID-19. So, the minister used her authority under CEMA to close the school for two days for this important training to occur. I guess my question for the minister, in his capacity as the Premier, is: Was he aware that CEMA authority was used to close down the school for Nonviolent Crisis Intervention training?

Hon. Mr. Silver: Of course, we all have a mutual interest, as the member opposite mentioned, in the safety of our students and our staff, and also in supporting Jack Hulland as a school community. The investigation and litigation matters — these are of a very serious nature. Our priority is to support the students, the families, and the staff, as we navigate these legal matters and ongoing investigations in a way that protects

individuals' privacy and upholds the principles of justice. Again, we are fully cooperating with the RCMP — that cooperation is ongoing. They have communicated to the families, and it is being led as a priority, and it is extremely important work that they are doing.

We are going to continue further internal fact-finding and investigating into workplace conduct, which is also extremely important. Of importance to the member opposite and others listening in, there is a dedicated team of teachers and staff, and the administrative team, focused on moving the school forward in a very positive way. That is extremely important. A permanent principal is in place now, and we are continuing to work with school administration, school council, parents, and staff — supports and initiatives. We have communicated the serious nature of the investigations into the use of holds and restraints at the school, from the outset of the investigation, through direct communications to parents and to guardians of Jack Hulland Elementary School, and we are going to continue to do so as well.

In May, the Deputy Minister of Education provided staff at Jack Hulland Elementary School with a letter, clarifying the employer's expectations of educators, in respect to managing student behaviours. Information was also shared with families at a meeting that was held in participation with Victim Services, Family and Children's Services, the Family Resource Unit, and Mental Wellness and Substance Use Services. We also focused in on supporting families and staff — conversations are continuing on how to move forward, as I said, in a good way with the school community.

We know, also, that the Child and Youth Advocate's involvement in this matter is extremely vital, and we are working with the Child and Youth Advocate to uphold the rights of children and youth, and to ensure that families have the supports that they need. The school branch officials and school administrators have been working on a case-by-case basis to support past and present students and families directly.

When it comes to the Grove Street program directly, we acknowledge that this program has caused concerns for staff and for families at Jack Hulland Elementary. New applications into the Grove Street program are on hold at this time as part of reimagining inclusive and special education. All shared resources programs in Yukon, including the PASS program and Grove Street will be examined to ensure that they are best meeting the needs of students in the most inclusive and least restrictive environments.

The member opposite asked about non-violent crisis intervention training and industry standard training, for the record, for school staff to provide them with the tools in the de-escalation situations and to protect themselves and others from student outbursts. On February 23 and 24 of this year, the minister did use her authority, under CEMA, to close the school for two days to allow for NCI training to occur. Completion of that NCI training resulted in staff being provided with the expectations and limitations around the use of holds with students. I am aware of this. If the member opposite has some specific questions to the minister as to how she used her authority, I would ask him to write her a letter so the department

can walk the member opposite through this particular non-violent crisis intervention training.

They were under CEMA school operations at the time in remote learning because of the high absenteeism that was happening at that time due to illness. Again, if the member opposite has a more specific question for the minister responsible, I would ask him to send a letter so we can respond to him appropriately through the department.

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. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Kent: Before the break, we were talking about the minister's use of CEMA to close Jack Hulland down for two days to conduct some non-violent training. The Premier seemed to indicate that he was aware of that closure at the time and approved of it. He mentioned that I should follow up with the minister, so I will certainly find some time before the end of this Sitting to do that, either in the House or by letter.

I do have some quick questions with respect to the education recovery plan. CBC did a cross-jurisdictional analysis about education recovery plans earlier this year. They asked the same questions of each jurisdiction. The one question that I wanted to ask with respect to budgeting is in line with this document. They asked how much funding is going to the recovery plan and how it will be allocated. The response from the Yukon government was that the Yukon created an additional 23 teaching positions in the 2020-21 school year to support students and existing staff. The department also earmarked \$150,000 for tutoring, I believe, at the time.

I just wanted to ask the Premier, in his role as Minister of Finance, if those 23 additional teaching positions that were created in the 2020-21 school year were kept beyond that school year. Were those teaching positions added to the base of teaching positions for subsequent school years?

Also, the \$150,000 allocated for tutoring — is that in addition to the existing tutoring amount for that fiscal year, or is that the overall amount that was allocated for tutoring?

Hon. Mr. Silver: I believe those are time-limited. When it comes to the two-year recovery strategy, we are committed to addressing the impacts that the pandemic has had on our students.

I had the honour of giving a grad speech this year at Robert Service School for the graduating students. Part of what I said is that I can't imagine — I mean, these are difficult enough times for students at high school in general, but to put on top of that a global pandemic — to see the students at cap and gown successfully going through what would normally be just a really hard time in their life anyway, and to have that resilience

to make it to that stage — truly commendable — at all schools right across the Yukon. I did my speech to recognize that the impacts of COVID-19 have not been the same for all students. For some, learning has been lost. For others, their mental health and well-being were negatively impacted. It is so important that we continue to provide supports for recovery and use best practices to do so.

So, we developed and shared a two-year pandemic recovery plan that educators are using to support their learners. The plan focuses in on key priorities, including inclusion, inclusive and special education, mental health and wellness, numeracy, literacy, and core competences as well. It is extremely important for educators to continue to meet learners where they are, and to provide students with tailored supports.

When I was in the classroom — it seems like a long time ago now — just going to personal development days and speaking with other educators about getting away from a western system where the teacher is in the front of the class, with a chalkboard, dictating to the students how to learn. Those days are so gone; they are so far gone. The education as, of, and for learners — being something that I was successful in implementing in my classroom. That transition is hard. Also, as an educator, to know all the different types of learning — the spectrum of learners — is also something that educators spend a lot of time over the summer months, and at other times — honing their skills and being able to meet students where they are. Add on top of that the pandemic — it just focuses that we really have to support our students with tailored supports, and to understand a student's overall needs as we look at them academically, culturally, emotionally, and physically — all extremely important that we have strategies in these pursuits.

Now, the recovery plan includes continuing work on the reimagining inclusive and special education — or RISE, for short — implementing recommendations of the 2019 audit, decolonializing the Department of Education, and implementing the safer schools action plan. These are priorities of my minister and her department — all of this important work to support the recovery of our Yukon students — again, now extremely important.

The member opposite was asking about some FTEs that were in the 2021-22 main budgets. In 2022-23, there was an increase of \$400,000 to support mental health and wellness for that school year — and that's in place. So, the FTEs and the \$100,000 was time-limited. However, there was also an increase of, as I mentioned, \$400,000 to support mental health and wellness in the 2022-23 school year.

Mr. Kent: So, just to be clear then, those 23 additional teaching positions that were in the 2020-21 school year are no longer there? I'm just looking for clarification from the Premier, because looking through the previous budgets and Public Accounts, it appears that money for tutoring is around \$150,000 per fiscal year. So, I just wanted to get the Premier to say if this \$150,000 that Yukon mentions as part of their response on education recovery, if that was in addition to what was already there, or is that the total amount that was earmarked for tutoring in that school year?

My final question, with respect to the K to 12 education pandemic recovery plan that the Premier and Minister of Finance has mentioned, the priorities in the document — I do have a copy of the most recent one from October 18, 2022 — I'm just curious if the Premier can tell us how much money or how much resources have been committed to the pandemic recovery plan as well.

Hon. Mr. Silver: Again, my understanding is that it is time-limited. I don't know the specifics of when that time limitation happens. The member opposite is asking some very specific questions about funding that I don't have at the tips of my fingers, so I would ask him to ask that question of the minister for a more fulsome response.

The FTE count for the Department of Education did increase from the 2020-21 mains to the 2021-22 mains. We had a change, year for year, of 51.6, which is a 4.5-percent increase.

As far as the budgeting, again, there is nothing in the supplementary budget to talk about, so if I could direct the member opposite to the minister for those specific questions, that would be the best place to get the most up-to-date information.

Mr. Kent: I thank the Minister of Finance for his time here this afternoon. I know my colleagues from the New Democratic Party have some questions, so I will turn the floor over at this time to the Member for Whitehorse Centre.

Ms. Tredger: Before continuing with Education, I want to ask about an issue that has come up quite recently, and that is the issue of funding for trans health care in the territory. A letter released by Queer Yukon last week, which is from — or I should say, it was shared by Queer Yukon from the Deputy Minister of Health and Social Services, confirms what I had been hearing from a lot of people, that many procedures for trans health care have been cancelled outright or paused until the coming year — until the end of 2022, is what it says in the letter. My understanding is that was about funding that was being provided to private clinics to do these surgeries, and that there are regulatory changes coming to address this.

I guess, my first question is: When did the department first realize that there was a regulatory issue that needed to be addressed?

Hon. Mr. Silver: With due respect to the member opposite, regulatory changes in all of the departments is not something that I have here to discuss in a general debate. I know that the member opposite did ask this question in Question Period, and the minister answered the question, and the department is continuing to work out the delays — the situation — but I don't have anything new, compared to what the Minister responsible for Health and Social Services responded to in the questions in Question Period.

Ms. White: We are talking about funding for health care services, which I think is relevant to the budget, but I understand that some of the particular regulatory issues might not be familiar. This is a really incredibly difficult situation. I mean, we are talking about a safety issue for people transitioning. It's not safe for many people to be left mid-transition, trying to navigate the world, not to mention just — this is something people have worked toward for years, and to

suddenly have the rug kind of pulled out from under them and to be left in this state of uncertainty is incredibly, incredibly difficult.

One question I have, because this does appear to be related to private health clinics, is: Has funding also been paused for other private health services? So, for example, I know Yukoners access sleep apnea testing through a private sleep clinic in Whitehorse. Has that funding also been paused?

Hon. Mr. Silver: Again, a very specific question. I don't necessarily have the answer for the member opposite. We are absolutely committed to supporting Yukoners in creating reproductive care plans and expanding access to reproductive and gender-affirming care. This is something our department is extremely proud of. Again, we are leading the country in some of these pursuits. It's extremely important to us, and any new programming is not without its hiccups. It's important to remember, though, that again, we are working to support Yukoners' access to those reproductive care and services by trying our best to remove those barriers to access fertility treatments, birth control, period products — there is a whole gamut of things. To ask if any of these are on pause, or if there are any issues inside a regulatory process or in funding gaps — not to my awareness, but at the same time, this would be a great question to write down to the Minister of Health and Social Services for a very specific, timely answer.

Ms. Tredger: So, I would actually love a timely answer from the Minister of Health and Social Services, but I wrote her about this back in September and have not had an answer. I, too, was very proud of this policy, and would have said it was leading in Canada, until it was not happening anymore, at which point I hardly can think we can say that we're leading in Canada for a policy that is not happening. The people are not having access to these services.

I guess, one final question that I will ask — it is, like I have this letter from the Department of — sorry, the Minister of Health and Social Services, saying that these services — and I quote: "... coverage from some services under the gender-affirming care policy has been paused..."

So, given that this is a really significant blow to a lot of people, I am wondering, have there been any additional supports provided to the people who had their services paused? Do they have any increased access to mental health care, to anything that could help them get through this time?

Hon. Mr. Silver: If the member opposite does have a letter that is being processed through Health and Social Services, that is great, because that is where the member opposite will get the most up-to-date information from. I apologize that this is taking too much time, in their opinion. Again, this is new programming from the department — something that we are very proud of — and, again, without really speculating on why we are seeing some delays here, we have provided \$1.54 million to support sexual and reproductive health care in the Yukon Sexual Health Clinic and also in the Women's MidLife Health Clinic as well. We have provided funding through a whole bunch of different services and working with our partners in the NGO, the non-government organization communities, and we are going to continue to

work with our stakeholders and our partners, including the federal government, health care providers, the Yukon Medical Association, the Yukon Registered Nurses Association, and also First Nations Health, as well, to implement as many of these initiatives as we can and as timely as is possible. I am sorry that I don't have any other update for the member opposite, but I will look into the caseworking of that letter for the member opposite.

Ms. Tredger: I am actually just going to pick up the thread a bit that my colleague used.

You know, the Premier said that if we felt that a response from September is taking too long, the concern is that this is a real issue that is affecting people in a real way. So, there has been a pause put on trans health care procedures, which means that people who were in the steps — who were going through the steps, and seeing doctors, had gotten approvals — that has been put on “pause”. There is a positive, I would say, which is that we are hopeful that everything will start again in the new year, but what my colleague was asking was, had additional mental health supports been offered. You know, since that first-time funding for All Genders Yukon. All Genders Yukon has actually dissolved, and so, where there used to be an organization where folks could access the mental health support that they needed, that pathway no longer exists.

So, with the announcement that these surgeries and procedures were being put on pause, what my colleague is trying to seek is additional information. Has everyone been reached out to? Have they been offered the counselling services that they may need to bridge? I actually think that not hearing back since September is too long, because people are reaching out to us. If the minister has additional information, we would appreciate that.

Hon. Mr. Silver: I concur that it is a while to wait. I have made an overture to the member opposite that I will look into the casework, but I don't have anything extra to add right now on that at this time.

Ms. White: I just wanted to clarify a bit. Yesterday in Question Period, actually, I asked a question about the Teen Parent Centre. In recent memory, I believe that we have tributed the 25th anniversary of the Teen Parent Centre. I know plenty of folks in the territory who have really been served by that educational facility. One of the big things that folks always say is that it is having access to the childcare centre within the facility that is so important.

Yesterday during Question Period, I asked — because I had a conversation with young people who told me that they had met with officials from the Department of Education who actually suggested that they could start a new society and manage the daycare within the Teen Parent Centre. Today, I tabled the letter that actually came from the students themselves. The minister indicated in Question Period yesterday that these students could access daycare facilities in other places in the city, but my point is their point, which is that the daycare centre needs to remain in the school itself, so in the Teen Parent Centre.

I will just give the minister a minute and wait for that response.

Hon. Mr. Silver: Again, I probably don't have too much more to add from the questions in Question Period and the response from the Minister of Education at that time. We are committed to supporting our teen parents, and the centre brings together a variety of supports for students during and after pregnancy, including providing a safe and caring environment. It is extremely important — access to health, healthy meals, academic supports, on-site childcare.

I do acknowledge that the Department of Education staff and the early learning educators from the Teen Parent Centre who provide extremely important supports to teen parents and ensure their learning successes. The Teen Parent Access to Education Society operates and manages the daycare that is located at the Teen Parent Centre. Teen parents can also access free childcare at other licensed childcare facilities in Yukon as well. We do acknowledge that the Teen Parent Access to Education Society has done, for many years, extremely important and dedicated work for our students and their young children.

As the member opposite knows, the Teen Centre Access to Education Society is not in good standing with the *Societies Act*, and, as a result, the government can't provide funding to the society for the operation of that daycare located at the Teen Parent Centre. That's not a full stop. The department is working very hard to help the society. I know that the society hosted a public meeting and a plan for next steps. That was mid-October — I believe on October 13 at the Whitehorse Public Library, and the director of ELCC attended the meeting and was available to answer questions as well. The meeting was positive and acknowledged the support of the Department of Education, but there is more work to be done at this time.

Ms. White: I do appreciate that answer. It's true. The wraparound services that the early childhood educators provide to the students attending the Teen Parent Centre are critical. I have had the pleasure of going before. It's the ability to have snacks together. It's the ability to have lunch together, and it's a whole slew of other things. One of the things that the students highlight is that it is critical that the childcare centre remain in that space. That is part of what makes it successful. I also think one of the reasons that it is successful is that there is also the parenting support. There's the ability to learn with the support of other caring and trained adults.

One of the questions that the students ask in the letter that the minister received yesterday is: Is there a commitment that childcare will be available on-site for student parents wishing to continue and complete their education after the end of this year?

Hon. Mr. Silver: Again, this is a letter that was sent in yesterday to the minister. I wouldn't have an update on that here for the member opposite, but I will endeavour to find out from the department how they plan on responding.

Ms. White: I guess, even without talking about the letter, the question becomes this: Does the Premier believe that having a childcare centre within the Teen Parent Centre is important? Without talking about the money or how it's going to be done, does the Minister of Finance believe that having a

childcare facility within the Teen Parent Centre is important to both the parents and their children attending that institution?

Hon. Mr. Silver: I think that the service is extremely important. As far as the logistics of the current situation go, I am not going to speculate. However, the Teen Parent Access to Education Society — again, not being in good standing with the *Societies Act* — is where we are focusing our attention right now to make sure that we support the society to work through these licensing matters.

As I said, the society recently hosted a meeting. We are there to look at options and to work with them to remedy the situation. But again, if the member opposite is asking me as a former educator, as a Minister of Finance, and as a Premier, I do believe that these supports are extremely necessary. I am not going to speculate as to where the conversation is going to go from there with the good work that the society and the department are doing to remedy this situation.

Ms. White: I do appreciate that, as a former educator, the minister has indicated that it is important to have the childcare within that facility. I guess the next point that I will make is that it is not that we have these schools — there is not a teen parent centre in every municipality or every town that has a high school. There is one that exists in the City of Whitehorse. To the best of my knowledge, it has had two employees for the daycare since a good amount of time. With the fact that there has been a society that has run that daycare for 25 years and they have run into problems, is there any kind of conversation happening internally about making those two positions Yukon government positions? I am not saying that we do that for every daycare in the territory because I realize that this would not make any sense, but this is a very specific situation. It's early childhood educators working within a school to support students within their school.

Have there been any internal conversations about making those government positions?

Hon. Mr. Silver: I'm not aware of any of those conversations right now. Again, that would be something I would have to speak to my Minister of Education about as far as any of those conversations.

Ms. White: I do appreciate the answer from the minister. It was one of my suggestions yesterday in Question Period, so it's out in the universe and I hope that it grows legs. I think the work that happens at the facility is incredibly important and should continue into the future for those folks who need it.

Another concern that I recently heard is, of course, going around the Gadzoosdaa residence. So, what is being highlighted to us is that, with some recent retirements, there isn't any backfilling happening with positions of folks who have just left. The support that staff are able to give students has declined in recent weeks — actually, to the point that the Teslin Tlingit Council and others have reached out, asking for what next steps are.

As a matter of fact, I shared an e-mail that actually came from the superintendent of Education talking about the Gadzoosdaa renewal of mandate. But within that entire e-mail, it doesn't talk about a timeline. So, right now, we have heard concerns from the union around the safety of staffing numbers.

I know, anecdotally — I was having a conversation with someone the other day, and they actually got called in from one position into Gadzoosdaa to cover so that a student could be taken to the hospital, which seems kind of like a situation that is bananas — that you would call someone over from another school to cover so that you could take a student to hospital. I would like to think we would have enough coverage there that you wouldn't have to call in backup.

There are concerns from families outside of Whitehorse who have sent their high schoolers in — that their kids won't have access to extracurricular activities in the same way and that they won't be able to work jobs in the same way because there is not the support to get them to and from those activities. So, even though there is the Gadzoosdaa renewal of mandate e-mail that has gone out to everyone, there is no timeline included. So, what is the timeline on figuring out the current situation at Gadzoosdaa residence on a go-forward basis?

Hon. Mr. Silver: So, we offer a lot of different supports to families and students who leave their communities to attend schools in other locations. We do recognize that concerns have been raised regarding the service delivery model, resourcing and supports. Additional supports have been provided in the interim.

The annual operating budget of \$1.39 million has not been reduced, and there is no intention to reduce — or to even close the residence — and we are going to continue to work with our partners to address the concerns through a student-centred approach. When I first got to Yukon, I spent two years working at F.H. Collins and I understand the importance of Gadzoosdaa to address the needs of folks who want to continue their education if they are in situations where they need to be in Whitehorse, as opposed to in the communities — a lot of times only because there is no high school in a lot of these specific communities.

We have been working with the Gadzoosdaa advisory committee to ensure that student learning and well-being is being supported and effectively resourced through the delivery of this program. An advisory committee meeting was held on October 28 to discuss recent concerns raised and to identify immediate next steps, as well as mid- to long-term actions as well. Staffing levels have been increased — well, from 2012 to 2018, we had 10.8 FTEs. That continued, like I said, from 2012 to 2018.

In 2019-20, there was an additional FTE — to 11.8 — and that has been the level since. Then, at the advisory meeting on October 28, the committee advised — recommended — restoring previous staffing schedules to pre-COVID schedules. So, as you can imagine, with the turmoil of COVID, things are always going to change. Pre-COVID was three to five staff from 3:00 p.m. to 11:00 p.m., and two to three staff from 11:00 p.m. to 7:00 a.m. — so 24-hour service.

We are working with the advisory committee to address student transportation concerns as well, and also options as part of the recommendations. Also, when program evaluation happens, the original five First Nations must be included as partners in the process, as well as union considerations.

Also, I think that a very important recommendation was for more indigenization through programming and staff — in a partnership approach in that initiative. So, it is extremely important to do so, in our opinion.

I don't think that I have too much more to update as far as timelines, but that is what I have for the member opposite at this time.

Ms. White: I appreciate that answer.

So, in the e-mail that was sent out on November 4, it talks about the next steps. It says: "Our next steps are to begin the procurement process to identify the appropriate group or individual." One of the concerns highlighted about that e-mail is that there are no timelines as to when that procurement process will start, so, as of right now, folks are unclear as to when those next steps start. Does the minister have any idea or any indication when the procurement process will start to identify the appropriate group or individual to do that consultation?

Hon. Mr. Silver: At this point, I don't — no.

Ms. White: I guess I will give a pitch to anyone who may be listening that the more information we can share with folks, the better off it is, and then they will know the next steps and I won't be asking those questions in general debate on the Department of Finance.

A number of years ago, the American Sign Language program was started in the Yukon, which is really important. Initially when that program started, people were able to access the translation services when they needed it. They could schedule an appointment, or they might have an activity that they wanted to do, or at times we would have people attending in the gallery or at public meetings. It was really important to have that flexibility because it meant that families could fully participate in different activities — whether for parent-teacher interviews or medical appointments or activities.

Since that program started, there have been some changes — and change isn't a bad thing — but when will that program be evaluated? The reason I ask is: When will clients who access it be interviewed as to what works and what doesn't work — and maybe looking at a redirection or trying to figure out how to best support the deaf community in the Yukon.

Hon. Mr. Silver: I do not know if there is a timeline for a review of this programming, but, I will look into it for the member opposite.

Ms. White: Thank you, Deputy Chair, and I appreciate that Premier. We think it's just good, when we have new programs and we are trying to figure them out, to figure out what works best and how to support folks. Again, that was pretty groundbreaking. The Premier and I will remember when the deaf community started to be served in that way and how important it was — and the participation. I'm sure, like me, he wants to see good things happen.

I am just going to go all over the place, actually.

I have recently been trying to support someone who has a degenerative disease, under Chronic Conditions, but one of the challenges is that the nature of the disease means there are constant changes to this person — physically — and the equipment that they need to support them needs to be adjusted

and changed and repaired. One of the challenges that this person is running into is the length of time for a response — and, from the department, the lack of understanding of the nature of the disease.

I wanted to better understand how Chronic Conditions works with patients who have some of those outlier diseases — ones that aren't so commonly known in the territory.

Hon. Mr. Silver: I hope the member opposite would understand that this is a very specific question for general debate, and it is something that I will bring up with the minister. Hopefully, the member opposite will correct me if I'm wrong, but she mentioned a specific case. Is this something that the member opposite has some e-mail correspondence on, or is this just a general question? Again, it's very, very specific in how the engagement process works, and I wouldn't be able to answer it here on the floor during general debate of the supplementary budget.

Ms. White: It is a very specific case, but what I wanted to know is how Chronic Conditions works with individuals who have outlying chronic diseases. We are not talking about type 1 diabetes, which we have a lot more of an idea on — but diseases that are less common. The reason why I was asking that is that I just wanted to understand how the department learns to understand what those conditions are and how those things can work. I understand that it is a specific question, so I will move on.

I have asked questions before about the home-building loan in Whitehorse. I know that the Premier has experience with the home-building loan from when he built his house in Dawson City.

One of the reasons I am bringing it up right now is to honour a friend of mine. My friend Mike Nixon was the one who first reached out with me. Not the previous Minister of Health and Social Services, but David Mike Nixon, previous nurse. He worked in Continuing Care for a long time and he actually just passed away. He reached out because he was trying to support a friend of his. I was told the last time I asked that it was in front of Management Board or that it was going to go there for a conversation, but the owner-build program is still in existence outside of the City of Whitehorse, but it ceased to happen in Whitehorse.

Lots of changes happened, of course. I would suggest that, with the onset of Whistle Bend and the hundreds of lots that have been sold there, Whitehorse was actually in a position to have folks that would require that. The interesting thing with that program is that, really, it is a bridging program. A person gets pre-approved by a bank for a house, but they need to build the house before they can actually access that mortgage. I wanted to know if the Premier could tell me where those conversations are right now. Are we going to see that loan program become available again for folks in the City of Whitehorse?

Hon. Mr. Silver: The Government of Yukon is taking several steps to improve the affordability of home ownership through the lead of the Minister responsible for the Yukon Housing Corporation and the dedicated public servants in that department increasing the housing supply by incentivizing new

residential construction and private sector and First Nation land development projects, supporting affordable housing initiatives, and providing the loans and grants for homeowners to complement federal programming that is also under that national housing strategy.

Partnerships with private landowners could provide Yukoners with hundreds of new units. We anticipate that over 150 single detached homes will result from the Kwanlin Dün First Nation development up there — the Copper Ridge West project. So, I'll just put in a little plug here before I get into the rural versus urban splits. The grants and homeowner — sorry, loans and grants for home ownership, there are several different things to speak about therein. Also, we talked about the Northern Community Land Trust the other day and did a tribute — a very exciting, innovative process, never before seen in the Yukon. We are seeking an organization to build new, affordable housing with affordability in perpetuity, which is a great new concept for the Yukon.

So, federal first-time buyer incentives — there is a suite of different programs here. That provides a shared-equity mortgage between five and 10 percent of the house value — a difference from the Yukon government approach, which provided a loan program. There is also the federal rent-to-own, which is \$200 million in funding announced, requiring Yukon Housing Corporation to work with federal partners to explore how Yukoners can capitalize on this funding of a rent-to-own initiative. The Housing Corporation also complements these federal programs through Yukon-specific loan and grant opportunities to fill identified gaps in the market. So, as you can see, as I'm painting the picture, as federal funding changes, we augment to maximize bang for buck with these federal initiatives.

Also, in particular, the Yukon Housing Corporation provides support to households in rural areas, who can't obtain financing through traditional lenders, through the Yukon Housing Corporation's rural home ownership program. Twenty-two families have been supported to either purchase or build a home. Many houses in the Yukon require significant upgrades and repair, and since 2020, Yukon Housing has provided 160 homes with funding through ownership repair programs.

The member opposite is correct — back in the early — at the turn of the century, I would say — I was working as an educator in Dawson City. At that time, I was living in a Yukon Housing unit, and I thought, "You know, I have been in this community long enough. I really should have my own option outside of a government-subsidized situation." We made some changes to that program, as well, which I think are extremely helpful in transitioning to like a community approach, and, you know, recognizing as well that the needs in one community versus another community are going to be completely different.

Also, that program, at the time, for the homeowner-build, had its own issues that needed upgrading — I will leave it at that.

As far as any plans for the department to reconsider how they are allocating the ownership programs or the loan programs, I guess what I could say in general debate would be

that the department does a good job of matching and pairing from different federal pursuits and dollars that come out, making sure that we match that with our own initiatives as well. I don't know any more as far as the specific question about access to that program Yukon-wide, but hopefully, with some of the explanations of the grants and the loans that are offered through Yukon Housing, in cooperation with the federal government, helps to kind of paint a picture of the different options that are currently out there.

Ms. White: I do appreciate a walk through a lot of those federal programs, but this is specific. Currently, there is the rural home ownership loan program for folks living in a community in the Yukon outside of Whitehorse to buy or build a home. I am asking about this, because again, you can get preapproved for a mortgage, but that's to purchase an existing home. If you buy a lot, for example, in Whistle Bend, and you don't have the equity to build that home, you are left in this grey area. The rural home ownership program says that if you are building or purchasing a new home outside of Whitehorse — I'm looking for inside of Whitehorse — you fall within the debt-to-loan ratios. You have been declined for your builder, or by a bank. You need a 2.5-percent down payment. Then it says that you must have the required skills. You have to be able to show that you have the skills.

The reason why I bring this up again, is for folks that may have been lucky in the land lottery and gotten a lot, and have been preapproved for a mortgage, that mortgage doesn't often extend toward a building loan. There are differences there. The reason why I'm asking about extending the loan to build a home in Whitehorse is that bridging opportunity.

Again, it's not giving away money; the money comes back. It's actually, I would say, a pretty short-term investment. Typically, people want to move into homes, so they don't go on in perpetuity. That's the specific program I was asking about, so in case the Premier has any additional information about that specific program and it getting reinstated in Whitehorse.

Hon. Mr. Silver: Again, not only just highlighting the federal programs, but also how we complement that with our own programming. Our particular loans and grants programs do target Yukoners in highest need by providing the supports to secure stable, affordable housing without competing with traditional lenders.

Interestingly enough, back when I had my loan, when I was a teacher, for a mortgage, some of the parts of that program that were helpful were, you know, if you went through a regular bank, you are in a situation where you have to get to rooftop, and then you get some money, and you have to start considering lines of credit. It was really easy to get through that system. The interest rates, however, at the government were a little bit higher than the market at that time, and the ability to then transfer over to a mortgage was a highlight of that program. Again, that's going back 20 years now.

I think that the department has done a great job of augmenting and analyzing their programs to make sure that they fit the specific needs of Yukoners currently. Also, I think that, back then, before my loan, you actually had to get denied

by a bank before you got these loans. That is going way back. Again, as we take a look at the subprime mortgage issues that ran amuck in our financial systems, you can also see why certain programs have been augmented and changed over the years.

Now, our loan programs are designed to complement those federal initiatives and to support that fiscal responsibility in there as well. There are a lot of things to consider. In that, we have the developer-build loan program, which supports that bridge funding for construction and land development for residential housing. We also have the home repair and loan grant, including a home repair loan, and accessibility and emergency repairs grant. The particular loan that the member opposite is speaking about — the rural homeowner loan — aims to help Yukoners in rural Yukon to buy a house through a first mortgage, or build a home through an owner-build mortgage.

You know, some of the things are harder in rural communities. I have seen developers come to me with this. Let's say you have a private developer who wants to build in a rural community, if they are building a home at a certain price that has never been built before, again, there are huge issues when it comes to CMHC and getting financing there as well. So, all things are not necessarily equal in Whitehorse, where we have some beautiful homes at higher prices than you might see in a rural community, so they do have to take these things into consideration, as they are developing these programs, but again, that rural home ownership program is specifically designed to help people in the rural communities with a first mortgage, or build a home through that owner-build mortgage.

Municipal matching rental construction is worth mentioning here as well. That provides a one-time capital grant to help increase the supply of rental housing in municipalities, and again, as the housing landscape within the Yukon and the country continues to change, Yukon Housing Corporation has been very proactive.

So, a little bit of a trip down memory lane to where we are currently — that proactive engagement with stakeholders is extremely important — stakeholders such as local bankers — to be able to hear about insights that would allow us to better target our programming. So, that is extremely important. As far as expanding that program, I will say that it is worth an analysis of this idea, and it is something that we could look into, but I just wanted to give a little bit more background on the programs that we do have available and some of the rationale for it.

Ms. White: I thank the minister for that.

So, just talking about that rural home ownership loan program, it has two intakes — it has the first intake and the second intake. Can the Premier let me know how many applications there were for both the first, and then the second intake?

Hon. Mr. Silver: Not in general debate, I don't have those numbers, but I could take a look into them.

Ms. White: My next question, although there won't be an answer: I am curious as to, of those applications, how many were accepted, but I appreciate that might not be possible to answer right now.

So, I am going to switch course again, and I am going to talk about the better building program. You know that there has been lots of talk about the better building program. Is the Premier familiar with the federal NRCan greener homes loan program? The reason I ask is that it seems that the terms are better. That program offers \$5,000 to \$40,000 loans, with 10-year interest-free loans, which is better than what I imagine the Bank of Canada rate would be right now. Is the Premier familiar with that federal program, which appears to be quite a bit better than the better building program that has been brought forward?

Hon. Mr. Silver: I would say that I am surface aware, but not in-depth.

Ms. White: The first thing I will say is that I wasn't aware of the program at all until a neighbour of mine sent it to me, saying that it appeared that the federal program was maybe going to hit the mark better than the better building program. I guess the next question is: When the government was working on their better building program — you know, I have highlighted some of my concerns, such as the fact that the assessment of my house, for example, is about \$100,000, which means that, at 25 percent, I could access just \$25,000. I think probably everyone here is tired of me saying that I have spent \$75,000 on my home in energy retrofits, but it's true.

Did the government look around at the programs that were available federally before they landed on the proposal and now the program for the better building program?

Hon. Mr. Silver: This would be a conversation that has been debated here in the Legislative Assembly quite a bit as far as how the program was built — the engagement and the process that they went through.

Just for the record, the program will enable homeowners and commercial property owners to access that low-interest financing to undertake energy retrofits. The program furthers our goals laid out in *Our Clean Future* by making it easier for Yukoners to undertake targeted improvements to increase the energy efficiency of homes and commercial buildings. That program, as we all know, has been through a lot of different stages, working to establish municipal and client agreements. We struck a working group with municipalities. In those conversations, we were looking at best practices around the nation and how that fits into being Yukon specific has been the topic of a lot of debate in the Legislative Assembly.

To answer the member's question, yes, that would be the process.

Ms. White: I will just put in a pitch that, for folks who are interested, the Canada greener homes loan has better terms and for greater amounts of money than can be accessed through the Better Buildings when that is available. So, depending on what kind of renovations you want to do, it's probably well worth a look, actually.

The next question I have is, actually, going to go back in time a bit. So, when the COVID restrictions were in place, I think there were times when people got caught. For example, if someone had been injured prior to the vaccine mandate — was off work, wasn't vaccinated — what was the process within WCB? So, if a person wasn't able to return to work, how was that looked at? If, for example, a person was coming home from

a trip and was told that they had to self-isolate for two weeks and it turns out that was wrong, how can people appeal decisions that were made in that time?

Hon. Mr. Silver: Again, this is a very specific question to the workers' compensation folks. I do know that all claims will be investigated and decided on by a case-by-case basis. If there's a specific situation of somebody getting caught and the member opposite needs me to do casework, I would be happy to help.

Ms. White: I thank the Premier for that. In this case, two of these are already beginning casework, but I will reach out for additional support. I thank the Premier for the conversation, and I'm sure that there will be other opportunities.

Ms. Clarke: I wanted to ask a few questions around the new Whitehorse rapid housing initiative triplex in Porter Creek. From what I understand, this triplex was completed in the summer. It is now November, and these units are still sitting empty. Can the Premier please provide an update on the status of this triplex? Have residents been selected? If not, what are the criteria for individuals to qualify for these units? Why have these units sat empty for so many months when we are facing a housing crisis and there are over 500 people on a list for social housing?

Hon. Mr. Silver: We, as a government, have recognized the immediate benefit to Yukoners from the Canada Mortgage and Housing Corporation's rapid housing initiative program. The initiative is providing huge opportunities to build affordable, energy-efficient, community housing for Yukoners with urgent housing needs.

The rapid housing initiatives, round 1, approved the Yukon Housing Corporation to build three triplexes in Mayo, Watson Lake, and Whitehorse, contributing nine units of affordable community housing options. Eight of those units are barrier-free, with two units specifically for women and children.

Units are allocated based upon rapid housing initiative eligibility criteria, and the allocation policy for vulnerable — Yukon Housing Corporation. Now, Whitehorse and Mayo have now become homes for our tenants, while, in Whitehorse, tenants will be calling the triplex home later this fall.

Ms. Clarke: I thank the Premier for that answer.

Earlier this Sitting, we asked the minister to please provide the number of seniors currently waiting for housing on the list for social housing. The minister provided a current number on the social housing list, but not the total number of seniors waiting on that list. Can he or the Premier provide that number now?

Hon. Mr. Silver: I don't have any update from the number that the minister gave earlier, but I will speak with him later to get a qualification.

Ms. Clarke: Currently, the Yukon Housing Corporation offers a loan to buy or build a home in rural Yukon. This loan program replaces a previous Yukon Party government's program that was available and was exclusive to Whitehorse residents to assist them in obtaining a mortgage.

As with the previous program, applicants had to be declined by a bank for a mortgage. We have heard from individuals who would like to see this program expanded, to be

once again available to Whitehorse residents who are unable to secure a mortgage through their bank.

So, during the Spring Sitting, I had this conversation with the minister, who said that he was having conversations with the president about a different model for a more urban program, such as the one that was previously in place. Does the minister or Premier have any information that he can update this House with, in terms of considering a return to a program that is available for Whitehorse residents?

Hon. Mr. Silver: With all due respect to the member opposite, I just answered this question from questions from the Leader of the Third Party.

Ms. Clarke: Thank you, Madam Chair. Another program that was erased by this government was the down payment assistance program, which assisted Yukoners buying a home by providing them a low-interest loan to put money down on a bank-approved mortgage. There is currently no such program in place — a program that was very beneficial to Yukoners looking to get into the housing market, but having trouble coming up with a down payment. So, on April 19, during the Spring Sitting, I had asked the minister whether he had given consideration to creating a similar program. He said yes — he was considering this.

Can the minister or Premier please provide an update on what has been done to date on reinstating that program, and can the minister or Premier provide information as to why the program was discontinued in the first place?

Hon. Mr. Silver: Again, with all due respect, we just went through — just five minutes ago — with the Leader of the Third Party all of the Yukon Housing Corporation's loans and grants programs. We spoke in-depth of how we are making sure that our programming is best encapsulated with federal funding. We spoke about historical trends in the Yukon Housing Corporation when it comes to how they have done a brilliant job of developing and redeveloping their programs based upon the needs over the last 20 years. So, I would ask the member opposite to take a look at the Blues. If there is anything there that we didn't touch on, we could get back to the member opposite on that.

Ms. Clarke: I thank the minister for that answer, and I will definitely review the Blues.

Can the minister or Premier provide some background on the process to create the community land trust?

Hon. Mr. Silver: In October 2021, the housing summit provided an excellent forum for innovative partnerships, and also solutions to help with the growing housing stock to address the affordability gap, and also to support a fuller housing continuum across the Yukon. Again, we spoke earlier on today — just a couple minutes ago — about the changes that the Yukon Housing Corporation had done to be in that housing continuum, and that is some very great work that the minister has been doing to make sure that every single specific community's needs are encapsulated, when we take a look at this programming.

During that two-day event, we learned about the potential for a new Yukon opportunity, which is the Northern Community Land Trust. As the member opposite knows, we

had the opportunity to tribute these initiatives here in the Legislative Assembly. The proponents of the trust are proposing to develop a 20- to 40-unit affordable housing option over the next three years, and the Yukon Housing Corporation is currently working with a couple of different departments — Energy, Mines and Resources, Community Services, and also the Department of Justice — to ensure that the model being proposed for ongoing affordability will be effective in being used in a brand-new way here in the Yukon. So, we are definitely exploring options to support the project, should it be approved to proceed.

We know from the recent Office of the Auditor General report that addressing Yukon's housing needs will require us to adopt innovative approaches and leverage strengths in partnerships, and I believe that the minister is doing that with initiatives like the community land trust — a model where the land is being held in trust, by a community land trust, which then protects the affordability of the home by allowing the owner to re-sell at the rate of inflation. The key to the success of a CLT model definitely relies on an original grant of land and a non-profit approach to construction.

As far as next steps, I am not going to speculate too much on that, but we are continuing to work with the departments that I mentioned to make sure that we can move forward on this in a timely way. I know that there are some options to consider in maybe Riverdale or Whistle Bend to support these projects, and I look forward to the minister having more information to share on this incredibly exciting proposal for Yukon and the housing continuum.

Ms. Clarke: Does the ownership model require legislative changes to the *Land Titles Act*, or regulatory changes?

Hon. Mr. Silver: Very specific question — again, as we continue to work on options, we will have to see what those options are before we decide which way we go, either with regulatory changes, if necessary, or legislative changes.

Ms. Clarke: Are there other issues that need to be addressed before the project can move forward?

Hon. Mr. Silver: I would ask the member opposite to, if she has anything specific —

Ms. Clarke: No, I'm asking the government if they have any other issues that need to be addressed before the project can move forward — any issues that you know of.

Hon. Mr. Silver: Again, it's a very vague question. I don't know how to comment on it. In general debate, I am not aware of any issues, but again, a little context would be very helpful.

Ms. Clarke: I will move on.

What is the most recent status update for the housing project at 4th Avenue and Jeckell Street? What are the criteria to be considered for housing in this facility?

Hon. Mr. Silver: We are extremely excited to see this project nearing completion. The 4th Avenue and Jeckell Street project, as members will know, will provide 47 units of much-needed affordable housing to the downtown area of Whitehorse. The project is scheduled to be substantially completed this fall. Like other projects throughout Canada,

there have been delays due to COVID-19, supply chain considerations, and labour shortages across all trades; however, the project has a budget to move forward on — \$21.7 million over three years for both the design and construction.

The tenanting process of the building will follow the corporation's community housing policies. This approach will allow us to respond to dynamic housing needs, with a focus on creating vibrant communities within multi-unit buildings. Tenant allocation also does include a mixed-use and a mixed-income approach that will see families, seniors, and single people living in the building, which is a good mix.

Additionally, the housing development helps us to achieve our goals in the *Our Clean Future* strategy, as the building has been designed to exceed National Energy Board of Canada minimum requirements for energy efficiency, which is extremely important — especially living in the north.

We have been speaking about this every time we have an opportunity locally, but also on international and national stages — about being the canary in the coalmine in the north and experiencing climate change at a different rate than the rest of the world. It's extremely important that we're not just building back to regular standards; we need to exceed those standards. Within that consideration, there are extra costs for that.

The project is a concrete action in addressing recommendations that were made, as I mentioned earlier, by the Office of the Auditor General of Canada — by adding more affordable homes in Whitehorse. The project is scheduled to be completed in 2022.

Like other projects, again, there have been a lot of delays. As I mentioned, the most recent delay is resulting from — and the minister spoke about this in the Legislative Assembly when asked in Question Period — a flooring deficiency and challenges with scheduling fire alarm verification. The corporation is working with the contractor, Wildstone, to resolve these issues and to provide an updated timeline for completion.

Ms. Clarke: What will the mix of units be in this building? What percentage will be for social housing?

Hon. Mr. Silver: Could I get the member opposite to repeat that, to ask that question again?

Ms. Clarke: I would like to know what the mix will be of units in this building. What percentage will be for social housing?

Hon. Mr. Silver: The makeup would be 15 bachelor suites, 14 one-bedroom units, 13 two-bedroom units, and five three-bedroom units, supporting various household needs, and nine of the units are being built with low-barrier accessibility, as I mentioned earlier. These are all social housing, no market housing in there. The various design considerations, including size and shape of the lot, and the intent to include common gathering spaces — and that's the resulting number of 47 units, when all these things were taken into consideration

Ms. Clarke: I'll move on to another question. There has been a lot of interest from the public around plans for the land where Macaulay Lodge stood. Can the minister or Premier

please confirm what the government's current plans are for this land, going forward?

Hon. Mr. Silver: I'm not sure if I have any new information for the member opposite. I know this was a conversation debate in past sessions. We, in 2022, determined that the lodge was beyond its use and proceeded with the demolition, and that was completed, and we know that this property offers our territory significant potential in addressing the housing pressures that we are faced with. That's why, once the remaining site mitigation is complete, the Department of Energy, Mines and Resources will use the information gained during a recent expression of interest on the property to inform a tender to sell the property.

Just a little bit more background on this: The demolition of this building — it definitely opens up a variety of options for how we could move forward using this land — again, subject to the City of Whitehorse zoning requirements. Now, the department — the corporation — is collaborating with Energy, Mines and Resources and the City of Whitehorse to ensure that lot zoning is appropriate and to prepare the lot for redevelopment in the future.

Now, this past spring, our government issued an expression of interest for what options could be reasonably done in the Riverdale area. The intent is to tender the site for subsequent redevelopment by the private sector as a mixed-use site, subject to, again, existing zoning with a significant affordable housing option in it.

The reason I say that I don't have too much more to add, I believe most of that information has been shared by the minister in the Legislative Assembly this session. I will leave it at that.

Ms. Clarke: I do have a question about Normandy. In Question Period, the minister mentioned that the Yukon Housing Corporation was considering taking more units in Normandy for social housing. Can the minister or Premier please elaborate on this? How many more units might be acquired by the corporation, and would the corporation be purchasing or leasing these units?

Hon. Mr. Silver: We are very committed to this development — well, to a wide range of housing options, really, especially when it comes to our seniors. That is all in line with our *Aging in Place Action Plan*, which helps to address the housing pressures that are felt right across the continuum that we have spoken about a lot this afternoon in general debate. That's why we have developed the seniors supportive housing program to provide seniors with housing supports and options. Part of that approach is securing 10 affordable housing units at Normandy — Normandy Living. This is a private, 84-unit seniors residence to provide Yukon Housing Corporation seniors supports for daily living and who do not require full service or long-term care.

So, it's an exciting partnership and project — and, of course, with multiple departments, including Health and Social Services, involved here as well. There is eligibility for seniors currently housed in or on waiting lists, and the Yukon Housing Corporation units will be addressed based upon a clinical frailty scale and the rent-geared-to-income and services-geared-to-income rates.

So, these are all important considerations as we take a look at capacity and ability to work within the private sector. These are all leased right now, which is great to see. Existing housing policies are extremely important as we take a look at how we partner with these folks, such as the application of an asset cap, which will also be applied for — part of that eligibility. We will ensure that affordable units at the Normandy Living are distributed in an equitable way to make sure that we can meet those folks in the most need.

Those 10 leases that we are talking about, just for some background, are leased, not owned. They are 20-year leases. I know that the minister responsible has had conversations about where we go from here. I'm not going to speculate on that. I am just going to basically praise the minister for the work that he has done. He deserves the accolades for getting this partnership moving forward.

It's also great to see the private sector working on that 84-unit seniors residence.

Ms. Clarke: Normandy will be a mixed-use building. What does this mean for the building? Are there any policies in place for the units designated as Yukon Housing Corporation units? Will this be reserved for seniors?

Hon. Mr. Silver: I believe that I answered most of that question. We have 10 of the units. There are definitely services being provided in our units.

We talked a lot about how, in addition to currently focusing on folks who are 65 years of age and over — you know, the Yukon Housing Corporation offering units to seniors who would enjoy the diversity of mixed-income and mixed-use buildings through the community housing. I think I did speak to that when it comes to Normandy, but when it comes to the fastest growing segment of the Yukon population, which is our seniors, it is extremely important that we have different options for seniors — safety and security are extremely important to contemplate, as well, as we look at options, working with the private sector, but also working with Health and Social Services' commitments as well.

We know that, in our strategy, we think about things like nighttime security services in our Whitehorse multi-unit buildings, one-on-one engagement through phone calls and visits from senior engagement specialists, 24-hour security cameras, monitoring in all Whitehorse multi-unit buildings with common areas, and a quarterly seniors newsletter to increase senior tenant sense of community. This is extremely important, based upon our action plan, and, in collaboration with the Department of Health and Social Services, the corporation's new seniors supportive housing program will support eligible seniors who require some daily assistance, as well, to maintain independence.

Again, outlining the plan and how that program coincides with the opening of Normandy Living, which is, again, a private 84-unit housing development with supports for seniors, which provides Yukon Housing Corporation the use of those 10 affordable housing units for low-income seniors — it is extremely important for context to talk about the overall plan, not just necessarily those 10 units.

Madam Chair, seeing the time, I would move that you report progress.

Chair: It has been moved by the Member for Klondike 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. 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 5:26 p.m.

The following documents were filed November 8, 2022:

35-1-109

Bill No. 20, *Animal Protection and Control Act*, letter re (dated November 7, 2022) from Rosie Sandulak, Vice President, Yukon Outfitters Association to Hon. Nils Clarke, Minister of Environment (Dixon)

35-1-110

Bill No. 20, *Animal Protection and Control Act*, letter re (dated October 24, 2022) from Jim Fink, President, Yukon Outfitters Association to Hon. Nils Clarke, Minister of Environment, and Hon. John Streicker, Minister of Energy, Mines and Resources (Dixon)



Yukon Legislative Assembly

Number 93

1st Session

35th Legislature

HANSARD

Wednesday, November 9, 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
Wednesday, November 9, 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. Ms. McLean: I would ask my colleagues to help me welcome some guests here today for a tribute that we will be doing in a few moments: Adeline Webber, Susan Power, Georgianna Low, and Isabelle Dewhurst — all from the Whitehorse Aboriginal Women's Circle.

Thank you so much for being here today.

Applause

Hon. Mr. Streicker: Can we please welcome several guests here for the tribute today on National Francophone Immigration Week — *bienvenue tout le monde*. *Bienvenue à la DSF avec André Bourcier, Marie-Claude Desroches-Maheux et François Courbron. Aux EssentiElles avec Emilie Major-Parent. À l'Aurore Boréale avec Camille Boyer. Au président de la Commission scolaire francophone du Yukon avec Jean-Sébastien Blais. Et à l'Association franco-yukonnaise – l'AFY – avec Kayléanne Leclerc, Jonathan Desrosiers, Kaël Paradis, Audrey Percheron, Julie Croquison, Diana Romero et Edith Bélanger. Bienvenue à tout le monde.*

Applause

TRIBUTES

In recognition of the Yukon Association of Non-Status Indians

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to the Yukon Association of Non-Status Indians, also commonly known as “YANSI”. The organization was founded 50 years ago to represent and advocate for First Nation people who lost their status through discriminatory sections of Canada's *Indian Act*. Losing status was a serious issue for people — women, men, and children of all ages. It resulted in a loss of rights, benefits, and entitlements.

Within a few short years, YANSI became a powerful organization advocating with federal, territorial, and private sector agencies to improve lives and restore dignity to its members. YANSI worked hard to ensure that all non-status First Nation people were included in the final agreement negotiation process that got underway in 1973. At that time, the Government of Canada would only negotiate with status First Nations, but the perseverance of YANSI paid off and they did get a seat at the table.

In 1973, YANSI joined the Yukon Native Brotherhood as an equal partner in founding the Council for Yukon Indians. It would serve as the central organization for negotiating with governments to reach a comprehensive Yukon final agreement.

In 1981, YANSI and Yukon Native Brotherhood members voted to disband their separate organizations. The Council for Yukon Indians united all Yukon First Nation people to complete the long process of achieving a just settlement and land claims in the Yukon and fulfilling their elders' dream for everyone to work together today for our children tomorrow.

This united approach on behalf of all Yukon First Nation people was the first in Canada. It led to the 1993 Yukon *Umbrella Final Agreement* that helped inform other modern treaties in Canada and elsewhere in the world. YANSI, together with the Yukon Indian Women's Association, joined other groups from across Canada to press for reforms in the *Indian Act*, leading to the passage of Bill C-31 in 1984. That legislation eliminated provisions in the act that discriminated against indigenous women who had married non-status men and restored rights to them and their children.

The history of the association is a compelling narrative about people coming together from every Yukon community to stand up for their rights and to ensure that their members did not get left behind in the fast-paced events that transformed Yukon society during the 1970s.

I would like to thank Adeline Webber, Bill Webber, Shirley Adamson, Margaret Commodore, Victor Mitander, and many others who were involved with this organization and led this important movement. My brother, the late George Asp, was the first interim president to help establish this important organization. Their contributions were significant in the achievement of the Yukon land claims that serve as a foundation of our territory.

To commemorate 50 years since the creation of YANSI, former members are telling their stories and documenting the many achievements that contributed to the momentum of the Yukon land claims movement and the betterment of lives throughout the Yukon.

Linda Johnson, a well-known archivist, is documenting the history of the Yukon Association of Non-Status Indians to be published in 2023, which is being led by the Whitehorse Aboriginal Women's Circle. Yukon Tourism and Culture looks forward to partnering on this project.

Documenting and sharing this significant history is so important, especially for our youth so they know and understand the struggles and resilience of Yukon First Nation people. Thank you to all those involved in the struggle to have non-status First Nation rights recognized. Thank you to those documenting and commemorating this work.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to pay tribute to the 50th anniversary of YANSI, the Yukon Association of Non-Status Indians.

Fifty years ago was a time of enormous change. Let me give you an idea, Mr. Speaker. In 1972, one of the big films of the year was *The Godfather*. The famous quote “I'm going to

make him an offer he can't refuse" is still said today. The top two TV shows were *All in the Family* with Archie Bunker and *Sanford and Son* with Redd Foxx, and a song by Helen Reddy would resonated with many females, *I Am Woman*.

In that year in the Yukon, a group of non-status Indians gathered and formed a society to challenge the system. Many Yukon residents who were not recognized by Ottawa as "Indian" could not hunt or fish or had very limited rights due to the archaic *Indian Act* laws. In Yukon, we were far more progressive, with leaders such as Elijah Smith, who championed a proposal for land claims in 1973.

The Yukon Native Brotherhood, or YNB, was in place to represent the Indian people, but once YANSI was formed, they wanted to participate at the table. Big change means big challenge, and there was pushback from some, but the proponents were insistent. Finally, an agreement was made, and YANSI and YNB became the Council for Yukon Indians, or today, the Council of Yukon First Nations. Although YANSI no longer exists, the Aboriginal Women's Circle, led by Adeline Webber, and along with funds from the community development fund, is ensuring that a history about the organization is written so we can better understand the challenges and time: an education tool so we never forget.

When writing this tribute, I saw the pictures of the founders and boards who worked so hard and achieved so much — young and strong warriors all. The names are many, and I would hate to miss any, but I will mention Adeline and Bill Webber, along with Margaret Commodore, Shirley Adamson, and Victor Mitander, who all deserve extra praise for their tenacity and determination to make change for the people.

YANSI brought issues forward that were never spoken about, and they created a strong, united voice, as many of us lost status through no fault of ours. The forgotten people have found a path, thanks to the hard work of YANSI.

Thank you.

Applause

Ms. Tredger: I'm pleased to rise on behalf of the New Democratic Party to pay tribute to the 50th anniversary of the Yukon Association of Non-Status Indians.

Recently, we heard, in a tribute to Margaret Commodore, a founding member of YANSI and vice-president for seven years, about the role she played in pushing for recognition of non-status Indians in the Yukon. In the 1970s, it was the reality that many individuals born with status lost it due to marriage, or joining the military, or wanting to vote. Even individuals in the same family might have or not have status because of the federal *Indian Act*.

YANSI was about change and voiced this belief by calling for "equal acceptance through equal participation for a balanced society". YANSI advocated and pushed for housing, education, justice, and health initiatives. They started recreation programs. They became a force throughout the territory and in every First Nation community.

In the mid-1980s, YANSI amalgamated with the Yukon Native Brotherhood to create what we know today as the Council of Yukon First Nations. A small group of determined

individuals saw a wrong that needed to be corrected and brought about important changes to the Yukon.

Looking back over the names of those involved with YANSI, we see a "who's who" of people who went on to become leaders in their communities in the Yukon and on the national stage. There are too many to mention at the risk of leaving some out, so instead I will applaud all of those who had the vision, the energy, and willingness to work together to — in their words — bring about equal acceptance through equal participation for a balanced society.

Applause

In recognition of National Francophone Immigration Week

Hon. Mr. Streicker: Monsieur le Président, au nom du gouvernement libéral du Yukon, je prends la parole aujourd'hui pour souligner la dixième édition de la Semaine nationale de l'immigration francophone qui se déroule sous le thème « Nos traditions et notre avenir. » Cette semaine est l'occasion de reconnaître l'importante contribution économique, sociale et culturelle des immigrantes et des immigrants francophones du territoire. J'invite donc les Yukonaises et les Yukonnais à célébrer la richesse et la diversité de notre Franco-Yukonnie aux racines multiples.

Le Yukon est le seul endroit au Canada où la proportion de personnes qui ont le français comme langue première augmente. Toujours au troisième rang des endroits les plus bilingues au Canada, après le Québec et le Nouveau-Brunswick, nous sommes une destination attrayante pour les immigrants francophones. Les personnes qui choisissent le Yukon comme terre d'adoption peuvent compter sur le soutien de nombreuses organisations pour s'établir au territoire. L'Association franco-yukonnaise, l'AFY, et les membres du Réseau en immigration francophone du Yukon permettent aux personnes immigrantes de tous les horizons de se sentir chez elles dès leur arrivée.

Je tiens à souligner le travail d'accompagnement réalisé par l'AFY grâce à ses activités d'intégration, ses programmes de jumelage et ses projets de recrutement de main-d'œuvre bilingue. Je suis fier que notre gouvernement travaille avec l'AFY et soutienne ses efforts pour faire la promotion du Yukon et de ses opportunités d'emploi à l'étranger. Nous espérons que de nouvelles personnes viendront bientôt contribuer à la vitalité de notre communauté francophone. Leurs traditions s'ajouteront aux nôtres pour enrichir et déterminer qui nous deviendront.

Bonne Semaine nationale de l'immigration francophone à toutes et à tous! Merci Monsieur le Président.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to pay tribute to the 10th anniversary of National Francophone Immigration Week, which takes place from November 6 to 12. This week, we celebrate French-speaking new Canadians and all they offer to Canada through language, culture, tradition, and more.

The Yukon is home to a deep-rooted francophone community, and their contributions throughout the years have been extensive. Recent statistics data show that the percentage of francophones has actually decreased in every region of the country except for the Yukon. As for the language itself, after Québec and New Brunswick, the Yukon is the third-largest French-speaking community in Canada, with 14 percent of the population speaking French and English.

French immersion continues to be the chosen education stream for many Whitehorse-based families. For many who have gone through French immersion programming in school, having had the opportunity to learn French as a second language in their early years has proven to be a valuable asset as they move into the workforce.

According to Statistics Canada, the number of students enrolled in French immersion has increased by almost 250 percent over the last two decades.

Thank you to the French Language Services Directorate staff for their work to help support government with French language delivery, translation, and learning opportunities for all. Thank you to Association franco-yukonnaise and Les EssentiElles for the important services they provide and to all those who work to support our francophone community and deliver services in French. The Yukon is a beautiful and welcoming territory. It is a desirable place for many cultures, and our strong, vibrant francophone community certainly makes it easy for those French-speaking newcomers to want to stay.

Applause

Ms. White: Merci, Monsieur le Président. Je suis heureuse de me lever aujourd'hui au nom du Nouveau Parti démocratique du Yukon pour parler de la Semaine nationale de l'immigration francophone. Chaque année, début novembre, cette semaine rassemble des milliers de francophones des quatre coins du pays pour célébrer la richesse de la diversité culturelle et linguistique des communautés francophones au Canada.

La francophonie est une partie importante de la culture canadienne. Je suis ravie de la voir si active et si vivante au Yukon.

J'invite tous les francophones, les francophiles et les franco-curieux à participer aux différents événements que la communauté francophone du Yukon organise régulièrement – comme la Fabrique d'improvisation du Nord les spectacles artistiques, les cafés-rencontres pour aînés ou encore les cours d'acrobatie aérienne.

Bonne semaine à tous les francos.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Streicker: I have for tabling two graphs. The first one is from a Hydro-Québec 2022 report comparing electricity prices in major North American cities and also a

graph produced by Yukon Energy Corporation on a residential electricity bill in comparison to the Yukon, using the data from the Québec hydro report.

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

THAT this House congratulates Tia Campbell, Cassandra Malach, Brian Laird, Andrea Oldridge, and Rebecca Hutchings-Archibald on their recent acclamation to the first-ever Whistle Bend school council.

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

THAT the board chair and chief executive officer of Yukon Energy Corporation appear as witnesses in Committee of the Whole prior to the end of the 2022 Fall Sitting.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Creative and cultural industries strategy

Hon. Mr. Pillai: I'm pleased to rise today to deliver an update on the important work to support the creative and cultural industries in the Yukon. Alongside our community partners, the departments of Tourism and Culture and of Economic Development have been hard at work on the creation and delivery of several programs that will benefit Yukoners.

I want to take a moment to highlight some of these initiatives. First is Creative Potential, which was led by my predecessor — fantastic work — and is advancing the Yukon's creative and cultural industries strategy, and that was released in November 2021 with the aim of fostering growth and development in the Yukon's creative and cultural industries. Again, an excellent example of how we are already putting the strategy into action is through the Express Micro-grant, which was launched this past September. This grant makes approximately \$12,500 available each month for short-term opportunities for those in the creative and cultural industries. Applicants can request between \$100 to \$5,000. Since its launch, 11 projects have been awarded, for a total of over \$26,000 in financial support provided. Over each fiscal year, the \$150,000 available in the Express Micro-grant will make a difference in the sector and in particular to applicants who are emerging creatives and have never accessed department funding.

Creative Potential identifies four strategic objectives and 22 key actions, developed through an extensive public engagement with individuals and organizations in the creative and cultural sectors. This strategy identifies new funding opportunities but also includes research, industry workshops, and engagement with the sectors in designing new funding

programs. Investing in the recovery of the creative and cultural sectors from the impacts of the pandemic supports the recovery and well-being of the territory as a whole.

The Department of Economic Development is also providing a suite of programs to support Yukon musicians and filmmakers in the territory. For example, the performing musicians fund has already supported 23 local musicians, with a total of \$236,000 in essential funding that is crucial to building sustainable careers in the music industry. This incredible funding opportunity allows local musicians to receive up to 75 percent of their cash expenses, up to \$30,000.

Additionally, we announced in January the addition of four new screen media programs, providing over a million dollars in funding for the Yukon's film industry and the production of professional film, television, and digital media projects. As of October 22, we have approved 19 film projects for \$1.1 million in funding, with the total anticipated spending in the Yukon at \$3.7 million.

Investing in the future of Yukon's creative and cultural industries has been a commitment that our government continues to prioritize, and we are happy to play a part in growing the Yukon's creative economy.

Thank you.

Ms. Van Bibber: Thank you to the minister for his statement on creative and cultural industries. It is always great to highlight these industries. As Yukoners have proven time and again, the creative spirit does not stop at the 60th parallel.

As the minister pointed out, *Creative Potential: Advancing the Yukon's Creative and Cultural Industries* strategy was released in November of last year. This provides an important road map for the future of these industries.

I do have a few clarification questions. The minister points to the Express Micro-grant that makes approximately \$12,500 available each month for short-term opportunities. He said that 11 projects have been awarded so far. Can the minister expand on these projects and what the success rate is, or is there any follow-up?

The minister also mentioned that the strategy identified new funding opportunities. Can he explain what the new funding opportunities are and who qualifies? How much funding will be available, and how does one access this funding?

The minister speaks to the program for musicians and filmmakers. He said the performing musicians fund has supported 23 local musicians, with a total of \$236,000, and the new screen media programs provided over \$1 million in funding for Yukon's film industry and the production of professional film, TV, and digital media projects. Can he tell us how long these programs will continue, and is the program fully subscribed?

Highlighting creative and cultural industries on the floor of this House today is important, and we are supportive of the help and funds allocated to the industry.

Ms. White: I want to start by thanking the people in the department who developed this strategy and will be carrying it

out. I am hopeful that this strategy will support more Yukon artists — from visual art to live music to storytelling through film, artists give so much back to our communities.

We have heard from many new artists that it has been especially difficult for them to break into the industry and to access funding opportunities. They might not have the connections or the visibility that more-established artists have, so I am hopeful that the micro-grants will address this gap.

There is also still a need for existing funding streams to be increased to support new artists and more indigenous artists. For example, the Advanced Artist Award is currently given to only half of the number of applicants, and very few of them are indigenous. This indicates to me that there may be barriers to learning about the fund or in the application process.

The Yukon permanent art collection and Canada Arts Presentation Fund are two great examples that the minister can look to for reducing barriers to access. The collection, which has a great number of indigenous art pieces, visits communities to support artists who want to apply in their community. The Canada Arts Presentation Fund accepts verbal applications from artists. So, will the funding that the minister spoke about also adopt these practices?

And while the performing musicians fund does support several Yukon musicians, it only supports tours outside of the Yukon, and if this government is committed to developing arts in the territory, their fund should also support territory-wide tours. How great would it be for Yukon musicians and communities to benefit from this funding?

Across the Yukon, artists are still doing what they love, with very little funding to support themselves. There is still a gap in operating funds for small projects, and this forces artists to contribute to the local arts community on a volunteer basis, rather than being fairly compensated for the work that they do.

I am encouraged by what is in the strategy; however, the amount of time and finances devoted to the creative and cultural industries strategy pales in comparison to the engagement that was done for the tourism strategy. This raises questions about what voices were heard and who was invited to the table when this strategy was developed. I remain hopeful that this strategy will benefit more Yukon artists across the territory, and I look forward to the minister's response to my questions.

Hon. Mr. Pillai: The Yukon has one of the highest concentrations of creatives in the country. We deliver incredibly creative products and productions, and we have impressive cultural venues and amazing events throughout the territory. Increased support to grow and develop the creative and cultural industries has consistently been identified as a need and an opportunity over the past two decades.

In 2018, the creative and cultural industries contributed over \$59 million to Yukon's GDP, which amounted to two percent of the total territorial economy. Our goal is to grow the Yukon's creative and cultural GDP to 2.7 percent, which is an increase of about \$21 million.

I will just challenge a couple of things that were said. The Leader of the Third Party made a comparison between the strategy for tourism versus the cultural strategy and the amount

of consultation. I have to say that my colleague ensured that I was there by her side, taking in some of those sessions. I have to say it was pretty exceptional, the amount of people who came out from a very broad cross-section of creatives who fed into this process, so we feel that it is an all-encompassing strategy.

Since being elected, our government has revamped almost all support and programs for the creative and cultural industries to meet their needs. As the Leader of the Third Party said, yes, commending the folks at both Tourism and Culture and Economic Development, because they have revamped all of these programs. We did this by consulting directly with the community and using their feedback to shift the support that we offer.

As well, I would just like to touch on when we talk about moving barriers. I am happy to announce that we don't have to go and look for that program because we are already doing that. This year, we announced at the Arctic Arts Summit this past June, a new project that will see \$50,000 in new funding in the first fiscal year and \$150,000 in the second. The program is a pilot that is being run in the Yukon. The rest of Canada will be watching to see how it runs. Really, it's focused on indigenous artists and cultural carriers. It's really removing the barriers, again, for them. That is the whole goal of it: to help remove barriers experienced by indigenous artists to these funding programs. Again, we are happy to be doing that work already.

I would also just touch on some of the questions from the Official Opposition. Of course, with the short amount of time I have now to respond, the commitment I will make is that, during budget debate on the supplementary budget, I would be more than happy to go into every single one of these projects, both film and sound, and do a deeper dive into some of the work and interventions that we are doing in this sector around funding and some of the changes that we're making to the strategy. I will just touch on some of the work that we are still doing, such as a new career advancement funding program, which is still underway.

As of last week, we are still working on our Yukon cultural centres and museums policy. I was there to share some words at the start of the roundtable that happened at the Yukon Transportation Museum last week. That is really important work that continues to be put in place. The team right now, in checking with them this morning — just continuing to do the work to establish a dedicated sector-specific funding program. We're looking at about a half-million dollars that has been identified for next year, the 2022-23 budget, to continue this work.

Thank you for the support from both the Official Opposition and the Third Party on this important work. I think we have to continue to keep talking about it. We have to continue to focus on the metrics that we're looking at. Again, let's get this from two to 2.7 percent of GDP, and again, that will make a big difference in the lives of so many of these creatives and enhance their quality of life but, again, help to diversify our economy.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Health care services

Mr. Cathers: Mr. Speaker, in November last year, there were 2,472 people on the wait-list for a family doctor. Last week, CBC reported that, as of November 4, the wait-list has grown to 3,453 people. Despite this, at a news conference last Friday, the Minister of Health and Social Services told the *Whitehorse Star*: "I don't necessarily agree that we don't have enough doctors here in the territory; we are very well served by — I think the most recent numbers are 69 — local professionals who run their practice here."

Does the Minister of Health really believe that we have enough doctors in Yukon when there are literally thousands of people on the wait-list?

Hon. Ms. McPhee: Thank you very much, Mr. Speaker. I certainly am pleased to rise to speak about the importance of the Yukon medical system and the health care and well-being of Yukoners. The health and well-being of Yukoners is the foundation of a bright future for our territory. Under our leadership, the Yukon's health care system is transforming into a national leader. We're working with our partners to improve access to health care for all Yukoners.

Mr. Speaker, the Yukon Party was satisfied with the system that provided acute care only, and that failed Yukoners and was financially unsustainable. We have worked through the ultimate work and then adoption of *Putting People First* to create a people-centred health care system that will move our territory forward. The Yukon Medical Association is an integral part of the work that we are doing, and we have shared goals. The new agreement that we have signed with them recently has incentives for doctors to take on more patients. I had the honour of speaking with the Yukon Medical Association and spending time with them over the last weekend at their annual general meeting. They are a proven partner for providing health care at the most front lines for Yukon patients.

Mr. Cathers: Well, Mr. Speaker, the minister can try to frame the government as a national leader but, in fact, this government has the worst record in the entire country on doctor recruitment. While she was telling the *Whitehorse Star* that she doesn't agree that we don't have enough doctors, the president of the Canadian Medical Association told people at the YMA meeting that close to 50 percent of physicians in the country are reporting burnout, wanting to take a step back and reduce clinical hours.

The clear message from both the Canadian Medical Association and the Yukon Medical Association is that we need to be attracting and retaining more doctors to the Yukon. How does the minister square her comment that we already have enough doctors with the reality that was presented by both the CMA and the YMA, that we need more doctors and the fact that literally thousands of Yukoners are on the wait-list to get a family doctor?

Hon. Ms. McPhee: The pandemic has caused a local, national, and global shortage of health care professionals — I don't think that's a surprise to anyone — and it is being felt across the territory and across the country. The ministers of health, the Canadian Medical Association, and the Yukon

Medical Association have most recently been having discussions with respect to the importance of this service to Canadians.

We continue to recruit through national and online forums and have supplemented staff with agency nurses and out-of-territory resources, including doctors. We have helped more than 1,200 Yukoners find a physician through the Find a Family Doctor program. We are continuing to work with our partners at the Yukon Medical Association and the Yukon Registered Nurses Association to support Yukoners' access to health care services that they need.

We have a number of existing programs designed to assist Yukoners in this way. Financial assistance is available for post-secondary education, grants, and bursaries, as well as assisting existing employees through tuition reimbursement. We have increased the intake at Yukon University for licensed practical nurses. We have shared funding with the Yukon Medical Association and the Canadian Medical Association for a locum recruiter and doctor recruiter positions. I hope to be able to continue.

Mr. Cathers: Well, Mr. Speaker, the minister is out of touch, and her talking points are completely disconnected from the reality that thousands of Yukoners are on the wait-list for a family doctor. The shortage of doctors in the Yukon isn't just affecting people seeking primary care or a family doctor; at the Yukon Medical Association conference, doctors raised the concern that surgical wait times for Yukoners are growing rapidly.

Yesterday, I tabled a motion urging government to take action, and today my final question for the minister is this: Will the Yukon government finally take this issue seriously and work with health care delivery partners to develop a wait-time reduction strategy that includes clear targets?

Hon. Ms. McPhee: The federal government has assisted with the intention to grow the number of physicians and nurses through a federal program for loan forgiveness for education. Doctors can receive up to \$60,000 and nurses up to \$30,000 if they practise in rural locations. Yukon can be considered such a thing.

The expanded scope of practice has been introduced and supported by this government for nurse practitioners — registered nurses in communities where there is no hospital. We have, as of two days ago, opened the Constellation Health Centre, which we expect, at full capacity, will be able to take somewhere near 2,400 clients. The Whitehorse General Hospital emergency room has a fast-track program daily between 9:00 a.m. and 4:00 p.m. so that they can serve individuals who have less acute issues.

We are reimbursing the cost to relocated individuals to work here in the territory. We have an indigenous recruitment and development program, and that's an ongoing initiative to support the hiring and advancement of indigenous employees. We have a number of job experience programs, including cooperative education. We are meeting, in the very near future, with the YMA again and the nurses association to assist —

Speaker: Order.

Question re: Affordable housing and land development

Ms. Clarke: In the 2021 election, the Yukon Liberals committed to releasing 1,000 lots over the course of their mandate. One of the central commitments to achieve that goal was to relocate the Marwell grader station and conduct environmental remediation to make way for future housing projects.

Can the government provide an update on the development of housing on the site of the former oil refinery and current highways grader station?

Hon. Mr. Clarke: The Marwell grader station in Whitehorse is approximately 60 years old. It is in poor condition and is no longer meeting the needs of the Department of Highways and Public Works. In addition, the current buildings have high energy use and maintenance costs, emitting a lot of greenhouse gases.

The department has determined that replacing the Marwell grader station is the most economical option and will free up valuable land that may be better suited to other types of development. We are still determining where the new grader station may be located before we move forward on this project. There are several possible sites for the new grader station. A final decision on the location will be part of the next phase of planning.

Under the *Kwanlin Dün First Nation Final Agreement*, Kwanlin Dün First Nation has first right of refusal to purchase or otherwise acquire or use the land of the existing site in Marwell. The Yukon government will work with the Kwanlin Dün First Nation as this project moves forward.

Ms. Clarke: Another project that has been identified as potentially providing affordable housing development is the 5th and Rogers parcel. Everyone will recall the Liberals hosting a press conference on this lot during the last election, promising that it would be developed immediately.

Can the minister update us on the progress of developing this site?

Hon. Mr. Streicker: Thanks very much, Mr. Speaker. I just was speaking this morning with the deputy minister about 5th and Rogers. Of course, we had some challenges this summer with the clay cliffs in that area specifically. There was the landslide at the clay cliffs, and so we sat down with the City of Whitehorse, with Community Services, and with Yukon Housing Corporation to review 5th and Rogers and make sure that it's on solid footing. We are getting some geotechnical work done on that. I believe that we're getting close to putting out the RFP. The work of the department was to make sure that it was safe before we moved forward. We have been doing that work and we should be moving forward shortly.

Ms. Clarke: On March 9 of this year, the minister of housing did a ministerial statement on the tank farm development. He said that this project has the potential to create hundreds of new homes for Yukoners and address some of the housing demand. According to that ministerial statement, the minister was working with the City of Whitehorse on a master plan for that site. At that time, he said that the Yukon government was taking a lead role.

Can the minister provide an update on the creation of a master plan for the development of the tank farm property?

Hon. Mr. Pillai: I think that, going back on this too, it's important to note that the work being done by the Minister of Community Services and the focus on those 1,000 lots are over and above everything that was identified by the opposition today. So, again, I'm happy to see interest as well on the grader station and work and options, of course, for the Kwanlin Dün First Nation, as the minister stated, on 5th and Rogers — an RFP ready to go this summer.

As most people saw, we saw the south access have a slide and, of course, we went back and made sure with the city that we were ready to go forward, and they requested that we do some more geotech.

Then the third item, which has been talked about, is the tank farm.

So, with our conversation and our collaboration with the City of Whitehorse, the city wanted to make sure that they quickly went through a procurement process for the consultant who was hired to do the master plan. I believe that procurement process has been concluded. I think that there is a local Yukon planning firm or consultant who has been hired, and that work is underway.

Again, I would urge the Official Opposition to reach out to city councillors or the mayor, and they can get a bit of an update there. Certainly, in further questions, I can go into some of the work that we are going to be doing as well with the City of Whitehorse.

Question re: *United Nations Declaration on the Rights of Indigenous Peoples* implementation in Yukon

Ms. Blake: In the 1990s, the Yukon was a leader in indigenous rights. The *Umbrella Final Agreement* was the first of its kind in Canada and there is a generation of negotiators who will say that it was the honour of their lives. Since then, it doesn't feel like much progress has been made. The Truth and Reconciliation Commission's calls upon territorial governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation — UNDRIP has already been adopted by BC in 2019 and by Canada in 2021.

Will the Premier tell Yukoners when his government intends to formally adopt the *United Nations Declaration on the Rights of Indigenous Peoples*?

Hon. Mr. Silver: If the member opposite thinks that things have stalled, I think that she is sleepwalking right now, because there is so much work being done with First Nation governments and our governments, including co-governing together with the child and family acts in the Legislative Assembly, the First Nation procurement policy, the First Nation School Board, and the list goes on and on and on.

With the *United Nations Declaration on the Rights of Indigenous Peoples*, that has been raised more and more frequently by First Nations and other indigenous governments. In the Yukon context — it is really important that we talk about inside-the-Yukon context, because I am going to quote from the

declaration itself. It says: "... the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration".

When we take into account 11 Yukon First Nation governments with final agreements, as well as the *Gwich'in Comprehensive Land Claim Agreement* and the *Inuvialuit Final Agreement*, the Yukon is home to more than half of the modern treaties in Canada.

With the Yukon Forum, the conversations that are happening right now do not happen anywhere else in Canada. We are going to work with our First Nation chiefs, because it is extremely important to get the regional considerations correct.

Ms. Blake: This government's own mineral development strategy calls for legislation that respects UNDRIP. Not only has this government failed to implement UNDRIP, it appears that they are actively working against it. Two Yukon First Nations are currently fighting the government in court, while others have publicly withdrawn support for projects led by YG. Most recently, the chiefs of three northern First Nations spoke out against this government's decision to extend permits for oil and gas exploration in their territories without their consent.

Will the Premier explain to Yukoners why free, prior, and informed consent has not been a priority for this government?

Hon. Mr. Streicker: These were not applications for new permits. We do have a table that we have set up with the northern chiefs. I would like to thank them for working so closely with us. I have met with them several times ahead of those permits seeking re-extension.

I certainly did have a conversation with them. They expressed some concerns to me, for sure. We definitely adjusted our position based on those concerns. Again, thanks to the chiefs for that feedback, although we're not talking about new applications here; we are talking about existing permits.

Ms. Blake: This colonial government has the right to free, prior, and informed consent. They can accept or deny permits, they can request and have access to the information that they need to make an informed decision, and they can take the time they need to decide. They can give or withhold consent.

So, the real question is: Why wouldn't Yukon First Nation governments have the same rights?

Hon. Mr. Silver: I will start by saying that the Yukon government continues to support Canada's efforts to implement legislation that recognizes that each province and territory has its own approach to reconciliation in the declaration itself. It's extremely important as we pass bills, as well, to make sure that we have all of the chiefs on board when it comes to all First Nations. Absolutely everyone should matter.

Again, Mr. Speaker, when it comes to reconciliation, we have been doing, over the last six years, a lot of things that don't happen anywhere else in Canada — very unique — in that our Cabinet, the leadership of First Nations, and the Grand Chief of the Council of Yukon First Nations meet together four times each year to define and advance joint priorities. Increasingly,

we are seeing participation by transboundary First Nations at the forum. The Inuvialuit, as well, may be attending in the future, which is fantastic news. That doesn't happen anywhere else in Canada.

Our approach to reconciliation is increasingly characterized by comprehensive collaboration between our government, Yukon First Nations, and other indigenous governments and the development of key new legislation, like I mentioned already — the passing of the *Child and Family Services Act*. This one is extremely important, because co-governance is something that was not mentioned before the Yukon Liberal Party.

Question re: Climate change strategy

Mr. Kent: Earlier this Sitting, the Liberals passed the *Clean Energy Act*. That act enshrines a target of reducing Yukon's greenhouse gas emissions 45 percent below 2010 levels by 2030. The *Our Clean Future* report that was released in 2020 outlined a pathway to reducing those emissions by 30 percent, but it relied heavily on the uptake of new renewable energy projects, like the expansion of Atlin, as well as Moon Lake.

So, now that both projects are delayed, does the minister still think that we can reach the new climate change target of 45 percent by 2030?

Hon. Mr. Streicker: The Yukon Party may recall that they posed this very same question when we were debating the *Clean Energy Act*, both in Committee of the Whole and in debate at third reading. At that time, I said and my colleague has said that, yes, we think we can reach that goal. We know it's hard. By the way, at that time, we had already been talking about the Atlin project and Moon Lake and what the timelines were for those projects.

What I can say is that, if we followed the Yukon Party and built another liquefied natural gas plant, instead of trying to replace diesels with new hydro facilities, no, we would not reach that target. So, I do believe we can reach that target. I thank the member opposite for the question.

Mr. Kent: So, when we were debating the *Clean Energy Act*, the minister fails to mention that he was sitting on a YUB report that wasn't public at the time, although it was released on October 18. We know the minister has struggled to provide reliable information about the timelines of these projects. Yesterday, he told the media that Moon Lake would be online by 2030; earlier this Sitting and last year, he said 2029; and in their October 18 report, the YUB says the timeline for Moon Lake is currently unknown.

Last week, the minister said Atlin was on time for 2024. Since then, the proponent has confirmed that the Atlin project is delayed at least a year and perhaps longer if they can't get the \$60 million in new grants by January.

Both of these projects were critical to get to the 30-percent reduction target, let alone the 45 percent, so how confident is the minister in meeting those targets, given our reliance on rented diesel for the foreseeable future?

Hon. Mr. Streicker: Atlin is a good project. We will work to support the Taku River Tlingit as they seek to close that

funding gap. I've never been anything but up front with what that information is about that gap. I have always shared here that we were looking to work with the Taku River Tlingit. I would also like to thank the federal government for investing \$100 million in that project, the BC government for investing \$20 million in that project, our own government for committing \$50 million to that project, and the Canada Infrastructure Bank, which has agreed to loan \$80 million to the Taku River Tlingit for that project.

I think it's a good project. I think that is the right way forward — not fossil fuels. The price of fossil fuels is going up. We wish to get rid of our dependency on fossil fuels through every means that we can, and the Atlin project is a good project.

Question re: Children and youth victims of crime

Mr. Cathers: In the wake of criminal actions of a former employee at a local elementary school, one of the things we have heard from ministers is that children and their families can access support through Project Lynx. Project Lynx is supposed to be a service for child and youth victims of crime, based on national best practices, with the intention of reducing possible trauma to children and youth related to things like being interviewed by police, medical exams, and testifying in court.

However, we have heard from parents that Project Lynx isn't actually operational. Can the minister please tell us the status of this project?

Hon. Ms. McPhee: I can say that Project Lynx is not as active as we would like at the moment. I can also indicate that it is but one service that is available to families — the families who are being described by the Yukon Party in relation to the services that they may choose. We have heard endlessly, of course, from the Minister of Education about the supports available for Yukon families who have been harmed by the criminal actions of the individual who was referred to. The Department of Justice, through Victim Services, is committed to providing specialized and age-appropriate services for children and youth who have experienced crime — and that's what we're talking about here, Mr. Speaker: crime.

Those who are navigating the criminal justice system can be supported through Victim Services. While progress is being made toward implementing national best practices for child and youth advocacy centres, through Project Lynx, implementation challenges associated with the Yukon's unique virtual model have been identified.

Mr. Cathers: Mr. Speaker, we continue to hear concerns raised by the families that they're not receiving the necessary supports. According to the government's own website, a lack of support may lead to further possible trauma for children and youth. The confidential briefing note from the Minister of Justice from the spring notes that Project Lynx faced implementation challenges associated with the unique virtual model that made coordinating support more difficult.

Can the minister tell us what steps are being taken to refine the government's approach to working with children and youth victims of crime?

Hon. Ms. McPhee: I very much appreciate the opportunity, Mr. Speaker, to note this specialized service of

Project Lynx and how we are working to improve those services. The Yukon Party clearly has a note they have made reference to, so they have the information that I have. As part of the new vision for the service delivery for Project Lynx, Victim Services will capitalize on new upcoming and purpose-built space that will more clearly define, lead, and deliver a specialized service for children and for youth victims of crime and their families who are having to navigate the justice system because they are victims of crime. Support will be provided for them through Victim Services, as we continue to improve the Project Lynx system, the Project Lynx coordinated approach, and the specialized skills that come from those who work there.

Question re: Atlin hydro expansion project

Mr. Dixon: Earlier this week, the energy consultant with THELP told local media that the only way the Atlin hydro project would be economic and would go ahead was with significant new government grants. He told local media that he hopes the funders could — in his words — go back to the piggy banks to see if they can come up with more. He also said that THELP has invested all that they are willing to invest. That means that the tab for any further cost overruns would have to be picked up by the funders. According to Mr. Carlson, if the funders don't cover the cost overruns, they would have to say — again, his words — “thanks but no thanks” to the Yukon.

How confident is the minister that they are going to be able to come up with \$60 million and possibly more by January?

Hon. Mr. Streicker: What I have said to the folks at Tlingit Homeland Energy Limited Partnership is that we will work to support them in their efforts to seek that additional funding, and that is what we will do. We are working on securing the funding right now. We have money set aside on our side of the budget. If we are successful or if the project is successful, we have put in for an energy purchase agreement that gets us energy at 13.5 cents per kilowatt hour. That compares to over 20 cents per kilowatt for diesel or LNG, so that's why we think that this is a good project.

We will work with Tlingit Homeland Energy Limited Partnership to see if we can help them to secure those funds. I will report back to the House.

Mr. Dixon: One of the significant concerns raised by the Yukon Utilities Board in their October 18 report was the lack of options available to deal with the capacity shortfall that Yukon Energy is facing. It appears that the Liberals have staked our entire near- and mid-term energy future on the Atlin project. Here is what the YUB said — and I quote: “In the Board's opinion, had THELP not approached YEC regarding the Atlin project and potential EPA, YEC would not have had any other options regarding a resolution to its capacity shortfall.” In other words, the Liberals are betting the farm on the Atlin hydro project. If THELP is not able to find the additional \$60 million by January in government grants, how long will Yukon continue to rely on renting diesel generators to address our capacity shortfall?

Hon. Mr. Streicker: What we're really talking about is the 10-year renewable energy strategy that Yukon Energy Corporation has put out, which the Yukon Party said they

endorsed during the last election, but apparently that wasn't correct. They have decided not to do that. They have decided instead to put all of their eggs in a different basket, and it's called the “liquefied natural gas, build a plant” option.

But here's the reality: The price for Atlin is 13.5 cents per kilowatt hour and the price for LNG is currently above 20 cents per kilowatt hour. I bet you that it goes up, and the price for the plant will be going up as well, just like all infrastructure projects are going up, and it will get no grants. It would get no interest from the federal government or from the BC government.

Mr. Speaker, we are working to help achieve this project, and we have many other projects on the go, including the grid-scale battery, including Haeckel Hill wind, including solar at Mount Sima, including solar in Dawson, including the Moon Lake project. We will continue to work on that whole suite of projects, which, I will remind the Yukon Party, can be found in the 10-year renewable energy strategy by Yukon Energy, which they themselves endorsed but now don't endorse.

Mr. Dixon: I'm glad that the minister has mentioned the 10-year renewable electricity plan, because here's what the YUB said about that on page 38 of their report: “In addition, YEC has not set up any RFP for new projects, renewable or otherwise, and has not provided any evidence that it has moved forward on any of the renewable projects identified in either its 2016 Resource Plan or 10-Year Renewable Electricity Plan.” I know that the minister likes to cite all of these renewable projects as he has just done, but the simple fact is that many of the ones he has cited will not provide the type of winter power that we need to displace rented diesels. So, at this point, they have staked everything on the Atlin hydro project in the near term and the Moon Lake project in the long term.

Mr. Speaker, if Atlin is not able to find the additional money or gets significantly delayed, we are locked into a diesel future. How does the minister think that we will meet any of our climate targets if we rely on rented diesel generators for the next decade or more?

Hon. Mr. Streicker: I don't think that. That's why are working to get off of rented diesels, and I also don't think that if we built a second liquefied natural gas plant that the Yukon Party wishes to build — that is not the future that is going to get us off of fossil fuels. I don't understand the logic. The logic that the Yukon Party has is, “How are you getting off of fossil fuels, government — Yukon Liberals? You should do it by building a liquefied natural gas plant.” No, I don't think that's good logic; I think that's the wrong logic.

So, what we will do — and I will give you another example that's in the 10-year strategy: grid-scale battery. That project is being developed up on the south access right now, and it is going to remove the need for four diesel generators. That's important and it will help shave our peaks — super important project — and it's an example of one of the projects in the 10-year renewable energy strategy which is working to get us off of diesel.

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

Speaker: Pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, as the first item of business to be called under Private Members' Business today. As Bill No. 306 is in Committee of the Whole, the House shall now resolve into Committee of the Whole to proceed with consideration of the bill.

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter now before the Committee is continuing 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.

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

Recess

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

Bill No. 306: *Act to Amend the Oil and Gas Act (2022)* — continued

Deputy Chair: The matter before the Committee is continuing general debate on Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*.

Is there any further general debate?

Ms. White: It's a pleasure to be back in the Assembly in Committee of the Whole on Bill No. 306.

Just to start, the Minister of Justice asked me a question and it turns out that we had two separate copies, which is a fascinating thing in itself, of the 2012 *Oil and Gas Act*. She asked me about section 41, which was not in the section that I had, but I have since found a copy of the one that includes section 41, so the one thing that I would say is that section 41 exists. It will still exist in the *Oil and Gas Act*; it still exists in the *Oil and Gas Act*, as does section 14.

From my perspective, there is not a substantive change from what was mentioned because section 41 is still there. I can read a little bit about it if we are interested to see why it is relevant. Section 41 talks about the continuation of federal dispositions. Even though the clause that we are proposing to put back in doesn't include a reference to section 41, section 41 still exists in the *Oil and Gas Act*. At this point, I look forward to further questions.

Hon. Mr. Streicker: I just want to begin by saying thank you again.

In Committee of the Whole a couple of weeks ago when we were in debate, I had been asking a suite of questions. In the interim, I have compressed all of mine down to one final

question, but I would like to make just a couple of opening remarks.

First of all, I would like to acknowledge the hard work that the Leader of the NDP has done in engaging with First Nations and seeking their feedback, verbally and written. I also appreciate the fact that she has tabled all of that here in the Legislature. I know that, in the interim, there was a little bit more that came in. Again, I appreciate that.

I thank her for the note that she just gave us. Through this piece of legislation, we are seeking to amend the *Yukon Oil and Gas Act*. It's talking about relationships with First Nations and their ability to shape the future of the territory. I think that these are important questions.

The one thing that I want to still just ask the member opposite is if she could share her perspective on how she believes that this would change the landscape of other legislation. From her view, what is the upside to this? In what areas does she think that it might be pertinent and just how might it relate to other legislation?

Ms. White: I do thank the minister for those thoughts and that question.

I think I will just put us back in time and say: What did section 13(1) affect 10 years ago, and how did that change the landscape of the legislation? I think that one of the conversations that we are having right now — it is really important to just put it back into context and say that, look, this existed. Section 13(1) existed. It was in legislation 10 years ago, so how did it affect legislation 10 years ago? How did it affect legislation when it was removed? What changes happened?

I mean, the minister is government; he is Minister of Energy, Mines and Resources. He might be better suited to answer that question than I am. It existed 10 years ago, so how did it affect other legislation?

I would suggest that Yukon functioned and paid for it and had conversations and decisions. You know, it existed before, so what I'm proposing isn't something new. It is not even radical, although, based on the minister's thoughts two weeks ago, maybe consent is, at times, radical, but this clause existed before. It functioned in relation with other pieces of legislation.

Hon. Mr. Streicker: Thanks, Deputy Chair. I will take my seat here in a second.

I think that making sure that we talk with First Nations is very important at all times. So, that is the purpose of the amendment, and also, in practice, we as government have a responsibility to do that before we get to amending legislation like this. So, those are the things.

I also just wanted to thank the member opposite. I know that when we started in Committee of the Whole the other day, she was talking about the differences in being on the side of answering questions and us being on the side of asking questions, and I thank her for her responses to all of my questions.

Hon. Mr. Pillai: I guess the conversation that I would like to embark on is really around consultation. It's concerning the fact that something of this undertaking, of course, needs to be matched with a series of conversations with First Nation

governments across the Yukon. From our experience in government over the last number of years, I think about some of the key work that has been done and the amount of time — besides the technical support — that government ministers have, the amount of work that was undertaken, just on an independent basis, to ensure that we were seeking the opinion, advice, and position of Yukon First Nations.

A couple of examples that I will share before we get into some of the deeper questions — would be just to set the stage in Committee of the Whole — would be the Resource Gateway program before that program was funded. Then there was an amendment in June 2016 that was put in place and that directed the government of the day to ensure that there were letters provided by any affected nation that were submitted back to government. Then, subsequent to that, there would have to be a project agreement. So, we have had lots of conversations in the House about that. Certainly, that early work took a lot of time. The number of letters that were required in the front end of the project — there were only 90 days to go and get those letters. So, in the roles of ministers, we had to go out and do that work.

Then I think about things like *Our Clean Future* when we went out to all nations in the Yukon, again, making sure that we were having conversations and getting the support in place to do that.

So, that's really where the conversation will be. When we look at the changes that are being proposed by the Third Party, my perspective is that they are anchored in respect to Yukon nations and their role in governance. To parallel that, though, we need to ensure that we have appropriate consultation done with those same groups and we have feedback from them on their position on this amendment. When you go through government, every department has done that work over the last number of years. I know it's difficult when you don't have a department as well to lean on to do that work.

My first question will be: What kind of consultation occurred? What was it? Were there meetings to sit down and discuss the proposal? Was it a letter? Was it conversations? What was the type of consultation that occurred?

The second is: What kind of consultation occurred — 11 nations that are self-governing, the three nations that are still under the *Indian Act* — any other groups — Kaska Dena Council previously had done some work. I'm wondering if there were conversations that happened there because they had been party to some of the earlier conversations on some of this early work, and, again, what is the nature of the consultation? I will start there.

Ms. White: So, there are a couple of things. The minister referenced the Resource Gateway project and he talked about his department and the support. I haven't had the privilege of having the public service behind me before, and so it is a bit more challenging — a bit more challenging with a smaller team.

So, who did I consult with? Well, I reached out to all Yukon First Nations, with and without final agreements, as well as the Council of Yukon First Nations. I phoned; I met in person when it was possible; I sent e-mails and letters and have left many voicemail messages across many things. So far, I have

tabled letters from the Carcross/Tagish First Nation, Little Salmon Carmacks First Nation, the Teslin Tlingit Council, Ta'an Kwäch'än Council, and the Kwanlin Dün First Nation. There are some challenges. I would say that Champagne and Aishihik First Nations — they just had an election, so I have dealt with two separate chiefs and have started those conversations again with the newly elected chief. I have letters from the Liard First Nation and the Ross River Dena Council, as well as the Council of Yukon First Nations. Today, I had a conversation with a lovely human with one of the transboundary nations, actually, and I am looking forward to conversations there.

But I think the point that I will go back into is that this really leans back into the memorandum of agreement that was signed in 1997, which was a commitment from the Yukon government. We have had conversations about what that means, but the Yukon government, regardless of the political party in charge, is the Yukon government. I mean, the Yukon government in 1997 was a New Democrat government. The current government is a Liberal government. The government that removed this clause was a Yukon Party government. So, leaning back into that memorandum of agreement in 1997, there was a commitment by Yukon government, and that was disrespected in 2012 and that was removed.

So, that is really what the focus is on, because in article 5.1 of the memorandum of understanding, it confirmed that the Yukon government agreed that it would not, in respect of a traditional territory for which the effective date for a Yukon First Nation settlement agreement has not occurred, issue any new disposition with respect to oil and gas lands in the Yukon Territory without the consent of that Yukon First Nation.

I appreciate that what we are doing here is different — no qualms about that. I would say straight up that I indicated to the Premier shortly after the last territorial election that this was one of my goals, so I did have that conversation — even in recent conversations. We had two bills, and I am here with the one that I was encouraged to bring forward.

Hon. Mr. Pillai: I think that before I go on, I just want to get confirmation. I apologize — I just tried to make notes. I would just ask the Leader of the Third Party — I want to be accurate on which nations have had a discussion and where there was a briefing or conversation and which nations then provided a letter of support that has been tabled in the Legislative Assembly. I just want to make sure that I have those nations identified.

Ms. White: All of them.

Hon. Mr. Pillai: No, I just wanted to get an understanding. Out of the nations in the Yukon, which nations have supplied a letter of support for this particular amendment to the oil and gas legislation?

Ms. White: I just listed off the letters that I tabled. So, those are in support of the amendment. So that was the Carcross-Tagish First Nation, the Little Salmon Carmacks First Nation, the Teslin Tlingit Council, Ta'an Kwäch'än Council, Kwanlin Dün First Nation, Liard First Nation, Ross River Dena Council, and then, of course, the Council of Yukon First Nations. I have had verbal confirmation from the Vuntut

Gwitchin Government but, now that they are in the middle of an election, that can't happen. I had conversations with Chief Smith before he left Champagne and Aishihik First Nations. I have had conversations with Chief Benoit since she was elected. I have had conversations with Chief Dickson. I have left messages, I have sent e-mails, and I have sent letters. I have had conversations with Chief Chassé and the White River First Nation. As recently as today, I have been in conversations with Na-Cho Nyäk Dun. I have had lots of conversations with Chief Isaac from the Selkirk First Nation. They are ongoing, but the letters that I have tabled are in support of this. I have indicated it twice now.

Hon. Mr. Pillai: No, that was my mistake. I just wanted to get that cleared. I think in the opening statement, I guess what I was trying to illustrate is that I do understand — when there are times — how much energy that consultation work takes, because it is important work and it is key work. I think what I was getting at is that going out and not having department folks with you, but going out and making those phone calls, having those conversations, sitting in communities, and doing that work, it is very important, and I do understand the challenges that come with that for the Leader of the Third Party.

The Leader of the Third Party just mentioned that there were a lot of conversations that have happened. So, when I go through that list of nations across the Yukon — for the First Nations that have not provided a letter of support, did the Leader of the Third Party have any indication why, after all of those conversations and all of this time, many of those nations — one, two, three, four, five, six — so, almost half of the First Nations in the Yukon that have not supported this amendment — what were some of the reasons why a letter of support wasn't being provided?

Ms. White: I think the minister just speculated when he said that they did not support this amendment. I have just told the minister that I don't have letters of support, but in conversations, I have had indications of support.

Hon. Mr. Pillai: In any of those conversations — and I stand corrected — was there any concern from any of the nations about the repercussions or implications of this particular amendment to the *Oil and Gas Act*?

Ms. White: I think the minister is well situated to actually know probably what some of those nations are interested in. Some want to have conversations about the ability to consent on projects that reach outside of oil and gas. Lots of them want to have conversations about UNDRIP. Some wanted to have conversations about their traditional territories and the maps that were accepted under the UFA. Some want to have conversations about how engagement goes on. So, I think the minister and his government are well aware of what some of those challenges and complications are, but I am not going to speak for a First Nation.

I don't think that it's my place to put words in someone's mouth, but I can say that I have had lots of conversations. The Minister of Justice has said it before — being in government isn't easy, and I don't disagree. I think that there are some really challenging conversations in our future — I mean "our future" as in our collective Yukon government future in Yukon.

Despite my best efforts to be involved in the Yukon Forum — because for me it's still something that I hear talked about and I see it being held up, but I have never been able to participate in it. I don't have the ability to know what those conversations are and what they look like except for what is included because, again, I'm standing here on the opposition benches.

Hon. Mr. Pillai: The Leader of the Third Party just mentioned — but first, in response to my question that I would have a good understanding — we do, in the sense that probably, in some of the conversations that have occurred, there would be themes or priorities that were identified in those conversations that my colleagues or I would be aware of. I agree.

But the level of integrity and accountability that has to be undertaken in the consultation when you are moving and changing law is significant. So, I can't assume that I know anything that happened in those conversations, and that's, of course, why we are in Committee of the Whole trying to find out what happened during that consultation. We don't have a "what we heard" document; we don't have a report; we just know that there are letters.

So, this might be a bit of a challenging question, but with that theme in mind, as the Leader of the Third Party said, I can't speak on behalf of those First Nations. But if half of the First Nations haven't formally provided support for this bill or this amendment and you are still looking to move forward and have this amendment, wouldn't you feel that it was speaking on behalf of half of the First Nations in the Yukon without having a formal document for their support?

Ms. White: I think the part that may be missed here is that there was the full oil and gas consultation in 2009. I have before — I'll say it again — and unfortunately, there is not a physical copy that I can find — but I can tell you that submissions in 2009 to the *Oil and Gas Act* against the repeal of section 13 came from the Council of Yukon First Nations. I also have a letter in support of reinstating section 13(1).

The Tr'ondëk Hwëch'in government was against the removal in 2009. The White River First Nation was against the removal in 2009 — the Kluane First Nation, the Ta'an Kwäch'än' Council, the Teslin Tlingit Council, Champagne and Aishihik First Nations, and Kwanlin Dün First Nation. I will remind the minister that, in 2012 when we were debating this on the floor, there was an Assembly of First Nations motion that was unanimously supported in support of the Kaska and not repealing section 13(1) of the *Oil and Gas Act*.

Again, I will say that this is not a clause that has not existed in law before. It was wrongly removed in 2012, in my opinion and in the opinion of many others. What I am trying to do is reinstate a clause that was removed.

I guess that it's a bit challenging, and I appreciate the minister's point, but we highlighted today in Question Period that the three northern chiefs sent out a press release saying that they didn't consent to the extension of the oil and gas permits that existed in north Yukon. The minister told us that, in conversations, he heard that, but they were still extended. I think that there are times when the Yukon government brings

certain things forward and it doesn't have letters of support from Yukon First Nations each and every time.

Again, I am just trying to put back in what was taken out in 2009 — a clause that was part of the memorandum of agreement in 1997 that was signed by the Yukon government and Yukon First Nations.

Hon. Mr. Pillai: I'm glad the Leader of the Third Party touched on the northern chiefs table, because the reason that the northern chiefs oil and gas table was put together was because it was important — when I was in the role of Energy, Mines and Resources — to have the ability to consult very actively and in an agile way on decisions. With support from the former Minister of Environment, the MLA for Vuntut Gwitchin, we put that table together and then built a framework around it so that we could consult.

I think that the current Minister of Energy, Mines and Resources today also touched on the fact that it was not a new disposition, but it was an existing permit. There was a difference of opinion, but I don't believe that the comments today in QP are going to illustrate or reflect the true sense of collaboration at that table, because I was at that table for three years, and we worked hand in hand, understanding the needs, the view, and perspective of the nations. There were lots of things being balanced at that time. I would say that the table was actually a great example of how to have consultation done in an agile way.

Going back, I guess what I would ask the Leader of the Third Party is — that conversation about consultation that occurred in 2009 and that the consultation in 2009 and the commitment from the government in 2009 should stand and that should be the consultation of record used to essentially justify the work on this amendment or to support the work on this amendment.

Look, I think that on this side of the House, we could say that, through case law and changes, the world of governance in Canada — and specifically when it comes to indigenous governments, but in the Yukon First Nation governments — there have been some changes. I think that, even when we talk about transboundary nations, there are different types of requirements of consultation.

My question is: Does the Leader of the Third Party believe that the legal and governance ecosystem in this country has changed or evolved since 2009, and should that be contemplated while making the changes with this amendment?

Ms. White: You know, in all honesty, there have been changes since 2009. I think that's a good thing. I also believe that we, as a nation, are moving toward the importance of First Nation consent.

I think that the minister probably wasn't in the one debate when I was talking about UNDRIP and its importance in 2021 during the election campaign, but I'm sure he heard about it. I can say that, in some of the letters I have tabled — and this is quoting out of the Ta'an Kwäch'än Council letter: "... 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

Peoples..." and has a direct impact on our First Nations in Yukon that do not have signed final agreements.

The reason why I use that one — I mean, I can go to the Kwanlin Dün and I can go to the Council of Yukon First Nations — is that, in 2009, there wasn't a conversation about the *United Nations Declaration on the Rights of Indigenous Peoples* despite the fact that the United Nations passed that declaration in 2007. That wasn't the conversation that we were having in Canada in 2009. The minister just cited the consultation that was done at the time of the Yukon Party government in 2009, but the Yukon Party didn't listen and didn't take that information in, because in 2012, they did repeal that section.

It is a challenging conversation, and I don't deny it. I guess the one question that I would ask the minister is: Do they believe that the historic documents — the historic agreements — that have been signed by Yukon government should stand? I realize that, when we are on opposite sides, they don't ask me questions, and so I won't necessarily ask them questions right now, but the point that I am making is that the memorandum of agreement that was signed in 1997 is just an example. There is the *Umbrella Final Agreement*; there are self-governing agreements. There are all of these individual agreements that are signed by the Yukon government, and if the memorandum of agreement in 1997 that allowed for devolution to start — the devolution of oil and gas — and we're saying that any Yukon government can back out of those agreements that were signed in good faith at the time — that is the concern that I have. That is a concern that I have.

So, in 1997, the Yukon government made a commitment — they did. The Yukon government made a commitment. It doesn't matter that it was an NDP government in 1997 — it doesn't — it was signed. It doesn't matter that it was the NDP that started the process toward land claims. It doesn't matter that they weren't the ones who signed the agreements. I would say that those agreements still stand — right? It is important that, when Yukon government signs those agreements in good faith — First Nations sign those in good faith, they expect the Yukon government to uphold their commitment.

It goes on past just the *Oil and Gas Act*. I think that there are a lot of agreements that Yukon government has signed that I think are really critical, and I would be concerned if any Yukon government said that they could go back on a commitment that was made by a previous Yukon government with First Nations in those agreements.

Hon. Mr. Pillai: I think the questions are going one way in this particular Committee of the Whole, but no, we work with historical documents and treaties all the time and respect those documents. I think the challenge is that, in this particular case, it's not the exact same language going back. There's a portion of it, but there's a change, so I think that's important to reflect on as well.

I think the other part of it that is challenging is — for folks who are listening in — really, at this particular time, there are no letters to support all the way, covering traditional territory from basically the Arctic Ocean all the way down, taking into consideration the entire western part of the Yukon, because

there's no support through all the Kluane area and then almost to the west borders of Whitehorse.

I think it's important to reflect on the fact that, when you look at where the letters of support have come from, only one nation that provided a letter of support is actually affected, I would think, by — I shouldn't say that — maybe two, by potential assertion. So, a lot of nations have seemed to not provide letters of support here. I think that potentially — and I don't know if that has anything to do with it or not.

I do want to move just quickly to transboundary nations. The Leader of the Third Party mentioned today that there was a good conversation with one of the transboundary nations. Of course, there are a number of transboundary nations that the Yukon government has — in particular types of undertakings — an obligation to consult with. So, I'm just wondering: Which transboundary nation did the member opposite speak with today? Are they going to provide a letter? Could I just get a sense of what other transboundary nations have been consulted with on this amendment?

Ms. White: I did have a conversation with Acho Dene Koe. But again, this is Yukon's *Oil and Gas Act* and it talks about Yukon First Nations and it talks about Yukon. I reached out actually after a conversation with the minister, and it took a while to find the right person to have that conversation with but did eventually land there. But again, this is Yukon's *Oil and Gas Act*. So, what I'm talking about is within the boundaries of Yukon. I think again — I will just lean back in. The memorandum of agreement, which is a key piece of this debate, was not signed by transboundary First Nations, with the exception of the Kaska Dena Council, but we do have support for both Kaska Yukon First Nations — so, the Ross River Dena Council and the Liard First Nation. So, again, it goes back to the memorandum of agreement, which is Yukon First Nations.

Hon. Mr. Pillai: Just on that theme, I would just like to get a sense from the Leader of the Third Party because of mentioning the Acho Dene Koe. So, in my initial meetings — and I don't know if the perspective has changed with the Acho Dene Koe — there was a real sense of interest in oil and gas development in Yukon by the Acho Dene Koe at that time.

So, I guess my question would be: If this amendment were to go through today, in that particular area, would the veto by Liard First Nation, if they wanted to use it, stand over the interest of the Acho Dene Koe? Or whose strength would it be — understanding full well that the member opposite is talking about the fact that this is a Yukon *Oil and Gas Act*. But I am talking about sort of case law and the due diligence that was done by the NDP on this particular case. So, how would that veto work with those two nations where there might be overlapping assertion?

Ms. White: I wouldn't pretend to speculate. I would ask the minister what region the Acho Dene Koe — the Northwest Territories, where they exist currently. What I would say is that I won't speculate. The memorandum of agreement was with Yukon First Nations. The Yukon *Oil and Gas Act* affects Yukon. So, we'll just leave it there.

Hon. Mr. Pillai: I am going to move into a bit of a different direction but still understanding the importance of the consultation piece.

The Leader of the Third Party mentioned that when this particular clause was in place in 2009, there wasn't a situation where it affected new legislation or existing legislation.

I guess the paradigm shift is that, upon the government being elected in 2016, we knew that one piece of successor legislation was the forestry act. That's what was there, but the next pieces were the renewal and modernization of the mining acts and the renewal of the *Lands Act*. The difference is that, in this particular construct, we have both the *Lands Act* as one piece that is moving through and the new mining legislation. I would like to get a sense from the Leader of the Third Party — and based on the comments today, based on the comments during Question Period, and based on the reflection off the comments in Question Period — in this particular time, does she believe that this amendment to the *Oil and Gas Act* would have any particular effects on what we would see as an end result in the modernization of our mining acts here in the Yukon?

Ms. White: I really hope that it is the aim of the Yukon government. I have indicated before that there is an interest in working with First Nations toward consent. We have heard that from industry. What I am proposing is reinstating section 13(1), which was the consent clause.

The landscape is changing in such a way that First Nations are talking about the United Nations declaration on free, prior, and informed consent. The reason why I think that it is important — looking back, I think about the fact that there was a previous Minister of Energy, Mines and Resources before our colleague, the Member for Lake Laberge, who said — and this is quoted, because it came out of the Member for Lake Laberge's speaking notes: "As the Yukon government and LFN previously discussed and our officials contemplated some months ago, if we were unable to achieve consent under section 13, repealing that section was our best alternative to an agreement." That was the decision of a minister.

When we talk about free, prior, and informed consent — I'm going to go back. I'm going to reference the indigenous law foundation. I think it's important. "Free" means — informed and prior consent can be broken down into three pieces to be better understood. So, "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 for any actions being taken. "Informed consent" means that the relevant information about the decision must be provided in an accessible, accurate, and transparent way.

I hope that there is the intention of Yukon government, no matter its political stripe, to work toward that with First Nations.

So, right now, I'm speaking very specifically about 13(1) that was removed in 2012 that I would like to put back. But I really do think that the conversations are coming here. I'm here for it. I want to have those conversations. I want to be part of those conversations.

Hon. Mr. Pillai: It's important to put on the record that this side of the House, the government, supports the intent and the amendment that is being proposed by the NDP. The challenge is that, without having an understanding of the perspective of almost half of the First Nations in the Yukon documented, it makes it difficult to be able to continue to support what's happening here.

Listening to the comments about reflection on UNDRIP, the values of UNDRIP — but let me pose this question: If a nation that has a self-governing agreement — we reflected on that today and we reflected on what happened 50 years ago. All of that hard work was done to get to the table, and then the process began on negotiation and a comprehensive self-government agreement was put in place. There was a give and take at the table where those members representing those 11 — well, all nations at that point — were negotiating. Now we have these 11 governments across the Yukon that have really compromised in many ways, whether it's the tax treatment to their citizens or how particular lands, category A or category B lands, are treated or what the interaction is with the Government of Yukon when it comes to particular program delivery and conversations — it goes on and on.

So, I guess what I'm wondering is: In areas where there is potential overlap — we're talking about oil and gas, so we'll just say "resource development" — what's the perspective from the Leader of the Third Party if there is free, prior, and informed consent — industry is sitting at the table having a long conversation with one of those nations. That leads to an impact and benefit agreement. There's a great collaboration, and there's an interest in that resource development by the self-governing nation and this company.

Maybe that self-governing nation signed on to support *Our Clean Future*, and they understand the need for critical minerals in a clean future going forward — maybe copper is one of the particular minerals. But there is a potential assertion that hasn't been rectified, and one of those nations — one of the three nations that are still under the *Indian Act* — would the Leader of the Third Party believe that their veto, even if it is in the traditional territory of one of those self-governing nations, should stand and it should be a veto? Or should the interest of that self-governing First Nation stand as a treaty holder on a comprehensive self-government agreement?

Ms. White: You know, it is a complicated issue that the minister brings forward about the overlapping traditional territories. To be perfectly frank, I think that it is difficult to navigate for everyone, but it shouldn't be used as an excuse to refuse basic rights of indigenous people. I fundamentally believe that these debates will happen one day. So, whether it is today or five years in the future or 10 years in the future, I think that those conversations are going to be important. I think that there are some examples in recent times of industry that has worked with First Nations with overlapping traditional territories, including one without a signed final agreement, and it has been successful.

When I have conversations with industry, they tell me that working toward consent is their best way forward, that this is where they will be able to go more easily through the YESAA

process, where they won't get taken to court or decisions won't get taken to court. So, I think that we have seen an example of industry working with two First Nations with signed final agreements and one nation without, and I believe that it is successful. I think that the minister is asking me to speculate on something that I can't really right now, but I do think that these conversations are going to happen.

Hon. Mr. Pillai: I have just a few more questions before wrapping up. When we reflect back on the *Oil and Gas Act* and we talk about what was repealed in 2012 and section 13 of the *Oil and Gas Act* — when we look back at that section, there are portions of it that the Leader of the Third Party touched on — has not been put on the table here today to bring back. So I just want to get a sense of — I know that it gets a bit technical. I'm just trying to understand why those sections are no longer important to have in this act.

Ms. White: So, I'm going to use the section of the *Oil and Gas Act* from 2012 that the minister's colleague did because, although my notes from 2012 did not include a reference to section 41, these ones do. So, I'm going to read this so we can be on the same page — everyone in the room — while we have this conversation. This is from the 2012 copy of the *Oil and Gas Act*. It's "Consent of Yukon First Nations"; section 13(1) says: "Subject to section 41, before the effective date of a Yukon First Nation's Final Agreement, the Minister shall not

"(a) issue new dispositions having locations in 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."

Then it goes on to section 13(2): "If all or part of the location of a federal disposition is in the traditional territory of a Yukon First Nation, the Minister may issue a licence authorizing any oil and gas activity in the location of that federal disposition without the consent of the Yukon First Nation." I just wanted to make sure that we were having the same part of the conversation.

So, the minister is right; what we have brought forward says: "Consent of Yukon First Nations" — 13(1): "Before the effective date of a Yukon First Nation's Final Agreement, the Minister shall not

"(a) issue new dispositions having locations in the traditional territory of the Yukon First Nation; or

"(b) 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."

And so there are some lines we are leaving out, and there's reason for that. So, section 13(2) is specifically about existing federal dispositions. Currently, there are five federal dispositions in the Yukon, all of which are inactive.

These dispositions will remain until expired or removed; not reinserting section 13(2) has no effect on that. As I said before, this bill is about First Nations' right to free, prior, and informed consent as upheld by UNDRIP, which the Government of Canada, as we know, committed to in 2021.

In my speech at second reading, I mentioned that while drafting the bill, that we consulted with both the drafter and a former UFA negotiator. Both of those people were also part of the oil and gas working group at the time it existed. I went back to the source, as best as I could find. With their advice, we decided that section 13(2) should not be reinstated for various reasons, so a reinstated section 13(2) would apply to all Yukon First Nations, since it doesn't distinguish between before the effective date of a Yukon First Nation final agreement and after a Yukon First Nation final agreement comes into effect. So, that would affect 11 nations. 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, so we estimated that there was also no need for section 13 to refer to the federal dispositions, as it was before.

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 that we are proposing.

Hon. Mr. Pillai: Thank you for that very comprehensive answer. I am just going to wrap up, but first I just want to make sure that we provide some time to the Yukon Party if they want to ask some questions in Committee of the Whole. Seeing that, my sense would be — I will wrap up with this: Government has voiced and been very clear about the support for this amendment. It is, as stated, a very complex undertaking and there are many things to consider. I know that the Third Party has worked hard to continue to have these conversations. I believe that, over the last two weeks, the fact that this amendment has come to the floor of the Assembly has heightened the conversation around it. It is also, I think, more broadly understood what work is being done here, because of course, when all of us are here all the time, we are in the middle of this, and it becomes a key part of our lives, and all of the other folks outside of here have lots of things that they have to balance in their lives. I think that the Third Party has done a great job of making sure that this has been talked about in the media and the importance of this.

So, with that being said, wouldn't it be prudent at this point — and I know there has been a lot of time spent — but wouldn't it be prudent now to just get the other half of the nations into a dialogue? I don't know what the end result with that would be, but does it make sense to just take — to go through that, to take a bit more time, because there's a lot of work that has been done on this, but again, there are many folks who have not tabled. As was said, there are two nations who just went through — one is going through an election process; one just finished. Those are two nations — one, of course, represented by an MLA who sits in the caucus of the NDP and of course conversations that have happened, as the Leader of the Third Party said, with the new Chief of the Champagne and Aishihik First Nations.

So, with that in mind, wouldn't it be prudent to take a bit more time to just complete this work? So much hard work has been done already. We're just wondering in government because, of course, we're stating we support the work of the

amendment; we just need to ensure the consultation is completed in the appropriate way.

Ms. White: I think there's a couple of different things that I would say. I would ask if consent is needed to get consent. It sounds very — I guess a bit flippant when I say it that way, but the truth of the matter is consent is a basic right. People should have the ability, as should nations, for consent. So, there's that.

The truth of the matter is that the minister has been part of a government — a majority first in 2016 to 2021 — where there was the ability for them to make this decision to bring it forward and to do that work and to right the wrong of 2012 — one where the Premier spoke very much against this amendment.

There is also the truth right now that we are in a unique situation in the Yukon where the confidence and supply agreement guarantees that we can get this toward a vote. There's a leadership race happening at some point in the future with the Liberals. The confidence and supply agreement ends in January, so who knows what happens in the spring? There's no guarantee that this can come back then, to be perfectly frank. This is one piece of legislation that has ground my gears for 10 years — this change. This change was something that bugged me then.

So, the truth of the matter is that this is the situation that we are in. There is no guarantee that I would have the ability to bring it back in the spring. I chose not to bring it forward this spring because I was working on getting these letters. I chose not to bring it forward the fall before because I was working on getting the support. Again, this has not been new. It started shortly after the 2021 election — it's the first time those letters went out. So, the situation is different. This isn't common. So, I appreciate the perspective, and that is where I am at right now.

Deputy Chair: Is there any further general debate on Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*? Seeing none, we will proceed to clause-by-clause debate.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Title

Title agreed to

Ms. White: Deputy Chair, I move that you report Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, without amendment.

Deputy Chair: It has been moved by the Member for Takhini-Kopper King that the Chair report Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, without amendment.

Motion agreed to

Ms. White: I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Takhini-Kopper King 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. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, and directed me to report the bill without amendment.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Speaker's statement

Speaker: Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, has been reported without amendment by the Deputy Chair of Committee of the Whole. Pursuant to Standing Order 59(1), the bill may immediately receive third reading. The Leader of the Third Party is therefore entitled to decide whether the House shall proceed with third reading of Bill No. 306 at this time.

I would ask the Leader of the Third Party to indicate whether she wishes the House to proceed with third reading of Bill No. 306 at this time.”

Ms. White: I request that Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, proceed to third reading at this time.

BILLS OTHER THAN GOVERNMENT BILLS

Bill No. 306: *Act to Amend the Oil and Gas Act (2022)* — Third Reading

Clerk: Third reading, Bill No. 306, standing in the name of Kate White.

Ms. White: I move that Bill No. 306, entitled *Act to Amend the Oil and Gas Act (2022)*, be now read a third time and do pass.

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 third time and do pass.

Ms. White: I do want to thank my colleagues for their questions and comments during Committee of the Whole, both today and two weeks ago. As I have stated several times, this bill is about reinstating a section that was wrongfully repealed by a government at the time that had no respect for indigenous sovereignty. It's about reinstating the right to consent for First Nations without a final agreement for oil and gas dispositions within their territory.

Reinstating section 13(1) will open the door to conversations about what First Nation consent really means. Consultation is not consent, and conversation does not imply

consultation. What we are really talking about here today is consent. Passing this bill will open the door to implementing free, prior, and informed consent for every First Nation in the Yukon. That is ultimately our final goal.

We have heard a lot about consent from the members across the way, asking us about our consultation: who did we consult, how did we consult, why we didn't include transboundary governments, and why we didn't get everyone on board. We have heard about how much this government has consulted and, of course, about the amazing public service that has supported them doing just that. Although we may not have the same resources at our fingertips, it's okay. The Yukon NDP and I personally had ongoing, real discussions about this amendment and this bill. We have received letters from many First Nation governments — not all. I definitely would confirm that. Some have just gone through an election and are no doubt prioritizing what is important to their citizens. One is in an election right now. I appreciate that this might not make the top of the initial list, but it doesn't make it any less important.

Some things have not changed over the years. If every First Nation government agreed to what is happening on their traditional lands, we wouldn't see First Nation governments in conflict with this government, resulting in court cases. That does not suggest to me that consultation or consent was followed. Free, prior, and informed consent is not optional. It needs to be implemented in the Yukon in partnership with every Yukon First Nation. This bill won't solve these problems per se because, as I said before, the scope of this bill is limited to reinstating what was repealed in 2012, and it touches only on oil and gas development.

This bill is about recognizing that First Nation consent is essential. This bill is about learning from a mistake of the past and moving forward together. I hope my colleagues will join me in doing just that today, because I really believe we have an opportunity to lead the way.

Hon. Mr. Pillai: There are a number of things that I would like to reflect on. First and foremost, I think it's important to defend the government record on the work that has been undertaken in the last six years with First Nation governments and the amount of focus that has been put in place. We can talk about oil and gas in a second.

We were sworn in in 2016. I think it was the first week of December. We were handed a series of binders. It was sort of like, “This is your homework for Christmas.” We walked back, and within the first seven days of January, I sat with the deputy minister I had a chance to work with, who is now the deputy minister responsible for the Executive Council Office. We had a discussion about the importance of working alongside First Nations of the Yukon, moving forward when it came to mining. Less than 20 days later, we signed an agreement and a memorandum of understanding with all 11 self-governing nations. One nation took a little bit longer to get, but that was through phone calls and that was the work to sit down with folks. It was all done within the first 60 days. We do understand, and we have undertaken this type of work independently. Sometimes, yes, we have had the support of departments, but

to say that our perspective on working with nations and that we are not out there trying to ensure that we get to the same place on decisions —

Of course, the Leader of the Third Party touched upon a couple of legal proceedings — not specifics, but I think I can probably figure it out because there are not many in this sort of thing. There have been a couple of things that have happened. We will let that process play out without getting into it. I can't speak to the specifics.

But I certainly sit at the table with all nations, whether it is around permitting or land development, and we have always worked in a respectful manner to try to get to a place of consensus, and I understand the perspective on both sides.

You are right; we haven't brought this forward. We were in a majority position, but I will be open about why we didn't bring it forward. I had responsibility for oil and gas. To be very open with you, I can go back and look through the letters that are on file, but this was not something that was brought — at least to me in those discussions with any nations — and said, "This needs to be fixed." There are lots of things that were priority: Let's modernize our legislation around placer and quartz; we need to make sure of our *Lands Act*. We went back to the priority list that existed and that had been gathered and was held by the Council of Yukon First Nations, and, of course, the Executive Council Office had an understanding what that is. Those were the items that were extremely important. That's the work that has been undertaken.

I'm also going to share a story with the Leader of the Third Party at my own expense. Early on in the responsibility of being the Minister of Energy, Mines and Resources, I had one of the nations that would be affected by this amendment — two of the nations — come and speak with me. At that point, they were requesting that an adjustment be made to the *Quartz Mining Act*. Your mindset is: Okay, this is going to give these two nations a tool that they didn't have, and it really seems to be something that's fair, and it's really a respectful undertaking here that we're going to work on. Well, I don't know if the Leader of the Third Party remembers, but once we started the consultation on it and I started to move that work through, I certainly got a big dose of reality. What I quickly learned was that the 11 nations that were self-governing were not pleased — not all, and I'm not going to go through and break it down. But many of the nations were not pleased with that work I was doing.

So, on one hand, I was thinking: Okay, this is going to be good for the three nations that don't have self-government agreements; they have come to me; it seems like a fair offer, and we should move this forward. Then I quickly learned to the point where we pulled it back and that was one of the big lessons in this job. I certainly was a rookie, and I certainly learned that, without having all that consultation done with the 11 nations and having them onside about this adjustment to this particular piece of legislation — even if I was doing something good for others — so, the challenge is that there are five of those 11 nations that have provided a letter of support to the Leader of the Third Party and over half that have not. So, I think that it is really important to understand — what is at the

foundation of not having — if there have been lots of conversations, there must be something and there are probably some sensitivities that exist there.

In our case — "our case" being the current government — understanding the oil and gas files, this was never a priority to bring this forward to make this amendment. But working with First Nation governments on the decision-making certainly was a priority.

First, I think about the cleanup of the Kotaneelee and the many, many conversations with the chief who was in place at that time and trying to figure out how the Liard First Nation — what was their perspective on development in that area and how could we work together? That was always a priority for us — then, of course, putting together the northern chiefs table with Vuntut Gwitchin, Na-Cho Nyäk Dun, and Tr'ondëk Hwëch'in and having those discussions and understanding sort of where those nations felt work would be done. Now, of course, there was a significant legal process that is still in place. I can't get into that, but as the Leader of the Third Party will remember, I was named, and I think that it was about a \$2-billion lawsuit, and we were working with folks across the Yukon nations to understand their perspective.

The other thing that we didn't even touch on here — and I don't understand, at least from my perspective, what the implications are to the Beaufort — is that whole discussion. So, there has been an ongoing discussion between the Inuvialuit, Vuntut Gwitchin, and, I believe, the Gwich'in Tribal Council around the Beaufort. So, how does this affect that? I can share with the House that when I had responsibility, before the current minister, I had to understand: How do I consult and how do I ensure that there are respectful conversations happening on this topic? So, I went back to the 1997 accord, actually, and I brought in somebody who was foundational in a lot of that work for government to understand what was the most appropriate way to seek advice from all nations, right from Kaska territory to the Beaufort.

Essentially, the process that we understood was that we invited all nations — every nation in the Yukon — to the table for the initial conversations. Then, over time, we continued to have those discussions. This is right there in Vuntut Gwitchin traditional territory, so of course, we were always making sure that dialogue happened, but we were also having discussions at the northern chiefs table. There was input, from time to time, more from Tr'ondëk Hwëch'in than Na-Cho Nyäk Dun, but it then centred on — and the nations were comfortable with the northern chiefs reflecting back on that discussion. If you look at the history of how royalties are shared and how they have been distributed, it was important that all nations were at the table listening to that and were aware of what was happening with that dialogue. Then, inevitably, the lead nation was the Vuntut Gwitchin.

So, we haven't even gotten into that, how it is affected by this, and what that looks like in the future. We can all sit here right now and say, Well, there is not really an interest by this government to do anything when it comes to offshore or other governments — but we have this obligation to really think about all potentials that we can imagine in the future when it

comes to how we build legislation, at least from our professional experience and from examples from other places, whether it be in this country or abroad.

I think it's important, because I have a sense of how this may play out. I want to be crystal clear: Today, walking into Committee of the Whole, the goal was to make sure that the Assembly and the Third Party were aware that we support this work. I can tell from the speeches that have been provided how passionate the Third Party — and specifically the Leader of the Third Party — is about this work and deeply, deeply cares about what is trying to be worked on.

I think it's fair to say that everyone on this side of the House understands that, respects that, and is trying to figure out a way to support this but also contemplating the experience — like you said, do you need consent to get consent? That's a great line. Do you need consent to get consent?

I can't answer that, but I definitely think that five out of 11 self-governing First Nations is difficult to move forward on, and as stated, there are a couple of First Nations who have just gone through an election process. So, again, it makes it very difficult, understanding the framework that we have to work within on this side of the table. Again, I have the scar tissue to show you that sometimes when you think you are moving on a decision that you believe is right when it comes to legislation and specific — it's very close to the same example for three other nations — you quickly find out that's not potentially the same product. I can't speak for those other First Nations because we haven't seen the letters, but I think that, as well, the Third Party — look, we understand how this Chamber works and how politics work, and it doesn't matter on this side of the House — the things that we don't get right in the eyes of others, we are going to be criticized for. We know that, but the truth of the matter is — if you want to talk truth — we have done an extraordinary amount of work to build bridges back with all First Nations in this territory, and we have done it in a respectful way. Yes, you can pick one or two legal proceedings on — maybe it's a permit or — I don't know — a subdivision of land, but we're talking about the big things — the big things — that we have walked the walk from what we said we were going to do in 2016. We have walked the walk. There are layers of complexity and legalities that exist that we always have to take into consideration, and all governments do. So, yes, it may be easier, when you are looking in the window, to think, "Why didn't we do this?" But I can tell you that we, as a group — with the leadership of the Premier on the Yukon Forum — we believe that this is important work to do; it's the right work to do, and we felt there were some holes that had to be filled.

So, with that in mind, the Leader of the Third Party has to understand that, although we are supporting the amendment, because the work is not completed, we are also in a position where we are going to potentially jeopardize six years of relationship-building that we did and all of those respectful conversations by supporting this. That's the crux of this. We are in this position where we support it — and today, it was about making space. How can we make some space to get that undertaken?

I think I would say again: We respect the work that has been undertaken, but we also have to respect what we've learned from our relationships that we've built across the territory. As the Leader of the Third Party knows full well, my previous job before being elected here was executive director of Champagne and Aishihik First Nations — who hasn't provided a letter. Probably a good reason that they haven't provided a letter. I don't know what it is, and I can say that. I do not know what it is. On this side of the House, we have not engaged with any nations on this discussion. Maybe that will be good to have engaged, but we did not. All we're doing is taking the information that has been provided to us and understanding what it is, but there's certainly — there have to be some reasons other than that there was an election over the last 30 days. And it's probably important to understand those reasons, and they're probably really, really fundamental to the sovereignty of those nations and their traditional territories and the lands they have. Me — I think — I don't know. Again, if we had a deeper dive into the consultation, we would understand that, and I'm sure there's a way to get this done following the intent that the Leader of the Third Party wants to see.

So, again, I thank the Leader of the Third Party. The questions today are challenging questions. I've had them asked of me. They're tough questions. The Leader of the Third Party did a great job of going through, really, the complexity of all of those things. I hope in the future there is a way for this amendment to be put in place, but again, I hope today that the Leader of the Third Party can reflect on where we are and the difficult position that we're in trying to support the intent, but also not being disrespectful concerning all those other relationships that we really hold up and that are also so important to moving the Yukon forward.

Hon. Mr. Streicker: Mr. Speaker, I want to begin by talking about the responsibilities of government. The Leader of the Third Party, when she was presenting her arguments, she talked about how there was the memorandum, which had been signed back in 1997, I think it was — whatever the date was — but she said it was the government of the day that agreed to that. That's the Yukon government, and whoever is sitting in the role of government takes on that responsibility. That is a really great point.

So, meaning that whatever the decisions of government have been to date, those are the responsibilities we have to take on. Unfortunately, that also includes 2012 when this act was amended.

I think the member opposite is right. It should not have been amended. It was amended despite First Nations saying, "Please do not do this." My recollection of it is not that the members opposite sought that engagement, but rather that First Nations themselves came out and said, "Don't do this." But it was done, so now, when we arrive in the role as government, we end up with the act as amended.

Today, in the bill before us, there is an attempt to replace part of what was taken out but not all of what was taken out. There are some complexities to that, things that, as government,

you suddenly have this responsibility to think about and care about. Some of it was what the Minister of Justice had been referencing when she was — I don't recall if it was during Committee of the Whole or whether it was at second reading. It was at second reading — talking about some of these other sections. Just because I know, from talking with Energy, Mines and Resources, that there is a significant discovery licence that exists in southeast Yukon and if the rules are changed without the ability for there to be that appropriate level of engagement and consultation, we could be going offside. We need to be very careful about those sorts of things.

It's complicated. It doesn't take away from our agreement in the principle of what is being sought to be replaced here and about our support for consent.

The challenge is that, when you're in government, you do have a responsibility to consult with First Nations, especially when we are talking about resource development, land-based issues.

So, as an example, we are working on new mining legislation right now, both for placer and quartz, and we have set up a very extensive and broad table with First Nations to be in a government-to-government relationship, to seek out that full level of involvement in developing the legislation — and still on top of that, we have a duty to consult. So, even though it's a government-to-government table for new mining legislation, we are required to go out and consult. That doesn't fulfill that obligation, because it could be that some First Nations have chosen not to be at that table — although almost all of them are — and then because there is requirement for us to consult — which is a very good thing — even though we have this very full table set up, we still responsibly have to go out and carry out that consultation.

What I had hoped was that there was a response from all First Nations that would allow us to have fulfilled that responsibility on our side. I still hope that there is a way to get this amendment back into the *Oil and Gas Act*. I think it's the right thing to do — plain and simple. The challenge, of course, is that, in order for us to do that — if we vote yes today while we see only half of the responses — there are seven letters from First Nations and another one from the Council of Yukon First Nations. But if we were to vote yes today, what would happen is that we would not be fulfilling our responsibility as government. So, I wish there was a way that we could fill that gap.

I take the member opposite — as she has presented to us throughout the second and third reading and in Committee of the Whole, she has talked about how she wrote early to the First Nations. She tabled that letter to us from 2021 — with that letter. She has talked about sitting down with every First Nation and having these conversations. The challenge, of course, is that we don't have the fruits of that in front of us at this point, but I am sure that she has done a tremendous amount of work to get that feedback.

So, what I want to say is that, for us and with the responsibility of government, we have this duty to make sure that we have fulfilled our obligation to consult with First Nations. There is an irony for me here that the thing we wish to

repair is about something that was taken away from First Nations without their support previously, but now it sits in law, and then that puts that responsibility right back on us to do that work. If there were a way, at this point, to fulfill that and get this amendment in, that would be my fervent hope.

Just to go back for a second, in the times when I have sat down with First Nations to talk about what priorities they have set for us or what they have set as critical things to work on, this is not one of the things that was raised. That doesn't mean that it isn't a priority; it just doesn't happen to be in the priorities that were given to us. There are always a lot of things that we would like to do, so it's not trying to take away from it being important; it's just that when we talk with First Nations and we asked them what was important and they gave us their priorities, this wasn't on the list. There are many things that we want to be working on with First Nations. I will say that it was a fundamental shift that we have tried to make, starting in 2016 when we were elected, to respect the government-to-government relationship.

I will just finish up by saying that I know how much work the NDP and the Leader of the Third Party have done to get us here. I want to thank her for all of that work. I wish there was a way to support it right now at third reading, but I want to just make the commitment to the NDP that, if there is a way to support in getting the last part of that — that we need as a government in order to fulfill that responsibility — I look for that way to work with them to achieve that.

Mr. Hassard: It's certainly a pleasure to have the opportunity to rise to speak to third reading on Bill No. 306 as brought forward by the NDP.

Mr. Speaker, I don't think that there's any surprise to anyone that the Yukon Party certainly is pro oil and gas and that we will not be voting in favour of this bill. But I do have to say that it has been interesting, through the course of the conversation today as well as two weeks ago when we talked about this bill, to listen to the ministers on the government side of the House. We have heard quite a bit about the NDP's lack of consultation and that they don't have letters of support from all of the affected First Nations and so that's why it can't move forward.

While I don't disagree necessarily with those statements, it really is interesting to watch this classic case of "do as I say and not as I do" because, you know, we're currently dealing with the *Animal Protection and Control Act* where we have the Minister of Environment who has numerous letters from numerous groups saying, "Please do not move forward with this bill", yet the government just puts their head down and forges ahead.

We have seen it multiple times with this government, whether it be the airport act or the better building program. So, I guess the irony is certainly not lost on me that the government ministers can stand here and now tell the Leader of the NDP, "You have done a lot of homework, but not enough." It is interesting, anyway.

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 their input exists under the land claims and self-government agreements as well as under common law through court interpretations regarding the obligations of the public government, and it is also recognized in the *Oil and Gas Act*.

So, Mr. Speaker, 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 feel that this is the way that 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.

So, Mr. Speaker, as I said, I don't think that anyone will be surprised that we, as the Yukon Party, will be voting against this bill, but I certainly do appreciate having the opportunity today to stand and say our piece.

Ms. Tredger: Mr. Speaker, as we discussed, this amendment — I think that it is really important just to circle back again. As my colleague, the Member for Takhini-Kopper King, has said so many times, this is not a new amendment. Section 13 was already negotiated, signed off, and supported broadly by First Nation governments during devolution. What was not negotiated or supported by First Nations was its removal from the *Oil and Gas Act* by the Yukon Party government. Of course, when that happened, it was my dad standing here and debating it, so I have to say that I am immensely proud to be carrying on that fight, as part of this caucus.

I have been hearing stories about that time for a while — really since it happened. For that caucus, which I think held the value of reconciliation at the centre of what they did — for this to happen while they were in the Legislature and for them to have to sit and watch this shameful decision, I think that deeply scarred all the members of that caucus. I really feel the weight of what happened there, and I think that we still feel that today.

What is so unbelievably hard about that is that we are going to watch the same thing happen today. The words have changed, and the ministers say different things now. The colour of the governing party has changed from blue to red, but at the end, the result will be the same; those First Nations won't have the right to consent about oil and gas projects in their traditional territories. The result will be the same.

It has been really disappointing, I guess, to watch. I am not surprised by the Yukon Party. They did this in 2012, and the fact that they are going to vote it down again, I think, shocks no one. They have been very clear.

I am immensely disappointed by the Liberal caucus. I hear them talk so much about how important consent is, and yet they are twisting themselves in knots to complicate the issue. Ensuring the right to consent to oil and gas projects in traditional territory is critical to representing indigenous

sovereignty and moving away from a colonial approach to resource development. We know how governments of the past have treated First Nations in the Yukon. We know that they have ignored or avoided consent for resource projects. This amendment is trying to change that.

We have heard them say, "I wish there was a way." We have heard them say, "I support the intent of this; we think this is important; I wish there was a way." Let's talk about that. Let's talk about some options for a government who wishes there was a way and supports the intent of something. For six years — six years — they had the option to go back and do this in the way they think it should be done. How about since we brought the bill forward? I think I heard them openly admit that they have not reached out about this. They have not made any attempt to see if what they think is missing is there. I think that they are getting closer to reality when they say that it wasn't a priority. Because it was not a priority, apparently First Nation consent for oil and gas projects on their traditional territory is not a priority, so the opportunity for that consent to be in legislation is going to pass us by.

So, when I hear "I wish there was a way," it's sounding an awful lot like crocodile tears to me. It's sounding like an excuse, and because of that excuse, well — we are back where we were in 2012.

Ms. Blake: Listening to the debate around this bill, I am struck by a memory from the early 1980s: sitting in the community hall in Old Crow on the floor as a little girl with my legs crossed, watching and listening to conversations about exactly what we are talking about today. At that time, I was about four years old and not knowing the information I was being exposed to.

I remember listening to our old elders back then talk about consent. They expressed just how important it is that anyone coming into our territory must talk to the First Nation and all citizens and seek consent, instead of roaming freely and taking whatever they wanted from our lands and within our territories. This message came strongly from elders who went from living nomadically to a community setting. When I was a little girl, I used to get so annoyed with being forced to sit in those meetings, but as an adult, I can look back at those memories with gratitude, because the elders in those meetings who made me listen, they knew what they were doing. They prepared me for the role I am in today. Now I get to share their views, their voices, and their values in this House, much of which reflects who we are today as Gwich'in.

In every meeting in First Nation communities that I have witnessed, which has been several meetings throughout my childhood, my youth, and my career, I have always seen the community work together to ensure that everyone is heard, including elders, adults, and youth, to ensure that they have a voice and their voice is heard. This practice is what keeps our community united and strong when it comes to making difficult decisions related to our lands and resources and everything that is important to us as a nation.

It's difficult to think that here I am, at 41 years old, listening to the same conversation in a westernized setting. I am

so grateful that my colleague, the Leader of the Third Party, went through the history of this bill and highlighted clearly what wrongs were made by the previous government to Yukon First Nations.

Now 10 years since that harm was committed, we are in a transitional time. Young leaders like myself and many Yukon First Nation chiefs who learned about this history as children are in these roles of leadership, doing the work to restore our rights, while ensuring the protection of our lands and resources, because that's our responsibility.

The conversation we are having in this House today shows how, when colonial governments commit wrongs, it is the future leaders who must right those wrongs and repair the relationships that were harmed. It's up to us right now to mend those harms. It is the members of this government sitting across from me right now who have the power to right those wrongs with us. The Liberals have talked for six years as government about reconciliation and First Nation rights. This is an opportunity for them to walk the talk.

This government has asked about single letters of support. Those letters are valuable, but if this government had also spent the last six years listening to Yukon First Nations and attended those meetings, they would know that Yukon First Nations resoundingly support the basic right to consent to what happens in their own territory. First Nations are the guardians of the land we live on. It is Yukon First Nations who know deeply that the lands we live on do not belong to us. We are caretakers of the land. The lands and resources within our traditional territories allow us to practise our culture and ways of life. The sacred connection we have to our land is what makes us who we are as Yukon First Nation people.

I am hopeful that this government will sincerely listen to what Yukon First Nations have been saying for a decade, and even decades before that, and actually uphold the rights of Yukon First Nation people in this territory. I am very hopeful that the Liberals will vote in favour of this bill. If this government votes against this bill, it will send a very clear message to every Yukon First Nation leader and citizen across the territory on what this government truly believes, including myself.

I know that when it comes to our lands and resources within our traditional territory of the Vuntut Gwitchin First Nation, we always go back to the importance of consent. As we make decisions as a people, we always take into consideration the immediate and long-term impacts on not only our lands and resources but also the Porcupine caribou herd which is central to who we are as Gwich'in people. It is said that half of our heart, as Gwich'in people, belongs to the caribou and half of the heart of the caribou belongs to us, as Gwich'in. That's how deeply connected we are to the caribou herd and the lands we rely on for our livelihood.

We always ask ourselves, in any meetings that we conduct within my nation and within my community, what legacy our future generation of children will inherit from the discussions we have and the decisions that we make today. It is our duty to the future generations that we always make the right decisions, not for ourselves or our families, but for their future.

What we are talking about today is what First Nations across the Yukon have been experiencing since contact. We have watched as our lands were taken and resources have been extracted without consent. I can recall hearing stories as a child growing up in Old Crow about oil companies coming in to attempt to drill and extract oil and gas within our traditional territory, and it was our ancestors who were around at the time who pushed the industry out, because it didn't matter how much money you could promise our nation or our community; it was about the impacts on our lands, our resources, our animals, and our way of life. Because of the decisions they made that day, that is why today I and my children are able to hunt, harvest, fish, and practise the culture that has been upheld by my people for thousands of years — and that's important to me as a Gwich'in woman.

I have watched this my whole life. I grew up sitting there and listening to my elders talk about what was happening and how it had to change. I've been attending several meetings and general assemblies most of my life because I was made to, not because I chose to. I have listened to so many issues and this one in particular, year after year, whether I'm sitting in meetings in Old Crow or at a general assembly or in a community where I've been invited to meetings — this has been an ongoing issue at any meeting that I've been privileged to sit and listen to.

Doing things because it's the right thing to do means upholding and implementing free, prior, and informed consent for all Yukon First Nations and the future generations of our territory. Mahsi' cho.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Ms. White: Mr. Speaker, it is interesting sitting here and thinking about some of the conversations that have happened and some of the points that have been raised. Hearing from the ministers talking about the work being done around successor resource legislation, it was a commitment in the confidence and supply agreement, because even though the government had a majority from 2016 to 2021, it hadn't been started. It had not been started — a majority government. It wasn't started. It was the confidence and supply agreement with the NDP that got that rolling. Folks can say what they will, but it was in that agreement, so there we go.

I think about some of the perspectives that have been shared today, but there were only two people who were in opposition to this initially who are still in this Chamber — although two of us were there for that.

I think back to December 2012. Had you asked me then if I would be standing in this very same Assembly working to reinstate the First Nation consent clause to the *Oil and Gas Act*, I probably wouldn't have believed it. It is important to put into context how that time was — it was terrible. It was a terrible time. I talk about learning how to speak with the sound of drums from the outside, and I say this because there was so much unrest at the time and, of course, perspectives will be different.

This is my perspective. I can tell you that it was a terrible time. I was one of six people who stood in the front of a lot of things at the time. It was terrible.

My colleague Jim Tredger and I were the first ones to say the words “hydraulic fracturing” in a public place, and it was scary because we weren’t sure, but that is what it looked like was coming. It was terrible — making the decision to take that step forward and whether we were going to say it out loud or not, but we did.

So, I think back to 2012; I think back to 2013, 2014, and 2015. I have been in opposition for a very long time. I have been in opposition for 11 years. I am uniquely situated in this Chamber as the person who has never been in government and has only been in opposition. I have been in opposition to a majority Yukon Party government, I have been in opposition to a majority Liberal government, and I am in opposition to a minority Liberal government, and I know how each of those things have felt.

So, looking back at my time in this Assembly, there isn’t any one single action that has stuck like a thorn in my foot as much as the unilateral action taken by the Yukon Party 10 years ago to remove the First Nation consent clause from the *Oil and Gas Act*. There are a lot of things in the last 11 years that bug me, but nothing bugs me more than that. That’s ultimately why I am standing here today — thinking back to that time in the Yukon and how that decision made people feel, how it angered First Nation people and Yukoners across the board.

I laid it out before, but the Yukon Party was in power with a majority government 10 years ago. Their disregard for First Nation rights was no secret. We only have to look back at how they dealt with the Peel planning process or the number of active court cases against them by First Nation governments during that time. So, for them, it wasn’t a problem for them to repeal a key section of the *Oil and Gas Act*, a section that had been agreed upon as a key component of devolution. As I have mentioned several times — and I will again, as this is one of the key pieces of this debate — in 1997, Yukon First Nations, the Council of Yukon First Nations, and the Yukon government signed a memorandum of agreement in which Yukon First Nations agreed to support devolution, subject to a number of conditions to protect the rights and interests of Yukon First Nations.

Mr. Speaker, those conditions were laid out clearly in the memorandum of agreement. Section 5.1 of this memorandum says — and I’m going to quote: “...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 very close to the language used in the repealed section of 13(1) of the *Oil and Gas Act* back in 2012. On December 13, 2012, the majority Yukon Party government voted to repeal that section of the act that had been put there as a condition of First Nation support of devolution. They breached an agreement that was signed in good faith by Yukon First Nation leaders and the Yukon

government — or, as was suggested by my colleague across the way, they breached the honour of the Crown.

Two weeks ago, and even minutes before, we saw a glimpse of the future that the Yukon Party wants for our territory with the remarks that were made by the Member for Pelly-Nisutlin. The Yukon Party sees a future with oil and gas development, one with — look back 10 years ago — fracking, one with little respect for First Nation governments. After all, when they couldn’t get the Kaska to agree to oil and gas development in the Liard River Basin, they removed a key piece of legislation that the Kaska could lean on.

So, to me, it doesn’t look like they heard what Yukoners were saying 10 years ago, and it looks like they didn’t hear what Yukon First Nations were saying 10 years ago. At that time, the Yukon Party was clear when they repealed the section and stripped Yukon First Nations without a final agreement of their right to consent.

Leading up to the actions taken in 2012, a previous Yukon Party Minister of Energy, Mines and Resources wrote a letter — and I quote: “... if we were unable to achieve consent under section 13, repealing that section was our best alternative to an agreement.” So, Mr. Speaker, they could not get consent. They could not get First Nations onside, so instead, they repealed the consent clause. Their repeal of section 13 was in direct contradiction with the principle of free, prior, and informed consent, one that we now recognize is central to the *United Nations Declaration on the Rights of Indigenous Peoples*, a declaration that has been adopted by Canada.

The repeal of section 13 was in direct contradiction of the 1997 memorandum of agreement. One of the questions that I have asked is: If a government can go against an agreement like a memorandum of agreement, which I talk about, what is to stop a government from breaking other agreements and other commitments that are made in good faith if there’s no consequence? One of the reasons why I talk about the Yukon government — the Yukon government is the Yukon government — it doesn’t matter which political party is there. That’s the concern I have. It’s one of the concerns that I have.

Bill No. 306, which is on the floor today, is a way for this Assembly and for this government across the way to right the wrongs that were done 10 years ago. It’s a way for those of us who were in opposition to the actions taken a decade ago to right that wrong.

Mr. Speaker, I mentioned that, in reality, there are only two of us who are left who fought against these changes 10 years ago. I am pretty confident that everyone in this Assembly knows where I stand. So, I guess it’s a question of where the Premier and his government stand now that he is in power.

More than reinstating rights that were wrongly taken away, reinstating section 13(1), I believe, opens the door to conversations about what First Nation consent means and about the difference between consultation and consent. I believe that it will open doors to a conversation about when the Yukon government will finally decide to formally adopt UNDRIP. This goes back to my point about the Yukon government. We have no idea which political party will be the Yukon government when UNDRIP is finally formally adopted. I can

confidently say that the Yukon NDP has been clear where we stand. What is less clear is where the Liberals and the Yukon Party stand on the issue.

Based on some of the Minister of Energy, Mines and Resources' line of questioning during Committee of the Whole two weeks ago about where and when the need to consent ends or begins, it leaves some questions out there. It suggests that we as a territory have a long way to go. I think that it's about time we started having these conversations. I started having those conversations by myself during the 2021 election campaign, but I have since tabled letters from First Nation chiefs who talk about the importance of UNDRIP and free, prior, and informed consent.

I said it before and I will say it again: These conversations will not be easy. As has been pointed out, there are technical discussions that need to be had. As we all understand, there are overlapping territories and cross-boundary nations. There are discussions between nations and discussions between governments and discussions between nations and the Yukon government. Some of these discussions won't be easy because they carry a lot of history. The truth is that, as a country and as a territory, we are entering a new era — an era that not only recognizes the importance of First Nation consent but one that is based on the principles of that consent.

Thirty years ago, the Yukon was blazing a trail when we entered an era of modern treaties and unprecedented negotiations. We have heard the ministers talk about that time — about how, in Yukon, we have half of those final agreements, half of those treaties. It's true. It's important. Consent is the future of modern treaties, consent is the future of government-to-government relations, and consent is the future, I believe, of our territory. I used an example of a mining company that has worked with three First Nations, including one without a signed final agreement, because it is possible to work toward consent.

The question to ask ourselves is: Do we want to take that leap? Do we want to take that big giant step forward, or do we get left behind?

The indigenous law foundation breaks down the definition of "free, prior, and informed consent" into three pieces. You've heard me say it before and I'm going to say it again, because I think it's important to reflect on them. "Free consent" means the consent is given in the absence of coercion, manipulation, or intimidations. "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.

I think it's important to recognize that the Yukon government and currently the ministers across the way — really, any ministers of Yukon government — have the right to free, prior, and informed consent. They can accept or withhold permits. They can request information or additional information and take time to properly reply. They can make their own decisions based on what they think is right or wrong. That all meets the requirements of free, prior, and informed consent.

So, the real question is: Why would Yukon First Nations not have that same right? Why would the government withhold the right from others that they already possess? The concern that I have is that a vote against this bill today is against the historic negotiations; it's against the agreement that was signed in 1997. It's a vote against the commitment that was made by Yukon government with First Nations. Reinstating section 13(1) would acknowledge that trust was broken and that an injustice was done by the Yukon government in 2012. At the end of the day, it doesn't matter which party repealed this section, because at the core of the issue, it was the Yukon government who acted in bad faith and repealed the First Nation consent clause. It was the Yukon government who broke its commitment.

Any Yukon government that benefits from the wrongdoings of the past, that benefits from the decisions made in bad faith and the unjust actions of a previous government and then actively refuses to fix them when the opportunity is right in front of them, I don't believe is any better.

So, we know where the Yukon Party stands, because they have said it clearly: They will vote against righting this wrong. To be fair, it's a wrong that they created. We have heard from two of the Liberal ministers, but where do each of the other members stand?

You know, Mr. Speaker, the tradition in the House of Commons in Canada is that parties don't whip the vote on private members' bills. I would point out that, in my time here, my 11 years, my vote has never been whipped. I have never been told which way to vote. In the House of Commons, it is accepted that individual members will vote with their conscience and not with the party line, because when it comes to a private member's bill such as the one in front of us today, members should be able to vote with their conscience. So, I am going to do something bold and radical. Today, I invite that this tradition be upheld in this House, too — for each member of this House to vote with their conscience and with their values.

We know that the Liberals will have a new leader soon. I think it is important for Yukoners to know where each member of the Liberal caucus stands, because the future leader of the Liberal government potentially will be standing in this room during that vote. I think it's fair to know where they stand on the issue of consent.

I remind everyone again what's at stake here. I know where the Yukon Party stands. I have a good feeling about where the Liberals stand, but if the Liberals choose to vote against this bill today, I feel like it's at their peril. I feel like it's voting against consent, so I really hope that's not the case. I really hope that an opportunity to have a free vote — one with conscience — that people choose to leap with us, because the risk is staying behind otherwise.

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: 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 three yea, 15 nay.

Speaker: The nays have it.

Motion for third reading of Bill No. 306 negatived

Speaker: I declare the motion defeated and that Bill No. 306 has not passed this House.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 519

Clerk: Motion No. 519, standing in the name of Mr. Istchenko.

Speaker: It has been moved by the Member for Kluane:

THAT this House urges the Government of Canada to exempt home heating fuel from the Government of Canada's carbon-pricing system.

Mr. Istchenko: It is a pleasure to rise to speak to this motion that I brought forward, Motion No. 519, which reads:

THAT this House urges the Government of Canada to exempt home heating fuel from the Government of Canada's carbon-pricing system.

So, before I get started, I hope that the Premier gets up and speaks to this today because I have a question for him. My question for him is this: What do I tell my constituent — a single mom working two jobs — who just had her fuel tank filled at a cost of \$1,800? She can't afford this. She has no other heating option. She has no other option for housing. She is now financing the necessity to keep her family warm. This is not okay, and this should not sit well for this government.

The Liberal carbon-pricing system is a failure and has caused an increase in almost everything we use and rely on in our day-to-day lives. It is a tax that keeps increasing and causing everything to become more expensive. We said this in the beginning — that this tax was going to have unintended consequences. People still have to drive to work. People still have to heat their homes. Only now, this government, rather

than incentivizing lower emissions, has put an increasing tax on our necessities. Home heating fuel is a necessity. An \$1,800 fill is not pocket change for a single mother with two jobs. She cannot simply choose to turn off the heat for a week to make ends meet. People are literally having to choose between their grocery bills, their electrical bills, and their home heating bills, and we're not even into the cold months yet. But this government is choosing to keep an increasing tax on the most essential and most expensive bill that Yukoners are faced with.

So, we have sat in this House and listened to the Liberal members across the way try to defend the decision to implement the carbon tax. We keep hearing them try to convince Yukoners that their plan is the right way to attack climate change, and I'm sure that, during debate today, we will hear a few Liberal members stand up again today trying to use their talking points that they got from Trudeau.

So, the kicker is that, if you Google "what is a carbon tax", it says that the government sets a price that emitters must pay for each tonne of greenhouse gas emissions that they emit. Businesses and consumers will take steps, such as switching fuels or adopting new technologies, to reduce their emissions to avoid paying the tax. It's kind of laughable, really, because there are no other choices.

What choices do most Yukoners have? So, the average family cannot afford to change out their home heating system or to turn down the furnace in minus 30 degree or minus 40 degree weather. They don't have other options. Rural Yukoners need to travel for all our essential services.

Back when the Premier was first pushing the federal Liberal carbon tax, I remember asking — about my constituents in Beaver Creek — about how much this tax was going to increase the cost of living for them, especially with the cost of freight increasing with this tax. His answer was that the residents of Beaver Creek are going to have to get used to paying more for diapers. Well, he wasn't wrong. The options that we have for home heating — electric heat — it's a no-no in Beaver Creek and Destruction Bay because they are on diesel generation. Burwash is on diesel generation also, but apparently some residents are allowed to heat with electric. I have asked about this on behalf of my constituents in Destruction Bay, just a few minutes down the road, who would also like to have the opportunity to put electric heat in their homes — yet I haven't been provided an explanation.

The Liberals say that switching fuels or adopting new technologies will help families to avoid paying more. Well, this all costs money — and lots of money.

Supply chain issues — and even finding a contractor to come to rural Yukon is hard. I know constituents who have been on a list and have been waiting for years just to get their furnace serviced. Furnace oil has been up. Well, it is between 60 and 70 percent higher than last year right now. Just imagine what it will be when the carbon tax triples. Interestingly enough, home heating fuel all comes from the south. It needs to be trucked up to the Yukon using fossil fuels, which means more GHG emissions. The Liberal government has proven to be rather stubborn in trying to focus on eliminating fossil fuels entirely in the Yukon. They have cemented our future to them.

We have some incredible technologies and some very wise and willing groups here in the Yukon that could help move us in a positive way, in a positive direction. By partnering with industry and Yukon First Nations, there are many options. It's not lost on many Yukoners that they are being punished with this ever-increasing carbon tax. This tax is making it extremely costly to heat their homes while this Liberal government's energy future is solely dependent on rented diesel generators. Actually, I think we are at 17 now, but the Yukon Utilities Board says that could increase in 10 to 15 years as our territory grows, and it will.

So, while this Liberal government promotes their federal counterpart's crippling carbon tax, everyday Yukoners sitting down with their families are trying to figure out how to finance this month's oil bill and buy groceries at the same time.

You know, Mr. Speaker, cutting Disney+ doesn't do much to cover the \$1,800 home heating fuel bill. So, the Yukon has become an unaffordable place to live under this Liberal government. Exempting the home heating fuel from the federal carbon-pricing system is one way; it's a good way that we can help lessen the ever-increasing cost of living in the Yukon.

I hope that all members support this motion that I put on the table.

Hon. Mr. Clarke: Mr. Speaker, I am pleased to rise this afternoon to respond to Motion No. 519, standing in the name of the Member for Kluane. This motion reads:

THAT this House urges the Government of Canada to exempt home heating fuel from the Government of Canada's carbon-pricing system.

Energy, of course, is a crucial input. Energy use imposes an external social and environmental cost as the combustion of fossil fuels increases the concentration of greenhouse gases and accelerates the climate crisis that we are all experiencing. Yukon's climate is changing, impacting the water, land, and the places we call home. We know that elders live through winter temperatures that our children may never experience. Wildlife and plant species are claiming habitat in places 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, and 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's 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.

As our population continues to grow, we will require more energy. At the same time, we do need to reduce our carbon footprint in order to ensure economic stability, energy security, and ultimately the robustness and resilience of all of our infrastructure.

Mr. Speaker, 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. We have committed to an ambitious target of reducing our greenhouse gas 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 percent of Canada's emissions, on a per capita basis, Yukon's emissions are the sixth highest in Canada. The central role of a government is to strive to reduce such negative externalities, such as objective recognition of the true cost of climate change to our society. This is what a responsible government does. There is a cost. That cost is being paid when we build better — more resilient but also significantly more costly infrastructure. The cost is being paid when we maintain our highways as the permafrost slumps and creates significant obstacles to our highways and buildings. That cost is reflected when we need to enlarge the culverts under our roads when the old ones are just not wide enough to deal with the increased precipitation and they are failing — the significant cost that is incurred when we mobilize to help fellow Yukoners battle unprecedented flooding, whether it is in Carmacks, Jackfish Bay, Marsh Lake, or many other Yukon communities.

Yukon has experienced significant flooding events in recent years. We know that the risk and likelihood of flooding is shifting due to changing temperatures, precipitation, and extreme weather events. These events are happening around the world. In June 2022, catastrophic flooding took place in Pakistan, displacing millions, with damages currently estimated at approximately \$40 billion. In 2021, the Pacific Northwest was hit by an atmospheric river that caused severe flooding and prompted a state of emergency in British Columbia. The damage is estimated so far to be between \$5 billion and \$7.5 billion. This last year, Europe experienced a drought unseen in 500 years. The Rhine, a major river and cargo route, dropped to critically low levels, causing shipping disruptions. The Maldives are expected to become uninhabitable as early as 2050 and disappear entirely by the end of the century as sea levels rise. Forest fires have raged through the vast northern forests in Siberia, in Alaska, and in British Columbia, impacting air quality in cities and towns.

Only last year, a wildfire destroyed approximately 90 percent of the Village of Lytton in British Columbia, killing two people and forcing the evacuation of over 1,000 people. The cost of this disaster is estimated to be approximately \$150 million. As most Canadians know, the temperature in Lytton at that time hit 49.6 degrees Celsius in the days leading to the fire. This was the highest temperature ever recorded in Canada.

This past summer, we had to close the Klondike Highway, as the forest fires in our territory were too close to allow for safe travel. Of course, there are countless other examples around the world. Increased frequency and intensity of extreme weather events, like hurricanes, wildfires, and droughts, threaten lives in these front-line communities, driving people from their homes and jeopardizing food sources and livelihoods. All of these effects increase the likelihood of more conflict, hunger, and poverty around the world. There is a significant financial cost to all of this — the financial cost of us adapting to all of these changes.

One of the keys to reducing Yukon greenhouse emissions is to continue to ensure most of our electricity is generated from renewable resources and that we are steadily and consistently increasing the proportion of renewable energy heating. In *Our Clean Future*, the strategy that guides us, we are aiming to meet 50 percent of our heating needs with renewable energy sources by 2030. When we heat our homes with fossil fuels, we also heat our planet. In addition, many homes use much more energy than they actually require due to inefficiencies.

In the last year, our government supported the installation of 21 heat pumps and 50 smart heating devices, including electric thermal storage units. In the last year, our government also increased the rebate for smart electric heating systems, which is one of the actions of *Our Clean Future*. These systems provide accurate readings of your usage so that you can adapt your energy consumption to save you money. These systems are also equipped with an extremely accurate thermostat so that you do not overheat or underheat your room, thus preventing wastage. These systems also enable the creation of a custom heating schedule to match the routine of your household accurately, even remotely, by using your smartphone.

In the last year, we also launched a partnership with local industry to test the use of electric heat pumps with backup fossil-fuel heating systems, which is also one of our action commitments in *Our Clean Future*.

Our government will not sit idly by as the demand for energy shifts. It is very clear that, as Yukoners increasingly invest in both electric vehicles and electric heating technologies for their households, the demand for electricity will continue to grow. Our government is increasing the amount of renewable energy produced for electricity and heating. These efforts, combined with electricity grid investments, will ensure that our electrical infrastructure is climate resilient and suited to new patterns of electricity generation and use. This is all part of Yukon Energy's 10-year renewable electricity plan to support the Yukon government's goal of achieving 97 percent of electricity on the main grid to come from renewable resources by 2030.

This plan includes the Atlin hydro expansion project, Moon Lake pump storage facility, and the Southern Lakes transmission network.

The new grid-scale battery storage being built on the south access, or Robert Service Way, will also help meet peak demand for electricity during the winter, burn less diesel fuel, and improve the reliability of the Yukon grid. When completed, the battery will be the largest of its kind in the north and one of the largest in Canada. This project is also an example of how Yukon Energy is working with First Nation governments to secure Yukon's clean energy future.

By 2030, we will see an increase in local and community-based renewable electricity generation, including operating independent power production projects in all of Yukon's off-grid communities, and community-based renewable energy generation also contributes to climate resilience by building self-sufficiency and reducing our reliance on southern fuel imports. Some examples include the Haeckel Hill wind project,

the Dome Road solar project, and the Kluane ń-ts'i wind project.

I am certain that my colleague, the Member for Mount Lorne-Southern Lakes, will expand on those initiatives in his remarks. As well, I am certainly cognizant of the comments made by the Member for Kluane and acknowledge that there are immediate challenges with the rising costs and supporting households and individuals where possible, and I do anticipate that my colleague, the Member for Porter Creek South, will expand on what our government is currently doing to assist with inflationary pressures in his remarks.

The opposition will perhaps criticize my concerns with the motion presented by the Member for Kluane; however, if we do not change course, we will continue to incur huge financial losses in Yukon, and all levels of government in Canada will increasingly incur crippling expenses on behalf of their citizens. Various levels of government are paying, will pay, and will have to pay in the future.

The Member for Kluane has seen first-hand the effects of climate change in his riding when the massive Kaskawulsh Glacier retreated so much that its melt water abruptly switched direction. Instead of flowing into the Slims River and then north to the Bering Sea, the water has changed course and now flows south toward the Kaskawulsh River, the Gulf of Alaska, and the Pacific Ocean. This rare geological event — also known as “stream capture” or “river piracy” — describes the phenomena where a stream or river is diverted toward another body of water. These events are usually caused by a dramatic tectonic event, but this time, human-caused climate change is the culprit. The water levels of Łù'àn Mǎn, also known as “Kluane Lake”, are dropping. These are not potential scenarios; this is happening right now — more and more every year.

Now the Slims River is not really a river any more, but is more accurately described as a long and dusty mudflat. This, of course, has profound effects on the Kluane First Nation. We have yet to determine the impacts on the salmon, as researchers are still scrambling to understand the implications of this dramatic change. There is urgency to act. In fact, it is knocking at our door, right now, here in the Yukon.

In addition to all of this, there are tipping points where climate change could push parts of the Earth into abrupt or irreversible change. Some of these include the Amazon forest dieback, massive methane release, ice sheet disintegrations in Greenland and Antarctica, coral reef die-off, and monsoon shifts of West Africa and India.

To support this motion is to effectively tell the federal government that we are giving up and that we cannot — or are unwilling — to do our part for Canada and the world, for that matter, in reaching its climate goals. However, at the same time, we would still inevitably be requesting significant transfers from the federal government to adapt, fix, and repair the increasingly complex, expensive, and significant challenges that are associated with climate change. That is not leadership. Leadership is making difficult but necessary choices.

Even in the Northwest Territories where, as we know, there are substantial logistical difficulties with remote fly-in communities and many islanded grids, effective April 1, 2023,

consumers there will no longer receive a full rebate on the carbon tax paid for heating fuel at the point of purchase.

Transitioning to renewable energy to heat our houses is a challenging transition with many moving parts, but without it, we are just throwing in the towel and giving up. We are active — this government is active — on many fronts to facilitate this essential transition. Our government is facing this daunting challenge, and we will not run away from it.

Ms. McLeod: You know, as I listened to the Minister of Highways and Public Works, I was kind of amazed at how out of touch that minister seems to be with what everyday Yukoners are dealing with. I thank you, Mr. Speaker, for the opportunity to rise and speak to this motion today; it's my pleasure to speak to this motion that was brought forward by my colleague, the Member for Kluane.

The other day when we were in this House, the Minister of Energy, Mines and Resources called Yukoners who use fossil fuels to heat their homes “polluters” and was quite proud to adopt the federal mantra of “polluters pay”. Now, I am almost sure that Yukoners listening to that were not warmed to it — those Yukoners who don't really have a reasonable alternative.

In a *Whitehorse Star* report on November 4 of this year, they reported that 4,038 homes in the Yukon are heated by electricity. We look at those numbers that were from 2020 and represent about an eight-percent increase for 2021. I am assuming that most of these are new builds and I am assuming that they are mostly in Whitehorse. So — for those listening, because I am assuming that the minister knows this — electric heat to those 4,038 homes is not subject to a carbon tax. I wonder how many of those homeowners are getting a carbon tax rebate. That means that rural Yukoners are severely and disproportionately burdened by the carbon tax and the GST on top of the carbon tax. It simply isn't fair treatment for Yukoners.

In the Yukon, some or most households and businesses have the ability to connect to the grid and heat with electricity. Arguably, this isn't really a solution because some of that electricity, at least, is being produced by fossil fuel, but many are not able to convert to electrical heat. In some of our communities, it is forbidden for anyone who must get a building permit to build a home and heat with electricity. Those would be the communities that have 100-percent diesel-generated electricity — communities like Watson Lake, Upper Liard, Beaver Creek, Destruction Bay, Old Crow, and apparently until very recently, Burwash Landing.

Switching to an alternative heat source and away from fossil fuels is no problem, according to the Minister of Energy, Mines and Resources. Just go with wood, he says. Well, we hear from Yukoners that finding that wood supply is a huge challenge — and can you afford it? It is possible that, if you were heating with electric heat, the cost would be about the same. The issue becomes that you don't have to lay out \$5,000 in cash at the start of the year. I wonder if the minister has considered the impact on homeowner insurance for wood primary heating systems. If you can find a carrier, you likely

couldn't afford the premium. I know this because I called my insurance broker.

What if you wanted to convert to propane to heat from diesel because propane is a cleaner fuel? Has the minister ever looked at the cost of switching heating systems? It's big. In fact, having just gone through this process, I can tell you that it costs the same price as a small house. Homeowners are unlikely to consider it unless the diesel furnace's life has run out. This could mean another 30 years for someone who has a newer system before they have reason to switch out their system to any other source, even if there was an alternative to a fossil-fuel system, and I can think of no one who would do this “just because”. Even with a change to propane, you are still hit with the outrageous carbon tax and that GST.

With increasing home heating fuel costs and an ever-increasing carbon tax added to that, the Liberal government is managing to out-price families to make heating their homes a luxury. So, let's say that you only burn wood. How many Yukoners can't do this due to the lack of ability — either a physical limitation or resources, like not owning a truck. Yukon commercial woodcutters have faced nothing but problems from this government, and red tape has made it difficult to provide wood to Yukoners.

I am all too familiar with the rising cost of home heating fuel. Last February, I received a fuel bill for over \$1,600. I was in shock, and the first thing that came to my mind was: How in the world are people managing to pay their bills? The prices are still skyrocketing. There has just been a fuel price increase announced that could conceivably add another \$200 a month to everyone's home just for the fuel cost — never mind piling on some more carbon tax and some more GST.

So, I pay quite a bit for carbon taxes on top of that fuel price — on top of that \$1,600 — and I get back about 25 percent. This government always talks about Yukoners getting all of their money back. So, I ask: Why take it in the first place? How many emissions in the Yukon have been cut due to this policy? I will challenge any minister to tell me the answer to that.

The Minister of Highways and Public Works can talk all he wants about pricing people out — using fossil fuels. But at the end of the day, you are just hurting families; you are not actually addressing the problem.

Of course, I will be supporting this motion.

I just had one other issue to talk about, because I have an idea that it is going to come up with a subsequent speaker, should there be one, and it has to do with some of the things that the Yukon government is doing to help Yukoners with their monthly bills. One that the government has spoken about is the 10-percent increase to the pioneer utility grant.

Now, we know that doesn't help the single mom that my colleague from Kluane was talking about, but it provides a little bit of help for a senior citizen who is still living in their home. Say they get \$120 back for a year — a whole year — but I can tell you that this pioneer utility grant, including the increase, doesn't even pay for one fill-up, so it is not much of a help.

Every time we talk about how the government is helping Yukoners with their affordability issues, they raise the issue of

childcare. Well, I don't know. A lot of senior citizens are scratching their heads at that one because it's not helping them.

I know the government believes that they are bending over backwards to help Yukoners with their minor assistance. I'm going to even include the \$150 rebate on those electrical bills — the ones that people aren't even paying carbon tax on. So, it's not a lot. It can make a government feel good. I understand that there is a huge cost — even that small amount of money — to any government, but when this government talks about: "The government is spending..." and "This will cost the government...", we need to remember that it doesn't cost the government anything; it costs the people. The people are paying that, not the government. It's the people's money, and I think the government needs to remember that.

Hon. Mr. Streicker: I think this is a really important question — an important issue for sure. How do we make sure that life is affordable for Yukoners? In this case, when we are talking about fossil fuels — because the price of fossil fuels has been going up — the work to help people to get off fossil fuels is pretty important. Even if there were a subsidy right now, as the members opposite are proposing, in the future, the prices will likely continue to rise. What we really need to do to support Yukoners is to help them to not need fossil fuels. That is the fundamental question. It may not be as easy to deal with immediately, but it is certainly an important thing.

Whenever we — the government, myself — talk about polluter pay, what we are saying is that there have been unintended consequences to using fossil fuels. I think that we are very lucky as a world, as a territory, to have had access to fossil fuels. They have been a great energy source; however, they have a side effect that is effectively changing the planet and making the planet less livable and, at times, a very problematic place, and the world has to deal with the effects of climate change.

I think that we have a shared, mutual reason in order to try to deal with that. One, of course, is to try to protect our environment, but the other one, of course, is because, as these costs continue to rise for Yukoners, we don't want that dependency on fossil fuels because it's hurting.

I will say that I — like every Yukoner, even the most conscientious Yukoners — still rely on fossil fuels, and that's because, when I buy food at the grocery store, even if that food comes locally from here, there are still fossil fuels somewhere in that supply chain. So, even the most conscientious Yukoners still use fossil fuels. This building that we are standing in today, debating this motion, is heated by fossil fuels. So, it is important that we find ways to reduce our emissions, and at the same time, I don't want to try to act like I am not also one of those folks who has that dependency. We all do.

How can we work together to help Yukoners — so that the constituent that the Member for Kluane was talking about, who has a very high cost for filling up her oil tank — and do our best to help them?

I definitely have some suggestions. The first thing I will say is that, for those of us who have the ability to use other heating sources, we could switch to other ones, but it's pricey.

That's why we brought in the better building program. I am happy to say that it is available in Burwash, Beaver Creek, and Destruction Bay, because those communities are already on the territorial tax roll, so that's why it is accessible already. The first solution isn't really about trying to get to a different heating system. The first solution is to try to reduce the amount of heat that you need at all.

This building was recently renovated and reinsulated in order to try to reduce the dependency on fossil fuels. Why is that important? Because then we just don't need as much heat, period. If we think about the home that the Member for Kluane was talking about — I'm sure all of us in our ridings know of homes where people have high heating bills, and we want to help them get those heating bills down. The member opposite has talked about the problem where the person doesn't have the means to get there, but luckily that's why we provide this low-interest loan. For many homes, that's why I encourage them to work with the Energy branch. They will talk them through whether it is a good fit for them.

The point I am trying to make is that usually the savings on the heating bills is better than the repayment of the interest on the loan itself, so you're ahead of the game. That is important. We do try to provide an avenue for people to be able to reduce their dependency on fossil fuels, because I am worried that the price is going up. I am also worried that, if we don't do that, what happens if we continue to create that dependency on fossil fuels, which as I have already said, has other side effects, but even for people just flat out, we want to help them so that they don't get hit with it.

The carbon price that was designed here in Canada and here in the Yukon always had the intention of the money comes in and is collected so there's price signal, but we rebate it. In the instance of the Yukon, how we've set it up is we've said, "Hey, we will make sure that, if we add up all of the price that is paid by individuals, we will rebate more than that back to Yukoners." And yes, each person gets a rebate. We did make a difference in it that said: "Hey, for Yukoners who don't live within Whitehorse — if you're a distance away — there's an increment to the rebate" so that there's more money back going to rural Yukoners to acknowledge the difference about the distance.

One of the things I will say is that most of us, in terms of our use of fossil fuels, our biggest dependency is not heating. It's driving. So, if you take a look at the fuel that we use over the year, on average, there's more that goes into transportation than goes into heating, but in either case, we need to work to find ways for Yukoners to support them — so that we work to get off fossil fuels.

Now, I heard today — and I am quoting — the Member for Pelly-Nisutlin said that the Yukon Party is pro oil and gas, and I was surprised to hear that. I freely acknowledge that all of us here have used fossil fuels, but we have stated often that we need to work to support Yukoners to get off fossil fuels. We do not think it is the future for the territory. We think it's the wrong direction to go, and we've been having a lot of that debate over the past week, when we talk about, for example, the Atlin project.

The Member for Kluane — when he started off talking about that there are better solutions than the carbon price, he said that, you know, let's partner with First Nations to look at how we move off fossil fuels — I think that's what he said — and amazingly, over the past week, we've been talking about the Atlin hydro project which, at its root, is partnering with First Nations.

But the Yukon Party has said that they don't support that. They've said, instead, that what we should do is build a liquefied natural gas plant, and today they're rising to talk about the cost of fuels going up, and the part that gets me is that we should be drawing the connection across those two things.

I have been trying to say for the past week that the cost of fuel is getting more expensive. Therefore, we don't want to try to create more dependency on fossil fuels. We don't want to build more infrastructure that will try to use fossil fuels. We actually want to build more infrastructure that will use less fossil fuels. I agree with the member opposite that we should be partnering with First Nations. Again, I am just getting mixed messages from the Yukon Party, because they are saying that they are pro oil and gas, they are saying: "Don't invest in the Atlin project", and they are saying: "Build a liquefied natural gas plant". So, those things are all opposites to me.

Today, Mr. Speaker, I tabled a graph that talked about the residential electricity bills from across the country. This was data that was collected primarily by Hydro Québec when they were trying to show what the costs are. I tabled two graphs, actually, but the one I am going to refer to is the one that Yukon Energy had taken and added in the territories. I am looking at what is an average residential electricity bill when we look at the Yukon compared with other areas, and it lists off, roughly speaking, \$205 as the average electricity bill. The nearest neighbour to us — or the next closest price — is Calgary, Alberta at \$199 a month. So, we are \$205, Calgary is \$199, and Edmonton is \$195 — so, those are all pretty close. Where is Yellowknife at? — \$328. That is a big jump. Then you go to the Northwest Territories in what they call their "thermal zone", which means away from their grid where they have hydro, and then the price per month for their electricity is \$729 a month. That is a huge jump.

That is the challenge of fossil fuels. They are expensive and they are getting more expensive, so we need to find solutions that look at both how we reduce that dependency and how we support the average Yukoner in their home.

We have put forward quite a few of these initiatives, and they are all about trying to make sure that we reduce the impact to Yukoners. The main one that I think — if we are talking in general about this, about the carbon price and the rebate — I think it is, whenever possible, to help people to move to other fuel systems that don't use fossil fuels as much but certainly just even reducing the need for fossil fuels by insulating. Again, we have low-interest loans for Yukoners to try to achieve that.

I'm going to talk just for a moment, Mr. Speaker, about the rebate itself. We just had a bill here not too long ago where we debated about what we should do with the carbon price rebate, and I would like to thank the Yukon Party members and the NDP — all of us voted in favour of that. And what was that

about? That was about the fact that the federal government had let provinces and territories know that they were no longer going to be supporting exemptions for the carbon price. The Northwest Territories had an exemption on home heating fuel, and we had an exemption around mining. The federal government let us know that they were going to be removing that.

We realized that if we didn't amend our legislation, what could happen is that there would be a side effect that it would all change and all of the rebates that we had set up would be gone. That's why I appreciate all members of this Legislature working with us to try to get that legislation through quickly and supporting it. What I'm trying to point out is that, in the Northwest Territories, they are going through the same thing, except what they are doing right now is bringing forward legislation in their Legislature to remove the exemption of home heating fuel.

So, I hear the members opposite, that they believe the right thing to do would be to lobby the federal government to put this in, but I'm pointing out to them that, right now, it is being removed from other jurisdictions — from our neighbouring jurisdiction. So, I think we should be looking for solutions around here — around how to support Yukoners — number one — to use less fossil fuels and, if at all possible, how to transition away.

That's not a simple thing. When I think about the energy economy we have here in the territory, it is very complex, and it is very integrated with fossil fuels. It has been for decades. That's why we need this big, broad strategy called *Our Clean Future* and Yukon Energy's renewable 10-year plan. That's why those are the main plans that we are working with to try to support Yukoners. As well, we have brought forward initiatives around supporting Yukoners just generally with the increased cost of living. There is quite a range there, including rebates on electrical bills. Those are the main ways that we want to do this.

The thing I want to say before I sit down is that, even though we have set up the price on carbon, or the feds have set up this price on carbon, and it is there to help us reduce our emissions —

By the way, I'm pretty sure that, in Committee of the Whole, I stood and talked about the modelling research that we had done about that the reductions to our fossil fuel usage, or our greenhouse gas emissions, are based on the carbon price. I am happy to look that up for the member opposite and report it again.

The way we have set up the rebate is that all the monies that are paid for here go back into a rebate pool, and those cheques get issued to Yukoners. Usually, for Yukoners who have a more modest lifestyle — including those who live in our communities — usually for people who are of less means, they often have a more modest lifestyle, and in that situation, they will be getting back the same as everyone, but for those of us who have more emissions, we are paying in more, and that includes the territorial government itself. So, we are rebating to individuals and making sure that they are getting more, that Yukoners as a whole are getting back more money than they

have paid into the carbon price. As the carbon price goes up, that increases as well.

Hon. Mr. Mostyn: Every child should put down their toys and come inside to sleep. We have to look them in the eye and say “We sold you cheap” and confess that we did not act with serious urgency. Now we have opened up the flood gates to rising waters.

I used to be a music critic. I shared the role with Dave White. He is a great writer. When he left his desk to go walkabout one day, I carried on alone. People read my stuff every week. One of them was Don. He was a mentor. He taught me a few things when I moved into the civil service at the health and compensation board. He was an excellent civil servant, and he knew stuff — a lot of stuff. After I was elected, I used to play a bit with Don here in this Legislature. I would throw a few song lyrics into my remarks or Question Period answers, sprinkling them in here and there. Don would spot them and drop me an e-mail or call when he did. Don died a few years ago, and with his passing, music disappeared from my remarks, but today, I put it back.

Today’s opening lines are a bit clunky. Remember that I am an old critic, but they seemed appropriate to start this afternoon’s debate on the small-c conservative Yukon Party’s assault on carbon pricing. That’s what it is —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: Mr. Speaker, the minister, in the past, has been infamous for attempting to rename the Yukon Party and has been instructed by yourself not to do that. He just attempted to get around the specific wording of your previous ruling while obviously directly intending to violate it by renaming the Yukon Party as something else.

I would ask that you remind him of your previous ruling, call him to order, and direct him to retract his statement.

Speaker: Government House Leader, on the point of order.

Hon. Mr. Streicker: Mr. Speaker, in your ruling, you said — and I’m not trying to paraphrase — but it was about making sure that we refer to the Yukon Party as the “Yukon Party”. What I just heard my colleague do was try to use an adjective. He made very special care in front of it to say that this is an adjective that I’m using with a small-c.

Speaker’s statement

Speaker: As Speaker, I have already ruled on this, and when we are referring to party members’ names, please refer to the correct title, “Yukon Party”.

Minister of Community Services.

Hon. Mr. Mostyn: So, as I was saying — but it seemed appropriate to start this afternoon’s debate on the Yukon Party’s assault on carbon pricing —

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. 519 accordingly adjourned

The House adjourned at 5:30 p.m.



Yukon Legislative Assembly

Number 94

1st Session

35th Legislature

HANSARD

Thursday, November 10, 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, November 10, 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 recognition of Remembrance Day

Speaker: I have a statement for Remembrance Day.

Tomorrow is Remembrance Day. On this day in the Yukon Legislative Assembly, we remember all those who have served and continue to serve in the Canadian Forces, the RCMP, and all other related agencies, and remember the tens of thousands of brave souls who we lost in the line of service to our country.

Across Canada, Remembrance Day services will be held in town halls, cenotaphs, and indoor facilities to mark this day. This year marks the 80th anniversary of the raid on Dieppe. On August 19, 1942, the Allied Forces undertook a raid on the French coastal town of Dieppe, known as “Operation Jubilee”. Nearly 5,000 of the 6,000 troops that landed in Dieppe as part of the raid were Canadian. There were also 1,100 British and American troops who took part in the raid; 916 Canadian soldiers died during the raid on Dieppe, and 2,400 Canadians were wounded or captured.

Important lessons were learned from the tragedy of the raid on Dieppe. These lessons were put into the planning for the Allied invasion of Normandy two years later.

World War II was a seminal war in the 20th century. Sadly, there were many other wars in that century. With the advent of the atomic bomb, wars now have an ultimate consequence that must be contained. Today, tragically, war is being fought in a number of locations around the world, such as: Yemen, Ethiopia, and Ukraine. Humankind is all too familiar with war and its terrible consequences.

Remembrance Day is about remembering those who sacrificed so much for their fellow citizens and to remember the innocent victims of a war.

Here in the Yukon, many Yukon communities are having ceremonies, with the local veterans and servicemen and servicewomen taking part, to mark Remembrance Day. Visit the website of the Whitehorse Legion Branch 254, or visit the Facebook page “Yukon Remembers” to get more information about these events near you. In our homes, around our kitchen tables, in discussions with family and friends, take a moment to remember if you can’t get to one of these ceremonies. It is our remembrance of the horrors of war and their consequences that makes us all work toward a world that does not see war as a solution to problems, but a terrific failure in the way that we settle disputes.

Lest we forget.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Silver: Thank you, Mr. Speaker. I would like to ask my colleagues here in the Legislative Assembly to help me in welcoming a few folks here, in recognition of Remembrance Day ceremonies. I am going to start with the president of the legion and also our Deputy Sergeant-at-Arms, Sergeant, retired, Joe Mewett. We also have with us Corporal, retired, Ian Angus, US Marine Corps; we have Corporal, retired, Morris Cratty; and we have Master Corporal, retired, Paul Brais, and also Paul’s spouse, Melanie — thank you very much for being here — Sergeant, retired, Shane Skarnulis — hopefully I pronounced that name correctly, sir — and Shane is now with EMS, so thank you for your service there as well, sir. We have Jon Trefry, also from EMS, and Major Greg Theriau — good to see you. We also have Sergeant, retired, David Laxton, the former Speaker of the Legislative Assembly. Thank you very much for your service.

Applause

Hon. Ms. McLean: Mr. Speaker, please help me, along with my colleagues, to welcome some special guests here today for a ministerial statement that will come after the tribute today. I have Mark Wedge, Erin Pauls, Melanie Bennett, Christabelle Carlick, and Zander Moore. Christabelle is a daughter to Alyce Johnson, and Zander is a grandchild. We have Elder Annie Bernard and Gayle Ball. Thank you so much for being here today for this incredibly special tribute. Kirk Cameron — did I miss you, Kirk? Kirk is also a council member for the City of Whitehorse. Thank you so much for being here.

Applause

Hon. Mr. Streicker: Also from the Yukon First Nation Education Directorate, a neighbour and a constituent and a past co-worker, Katharine Sandiford — if we could welcome her, too, please.

Applause

Ms. White: I ask my colleagues to join me in doing a couple of welcomes. First of all, Greg Penner is in the audience today. He is a friend and a person I respect and value very much, and has had lots of lessons. I didn’t introduce him as well the other day, but I would like to say a word about Ian Angus, who is also a friend whom I respect greatly and continue to learn from. Of course, there is Mr. David Laxton, who was the Speaker in my first five years here. Through him, I had the real privilege of meeting and learning from a lot of veterans over the years, which has really influenced and shaped my perception of Remembrance Day. Welcome to Ian, Greg, and David, of course.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Remembrance Day

Hon. Mr. Silver: I rise today in honour of Remembrance Day and to pay tribute to all the Canadians who have bravely served our country, as well as those currently serving.

Tomorrow, across the territory, Yukoners will gather for a moment of silence to remember and to reflect upon the hundreds of thousands of Canadians who have been lost to conflict. We will remember those who stand up in the face of those conflicts to uphold human rights, freedom, and peace. We will remember those who return home and those who did not. We will acknowledge and remember the families of everyone who has served and those who are currently serving. They, too, have made great sacrifice.

We will also be remembering those who have lost their lives in ongoing conflicts in Ukraine and elsewhere in the world. We will think of the many individuals still fighting bravely, every day, for their basic rights and freedoms.

Mr. Speaker, as you mentioned in your opening comments today, this year does mark the 80th anniversary of the Dieppe Raid. This raid will become one of the deadliest days for the Canadian Forces during World War II. In August of 1942, thousands of Canadian soldiers landed on the heavily defended French coast. In nine hours, enemy fighters killed 900 Canadians, wounded 2,400, and captured 2,000. Despite this catastrophic loss, important lessons were learned during this raid, which led directly to the successful planning of D-Day, two years later.

On Remembrance Day, we remember veterans from all walks of life, who left the safety and comfort of their homes to fight for freedom and our way of life — individuals who defied expectations and made an impact in resounding ways, including Her Late Majesty Queen Elizabeth II, who was the first female member of the royal family to serve as an active-duty member of the British Armed Forces.

I hope that all Yukoners will join me with a moment of silence tomorrow as we remember veterans here in the territory and across Canada. Thank you once again to all of our veterans for all of your service.

Mr. Speaker, lest we forget.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition in tribute to our veterans, past and present, and those who are present here today.

Every year, at the 11th hour of the 11th day of the 11th month, we gather in memorial parks, community halls, workplaces, schools, and homes to stand in honour of all who have fallen. Together, we observe a moment of silence to mark the sacrifice of the many who have fallen in the service of their country and to acknowledge the courage of those who still serve.

Canadian veterans have served throughout history in a broad range of conflicts and situations, from world wars to peacekeeping missions, or to crises on the home front. On Remembrance Day, we honour and remember all veterans —

those who kept the peace or fought for peace, those who found themselves in supportive roles or in active combat. The Afghanistan war, the Korean War, First World War, the Persian Gulf War, Second World War, South African War — Canadian veterans have protected the rights and freedoms of Canadians and people from countries all over the world through peacekeeping missions, including Lebanon, Somalia, Rwanda, Bosnia and Herzegovina, Haiti, Sudan, and others.

Many Canadian veterans have played a critical role in protecting Canadians on the home front, whether from fires, floods, or other threats. These men and women have risked their lives for our safety and protection. We must recognize and support our military families — the fathers, the sons, the mothers and daughters who have endured alongside Canadian veterans.

The exceptional roles and responsibilities that Canada's military and RCMP members undertake while in service can lead to mental health difficulties. As Canadians, we need to understand the toll that serving our country can have on individuals and we need to be there to support them. I would like to thank the compassionate professionals who assist veterans in finding the help that they need. There are numerous programs and services available for veterans and their families to get the help they deserve.

I want to thank all those who put the time and effort into remembering, especially the Whitehorse Legion Branch 254, and legions across Canada. As a young soldier posted in Germany in the late 1980s, and seeing the memorials and participating in Remembrance Day ceremonies at Vimy Ridge in France, I understand the ultimate sacrifices that were made for our freedoms today. We need to recognize the efforts that they made so we can have the freedoms that we have today — the freedom of thought, the freedom of opinion and expression, including the freedom of the press and other media, and methods of communication. That's what makes Canada a great country. We need to remember that and thank those who serve.

As the Premier and the Speaker said in their earlier tributes, it is the 80th anniversary of the raid on Dieppe. There is an old Bell telephone commercial that used to come on nearly every Remembrance Day in Canada. It was the one where a Canadian backpacker was shown walking on the beaches in France with his maple leaf flag sewn on his backpack. He calls his grandfather, and when he speaks to him, his grandpa asks, "How was Paris? Are the women still as lovely as I remember?" He replies, "Grandpa, I'm not in Paris. I'm in Dieppe. I just wanted to call to say, thank you."

They shall grow not old, as we that are left grow old:

Age shall not weary them, nor the years condemn.

At the going down of the sun and in the morning

We will remember them.

Lest we forget.

Applause

Ms. White: I stand on behalf of the Yukon NDP in recognition of Remembrance Day. Today, I pay tribute to veterans.

As a younger person, had I been asked to describe a veteran, I might have described my grandfather, closing my eyes and seeing older folks with greying hair and deep wrinkles — people who lived in a different time with a different set of challenges, people who would remember the sound of an air raid siren, people who made it home and had families and grandchildren and even great-grandchildren to live on and remember them. These veterans came from a time when their role was easier to explain. These veterans came from a time of clear conflict. The wars that they fought in had clear goals and defined enemies to fight against, but that all changed after the Korean War. Now our soldiers are sent into war zones to keep opposing forces apart, and we call them peacekeepers. Many of these peacekeepers are sent into conflict situations, trying to keep opposing forces apart or as support for civilians in a time of crisis. We are doing what needs to be done.

These folks are sent into unimaginable situations, and then we expect them to come home and reintegrate like they never left, but it doesn't often work that way, because now they often come home with invisible injuries.

The face of today's veteran is very different from the stories that we are taught as children. Mixed in with all that grey hair from long ago conflicts are the faces of many people who are much younger than my grandfather. Some are my age, some are even younger, and some are in the gallery with us today.

Did you know that 1.5 percent of all Canadians 17 and over are veterans? I sure didn't, because that number still surprises me. It is estimated that up to 10 percent of war zone veterans, including war service veterans in peacekeeping forces, will go on to experience a chronic condition that we know as post-traumatic stress disorder, while others may experience at least some of the symptoms associated with the condition.

I want to take a moment to reflect on a lovely afternoon that I had a number of weeks ago and involved Lego, tea, and stories. I think that conversations happen when they need to, but having other things to occupy your hands and your gaze can be helpful. On this snowy afternoon, a good friend, who happens to be a veteran, shared some stories that I had never heard before. They weren't being shared to get a reaction, but because we were discussing the state of the world and current events. He said that it was his experience as a peacekeeper that makes him value everything around him at home, but he finds it frustrating how often the privileges that we have are taken for granted.

That's the crux of Remembrance Day, isn't it? That the privileges we have in Canada weren't free, that people have paid the cost for the democracy and the freedom that we have and enjoy.

Remembrance Day isn't about the political decision to enter wars. Remembrance Day recognizes the men and women who have borne the costs of those decisions. It lets the families of soldiers know that we care about the sacrifices they all had to make. Remembrance Day honours the veterans of the past, it shows respect for those serving in the present, and it fosters hope for the future.

Lest we forget.

Applause

Speaker: I would ask all present to stand as we observe a moment of silence.

Moment of silence observed

Speaker: They shall grow not old, as we that are left grow old:

Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.

Thank you, please be seated.

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Mr. Cathers: I have for tabling a press release issued by the Office of the Privacy Commissioner of Canada.

Hon. Mr. Streicker: I have for tabling a table comparing electricity prices across Canada to the Atlin hydro project.

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. 20: Reprinted version tabled

Hon. Mr. Clarke: Pursuant to the November 7, 2022, Order of Committee of the Whole, I have for tabling a reprinted version of Bill No. 20, entitled *Animal Protection and Control Act*. The reprinted version incorporates the amendments agreed to in Committee of the Whole. This bill also contains what I believe to be a true translation into French of the English text of the amendment to clause 34.

Speaker: Are there any further bills to be introduced?
Are there any notices of motions?
Is there a statement by a minister?

MINISTERIAL STATEMENT

First Nation School Board elections

Hon. Ms. McLean: I rise today to provide a statement on the First Nation School Board elections.

The establishment of the First Nation School Board is a historic step in advancing reconciliation and honours *Together Today for Our Children Tomorrow*, the seminal document presented by Yukon First Nation Chiefs to then-Prime Minister Pierre Elliott Trudeau nearly 50 years ago.

I would like to acknowledge and thank the First Nation School Board Interim Governance Committee for their leadership over the past nine months. Dr. Alyce Johnson, Erin Pauls, Jocelyn Joe-Strack, Mark Wedge, Melanie Bennett, and Kirk Cameron were appointed to the Interim Governance Committee in February this year. They have worked extensively to launch the First Nation School Board and ensure

a successful start to the school year for schools and students moving to the school board.

Today, we are excited for the next chapter of the First Nation School Board, as the official results of the Yukon's two school board elections declared the election trustees. Twelve candidates ran for five elected positions with the First Nation School Board. Congratulations to Shadelle Chambers, Erin Pauls, Dana Tizya-Tramm, Jocelyn Joe-Strack, and Gillian Staveley on being elected to the First Nation School Board.

The First Nation School Board now governs eight schools across the Yukon through a strength-based community-centred approach. Mr. Speaker, the eight schools are: Chief Zzeh Gittlit School in Old Crow; Ross River School in Ross River; St. Elias Community School, Haines Junction; Johnson Elementary School and Watson Lake Secondary School in Watson Lake; Nelnah Bessie John School in Beaver Creek; Takhini Elementary School in Whitehorse; and Grey Mountain Primary School in Whitehorse.

Thank you to all the candidates who ran in the First Nation School Board elections. It is promising and exciting to see such enthusiasm to be involved in the community and education. The Yukon government is committed to the success of the First Nation School Board. We will walk together with the First Nation School Board and its newly elected trustees to continue to advocate and make meaningful changes for all Yukon students. We know that it is through education that we continue the path of truth and reconciliation. Education can benefit all Yukoners with opportunities to learn about Yukon First Nation ways of knowing, doing, and being.

We look forward to seeing the trustees work with their schools over the next years.

Mr. Kent: I am happy to respond to the ministerial statement here today about the First Nation School Board, or FNSB. Congratulations to all those elected, as named by the minister, to the inaugural board. We know that you have hard work ahead of you, but appreciate that you are up to the challenge. I also wanted to take time to congratulate Melanie Bennett and all of the individuals who have worked and advocated so hard over the past number of years to make this a reality.

I do have a few questions for the minister regarding the FNSB that I hope she can address in her response here today. Can the minister tell us the status of the funding agreement between the Yukon government and the FNSB, and when it is expected to be ready?

The minister referenced the eight schools that have joined the First Nation School Board, but, of course, there are a number of schools that decided not to be governed at this time under the umbrella of the FNSB. Will they be provided additional resources by the department to match any additional Yukon government funding that FNSB schools receive?

The minister mentioned, of course, that Takhini Elementary School is now governed under the First Nation School Board. They will soon have a neighbour, when École Whitehorse Elementary is built on the ball diamonds next to the

existing school. So, can the minister tell us if Takhini Elementary School is next on the list of replacements, and, if so, when will consultation begin on design and location?

I look forward to these answers from the minister, and I briefly wanted to take time, before I sit down, to thank and congratulate those individuals recently elected or appointed to the CSFY Francophone School Board and the new Whistle Bend school council.

Ms. Blake: I want to start by congratulating the very first elected members of the Yukon First Nation School Board, and I want to thank all individuals who put their names forward. This powerhouse team has their work cut out for them, as they become the trustees for eight schools scattered around the Yukon. I know that there will be a steep learning curve for these members, but I am excited to see such a variety of skills and knowledge that this group brings to all Yukon students. Backgrounds and skills in education, language, traditional knowledge, and culture will provide an amazing foundation for this first board and for the actions that they determine to take, going forward.

There are many misconceptions out there over what this new school board means: No, it is not just for First Nation students; no, it does not mean that the school curriculum goes out the window; and, no, it does not mean that First Nations get their own schools. The election of a First Nation education board is a big step toward reconciliation. In an education system that has not always been a place where First Nation students felt that they were welcomed or able to succeed, it guarantees that Yukon First Nation history, knowledge, and language are not lost, and it ensures that all students in these eight schools will see their education enhanced by the sharing of so much of the knowledge that First Nations have about the land, the water, the animals, and how we live and share that land, and how we are stewards of this.

It recognizes that there are many ways of teaching and learning to be shared, and it guarantees that all students can benefit from this shared knowledge. This is a good thing. The eight school councils, and the parents and families, who voted in favour of this, recognized that this was an opportunity to enhance the school experience for all children.

I look forward to seeing how the future of all Yukon students will be strengthened by these new experiences and ways of learning. I am excited to see what comes next, and I am hopeful that more schools will choose to join the current eight schools in the near future.

Mahsi' cho.

Hon. Ms. McLean: Thank you very much, Mr. Speaker, and I thank my colleagues from across the way for their comments today and for adding their voices to this historic day. I would also like to welcome the other young folks who joined us just after the introduction of visitors. Everything that we are doing is about you. I especially want to point out Zander again, because I think his grandma dedicated her whole life to education for him, and the steps that we've taken, as I have said, are historic steps to establish a First Nation School Board, and

it is a major step in advancing reconciliation. We know that education was used to colonize our people, and that is how we will decolonize our society. I am so committed, and our government is so committed, to these steps.

This milestone is long in the making. As I said earlier, it has been nearly 50 years since Yukon First Nation chiefs delivered *Together Today for Our Children Tomorrow* and called for local control of schools in the territory. I have to say that these steps could have been taken a lot sooner than they have — in fact, decades sooner. So, I am honoured to be able to help lead this. I acknowledge my colleague, the now Minister of Health and Social Services, for starting the first step in this process. It was an important step — by doing the order-in-council to pass, which was done in February 2021, to start this ball rolling. I thank her very much for that work.

Moving forward with the school board will allow Yukon First Nations and their citizens to assume greater responsibility for the administration and management of education programs for students and their communities. I know that Yukoners are celebrating these efforts that will improve the education outcomes for all of our students across the territory for years to come. So, I think — not to worry, to the member of the opposition. We will make sure that we do our work in an equitable way, and that is what this is about — gaining equity for First Nations.

Our government has an interim funding agreement in place right now for nearly \$13.1 million, which will ensure that eight schools successfully transition, to the end of this fiscal year. This funding represents base funding for the school operations as well as funding for the administration and costs associated with other aspects of the work that the interim governance committee has been doing.

Our government will work with the newly elected trustees on final financial arrangements for the school board to ensure that equitable funds between school authorities are established.

Our government will continue to collaborate with the Chiefs Committee on Education and the First Nation School Board trustees while working on a government-to-government basis with individual First Nations to advance their educational priorities.

I think, just to get to a couple of the questions — we will continue to work with all of our school communities around the infrastructure needs for all of our schools in the Whitehorse area. I want to thank everyone again for everything that you have done. It is incredibly important. It's a historic moment for education in the territory. Thank you so much for being here today.

Applause

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Affordable housing and land development

Ms. Clarke: Yesterday, when asked about the Liberals' commitment to develop and release 1,000 new lots across the Yukon, the minister responsible for housing said this — and I

quote: "... it's important to note that the work being done by the Minister of Community Services and the focus on those 1,000 lots are over and above everything that was identified by the opposition today."

If the 1,000 lots that the Liberals have promised do not include any lots from 5th and Rogers, the tank farm, or the Marwell grader station, how confident are the Liberals in meeting their commitment to reach 1,000 lots by the end of their mandate?

Hon. Mr. Mostyn: I can say that we are very confident that we are going to get the lots developed. I can say, Mr. Speaker, that we have agreed, since the very beginning, that lot development is a very important subject for the City of Whitehorse as well as for the territory as a whole.

That's why we have increased our budget on lot development to \$30 million this year. That is \$30 million for lot development.

The member opposite, as I said last week, may not recognize this, but in their last year in office, the Yukon Party invested only \$7.7 million in lots. They had to know the trajectory of our lots and that they were lagging. They did nothing about it.

We have made a historic investment in lots in the territory. We are going to continue to do that to meet our objective of 1,000 lots during this mandate.

Ms. Clarke: It has been more than a year and a half since the last election. Can the Liberals tell us how many lots they have released so far?

Hon. Mr. Mostyn: The member opposite continues to talk about our commitment to get Yukoners more homes — more houses — into the market. I can say that we have increased the budget, as I said in my last answer, to \$30 million this year for new lots. That compares to just \$6 million a year over the last mandate of the Yukon Party — \$6 million a year. We are putting in \$30 million.

We continue to advance the Whistle Bend project as quickly as possible in phases, and we see progress every year, releasing lots by way of lottery for private citizens. Once Whistle Bend is completed, it will include 15 phases, over 2,000 lots, and \$300 million of investment and economic benefit for Yukon contractors and businesses. It provides the foundation for much-needed homes and a growing population.

The contrast is clear. We are investing historic amounts of money in our lot development in the territory. The Yukon Party record on housing is embarrassing. The Yukon Party sat on millions of dollars and refused to invest in affordable housing. We have taken a different approach. We are investing in our houses; we are investing in Yukoners.

Ms. Clarke: With due respect, the minister did not answer my question, so I will ask it again.

It has been more than a year and a half since the last election. Can the Liberals tell us how many lots they have released so far?

Hon. Mr. Mostyn: I am happy to talk about housing and all the work that we are doing on housing in the territory. My colleague, the minister responsible for housing, yesterday, gave some great answers on all the work that he is doing to support

Yukoners and build more housing for them, over and above the 1,000 lots that I am responsible for, Mr. Speaker.

Now, I know that — in 2012, Whistle Bend phase 1, 113 lots; in 2014, 153 lots; 2015-16, 58 lots.

In our record — in 2018-19, 76 lots; in 2019-20, 129; in 2020-21, 267; in 2021-22, we got out 101; this year, we are on phase to put out another 200 lots.

Mr. Speaker, we are working very hard to get housing for Yukoners. The record is clear. We put the money in, we're building lots, and we are going to continue to do that so that Yukoners have houses that they can depend on. We're going to get ahead of the deficit that we inherited back in 2016.

Question re: Alaska Highway corridor upgrades

Mr. Istchenko: So, this past spring, the minister recognized that the north Alaska Highway in the Yukon, particularly the segment of road between Destruction Bay and Beaver Creek, has been most affected by shifting permafrost. Anyone who has driven the highway has seen the increased damage and cracking as a result of shifting and thawing permafrost.

We know that the O&M budgets for the highway camps are stretched and haven't been increased forever. The Liberals haven't committed any new capital money to improving the north Alaska Highway since 2016, either.

Can the minister tell us when urgent capital work will be done on this stretch of road, for the safety of the travelling public and my constituents?

Hon. Mr. Clarke: On November 15, 2021, the US government passed the *Infrastructure Investment and Jobs Act*. This act authorizes funding for the reconstruction of segments of the Alaska Highway, from the Alaska border to Beaver Creek, to Haines Junction and the Haines Road, and from Haines Junction to Haines, Alaska — the stretch colloquially known as the Shakwak.

Importantly, the act is limited in process details and does not commit any specific dollar amount to the reconstruction project. On August 11, President Biden at that time announced \$2.2 billion toward the RAISE program, funding for 166 projects to modernize transportation across the country. While the Alaska Highway Shakwak project was not included in this initial list, the Yukon government continues to advocate to ensure that this project moves forward and that funding is granted as soon as possible.

Three projects that are located in Alaska, or related to Alaska infrastructure, were funded; however, those projects were put forward by entities other than the State of Alaska.

Mr. Speaker, we continue to work with the Alaska Department of Transportation to pursue other funding opportunities, including a joint application to the Rebuilding American Infrastructure with Sustainability and Equity program earlier this year. The RAISE grant is a US merit-based discretionary funding program for infrastructure.

Mr. Istchenko: Well, it looks like the government is just waiting on US funding to do urgent work that is really needed on the north Alaska Highway. Hopefully, this will happen.

So, we know that, last year, Alaska Senator Lisa Murkowski announced the \$1-trillion *Infrastructure Investment and Jobs Act* authorities, and she said: "Authorizes funding for reconstruction of the Shakwak Highway, the Alaska Highway from the Alaska border at Beaver Creek, Yukon Territory, to Haines Junction in Canada..."

So, up to now, the minister hasn't been able to provide a lot of details; however, we have been told that the agreement is broken down into three phases. So, can the minister confirm this? Can he explain what the three phases are, as well as the dollar amounts attached to each of these phases?

Hon. Mr. Clarke: What I can advise is that I have had a fruitful discussion with the Consulate General of the US from Vancouver, when he has come to Whitehorse on now two occasions, and have made that office very much aware that this is a Yukon priority. The funding allocated to Shakwak for the 2022-23 year totals \$6.3 million. The majority of that — approximately \$4.9 million — is allotted for operation and maintenance. The remaining \$1.4 million is capital funding. So, certainly, funds are being dedicated to Shakwak.

In addition, there are many infrastructure programs occurring in the territory right now. We have the national trade corridors funding for the north Klondike Highway in a multi-year program. We have the Resource Gateway Carmacks bypass project, which made great progress this summer. We have the Whitehorse apron runway improvement, as well. Of course, we also have the Nisutlin Bay bridge, which has also started.

There is a lot of infrastructure programs that are occurring this year.

Mr. Istchenko: As we know, the Liberals have not put capital money into the north Alaska Highway, and it sure shows. The minister lists a lot of capital work on highways, but the lack of investment on the north Alaska Highway is putting travellers in my riding at risk.

So, we have heard that there are three phases of work on the north Alaska Highway from the US Shakwak funding, and since the government is waiting for the funding, what are the timelines for these phases? If the minister was updated, I wish I could get a legislative return. When is this work actually going to commence?

Hon. Mr. Clarke: Yes, I can certainly bring back a legislative return with respect to the specific questions that the Member for Kluane has made, with respect to the breakdown of the phases of the funding, and will provide the same to him and to the House.

In addition, as indicated, the Yukon and Alaska jointly submitted an application for funding to the BUILD discretionary grants program in the years 2018, 2019, and 2020. However, none of those applications have yet been accepted. However, there is work that has been done. In 2020-21, we completed the installation of thermosiphons at Dry Creek, kilometre 1841 of the Alaska Highway, near Beaver Creek. The thermosiphons will help to cool the underlying permafrost foundation and stabilize the highway. The thermosiphons project is partially being funded by Transport Canada, under

the Northern Transportation Adaptation Initiative, also known as NTAI.

We are diligently working with our American counterparts. We have not been able yet to access the funding, but we continue advocating, lobbying, and having fruitful discussions with our American counterparts.

Question re: Financial support for parent caregivers of children with disabilities

Ms. White: Across the Yukon, families with children with disabilities and complex medical conditions have been calling on this government for more support. The Yukon NDP has echoed those concerns to the minister.

Through the in-home child care policy, parents only got financial support if they hired someone outside of their home to come in and care for their child. This meant that parents who took on the role of caring for children with complex needs didn't receive the same compensation for the same level of care. After calling for change to this unfair policy this week, we heard from parents that they can now access the funding that they need, and this is welcome news to so many Yukon families.

So, can the minister please share the changes in this program?

Hon. Ms. McPhee: Thank you, Mr. Speaker. The member opposite is correct. Not only did the Department of Health and Social Services, under the leadership of this government, fix what was clearly an unfair policy with respect to parents and caregivers of children with disabilities, but in the interim, since January of 2022, there has been a program in the interim to assist those individuals as well.

It is certainly a commitment of this government to support the well-being and the inclusion of people with disabilities. Our government has recognized the importance of inclusivity in our health and social services system. I certainly thank the individual family who came forward to us, through my office and then to the Department of Health and Social Services, to point out the discrepancy with respect to the previous service. We have worked with them closely to make sure that their issues have been addressed.

The department offers a variety of supports for children and adults living with disabilities, depending on the need, and we appreciate the important work done by all of our partners, including all levels of government, non-governmental organizations, and others to help.

Ms. White: So, as you can imagine, we are happy to hear that, but after the advocacy from families and from the Yukon NDP, funding was finally made available to the parents who needed it.

We have heard from some parents who have shared how relieved they feel that they can care for their children without the stress of poverty. In a conversation with a parent this week, they were told by the department that the program was actually changed in February. Unfortunately, we have also heard that many families were not informed about this funding when the program was changed eight months ago, and many only

received a letter from the department about the changes this week.

Why weren't parents informed about the program when it was originally changed in February?

Hon. Ms. McPhee: I think what this issue is about is this government and Yukoners supporting one another through the disability services unit. In August, as of August of 2022, that unit had 224 children and 157 adults who were receiving services, with an additional 30 individuals pending intake assessments. We currently fund eight non-governmental organizations to support individuals with disabilities, for a total value of \$10.65 million. These NGOs, which I think are incredibly valuable to Yukoners, are worth mentioning here: Autism Yukon, Connective, Fetal Alcohol Spectrum Society Yukon, Inclusion Yukon, LDAY Centre for Learning, Opportunities Yukon — formerly known as Challenge — Options for Independence, and Teegatha'Oh Zehh. I very much appreciate the opportunity to be able to thank them for their work on behalf of individuals with disabilities here in the territory.

With respect to the specific question, I can assure Yukoners that we sought out individuals who we thought would be in the category to receive the caregiver benefit. We did that on an individual basis, and that benefit was retroactive to February of this year.

Ms. White: I have had conversations with a family this week who didn't know about the program, so that leads to a problem. The concern is that the government took so long to inform Yukon parents about the funding, because they don't know how many families could benefit from it. Although I appreciate that the minister talked to about 224 families, those are families who have been identified.

So, how does the government track families whom they serve — or whom they don't necessarily serve — who aren't accessing those programs?

Without knowing just how many families with disabilities there are in the Yukon, the government risks leaving them behind. The government has a lot of tools at its disposal to identify and support these folks through the education system, through health care, and through social work and more.

Will the minister work across departments to track and support Yukon families with disabilities who may not have been identified?

Hon. Ms. McPhee: If I haven't made this clear somehow, I need to reiterate it. When the department put in place an interim program, we sought out families we thought would benefit from that. The department offered financial support for parents of children with disabilities, including financial supports to families to hire a caregiver when the child's disability prevented them from attending a daycare or other programming.

In early 2022, we launched the Yukon COVID caregiver program, which was the interim program to provide financial supports to parents who could not work due to caring for their child with a disability. We were actively working to enhance our services and to provide permanent financial support to families, which is the new program that has been unveiled. This

will provide financial support to families with a child with a disability who cannot attend daycare, regardless of whether the parent themselves care for the child or they hire a caregiver. This resolved the problem that was unfair and inappropriate.

What I can indicate, as well, is if the members opposite know of someone who might qualify or be assisted by the department, would they please urge them to come forward. We have done everything possible to do that, and we want to continue.

Question re: Teacher staffing

Mr. Kent: I have some questions regarding staffing for the Minister of Education. In the spring, I asked the minister about a letter sent by the Yukon Speech-Language Pathology and Audiology Association to the Public Accounts Committee, where they raised concerns about the number of speech and language pathologists within the department. The letter says — and I quote: “The Department requires additional FTE allocation for...” — speech and language pathologists — “... in order to provide their specialized services in an equitable manner across the territory.”

In the spring the minister confirmed that there have been four positions within the department.

What action, if any, has the minister taken with regard to supplementing the speech-language pathologist positions within the Department of Education, from the four that have been in place for some time?

Hon. Ms. McLean: I think I will start by just taking a moment to thank all of our incredible educators who work within our system to hold them up — and all of their efforts. We have been through a lot of difficult years as a result of COVID-19, and we are working hard to ensure that we are filling all the positions that we have and various vacancies. We have done a really good job of doing that over the last — and with a considerable amount of effort, for sure, from our recruitment staff and continuing to work with all of our partners. I certainly recognize that additional supports are needed in our schools. We have a number of support services for students that make up the whole system, from EAs to learning assistants, to other professionals that we bring into our classrooms to meet the needs of our students, which is done through assessment and through other means. I will continue to build —

Speaker: Order, please.

Mr. Kent: So, my question was specific to speech-language pathologists and the number in the department. As I mentioned, it has been four, and the association was asking for an increase to that number.

A few weeks ago, the Yukon Association of Education Professionals raised a significant concern about the shortage of teachers in Yukon schools. While this is a problem for all schools, it is particularly challenging for students who need additional supports. The president of the YAEP said — and I quote: “In any scenario, whether you would be in a rural situation or urban, it’s the vulnerable students that are suffering the most.”

We also noted that next door, in the Northwest Territories, every school started the year fully staffed. So, what is the minister doing to ensure that next year we aren’t as short-staffed as we were this year?

Hon. Ms. McLean: Effective teachers are one of the most important factors in a student’s success at school. We are definitely very committed to ensuring that we have all of the teaching staff in place.

Since September 1, 2022, we have successfully filled 34 teaching positions across the Yukon. We are actively recruiting for a number of other positions that remain vacant at this point.

Across the country, provinces and territories are experiencing similar types of staffing shortages. It is normal for there to be some staff postings and vacancies at the beginning of each year, and this year, there were fewer teaching postings and vacancies compared to the start of the school year last year. We posted an internal round of competitions restricted to current Yukon Association of Education Professionals members prior to posting externally. This supports the retention of staff. We also posted our external jobs sooner to help us to be more competitive nationally. There were a number of other steps that our department has taken, along with our partners.

Mr. Kent: I am hoping for a response on the number of speech-language pathologist FTEs within the department, as well as plans for next year’s staffing and any lessons learned from our neighbours in the Northwest Territories, which did not have any staffing shortages.

However, earlier this year, I asked the government about the significant amount of money that is owed in back pay to Yukon teachers. In some cases, teachers are owed thousands of dollars in back pay that stretches back over three years now. In the spring, the minister told the Legislature that this matter was heard by the labour relations board in March 2021. That means that a result should be forthcoming fairly soon.

My question is: How long will teachers need to wait after the decision is made by the adjudicator to receive their money? Has the government budgeted the money and will it be able to flow immediately? If so, how much money have they budgeted for this expenditure?

Hon. Mr. Streicker: I will certainly investigate the question and ask the Public Service Commissioner to get me some background information. What I will do while I’m on my feet right now is just take a moment to thank all of our public servants for their incredible work, whether they are teachers, nurses, or folks out there clearing the streets. They do great work. Of course, we want to make sure that our Public Service Commission is working to support them at all times.

Question re: Access to information and protection of privacy

Mr. Cathers: The *Health Information Privacy and Management Act* includes section 138, which says that the minister shall initiate a comprehensive review of the act no later than four years after the act comes into force.

The deadline passed back in the summer of 2020. In September 2021, the Information and Privacy Commissioner issued comments and recommendations to inform that review.

In the most recent annual report of that office, the IPC stated that, while it appears the review is still underway, they have not yet had any response or heard anything more about the review of HIPMA.

Can the minister tell us if there is, indeed, a review of HIPMA underway and, if so, when will it be complete? As well, why has the government, so far, appeared to ignore the recommendations and comments from the IPC?

Hon. Ms. McPhee: I think the last part of that question was a very broad assumption on behalf of the Yukon Party. That's not unusual. They like to make assumptions and cause concern for Yukoners.

The Department of Health and Social Services provides a variety of resources to connect Yukoners with services and supports. Staff continually work to ensure that Yukoners have access to timely, accurate information and care.

I do want to take the opportunity to note the tremendous hard work of the skilled staff at Health and Social Services.

The review of HIPMA — a portion of the question that was asked — is required by legislation. It is a requirement. I'm not going to make a comment with respect to the comment made on behalf of the Information and Privacy Commissioner. I am sure that this individual speaks for themselves, and their annual report does the same.

With respect to the requirements of our government to review legislation in a timely way, we are committed to doing so.

Mr. Cathers: I am referring to what the Information and Privacy Commissioner has said in the annual report. Perhaps the minister hasn't read it yet.

Over the past couple of months, the Yukon government has had several high-profile breaches involving some of the most sensitive, personal information that government holds. These breaches have happened in several different departments. Since then, privacy regulators across Canada have jointly called for strengthened privacy measures to protect personal health information and increased trust in the health system. I tabled their joint statement earlier today.

Following this joint call, what steps, if any, has the Yukon government taken in response, and will the Yukon government be making legislative or regulatory amendments to address the issues raised in that press release?

Hon. Ms. McPhee: The importance of health information and the instigation of the health information act — which isn't the full title, of course — is incredibly important to Yukoners for the protection of their personal and health information — extremely sensitive information — that is protected by this government and the acts that are around that — the *Access to Information and Protection of Privacy Act* and the *Health Information Privacy and Management Act*. The information about available resources and the operation of those pieces of legislation is incredibly important to Yukoners.

I can indicate that we also have a lot of information online that can support Yukoners who are looking for the operation of those pieces of legislation at yukon.ca. We also share information across social media platforms, and Yukoners can, of course, contact the free and confidential 24/7 helpline by

calling 211 to receive support connecting them with programs, resources, information, as well as community supports.

Mr. Cathers: Mr. Speaker, that wasn't much of an answer from the minister. In the 2021 annual report from the Yukon Information and Privacy Commissioner, the office noted that they had issued four formal reports about the government refusing to provide information. Two of those reports are from Environment and two are from the Department of Justice, for which this minister is also responsible.

The adequacy report notes — and I quote: "... a troubling trend where the recommendations in all four of these reports have all been refused or deemed refused (not responded to in time) by the public bodies in question."

Why has this minister and the Yukon government not lived up to their legislative obligations under the *Access to Information and Protection of Privacy Act*?

Hon. Ms. McPhee: I think what the Yukon Party is referring to is decisions that have been made with respect to requests for information or access to information. Those are properly determined through the process under each of those pieces of legislation. I'm not going to comment on those.

I am going to comment to say that, again, assumptions made by the Yukon Party are opportunities, for whatever reason — they think that they are part of their requirements — as the party sitting on the opposite side of this House has again made insinuations and allegations that I do not agree with. Clearly, this government is committed to making sure that Yukoners have transparent access to the information that they need and that is in the hands of government and, more importantly, perhaps to make sure that their personal and health information is protected.

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. 19: *Technical Amendments Act (2022)* — Third Reading

Clerk: Third 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 third time and do pass.

Speaker: It has been moved by the Minister of Justice that Bill No. 19, entitled *Technical Amendments Act (2022)*, be now read a third time and do pass.

Hon. Ms. McPhee: Thank you, Mr. Speaker. As I have had the honour many times in this Legislative Assembly to say, ensuring that our legislation is accurate, functional, and without mistakes makes up part of the mandate for a Minister of Justice. As minister, I am responsible for bringing technical amendment acts to this Chamber from time to time to correct any errors, fix inaccurate cross-references, and make other technical changes to legislation for the benefit of Yukoners.

Bill No. 19 proposes amendments to three pieces of legislation: to the *Land Titles Act, 2015*, to the *Condominium Act, 2015*, and to the *Corrections Act, 2009*. As mentioned in Committee of the Whole, the specific details of this bill include addressing errors and inaccurate cross-references within the *Condominium Act, 2015*, and repealing regulatory provisions that will no longer be proclaimed. It also includes repealing or revising provisions within the *Land Titles Act, 2015*, to align with the operational requirements of the electronic Yukon land titles registry system. Lastly, it acts to amend the *Corrections Act, 2009*, to support the separation of facility-based corrections and community corrections.

These amendments are important to the operation of the government, groups who use the legislation, and the public. During second reading, and in Committee of the Whole, I discussed the importance of the proposed amendments to each of the three acts within this bill and why they are needed at this time. In Committee of the Whole, the focus of the debate centred on the proposed amendments to the *Corrections Act, 2009*. Concerns were raised with respect to the validation clause contained in clause 27 of the proposed bill.

I wish to reconfirm that validation is a legal tool used out of caution. It is an abundance of caution that provides clarity and certainty and avoids confusion with respect to the director of Corrections position during the period of time that it notes.

As I have previously stated, the purpose of the proposed amendments to the *Corrections Act, 2009*, is to support the much-needed operational changes to the Corrections branch that will enable the branch to be more efficient and effective in providing services to Yukoners. The resignation of the director of Corrections prompted the opportunity to realign the Corrections branch. During this time, the position of the director of Corrections was necessarily filled by a series of acting directors. The text of the *Corrections Act, 2009*, did not contemplate an acting director, or that the director of Corrections might be more than one person. It was determined that clarity in the act was needed, and out of an abundance of caution, that amendment and the inclusion of the validation clause was the prudent course of action.

Over the last year, this government has ensured that there is leadership and oversight in the Corrections branch. It has ensured that members of the public service are supported in their important work. I would like to take the opportunity to thank those who stepped up to continue the important work of the Corrections branch in those roles. It would do a disservice to the dedicated members of the public service and to all Yukoners to leave an important and complex branch, such as Corrections, without direction.

With this legislation and the inclusion of the validation clause, we are ensuring that we continue to support the members of the public service who have stepped up and served in good faith during this period of time that is noted in that section at the Corrections branch. This amendment clarifies the intent of this government that an acting appointment is to be viewed as reasonable and lawful, and that should be the case. Acting appointments allow for the effective functioning of government, and without them, the public service would not be

able to operate. I should also note that it provides individuals with the opportunity to gain experience that they might have to proceed with their career in the direction that they want to take it.

In addition to affirming the acting appointments and that they are authorized, the proposed amendments to the *Corrections Act, 2009*, have given us the opportunity to explicitly clarify how the Corrections branch will be organized going forward; specifically, that there will be more than one director of Corrections. Validation clauses are used to ensure that defects or irregularities are declared valid. The use of this tool does not mean at all, that actions were unauthorized.

In the present case, the use of this clause ensures that the past efforts to secure continuity of leadership in the Corrections branch are validated in the event of a minor defect being found to exist. As such, we are bringing this legislation forward to ensure that it is abundantly clear that members of the public service who have taken on the role of director of Corrections in good faith are fully authorized and supported in their actions.

I am pleased to bring forward this bill to ensure our legislation remains effective, up-to-date, and serves the organizational needs of our public service and Yukoners. I look forward to receiving support from all members of this House for Bill No. 19. I appreciate the opportunity to present this information at third reading.

Mr. Cathers: I would just note — in beginning to speak to this — that I've already spoken to this on prior occasions here in the House. I will not repeat all of my remarks at that time. I would also note that most of the matters in this bill are not of concern to us; however, section 27 regarding the retroactive validation related to the director of Corrections position is one of concern, and the minister's explanation, of course, as you know, does not actually hold water. Had this legislative change been proposed last October before the government made the change and stepped outside of the parameters of the corrections act, we probably would have supported that change. However, the lack of answers and accountability from the minister of when this occurred — the lack of acceptance of personal responsibility, since the appointment of a director at this level under the corrections act does actually fall on the minister to sign off on that appointment, we are disappointed by the continued lack of accountability by this minister, though, unfortunately, not surprised by it.

This is cleanup over a year after the fact of when the government stepped outside of what was authorized by the corrections act, and I would note that is why this act specifically talks about retroactively making things legal back to October 15, 2021. Again, I'll just very briefly quote from section 27 of this legislation — this is section 27(1) — and I quote: "Everything done or omitted to be done on or after October 15, 2021..." — and there is a bit of legalese in the midst. It concludes by saying — quote: "... is declared for all purposes to have been validly and legally done or omitted to be done."

It goes on in the next section to again reiterate the declaration that — and I quote: “... is declared for all purposes to have been validly and legally done...”

No matter how the minister may try to reframe this as a validation — that was her term — this is retroactively correcting an issue where the government stepped outside the authority of the corrections act. I would note what is most concerning about this is that the minister is failing to acknowledge a mistake was made.

I would also note that, as the Public Accounts from this year notes, this minister stepped outside the authority of the *Financial Administration Act* with the Department of Health and Social Services, as noted in the audited reports. In both cases, what is most called for is simply accountability.

Mr. Speaker, because of this and the fact that it is a retroactive correction, we are not able to support the bill in its current form, since this part of it is over a year late. I am sure that the minister will understand our reasons for that.

Ms. Blake: The NDP are in support of moving this bill forward. Mahsi’.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McPhee: I appreciate the support from the Third Party with respect to this important piece of legislation.

The section that is of concern to the Yukon Party is about supporting the public service. I’m sorry that they choose not to support the public service. The member opposite, who speaks to this matter, and the Yukon Party is simply wrong about this piece of legislation. The validation clause is a legal tool. It is appropriately used here to support the public service. I am sorry, again, that they will not do so.

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: 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, seven nay.

Speaker: The yeas have it. I declare the motion carried.

Motion for third reading of Bill No. 19 agreed to

Speaker: I declare that Bill No. 19 has passed this House.

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 continuing 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

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

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Ms. Clarke: I have one more question for the Premier. Can the Premier please provide an update on the Vimy project? Is there a timeline for completion?

Hon. Mr. Silver: As the member opposite knows, we have an aging population, growing very fast — faster than the national average. I think that, in Canada, the seniors population grew by 2.1 percent between 2006 and 2021. In the Yukon, it grew by 2.9 percent, so it is very important for us to support the development of a wide range of housing options for our Yukon seniors, in line with our *Aging in Place Action Plan*. So, as part of that, the Yukon Housing Corporation continues to work on a partnership with Vimy Heritage Housing Society to support the development of their proposed not-for-profit, seniors

independent housing project. I know that the members opposite will be very familiar with this as well.

When I was in opposition for those five years, I would go to each of their annual general meetings. The commitment was there from them at that time, and it still is right now, for government support for Vimy. It is wide ranging, for sure.

As far as the provision of funding, project manager advice, and an ongoing hold of a Whistle Bend lot to support a future project — some of the actions that we have done. There is a strong business case here as well, inclusive of sufficient capital project and operating funding secured, so we are also providing options to support the project proposal through our existing funding and innovation programs.

As far as a timeline at this point, I don't have anything to add from what the minister and his department have been speaking about as far as this partnership, but I just wanted to give a little bit of context to the work that has been done to date.

Mr. Cathers: In rising today, I am going to start off on the Finance side and move on to other areas. As the Premier will know, we have indicated that, since the government has chosen to move to a pattern of having less individual appropriations for departments in the supplementary, it consequently means that the only opportunity we have to ask questions about departments not seeking new appropriations is in general debate.

As per our practice recently, we have provided the government with a heads-up on which departments we intend to be asking questions about so that they can have officials standing by. Whether the Premier answers or the minister answers is, of course, a choice that they can make, but we have given them a heads-up in the hopes of getting more explicit answers. After Finance, we will move on to Health and Social Services.

I am going to begin with the territorial funding formula. The formula financing grant from Canada represents the largest single source of revenue for the territory. In fact, it represents the majority of revenue for the Yukon. Currently, it's set to expire on March 31, 2024. Can the Premier tell me what steps have been taken so far regarding extending or renegotiating the territorial funding formula with the federal government to go beyond 2024?

Hon. Mr. Silver: I think that it will be no surprise to the member opposite that I disagree with the preamble.

What has changed in Yukon financing as far as how we do our budgeting is that we are doing our utmost to make sure that our budgeting is done in the spring, in our mains — whether that be for operation and maintenance, or budgets for our societies, corporations, or capital builds. It is extremely important to do so under the aspects of transparency and openness. The result of the work of the Financial Advisory Panel — of us really beefing up the Finance department and its work with Community Services and the Department of Highways and Public Works, and others — we are getting accolades nationally for the work that we are doing in budgeting.

What hasn't changed is how the Legislative Assembly happens. In the past, the members opposite — although they

did have much more budgeting in the second term of a fiscal year — did not provide an opportunity for departments without budgets to be asked questions of in conversations after Committee of the Whole. Neither are we. The difference is that there is less budgeting happening right now, to the tune of us getting an A-minus from the C.D. Howe Institute, which is the second-highest rating in Canada. I know that the members opposite did budgeting differently. This is how we are doing our budgeting.

What I would suggest is a conversation at SCREP where we could even front-end load. If we get into a situation like the fall budget where there are departments with allocations, let's put those up before Committee of the Whole. Then, if we get through all those, the Premier can sit here and answer any questions in general. That might even be a better use of our time, but the members opposite have never brought this up in SCREP. They will just say that they want us to change the rules — comparatively differently from the way they did it all this time.

With all due respect to the members opposite, things have changed in that there is less budget allocation. I understand that they might have, in their opinion, lost an opportunity here, but to say that this is their only opportunity to ask questions of the ministers — well, that is simply not true. They can write letters to the ministers. I think the Leader of the Official Opposition wrote four this summer. Again, there are opportunities. We also know that, in the spring, they had full opportunity to grill all of the different departments. They asked me zero questions in Committee of the Whole. They asked me zero questions in the Department of Finance and zero questions in the Executive Council Office.

We will agree to disagree as to the “why” of what is going on here but, ultimately, if we are going to continue to get accolades nationally about how we are budgeting, including a report that takes into consideration how open we are as a government in our financing, I am going to continue to do it this way. I'm happy to answer the member opposite's questions in general debate. I will say, though, if they really do want the answers more specifically and more drawn down — a cased, worked letter from departments that can then spend the time to actually get into the regions of the department, find out exactly what is going on, on a day-to-day basis, and respond — would probably garner a lot more information than asking the Premier, conversation with the Minister of Finance, the questions during a general debate.

However, when it comes to the grants, I'm happy to talk about the grants — the transfers. As the member opposite knows, we receive four major transfers from Canada each year. They are the territorial formula financing, as he referenced as the TFF. There is the Canada health transfer; there is the Canada social transfer, and also now there is the cannabis transfer. On the cannabis transfer, it was my privilege, as a Minister of Finance, to negotiate with the federal Finance minister the federal tax on this — and the agreement in that federal tax — for the provinces and territories.

In December 2021, the federal government advised the Yukon government that the 2022-23 fiscal year grant would be

\$1.174 billion. That was an increase of roughly five percent over the previous fiscal year, which is consistent with the average growth rate of the grant. The grant consists of the territorial formula financing grant minus resource offsets. However, there are currently no related offsets banked to date, although with Victoria Gold in production, we are going to see that change very soon here. In years where there are offsets, the resource revenues represent Yukon government revenues, whether that be forestry, oil and gas, lands, minerals, or water, so every dollar above \$6 million in resource revenues is offset by a \$1-dollar deduction from the grant. So, the first offset in the current forecast is expected to apply in the 2023-24 fiscal year and will be in respect of resource revenues that are earned in the 2021-22 budget year.

As far as what replaces after we expire the TFF and the conversations currently, those conversations are ongoing, but I don't have anything to add right now for the member opposite as far as timelines on that.

Mr. Cathers: I am not going to spend a lot of time here debating with the Premier the rules for debate, but as the Premier should know, if he has read information from the Clerks regarding this subject to clarify when it has come up before, during a legislative Sitting, if members wish to ask questions regarding departments that don't have new appropriations in the supplementary, our only chance procedurally to do so is during general debate. In the interest of providing the government with the ability to have officials from individual departments lined up, we have given them advance notice of which departments we will be calling. Unfortunately, if the Premier is going to choose to dispute the facts, that does not make them less true.

We have had the experience where the Premier has suggested that we just simply case work it to ministers. Well, we have varying experiences of success in actually getting a timely response to that, depending on the minister and the issue. The opportunity to put ministers on the spot in the Legislative Assembly is something that members of every Legislative Assembly in Yukon history have taken the opportunity to do. It is a good opportunity to raise a question and put them on the spot to provide an answer. If the government chooses to not provide those answers or not utilize the resources of officials being able to assist them with it, that is, of course, something that they have to stand accountable for.

I want to move back to the issue at hand regarding the territorial funding formula expiry, and, in fact, the overall grant from Canada. The Premier indicated that conversations are ongoing. Without a little more detail on that, it is concerning. We have heard the indications from the federal Minister of Finance, Minister Freeland, who has indicated that times are going to be tougher in terms of budgetary requests. We don't know at this point — we, as non-government members, have not seen any information from the federal government about what this might mean for the territorial funding formula after 2024.

The question really can't just be addressed by indicating that there have been conversations. We are looking for more specifics about what the Yukon government has requested and

what assurances, if any, they may have received from the federal government that the territorial funding formula is going to carry forward in a manner comparable to how it has in the last number of years, versus potentially being on the chopping block for cuts.

Again, I am not suggesting that the latter is the case. What I am stating, Madam Chair, is that in the absence of information from this government, or clarity about what the federal government has said, there is uncertainty regarding what this oh-so-important financial package that the Yukon receives on an annual basis from the federal government may look like after March of 2024 — and, of course, that is not very long away. We are not so far from the end of this current fiscal year, and after that, there will be just one year left in the current funding formula from the federal government.

So, I am looking for more details in terms of what this government has requested from the federal government, and what letters, assurances, et cetera, that they may have received about what the financial situation will look like after 2024.

Hon. Mr. Silver: Again, before I get into the TFF, as far as opportunities to reach out to ministers and to get responses and returns, the Minister of Energy, Mines and Resources has been keeping an awful lot of statistics about the number of returns that we have given in the Legislative Assembly compared to the Yukon Party — you know, the responses that we have given. I think that our record holds up well — comparatively — to the Yukon Party's record. Whether or not there are fewer departments available after general debate for the budget process, I do remember being in opposition in the Third Party and being quite frustrated with members opposite taking their complete 20 minutes, when the Yukon Party was in government, to basically read off publicly available information, so I would, at some points, just basically say, well, here are my questions, and then, see you later, because they are not going to get answered, but anyway, I digress.

When it comes to the formula itself, I would recognize, and appreciate, the members' opposite concerns to make sure that we keep our TFF, especially when, in the Council of the Federation, having conversations with provinces about equalization and those types of things. I don't have any reason, at this point — from any of the conversations that I've had with the federal government — that they're going to be changing the algorithms. Now, at the same time, there is a formula here. This is a complicated algorithm, and the member opposite is quite aware of spending, both here and across the country, and how that basically determines the final amounts that are being dedicated to us here in the Yukon.

The TFF is calculated as a grant that equals the gross expenditure base less fiscal capacity. I don't see that changing — the GEB, that's our base, is an approximation of our annual revenue requirements. It's adjusted annually to account for growth in populations in both the territories and also the provinces — and municipal government expenditures, as well. So, as far as concerns, lots of spending during COVID to make sure that we had healthy people. If you have healthy people, you have a healthy economy.

We have had an awful lot of conversation about fiscal capacity. Again, that fiscal capacity, in terms of the formula, is an estimate of Yukon's ability to generate our own-source revenues, and it's calculated as the total revenue that the Yukon could raise from its largest non-transfer revenue sources, if each source were taxed on a national average tax rate from the source. This formula is complicated. Other than the member opposite speculating that this is going to come to an end, I would caution the member opposite on that. Our economy is extremely important about confidence. I have no reason to believe that our TFF is going to be suffering, as far as the calculation, but the member opposite also does know that it's based upon spending, it's based on populations, and that will continue.

Recent federal updated projected growth for all territories, with respect to the TFF, are well in hand. Canada updated the forecast of the TFF to grow from \$4.6 billion, as I mentioned, to \$5.8 billion — of course, this is for all the territories — by 2027-28. So, again, some of the conversations that we've been having with the federal minister — the member opposite might speculate on the end of the TFF or change therein. I would caution the member opposite on that and say that the changes would be based on population and also expenditures.

Mr. Cathers: The Premier, in rising, first made reference to the Minister of Energy, Mines and Resources keeping statistics about legislative returns and not time spent in debate. We are aware that the minister does that. I, however, can't miss the opportunity to point out, since the Premier raised it, that the minister's time would be better spent ensuring that Yukoners have the ability to get firewood than on keeping statistics about debate here in this Assembly, since he is also responsible for that area. We are facing something that never happened before the Liberals in the Yukon — a firewood shortage and a crisis here in the territory that is leaving many Yukoners having trouble paying for firewood, and others unable to get it or unable to get it in a timely manner.

I am going to go back to the TFF here. The Premier seemed to be suggesting that I was implying that the territorial funding formula would just end. Of course, that was not what I was suggesting.

However, the certainty in that formula ends on March 31, 2024. What we don't know — and in light of comments made by the federal Finance minister about times being tougher at the federal level — though I can't recall her exact phrasing of it. It does create a situation where there is legitimate cause for concern that, as part of budgetary cost-cutting measures, there could be reductions.

The Premier may recall that the Yukon faced this under Prime Minister Chrétien when there was a reduction to the territorial funding formula. If memory serves, it was a 15-percent cut. That seriously impacted the territory's fiscal capacity over the next number of years. We don't know, at this point, if the federal government plans to continue the territorial funding formula at the current trajectory or perhaps make cuts to it. The key question that I am asking comes down to whether the Premier has raised this with the Prime Minister and Minister Freeland, and, if so, when? Has he done it verbally? If that was

the case, can he tell us when? Has he raised this in a letter and, if so, can he provide it?

Hon. Mr. Silver: Again, this is a conversation that — not only have we been talking with the federal Minister of Finance about it, but also the Council of the Federation, every time we have an opportunity to speak of it.

I just quoted to the member opposite forecasts that go past the deadlines of the territorial formula financing, which is an indication that the only folks necessarily right now who are bringing this up as a concern that something that happened in the past may happen again — is the Yukon Party. I have no reason to believe that it is so. The member opposite most likely did listen to the fall economic statement from the federal Minister of Finance. It is the fiscal update just released from Freeland — the member opposite would know, if he read it — that has those numbers for the forecast increases for the TFF.

He can speculate all he wants as to the end of that, because the Finance minister is doing her utmost to make sure that she presents a budget that is considering the international conflicts that we are in, the supply chain management issues, and the historic spending to keep our country healthy. I have no reason to believe, from the statements that I have heard from the federal minister, that the TFF is in any dire straits or that they are contemplating any changes.

If any of that changes, I will be the first one to be very vocal with the federal government — if that were to come to pass. I am very confident, at this point, that we are not going to see a change to the TFF any time soon.

Mr. Cathers: On the one hand, I'm happy that the Premier is confident that he doesn't think that there will be changes, but I do have to question whether that confidence is well-founded or misplaced.

The fact that Minister Freeland included growth of the TFF in forecasts does not necessarily equal a commitment to the Yukon, Northwest Territories, and Nunavut.

The Premier vaguely references conversations, but what I am asking for is this: If he has raised this with the Prime Minister and Minister Freeland, can he tell us when he has done that in person? If he has done this in a letter, could he provide us with a copy of any such letter?

Hon. Mr. Silver: You know, conversations are ongoing on every level, from the Department of Finance right up to the minister. It is great to be the Minister of Finance and also the Premier. You do get to double-dip, as it were, when it comes to conversations with federal ministers. These conversations are ongoing, as they always are.

We mention it every time we have a Finance ministers meeting. We talk about our budgeting concerns, our needs, and necessities, but the member opposite is the one who is paranoid or worried that we are losing the TFF. I'm not. When I go in to talk to the federal minister, I'm not saying, "Are we going to lose our TFF?" That would be an ill-sighted approach when it comes to cooperative federalism, but maybe that is what the member opposite's team does when they are in power, in government.

I will also say, as well, that the member opposite can say whatever he wants about a Liberal federal government but, at

the same time, the Minister of Finance has been very upfront with forecasting how the government is going to move forward. I think that it was heard in the fiscal update, but we have also heard that in past Finance ministers' meeting conversations, where the federal minister has talked — and it has been public, as well — about not necessarily austerity measures coming up, but a need in the post-pandemic situations to rein in spending and be fiscally accountable, as the federal minister — again, never mincing words on those things.

So, again, if there was a forecast, I would think that we would be hearing about it from the federal minister. She has never brought up a concern about the TFF when we have had any conversations about equalization — where there is obviously a whole bunch of concerns. If anything, she has been very forthright with Yukon and very plugged into our needs.

If you take a look at some of the new funding announcements that were made, I would say that there is some good news. Again, this isn't necessarily a budget that the federal minister displayed the other day, but it is a forecast — a forecast as to what is going to happen in the next main budgets in the spring.

Also, in that, we pen letters to the federal minister all the time, as far as what our needs are. We do that exercise with the other two territories as well. We talk about how we can coordinate certain needs and priorities to the Finance minister. Of course, there are conversations about the Canada health transfer that are ongoing with the Council of the Federation. When it comes to specific conversations about Yukon needs, we bring that up every time we have a bilateral meeting as well.

Again, the first chapter of her announcement of making life more affordable — \$4 billion over six years mentioned in an automatic advance to the Canada workers benefit, bringing up forecasting, eliminating interest on federal student and apprenticeship loans, rebuilding after natural disasters. Each of these chapters that the federal minister spoke to have some unique opportunities for all of the provinces and territories.

We will be heading to Ottawa with the chiefs to have conversations trilaterally at Yukon Days, which is a new approach that the Yukon Liberals have put into this government when it comes to how we get the best bang for the buck as far as flexibility in dollars. If anything, as well, when it comes to federal funding, it really has been a great partnership that we have had with the federal government as far as, you know, the pockets that we get everything from — gateway funding to the Investing in Canada Infrastructure program, to Arctic funds — the list goes on and on about the target funding that we are getting from this federal government.

I don't see a need to raise a flag of paranoia — sorry, I apologize for that — of concern. I have not seen any indication that the federal Finance minister or the federal government is considering any changes to the algorithms that we currently enjoy.

Mr. Cathers: Well, the Premier can choose, as he has, to dismiss concerns as unfounded, but I would note that the Public Accounts themselves, tabled by the Premier and audited by the Auditor General of Canada, note on page 9 — they talk about the risk associated in this area. I'm going to quote again

— for Hansard, this is page 9 of the Public Accounts for the 2021-22 fiscal year: "In 2021-22, the Government again received 84% of its revenue from the Government of Canada which was within the range of 81% to 85% that has occurred over the past decade. This ratio is consistently high, indicating a reliance on the federal government to finance the Government's activities."

It then goes on to note that the government, in this case referencing the Yukon government — and I quote: "... has little control over these transfers which poses a risk..."

I am not attempting to suggest that we know trouble is coming. What I am asking the Premier — and he seems to be waiting on the federal government to tell him something — the question that I asked, other than the vague conversations and non-specific references, saying that he has raised it at FPT meetings, what I'm asking is what the Premier has done, or his government has done, to seek certainty from the federal government, so that they can be confident that the provisions within the territorial funding formula are going to continue largely unchanged past March 31, 2024. Has he raised that with the Prime Minister or Minister Freeland? If so, when? If he has written any letters to that effect, will he share them? If he hasn't done either of those two things, will he agree to actually proactively seek that certainty from the federal government that the Yukon can be confident that the TFF will continue largely unchanged past its expiration date?

Hon. Mr. Silver: The rabbit hole that the member opposite is going down is an interesting one. The member opposite thinks that there is a bogeyman underneath the bed — I don't. He has asked me if I have asked the federal minister about the bogeyman under bed. No, I haven't, because I don't think there is one.

The member opposite also selectively quotes from the Public Accounts. If he read the next line — well, his quote was that "... the Government has little control over these transfers which poses a risk..." There is no period there; there's actually a comma, and then it says, "... it also represents a relatively stable source of revenue from the Government of Canada, a senior level of government."

You know what? I am not going to take his advice, because I think what we are doing is working, and the results are in the amount of resources that we are getting from the federal government and how we are able to spend those from Public Accounts to Public Accounts.

So, with due respect to the member opposite, I don't suffer from the affliction of thinking that the sky is falling, which the member opposite seems to have. The algorithm, as far as that uncertainty piece, would be the same type of uncertainty that the Yukon Party saw in the algorithm, but again, that uncertainty is based upon the fact that there are a lot of variables inside of that algorithm — populations are increasing, spending is increasing, and so will the TFF.

Now, all of the discussions at the officials level have been looking at technical amendments from the federal government — not flagging that there are going to be major changes — very minimal impact to date. A lot of the conversations, really, are about making sure that we have mirrored legislation for tax

regimes, as well, to the tune of benefiting to Yukoners more than \$2.5 million per year on their income taxes.

When we take a look at our Public Accounts, we are doing very well with the money that we have, and we are seeing that money increase from the federal government. Again, another criticism from the members opposite of there is too much money — we've heard them complaining that the TFF was this massive budget. So, they can't really have it both ways: it's too big, but we're afraid that it is going to go away.

Right now, we have Public Accounts, and the real story is in the details of our Public Accounts, and also, I am telling him, as the minister responsible, that we don't see an issue with anything other than technical amendments being made, which have very minimal impacts to date. One thing that will impact our TFF is the fact that Victoria Gold is now the largest gold mine in Yukon history and that they are producing revenues. These are now own-source revenues, and, of course, if you are producing that own-source revenue, then that will affect the TFF, but in my six years' experience here now, as the Minister of Finance, I do not suffer from the same affliction as the member opposite, as far as worrying about the TFF.

I also know that the importance of a good economy is stability — confidence in government, in our procedures. The member opposite can continue to ask these questions, but I don't think that it serves any purpose, when we answer the question the first time to say: "No, I don't share his concern." I guess we will leave it at that, as far as what have I done? Well, I work very tirelessly in this job, so does the department, and so do all my ministers.

One real benefit, as well, to making sure that we have targeted funding here in the north is our change of approach, compared to the Yukon Party, when it comes to involving the First Nation governments in our trilateral conversations with the federal government.

Mr. Cathers: Unfortunately, the Premier — well, he can suggest that other members are seeing monsters under the bed, but as anyone who has been in the private sector or has dealt with contracts knows, if you don't have certainty past the end date of the contract, there should always be some degree of concern about whether the other party to that contract may choose to change the terms — especially in a situation such as this, when provinces and territories are in a junior position in dealing with the federal government, in that if the federal government chooses to reduce the territorial funding formula — as happened in the 1990s under Prime Minister Chrétien — if they choose to cut the territorial funding formula as part of a budget-cutting exercise, there isn't much that a territory can do about it, other than strongly object and advocate their perspective to the federal government. Ultimately, the federal government maintains that control. When the territorial funding formula was cut under a former federal Liberal government, it may be fair to say that the Finance minister of the day was not anticipating the cut until it occurred.

I am concerned that the Premier has not gone as far as I believe he should have in seeking certainty of that continued, stable fiscal picture from the federal government after 2024.

Clearly, he seems to see this as the next person's problem, rather than his, so I will move on to other issues.

I will ask the Premier about sustainable health care funding. There was a release from Canada's Premiers issued on November 8. This release, I believe, would be available online for anyone who has not read it. It notes that no progress was achieved at that federal government to ensure sustainable health care funding. Ottawa, November 8, 2022 — and I quote: "As federal-provincial-territorial Ministers of Health meet in Vancouver, Canada's Premiers reiterated their urgent call for a new and sustainable health care funding partnership with the federal government through the Canada Health Transfer (CHT).

"Provinces and territories are working hard to improve the health services that Canadians rely on that have been under heavy strain through the COVID-19 pandemic. Substantive resources are required to support and accelerate this essential work, and provinces and territories need a predictable federal funding partner.

"Premiers are disappointed with the lack of a federal response on the critical issue of sustainable health funding. They continue to call on the federal government to increase the CHT so that its share of provincial and territorial health care costs rises from 22% to 35%, and to maintain this level over time."

Does the Premier agree with this release? Does he share the disappointment of other premiers, and did he sign off on this release himself?

Hon. Mr. Silver: Going back to the previous question about TFF and certainty, there's also, not necessarily from that perspective, certainty on equalization payments, either, but there is a constitutional requirement from the federal government to have these conversations, and these conversations are ongoing. So, it is extremely important to understand the constitutional requirements, and again, we don't seem to agree on whether or not TFF is going to be continuing. Because I don't have the paranoia of the member opposite, doesn't mean that I am downloading this responsibility on to any next ministers or premiers. We've done a lot of due diligence, and we have the best economy in Canada — we have the lowest unemployment rate in Canada, and we have a growing TFF. The member opposite is not asking about that; he's asking: "When is it going to end?" We don't think its going to.

When it comes to CHT, if there's a statement from the Council of the Federation, all premiers sign off on those statements. When it comes to the importance of a Canada health transfer keeping up with the pace of the needs of Canadians, both the federal government and the provinces and territories, agree that the federal government must put more money on the table when it comes to the Canada health transfer. Yukon, Northwest Territories, and also Nunavut are in very unique situations in that our direct funding per capita in the CHT is a huge consideration, but not as big as other things, like the territorial health investment fund — THIF.

In 2021 budget, the Government of Canada announced \$12.8 million over two years to renew that agreement with our

government; previous health transfers spanned four fiscal years. We're seeing two years as a renewal, right now, and that territorial health investment fund is very important. That money sounds like a small amount of money, but it is an extremely important source of funding for us and for the other territories. We are extremely thankful that this funding has provided essential supports to system improvements, to addressing the gaps and challenges and the delivery of health care in northern jurisdictions, and also offsetting necessary medical costs and access to equitable care. We stand in agreement with the provinces. We need to get the federal government to the First Ministers' meetings table — to the FMM table — to have a conversation about what is needed to modernize this system.

Now, I am going to give credit to outgoing Premier Jason Kenney, who has sat both in a federal government and also as Premier. In very early conversations — you know, this isn't my first round of having CHT conversations. In his first year — in talking about his experience as a federal minister in this area, it is really important that provinces and territories also showcase what we are doing to modernize, what we are doing to upgrade when it comes to technologies, and that is where *Putting People First* comes from. That was an extremely important part — to show that we are the best source of information — the Department of Health and Social Services and its partners in health care are the best sources of information — for calculating the need when it comes to changes to the Canadian health transfer.

I know that the department has done an impeccable job of identifying our need to go from — when the Yukon Party was in, we had an acute care system. We are now into a collaborative care system — a full spectrum of care. This comes with new expenses. What also comes with new expenses are the rates of new cancers — specific cancers that are happening in younger and younger populations right across this country. My brother is a radiologist in Nova Scotia and has been scared to death, really, with uses of preservatives in our food and how that affects our health. We are very lucky to live on the land here, as much as we possibly can in the Yukon. We are very lucky to be able to access the land, and we are also extremely grateful to our agricultural community for increasing our ability to grow locally and, therefore, the need to use fewer preservatives. But, again, this is just one specific conversation that is going on — about how important it is that the federal government maintains its part of the deal when it comes to health, because it is a shared responsibility.

Again, it's a letter that the member opposite is quoting from, the Council of the Federation, then he can be guaranteed that every premier, including myself, has signed off on that document.

We need a long-term financial boost, and our funding will help implement the *Putting People First* plan. That took a lot of work. It's leading the country. It is already proving to improve quality and access to care for Yukoners. We do have supply chain issues right now, human resources issues right now — nationally, internationally and locally. We are not alone in feeling the pressures that we face when it comes to health transfers. I have been very committed in working with the

premiers and also the federal government to find ways to support our health care professionals and to ensure that Yukoners get the care that they support and deserve.

I am definitely looking forward to having dialogue among the First Ministers so that our health systems are well-resourced and prepared for future challenges. To help address some of the district challenges, Yukon does receive funding through, as I mentioned, our THIF, which is the territorial health investment fund, in addition to the health care transfer. Those are two separate conversations, thank goodness. That territorial health investment fund enables us to really invest in innovation, which is extremely important, to enhance services in our small and more remote areas and communities.

We have done a lot of work in pre-surgery consultations with upgrading our health care system. I know that early discussions are underway between the federal government and the territorial offices on the next iteration of the territorial health investment funding, which is extremely important as well.

I would also say that the premiers in the provinces — I have to give credit where credit is due. When you think about the politics right across Canada — we have premiers who are NDP, Conservative, and Liberal — the conversations are very respectful and very to the point about what is best for Canadians. That's what I really appreciate about the Council of the Federation — so much so, to see John Horgan, the Premier of British Columbia, try to even — with the blessing of all of the Council of the Federation — go to Ottawa with a sub-bar conversation with a representative of a blue province, a red province, and an orange province — having conversations on behalf of our Council of the Federation with the decision-makers in Ottawa, trying our best to get the federal government to the table to have this conversation because it's extremely important for Canadians. It's time we get on with understanding what level of funding we are going to see from the federal government.

Mr. Cathers: As the Premier knows, the press release from Canada's Premiers noted — and I quote: "For over two years Premiers have been asking the Prime Minister to discuss their number one priority and the number one priority of Canadians in all provinces and territories — health care. Despite repeated invitations and efforts by Premiers to engage with the Prime Minister, he has not engaged in a meaningful dialogue with Premiers on a renewed health care funding partnership."

As the Premier made reference to, the Yukon does get — and, of course, the Canada health transfer funding is important. That funding does not address the unique needs of the north in the same way that THIF, which was originally THAF, was intended to do as a result of the joint effort of the three governments — the Yukon, NWT, and Nunavut — to seek that federal funding, recognizing our unique needs and increased costs due to having small populations and large regions.

The Premier made reference to conversations about THIF, and I am pleased to hear that there has been some work on that. Can the Premier talk about what work is being done currently with the NWT and Nunavut to seek an increase to the THIF?

What request has been made from the three territories as far as an increase to that funding? As the Premier will recall, the actual amount of the funding has not increased much since it was set up roughly 15 years ago. So, are the three territories working together jointly to request an increase to the THIF that the three territories receive? If so, what is the status of that work?

Hon. Mr. Silver: I cannot, but that would be a conversation for the Department of Health and Social Services as far as what their approach is to these ongoing conversations. In general debate, I can say that those conversations are ongoing. As far as the extent and who is involved, that is a question for the minister.

Mr. Cathers: Okay, Madam Chair, I would have hoped the Premier would be more actively involved in that, as Finance minister, just as the initial request for that money actually was made by three premiers jointly on the national stage, but I guess that is his position on it.

So, I want to move on to the issue of doctors. We heard the Minister of Health and Social Services, surprisingly, make a recent statement saying that she isn't convinced we necessarily need more doctors in the Yukon. In contrast, of course, we see that — according to a report that the minister likes to cite — over one-fifth of Yukoners do not have a family doctor, and we know that, as of the most recent numbers that we have been given, over 3,300 Yukoners are currently on the government's wait-list for a family doctor.

So, what is the Premier's view? Does he share the minister's view that the Yukon doesn't actually need more family doctors?

Hon. Mr. Silver: As the member opposite often does, he tries to make it sound like we are not working collaboratively with each other. Again, we are in general debate, and if the member opposite really wants to hear responses about the negotiations that Health and Social Services is doing, then he should write Health and Social Services. But, in general, when it comes to negotiating status, I can speak in general to that to the House. I don't know if the member opposite wants to.

We are calling on the federal government to increase their contributions to the Canada health transfer — we talked about that. But the long-term financial boost is extremely important — we talked about that. I am definitely looking forward to those conversations continuing. As I said, there are some early discussions on the way when it comes to THIF. Again, to add some clarity, as well, we are not negotiating, individually in any province or territory, the Canada health transfer. When it comes to the territorial health investment fund, this is a regional specific funding that we are absolutely moving forward on.

My responsibility is with the Canada health transfer; the minister's responsibility is with THIF. THSSI would be another example of some historical funding. The member opposite mentioned another one, just to add to that conversation. Again, he can make it sound, as his leader does, that I am somehow out of touch.

That is a narrative that they keep pulling on. It is simply not true, and we will just continue to do the good work of negotiating in good faith with the federal government, and

advocating for the unique circumstances of the northern people, when it comes to equal access to health care in Canada and how important that is in the context of — well, in the context of living and doing work here in the north, which is extremely — comparatively to more southern jurisdictions — it is extremely more complex. It gets even more complex as you get into some of the other territories — you know, lack of roads comparatively in Nunavut, as we go east to our brothers and sisters living in Nunavut, compared to Yukon, which only has one fly-in community. Again, trying our best to — whether it is my conversations with the premiers, or the federal Minister of Health Duclos, or conversations with our territorial and provincial ministers, those conversations are ongoing and extremely important.

When it comes to physicians, I also was sitting here listening to the conversations in Question Period, and I stand behind my Minister of Health and Social Services on how she has identified the need, and also identified the global shortages that are affecting every jurisdiction in Canada, and all of the good work that the minister and her team are doing to do the best we can to connect Yukoners to physicians. She spoke of the 1,296 Yukoners who have been connected to a physician through Find a Doctor. I know that the member opposite has a different opinion, and that is his to have.

In the 2021-22 fiscal year, we contributed \$3.31 million to support physician benefit programs, the majority of which are administered by the Yukon Medical Association. Again, since the Find a Family Doctor program was launched, 4,637 unique applications have been received, and 1,296 Yukoners have been connected to a physician through this program. Based upon 2017-18 data, *Putting People First* found that approximately 21 percent of Yukoners do not have access to physicians — comparing that to very similar rates right across Canada.

What the department and the minister are doing to make sure that we connect Yukoners to doctors, I think, is important work. It is bearing fruit. We will always recognize that there are pressures, for sure. Our doctors and nurses — I shouldn't say it that way; it's not a competition — but they were stretched during COVID. They worked extremely hard and were dedicated, like they are as professionals, and we are there to support them, and we will continue to invest in recruitment.

Again, I do agree with the minister, as well, that when folks do arrive here, whether you are a school teacher, a nurse, or a doctor, it's the amazing community that we have — the amazing vistas — and Yukon is the best place on the planet to live. That is the great part of the recruitment tool in general. When you take a look at our communities and the fresh air that we have, coupled as well with how a lot of the doctors who are coming through the education system are looking for balance in their lives. I mentioned my brother earlier. I didn't see the guy for 20 years, because all he did was work, but that has changed now. It's different. Again, working all the time is not necessarily the best way of doing things if you want to balance your life. Understanding that doctors and nurses want to balance their lifestyles, as well, coming to the Yukon, whatever your pursuits are — getting out on the land, hunting or fishing — this is a great place to live.

I would say that I completely have the utmost confidence in the minister and the department in recruiting.

Mr. Cathers: Well, unfortunately, there are a lot of issues here. The Premier suggested that it was not reasonable to expect to know what is happening or not happening regarding negotiating the continuation, and hopefully an increase, to the THIF funding. I have been in the position of being the Health minister before. I find it very hard to believe, considering that, when I was in that role, if I was doing work of that type, not only the Premier, but, in fact, my Cabinet and caucus colleagues would be regularly updated on what work was going on in that area. Certainly, in facing a legislative session, it would be important enough to my colleagues that they would want to know what the answer was to that issue, even if they were not the one being called on to answer the questions.

The Minister of Health and Social Services was quoted by the *Whitehorse Star* on Monday of this week as saying — and I quote: “I don’t necessarily agree that we don’t have enough doctors here in the territory...”

My question for the minister is this: Does he agree with the minister’s statement? Does he agree that the Yukon doesn’t actually need more family doctors?

Hon. Mr. Silver: I completely endorse my minister and her team at Health and Social Services in their endeavours to recruit. I believe the minister was making points of the good work they have done with the Find a Doctor program. I am going to leave it at that, but I will also say that it is interesting that the member opposite, who was a minister of Finance, expects general debate to be the place where the government would make new announcements about any of the conversations that are happening, as we move forward to renegotiate THIF funding. I don’t recall ever, in my five years in opposition, hearing new news being announced in Health by the Yukon Party on the floor of the Legislative Assembly. Except for once, when the Minister of Health and Social Services announced a 300-bed facility in Whistle Bend without government knowing about it.

Other than that, no, it’s not the regular process for the Premier to be stealing the thunder of the department and waiting until general debate for the critic of Health and Social Services to ask a question, and then, okay, perfect; we finally have the opportunity to announce something we have been waiting and holding.

Those announcements will come out as those negotiations are happening with the federal government.

Again, there were meetings with federal Minister Duclos just last week, which our minister was involved with. I completely support and endorse, not only the minister and her commitment to this file, but also the department’s ability, in these very, very trying times, to recruit.

Mr. Cathers: I will begin by correcting the Premier. I was not actually the Minister of Finance, as he stated I was.

I would ask the Premier in this area — he talked about the money budgeted for providing to the Yukon Medical Association for physician recruitment initiatives, but the amount he has budgeted this year does raise the question of whether the government is actually going to provide that

money. I would ask the Premier this: Does he know how much money the government actually provided the Yukon Medical Association in this area for the last fiscal year? Because what they budgeted and what they gave the Yukon Medical Association are two significantly different things.

Hon. Mr. Silver: Again, what I did say is that, in the 2021-22 fiscal year, we contributed \$3.31 million to support physician benefit programs, the majority of which are administered by the Yukon Medical Association. When it comes to negotiations with the Yukon Medical Association, a new three-year agreement has been announced with the Yukon Medical Association on the new memorandum of understanding. The agreement covers the period of April 1, 2022, to March 31, 2025. The Yukon Medical Association membership ratified the agreement on September 30. This agreement will support a strong, healthy community of primary health care providers. It is going to help increase Yukoners’ access to primary care services.

There are lots of highlights in this new agreement, including new attachment and attraction programs that will work to increase Yukon’s access to primary and specialty care, while also supporting physicians’ operating costs; the creation of an equity, diversity, and inclusion learning program; a commitment to help end systemic racism and discrimination in the health care system through learned behaviour and change; and also a commitment to work with Yukon First Nations’ health system partners and other service providers to support collaborative maternity and early years care.

So, again, this speaks to the commitment that we have to maintaining — to continuing to work with the Yukon Medical Association to implement the agreements, and to contribute to a health care system that provides Yukoners with access to the right providers, the right locations, and at the right time, which is extremely important.

Our new agreements provide incentives for our doctors to take on more patients. So, when you take a look at the negotiations — the money given to the association and all of the sweat equity that is getting into retention and recruitment, I would say that the member opposite is only giving part of the information, whereas there is a plethora of work happening right now. Again, in general debate, I will speak generally about these things, and the minister responsible can articulate more specifics.

Mr. Cathers: Of course, as the Premier knows, if the minister wanted to answer the questions, she could choose to stand and provide those answers here now. It is simply a choice by the government to choose not to answer questions when they are asked.

But again, what the government budgets and indicates at the start of the year, when there is more attention always on the government’s main estimates than there is on the Public Accounts — but what is budgeted and what is actually done by this government are often two different things. According to the Public Accounts, despite having budgeted \$3.5 million for the Yukon Medical Association for the line item entitled, “physician recruitment/retention initiatives”, what was actually provided in the last fiscal year was over \$1.1 million less than

that — \$2.377 million — which is a reduction of about one-third, Madam Chair, from what the government indicated in their budget that they would be providing. That is a pretty significant discrepancy, especially at a time when, if you ask most Yukoners whether the family doctor shortage is a crisis, many would say yes. I can pretty much guarantee you that, of the over one-fifth of Yukoners who don't have a family doctor, most of them would agree that it is a crisis.

If it is not affecting ministers personally, perhaps it is not as top of mind for them, but when the Minister of Health and Social Services, who is responsible for this file, made comments — as she did, as quoted in Monday's *Whitehorse Star* — that suggested that there isn't really a problem, that we don't really need more doctors — that is very concerning to me because I hear from Yukoners all the time who can't get a family doctor and desperately want one.

When the government budgets \$3.5 million and actually only provides two-thirds of that to the Yukon Medical Association, that is something that they should be held to account for, which is what our job is here in the Assembly.

Moving on to the new agreement that they have signed with the Yukon Medical Association — the memorandum of agreement, as, I believe, the Premier referred to it — we are happy to hear that a new agreement has been signed. We have heard feedback from physicians that, in response to years of efforts on our part to prod the government to do more on family doctor recruitment and putting in place modern incentives, there was actually some action in that area.

What we don't have from the Premier, other than a vague listing of topics, is specifics on what the government is actually doing.

Can the Premier tell us here what the government is actually providing under those items that he listed? What do those supports look at and what are the financial amounts, because, ultimately, this is taxpayers' money and people who are desperately looking for government to take action to help them get a family doctor want to see meaningful details from the government on what they are doing. They don't just want to hear talking points.

Hon. Mr. Silver: It is interesting that the member opposite spoke about the differences between mains and Public Accounts. We saw the Yukon Party on a regular basis announce massive amounts of capital spending, and then the Public Accounts would come in and it was not even close — on a regular basis. This is the same government that would then ridicule our five-year capital plan, which really did help to ensure that what we build, compared to what we say we are going to build — the margins have been a lot tighter than the Yukon Party — and a lot tighter than the Yukon Party during a global pandemic as well, I might add.

Interestingly enough, the member opposite talked about the money given to the Yukon Medical Association. He talked about the \$3.2 million actual compared to — I think he said it was the \$2.3 million in reality. He didn't list the rest of the numbers that do flow down from that — the half-million dollars for medical practice insurance, the \$368,000 for education, and also the \$75,000 for medical student bursaries. So, it is more. It

looks like about close to \$1 million more than the member opposite spoke about. Really, there are going to be differences, for sure, from actuals versus expenditures on a regular basis from Public Accounts to Public Accounts.

But, suffice to say, access to prime care is extremely important, and it is a challenge in many jurisdictions. We are all facing these global health human resources challenges. We are working extremely hard; the department is working extremely hard with their partners to respond to these challenges and to explore, in my opinion, very creative solutions to connect Yukoners with primary health care providers. I will leave the details to the department here in general debate.

Strong and healthy communities — that is extremely important, especially communities of primary health care providers. That is extremely essential and critical to ensuring that Yukoners have access to excellent primary health care services, and we are going to continue down that path. We are committed to working with the Yukon Medical Association. We talked about data from *Putting People First*, as far as national averages — averages in each jurisdiction. Knowing that, based upon that data from *Putting People First*, approximately 21 percent of Yukoners not having access to a family physician — that is compared to 63 percent in the Northwest Territories, 86 percent in Nunavut, and 21.5 percent in Québec.

So, again, the member opposite can say that we are not doing enough. I guess that is the job of opposition. I respect that, but I believe that the approach from the department and the minister is bearing fruit, and the pages of *Putting People First* is a great document to guide us in this transition to a health authority and also to better collaborative care for all Yukoners.

Mr. Cathers: The Premier suggested that I was not presenting the correct numbers, but I point out to him that the numbers are coming from page 196 of the government's Public Accounts, audited by the Auditor General and tabled by him. Under that item — under the heading "Yukon Medical Association — physician recruitment/retention initiatives", it indicates that in the main estimates — also commonly known as the government's mains or the budget — the total was \$3,518,000 that was budgeted for the line item "physician recruitment/retention initiatives". Right next to it, it indicates the amount in the revised estimates being the same, and then it indicates in the next column that the actual expenditure was \$2,377,705, so, again, a drop of — on that same line — \$1.1 million-plus from what was mentioned and what was actually delivered.

Now, we are hearing from physicians as well that physician burnout is an issue. We have heard Yukon doctors indicate that, as quoted by media at their annual general meeting, referencing that as an item of high concern. The *Whitehorse Star* noted in their article from November 7 that — and I quote: "Burnout, recruitment and government collaboration: those three issues are the most pressing for the territory's doctors, if the Yukon Medical Association's (YMA's) annual general meeting was any indication."

The Premier doesn't seem to like me raising the minister's comments and is trying to walk away from them while claiming to support the minister. But, on the one hand, we see Yukon patients, who want a family doctor and can't get one, numbering in the thousands, according to the government's own wait-list — wanting to see more family doctors in the territory, and doctors themselves citing burnout as a top issue. Hearing the Minister of Health and Social Services publicly state that — and, again, I quote: "I don't necessarily agree that we don't have enough doctors here in the territory..." It is a concerning statement, because it suggests that the Minister of Health and Social Services is completely out of touch with both patients and physicians here in the territory. She is not understanding the severity of the need of Yukoners who can't get a family doctor or the fact that doctors here in the territory are citing burnout as a serious issue.

We also heard physicians expressing concern about wait times and noting that it is becoming a more serious problem. I raised this issue previously in Question Period. I tabled a motion regarding it. We got a non-answer from the minister on this topic where she went on to talk about completely unrelated things to surgical wait times, reading off — it would appear — the wrong briefing note.

The question that I have to ask the Premier is this: Does the government recognize that this is a growing issue of seriousness? Yukon physicians are raising this as a problem. Yukon Hospital Corporation witnesses, when they have appeared here in the Assembly, have specifically noted their concern with the length of wait times for a long list of procedures and said that they are not meeting the national benchmarks or medically accepted benchmarks. The question for the Premier is this: Does he understand this issue?

Are they actually committed to doing something on this by working with our health care professionals to develop a wait-time reduction action plan, or is he going to dismiss the issue, as his minister did?

Hon. Mr. Silver: I have heard my minister speak a lot about burnout, recognizing that, right across the health care continuum, including doctors, nurses, and others as well, that this is a real and pressing issue in Yukon communities, in British Columbia communities, right across the country, and right across the world — absolutely. The member opposite can hurl insults and then conveniently take partial quotes, if he wants, but I have heard my minister speak about the necessity to recognize burnout as an extremely important part of us providing not only the programs and services for Yukoners, but actually the care and support for those who are providing that care — folks like community nurses, for example, working tirelessly to provide Yukoners with health care services. They play an integral role in our ongoing response throughout the whole pandemic; wait-lists were created by that pandemic.

I hope the member opposite would give a grain and recognize that these things are happening right across the world. I would hope he would also recognize the important work that the department is doing with its stakeholders and the Yukon Medical Association, and the work that we are doing to make sure that we continue to mitigate the increased pressures

resulting in local, national, and global shortages of health care providers. It is trying times, absolutely.

The Department of Health and Social Services has undertaken a lot of different actions to attract and retain both doctors and nurse practitioners, registered nurses, licensed practical nurses, registered psychiatric nurses, and health care aides right across the communities.

As far as national standards, we talked about the comparison to other jurisdictions with Yukon, as far as percentages. As concerned as we are here, there are bigger concerns in other jurisdictions, as well. I think that the department and the minister are doing an exceptional job of doing their best to retain and recruit in some extremely trying times, nationally and internationally.

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. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Cathers: So, continuing on with the questions that I was asking the Premier, again, we are asking — first of all, I should remind the Premier that we are asking questions on behalf of Yukoners who are concerned with these issues. We didn't dream up the issue of Yukoners who want to get a doctor and don't have one. That is something that, for thousands of people, that is their reality, and some of them are in situations where they are concerned about their health and need access to health care that they are not getting.

As well, we have heard those concerns coming from physicians around burnout. At the Yukon Medical Association's meeting, as noted by CBC Yukon in an article about it, posted November 7 — and I quote: "Physician burnout and growing wait times for care were common themes at the Yukon Medical Association's annual meeting this weekend in Whitehorse." — ending my quote from the article there.

It further goes on to note that the president-elect of the Canadian Medical Association said — and I quote: "... close to 50 per cent of physicians reported wanting to take a step back and reduce their clinical hours, according to a recent survey carried out by the CMA." Further in the article, it notes that this was raised, as well, by local doctors — and I quote: "Those wait times..." Actually, I will step back just a line, Madam Chair — and I quote: "Growing surgery wait times" — it says: "Those wait times were brought up at the YMA meeting during time allotted for questions with..." — and then it uses the name of the Minister of Health and Social Services; resuming from the article — and I quote: "We're currently struggling to keep up with giving Yukoners the surgical services that they need," Dr. Alexander Poole, a surgeon in the territory, told ..." — and then again, it has the name of the minister.

So, Madam Chair, this is a real concern for us, and a real concern for Yukoners. Again, as I noted when I raised this issue with the Minister of Health and Social Services, the issue of long wait times, she read talking points that were only very loosely related, at best, to the topic at hand.

This government, unfortunately, has a pattern of confusing talking points with action. We often hear a narrative from them that suggests that everything is wonderful. The Premier cited comparisons to the number of Yukoners without family doctors in the other two territories and seemed to be suggesting that things were fine here. But, Madam Chair, for thousands of Yukoners who are waiting for a family doctor, the situation is not fine.

What we are looking for are specifics about what, if anything, the government is doing. I would ask the Premier for more information about what tangible numbers are addressed to the items he referenced in the new agreement with the Yukon Medical Association.

The second issue that he also did not directly address is the issue of surgical wait times. Is this government prepared to recognize that more needs to be done and commit to working with Yukon physicians and other health care providers on a surgical and specialist wait-time reductions action plan? Will they commit to doing that, in partnership with Yukon physicians, other health providers, and key partners, including the Yukon Hospital Corporation?

Hon. Mr. Silver: Madam Chair, it probably won't surprise you that I will disagree with a lot of the preamble from the member opposite, as far as our care — both our health care and our urgent necessity as ministers. I will respectfully disagree with the member opposite, and also in terms of his characterizations of me and the minister, as far as not giving full responses. I will do my best to talk about this issue with the member opposite here in general debate, and then ask again, if there's anything left from the conversation — more than able, the member opposite — to write any specific questions to the minister. We talked today about how our government is absolutely committed to increasing access to primary health care services. We don't take this lightly at all, contrary to what the member opposite would have you believe, and also to working with our physician partners. We believe, on this side of the Legislative Assembly, that access to primary health care is a challenge in many jurisdictions.

He could say, because I say that, that I am somehow trying to belittle the need here — we are one of those jurisdictions. So, he is wrong in that accusation. This is, again, faced by global, health human resources challenges that are happening right across the planet — definitely in every jurisdiction in Canada — and, again, including Yukon. We are working with our partners to respond to these challenges as best as possible, and, again, we spoke today at length about how we believe that there are very creative solutions that the associations here, together — the partners in health are working together to connect Yukoners with primary health care providers.

I spoke today about how it's important to have strong and healthy communities, and a strong healthy community of primary care providers — that's extremely essential. So, we're

not belittling this at all. We need to ensure that Yukoners have access to excellent primary health care services, whether it's in times of pandemic or in general — it's tough living in the north, and the federal government has an obligation to provide health care to every Canadian, and there are some unique circumstances about living in the north.

I did mention some rates — comparatively — of the two other territories. I guess I'm not allowed to do that, in the member opposite's view, but yet, at the same time, he's saying, why don't we do what the Northwest Territories does? So, he can compare, but I guess, I'm not allowed to. That's fine.

We are extremely committed to continue to work with partners like, for example, the Yukon Medical Association. We talked about the negotiations there — they're successfully concluding — and that's great to see. We talked about how, in 2021-22, we did contribute \$3.31 million to support physician benefit programs, the majority of which are administered by the Yukon Medical Association. The member opposite said that, when it comes to another dollar value, as far as money in the Public Accounts given to the Yukon Medical Association, we give them an allotment. If they don't spend it all, then again, a lot of this time is because of the services provided. It's better to have more money and have them spend less. This public accounting is the accurate accounting of how much of that money that was administered through the Yukon Medical Association was spent. We talked a bit about data, about national averages, and the percentage differences with us compared to the territories. I think that's important information to talk about.

Another thing that I can add — again, because we do take this seriously and numbers do matter — is that physician counts, according to Scott's Medical Database, are extremely important numbers. We take a look at Yukon's supply of resident physicians increasing by 13.1 percent from 2015 to 2021. We have seen that between 2015 and 2021, in calendar years, the Yukon's supply of resident specialists — not just necessarily physicians, but specialists — increased by 81.8 percent. During the 2021 calendar year, the Yukon was supported by 69 residential physicians, 20 specialists, 69 visiting physicians, and also 69 visiting specialists. The numbers are going up.

We know that when it comes to bursaries, financial supports are available to medical students through the department's medical education bursary program. This is valued at \$5,000 per applicant each year, for a total of \$20,000 over four years. Those recipients who enter a medical residency can receive an additional two years of funding that is valued at \$7,500 per year, for a total of \$15,000. Based on recent applicant numbers, the number of bursaries is meeting the current level of interest, which is great to see. Yukon residents who are studying medicine or intending to study medicine can apply to other funding programs that are administered through the Canadian Medical Association, through the First Nation Health Programs at Whitehorse General Hospital, and also the Yukon Foundation.

When we are talking about medical walk-in clinics, we are committed to working with our partners to increase Yukoners'

access to primary health care in this pursuit as well. We are working with physicians, nurse practitioners, and other health providers to think creatively about the challenges that we face and how to best take action to meet that need. All options are on the table when we work with our health care community. New attachment and attraction programs were mentioned today with the Yukon Medical Association as just one way that we hope to work together to help Yukoners access the primary health care that they need. We hope that this new program will help to attract new physicians to the territory and also help to support existing family doctors as well, to increase their patient caseloads.

We are going to continue to connect Yukoners to primary and specialty care through that Find a Family Doctor program and support private health care practices and explore walk-in clinic options.

We talked today about the negotiations with the Yukon Medical Association — a three-year agreement — fantastic to see that concluding and ratified in September. We talked about some of the main highlights of that, including the attraction and retention programs, the creation of an equity, diversity, and inclusion learning program, a commitment to work with Yukon First Nations and health care partners. We spoke today about our commitment to working with the Yukon Medical Association to implement the agreements over the next few years and to continue to build that health care system that provides Yukoners with the access to the right provider, the right location, at the right time.

As far as options, in consideration of accessing, since 2016, we have increased the number of in-territory residents — pediatrics, orthopaedics, psychiatric support, as well as an expanding scope of practice for pharmacists. Again, the Find a Family Doctor program, in partnership with the Yukon Medical Association, connecting Yukoners to family physicians — over 1,000. We are continuing to increase the number of nurse practitioners across the Yukon — supporting nurse practitioners to use their full scope of practice to increase access to primary health care services in all communities, and exploring options for nurse practitioners to take on their own patients, their own patient rosters. Primary care is also provided through our registered nurses and working in an expanded scope of practice in rural communities that don't have hospitals.

We are definitely doing a lot and, again, identifying that there are pressures. It is not optimal, but, at the same time, there is an awful lot of work that's going on here with the minister and the department — working to open up a bilingual health centre, now known as the Constellation Health Centre, which will be serviced by a number of health care providers, physicians, and nurse practitioners.

Yukoners who require care may access supports through the general hospital here in Whitehorse — the emergency room, which offers a fast-track program from Mondays to Fridays to assist patients with less acute care needs. So, again, working with what we have now — trying to make best practices with what we have while still working on recruitment — again, all within a national and global shortage of health care providers.

It's a huge challenge that we are working on with all of our partners to deal with and address. We are also working with other governments to identify and implement solutions. No one approach would be the solution to this challenge. We need to have a whole bunch of different approaches and be creative in the approach.

We did provide \$50,000 to the Yukon Medical Association to financially support a physician locum recruiter.

When it comes to specifically working with our community partners, we are working with our partners to expand access to primary health care services in communities. In April of last year, the previous resident physician in Haines Junction, serving communities along the north highway, did not extend their contract. While recruitment was underway, two contracted Whitehorse-based physicians — again, trying to solve problems within the system as we have it — providing virtual care to residents at least twice a week, as well as supplemental in-person visits to the community.

In October of this year, a new resident physician joined the Haines Junction community. This physician is based in Haines Junction at the health centre and provides services to the communities along the highway. This is, again, fantastic news and contrary to the member opposite trying to make it seem like we're not taking the situation seriously and that we're not doing as much as we possibly can to make sure that Yukoners have the access to nurses and doctors that they deserve, and, at the same time, knowing that there is burnout. We have recognized that as well. We have a priority to address the service needs of Yukoners, so that is extremely important.

Our investments have resulted in improving wait times for multiple specialist services, including ophthalmology, pediatrics, psychiatrics, and orthopaedics. Managing hospital occupancy and ensuring patients receive the care at the right place and the right time — that remains a daily priority for us.

In this fiscal year, we are investing \$442,000 in an ophthalmology program. This represents a 75-percent increase over our commitment during the 2021-22 fiscal year. In July of this year — 2022 — a total of 124 cataract surgeries had been completed in the fiscal year. The program is on target to completing 570 cataract surgeries this fiscal year.

July 1 of this year — a total of 15 hip and 12 knee replacement surgeries have been completed, addressing a backlog because of the pandemic. The program is on target to complete 100 total joint replacements this fiscal year. In July of this year as well, the cast clinic has supported 566 visits in the fiscal year.

Let's talk about our MRI. The hospital is following national guidelines in triage of MRI referrals to ensure that those with the highest needs are supported and that they receive that support first. Again, as of July 1 of this year, a total of 652 MRIs had been completed. Also, urgent MRI cases are completed within less than seven days. For semi-urgent MRI cases, the aim is to support as close to 30 days as possible. Again, as of July 1 of this year, semi-urgent cases were being completed within 22 days. Non-urgent MRI cases — we are attempting to support as close to a 90-day window as possible.

When we did the statistical analysis in July, non-urgent cases are being completed within 105 days.

The Hospital Corporation is using a combination of part-time locums and casual technologists to ensure that acute and time-sensitive exams are completed in a timely manner.

Let's talk a bit about obstetrics and gynecology, which are based at the independent clinic in Whitehorse. In partnership with resident OB/GYNs, we have recruited a second resident specialist who started in August of this year, and we are working to explore options to increase the access to obstetrics/gynecological services to three full-time OB/GYNs.

Again, these are some great examples of the work that we are doing to make sure that Yukoners have the care that they desire and that they deserve. The wait times for non-urgent services in the OB/GYN world — approximately 10 months. With this second resident OB/GYN specialist in place, we are anticipating that this wait-list will steadily reduce, which is extremely important as well.

For ophthalmology, in 2019, we implemented a two-year plan to successfully reduce wait times for cataract assessments, as I mentioned. This plan has been extended to the current year, supporting wait times.

We are meeting our target of completing those cataract assessments within four months. Targeted wait times for cataract surgery is six months and currently is 15 months. So, the Yukon Hospital Corporation and the Department of Health and Social Services are partnering with the ophthalmologists and currently on track to having this wait time within target by the end of the fiscal year. So, a lot of effort is being done between the minister, her department, the Hospital Corporation, our partners over in the Yukon Medical Association as well — extremely important.

I will mention one more — again, the member opposite is trying to make it sound like we don't care, or that we are not doing the work, so it is important to get this information out in the Legislative Assembly. Orthopaedic specialists — in 2017, we introduced the resident orthopaedic program in Whitehorse. Today, this program is supported by three resident orthopaedic surgeons.

In 2017-18, a total of 28 joint replacements were performed, only allowing for knee replacements in the Yukon. In 2021-22, the first in-territory hip replacement surgery was performed, and this year, the program is on track to complete 100 joint replacements. The current wait time is coming down, as well, for knees.

So, again, respectfully to the member opposite, to characterize this government as not using its resources and not caring, just because we are identifying that we are in a global human resources situation, is just simply not accurate. I try my best, in the time that I have available today, to talk about some of the initiatives that the Department of Health and Social Services and the Hospital Corporation are doing to work in these trying times to increase access to services for Yukoners.

Mr. Cathers: I thank the Premier for his long speech, and just for the record, that is sarcasm, but I note that his response to the literally thousands of Yukoners who are on the doctor wait-list is basically to shrug his shoulders and say

everything is fine, the government is doing enough. Madam Chair, the government is not doing enough.

Those thousands of Yukoners — over one-fifth of the population, according to the government's own estimates — do not have a family doctor, and this is causing serious issues for our fellow Yukoners who do not have a family physician. The government is not doing enough. The approach of the Premier and his Minister of Health and Social Services is somewhat reminiscent of the famous story of Emperor Nero fiddling while Rome burned.

In contrast, let me point out where the government has actually cut supports for Yukoners in this area. The Premier talked about the medical education bursary being \$5,000. Madam Chair, when I announced that bursary as Health minister 16 years ago —

Some Hon. Member: (Inaudible)

Point of order

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

Hon. Mr. Streicker: We just passed rules here in this House about non-gendered forms of address, and I think the members from the SCREP committee — so, I believe we are no longer using the term that he used for you, as Chair.

Chair: Member for Lake Laberge, on the point of order.

Mr. Cathers: The report allowed discretion in addressing the presiding officers, contrary to what the minister said. As for me, if any Chair or Speaker wishes me to use a non-gendered form, upon request, I will certainly do that.

Chair's ruling

Chair: I am fine with being addressed as "Madam Chair".

Please continue.

Mr. Cathers: So, back to the medical education bursary. That was an initiative that, when I was Health minister, we announced in 2006. Sixteen years ago, that bursary was \$10,000. In the last term that we were in government, we increased it by 50 percent, to \$15,000. Under the Premier and his colleagues, that has been cut to one-third of what it was over a decade and a half ago. In comparison, costs — including the cost of education — have gone up dramatically. The government support for Yukoners seeking education in health fields has been cut.

Moving on to the Constellation — oh, actually, I'll first mention that I will give the government credit, as the Premier mentioned reducing wait times for cataract procedures — I do give the government credit for acting on that, but as the Premier knows very well, that was after many months of me and my colleagues raising that issue with government, on behalf of Yukoners who were waiting for years to get necessary eye surgery, so that they could see. That was affecting my constituents, and others, were contacting us, and it was having a very serious impact on their quality of life. The government did eventually listen, but it took them long enough. They were slow to act in that area.

The Premier touted the new Constellation clinic that has been opened. Madam Chair, that clinic has been opened with no doctors. We don't know when the government is actually going to hire doctors, and we don't know whether they are going to hire new doctors from Outside — increasing the number of physicians — or are they planning to poach doctors from existing private practices — which would simply reduce services to other Yukoners.

The minister has refused to tell us how applicants will be prioritized. We have many Yukoners — I forget the exact number the government cited — who are on the wait-list for this clinic. Many of those people are probably some of the same people who applied for the government's Find a Doctor program. They were forced to apply again, because the government wouldn't simply recognize their registration with the first program, forced to provide personal medical information, and have yet to be told on what basis government will prioritize who can actually get into the clinic. So, there are no doctors for this, and we have no clarity from the government on when there actually will be doctors for that.

Can the Premier answer that question? What is the government doing to actually get doctors for that clinic? Since the last time he spoke, he chose to use his full time. I guess I would better add some other questions in here, so that the Premier doesn't simply talk out the afternoon, filibustering his own budget bill, and I'll move on to the issue of nurses in communities.

We know that this is a serious issue in Yukon communities. We know the minister herself said that the vacancy rate in community nursing is up to 40 percent. We understand, as well, that there are shortages within the management group within the department, and vacancies there as well, though we don't have the figures on that, and I would welcome hearing that from the Premier. We know, as well, that this is a dramatic increase from what the numbers were at in vacancies in community nursing between 2017 and early 2020, when, according to a confidential briefing note prepared for the minister that we have, it said: "For example, between 2017 and early-2020, there was a 5% vacancy rate among Primary Health Care Nurses within the Community Nursing branch. During that period, no agency nurses were required."

Under this government, that number has ballooned to 40 percent. They may try to blame it all on the pandemic, but there are other factors at play, including that they cut the Yukon's nursing bursary, just like they cut the medical education bursary, and that we have seen the minister, instead of working cooperatively with the union, picking a fight with them publicly, rather than working together on coming up with a common approach and an agreed solution to try to address this critical shortage in our communities.

We know that 40 percent of community nursing positions are vacant, according to the minister. Can the Premier tell us which communities — provide us with a breakdown of which communities are without the community nurses they need?

Hon. Mr. Silver: I guess there's no winning with the member opposite. If I give short answers, then I'm not taking it seriously enough. If I give a comprehensive answer, well, you

heard the narrative from the member opposite on that, too, so I will try my best to answer the questions and avoid the barbs and personal attacks that the member opposite is famous for.

The member opposite is saying that, in the past, they did certain things a certain way and we should do it that way. I disagree. I think that we successfully transitioned away from acute care, which was the bread-and-butter of the Yukon Party, which also was really scrutinized and criticized by the Office of the Auditor General at the time, resulting in the Peachey report, when the members opposite were building hospitals — necessary hospitals, but not with any considerations about operation and maintenance, or what the programming was going to be. So, I am not going to take direction from the Yukon Party when it comes to some of the most important spending that we do, which is for health care.

I will say that, as far as medical education and training, from 2014 main estimates, which included \$49,000 for new recipients of medical education, nursing education, health care benefits, and bursaries, this was provided to a maximum of 12 recipients. Currently, these bursaries are valued at \$89,000, and they are available to up to 16 new recipients, so an increase, counter to the member opposite's argument of a specific program that he keeps heralding, as far as us expanding our abilities to hit more recipients with this cash, and increasing the money as well. We have increased additional pathways for individuals to access education, while increasing the likelihood that individuals will deliver services in Yukon once they complete their education.

Yes, it's a different approach from the Yukon Party, and an approach that I'm going to be on record saying is a better approach.

The member opposite can, again, talk about a particular program in an acute care world that they lived in. We could talk about how we are expanding the spectrum, and that is extremely important.

The member opposite asked me a question about the bilingual health centre. This fiscal year, we budgeted \$1.7 million for the development of the Constellation Health Centre. The centre will offer services in both English and French as well as other languages through virtual care options. It will be staffed by 9.0 FTEs, with two contract physicians. Staff include a clinic manager, a nurse practitioner, a registered nurse, a licensed nurse practitioner, a social worker, and a medical office assistant. While no physicians have been contracted to service the clinic yet, that recruitment is underway. As far as client applications, Yukoners can now apply to become a client at the Centre de Santé Constellation Health Centre, or CSCHC.

We are aiming to connect as many Yukoners with primary health care services as possible, equitably and balanced client onboarding is the goal. There's a thoughtful approach to launching an onboarding to ensure that all clients accepted will receive high-quality care.

Also, a new separate application process was set up by Constellation to ensure that all Yukoners wanting the opportunity to obtain primary health care services have the

chance to provide relevant information and give their informed consent, which is extremely important to us.

There will be an ongoing, rolling intake for the coming weeks and months as we continue to recruit primary care providers and eventually move into the permanent space at 9010 Quartz Road. As far as the applications — applications will be reviewed and prioritized by a team of professionals at the clinic, and acceptance or wait-list status will be based on current capacities as we continue the recruitment plan of the clinic's primary care providers, alongside pre-established determinants as well.

The population health determinants include a number of considerations, such as current attachments to a primary care provider, complexity of care needs, French as the primary language, and others. We are working through the system. If somebody is not initially accepted, they will be added to the wait-list and notified when the space becomes available. Any openings created as a result of patient movement can be filled through the Find a Family Doctor program or other avenues as well. That is extremely important.

Again, it is important to recognize here the model of care. *Putting People First*, learning from the Peachey report — that was very scathing on the Yukon Party's approach to building assets — and working with health care providers, First Nation governments, and locally with all of our stakeholders, and looking at best practices around the world — around Canada. The centre uses an interdisciplinary team-based model of collaborative care, allowing clients to access a range of different care providers, depending upon their needs. So, it's a different approach and a different program from what the member opposite is used to, but, again, it is extremely important that we modernize and move forward, especially, in these — hopefully — post-pandemic days.

The member opposite talked about primary health care in the communities. As of September, of this year, 14 out of 22 primary health care nurses in the Community Nursing branch — as far as FTE count — 15.2 community health nurse positions are filled, out of a possible 18. There is also one nurse practitioner servicing Mayo and Pelly Crossing as well.

In the context of a global pandemic and the after-effects of such, with strains on human resources right across the planet, I still believe that the department and the minister are doing their utmost to have the professionals in the positions necessary, in models of care that are modern and looking at program launch and space moving forward, staffing and recruiting moving forward — very well underway with the positions that are already filled — and making sure that we have flexibility in the programming now and anticipating how we would then change that, as more of these very necessary professional human resources become hired.

Mr. Cathers: Well, the Premier repeatedly talks about transitioning away from acute care, but, unfortunately, what we are seeing is that he seems to think that making a move toward more primary care simply makes the acute care problem go away. It does not. For people who need that acute care, if the system isn't providing it, they see the impacts in their lives. That is shown by the long surgical wait-time list, which, as I

noted, has been raised as well. It is not just us raising the issue; it's Yukoners and Yukon physicians who are expressing concern — from the article that I quoted where a local surgeon was talking about how difficult they are finding it right now to meet the needs of Yukoners in that area.

Now, we don't disagree with the idea of having a collaborative care clinic, but I would remind the Premier that the government talked about doing this for years. The Premier acts like it has transformed the health care system. The clinic opened on Monday. We don't yet know how successful it will be. They don't have physicians yet. We appreciate everyone who is working at the clinic, and we do hope that it will be helpful to Yukoners who need care. But for the Premier to suggest that they have transformed the health care system in some way is simply out of touch with reality and with the needs of Yukoners.

The numbers that the Premier just gave on community nursing are quite at odds with what the minister herself indicated, where she indicated a 40-percent vacancy rate. As I mentioned, the Premier didn't address in his response that we also understand that, within the department in Whitehorse, in fact, they are short-staffed and relying on auxiliary-on-call positions to backfill for vacancies there. That would seem as well to feed into the overall strain on community nursing.

I want to just talk briefly about notes that my colleague, the Leader of the Official Opposition, passed on to me, based on an e-mail that he had received from a concerned Yukoner who wrote to him to express a deep concern with the nursing shortage and the enormous impact that it is having on our health care system: I urge you to recognize how vital nurses are to the future of our health system and do what is necessary to help fix the issue. I have seen how difficult it can be to access health care in our community. People in communities across Canada face the same problem. I fear that the health system is failing us and I am not very confident that my family or I will get timely access to care when we need it. I see patients facing longer and longer wait times.

It goes on to note as well that health care providers are finding serious illnesses in patients that should have been diagnosed much sooner.

Again, in the notes passed on to me by my colleague, the person who contacted him asked specifically that government work to address the nursing shortages and the impact that it has on our ability to access health care services, noting the need to invest in retention strategies to keep current and new nurses in the workforce, safer working conditions and adequate mental health care for nurses, training and educating more nurses, expediting and facilitating the recognition of internationally educated nurses, and better data collection in health workforce planning.

Again, unfortunately, what we see is that — instead of taking a collaborative approach to working with health care professionals to come up with a solution to address this crisis affecting rural Yukon and shortages affecting Yukon communities — the Minister of Health and Social Services, instead, chose to pick an argument with the union in public and take issue with their own public statements and make some

assertions about that, which I won't repeat here in the Assembly. It's not a productive approach to dealing with this crisis in rural Yukon.

Recognizing the shortage of time that we have here, I want to just move on to another issue that is important to — and is contributing to, in fact, based on what we are hearing from Yukon physicians — the Yukon's challenge in recruiting family doctors, and that is physician payment delays. I have heard the concern from local doctors and from the YMA directly that, while the doctors who are practising here find the delay long and frustrating, their biggest concern is its impact on the ability to get locums to fill in for Yukon doctors when they are either on vacation, on parental leave, or away for some reason. I have had several doctors say that this has been an issue with newly graduated family physicians who have come up to the territory on a locum and have waited, in some cases, three or four months — according to those physicians — to get paid. It left them with the conclusion that they don't want to come back to the Yukon to work as a locum or to move here because they find the payment system significantly different from other jurisdictions and, for some of them, the most frustrating one that they have dealt with.

So, can the Premier indicate, is the government going to do something about this issue, and if not, do they not recognize how this is discouraging family doctors, who have come up to the territory for a few weeks or a month to practice on a locum — how it is causing those physicians, in some cases, to say, "I don't want to come back to the Yukon to work, because you don't get paid in a timely manner." Of course, every recent graduate of Canadian medical schools has bills and debts to pay associated with their education.

Hon. Mr. Silver: I will reverse engineer, starting with nurse practitioners and recruitment, but if the member opposite knows of some locum doctors who have said to him that they're not coming back, then, please, if he could pass the contact information on to the minister, we would love to reach out to those doctors and talk directly to them — and again, work with the medical community to address needs, as they come up. That would be wonderful, if he could share that information. I would really, truly appreciate that.

When it comes to the recruitment of our nurses — and, again, the member opposite read again about a concern from a Yukoner, and again tried to portray that as us not caring. I think I spoke a lot this afternoon about the care that we are putting in to recruitment and to burnout, and also recognizing the extreme pressures that the medical community is under. So, again, all personal attacks aside, I will disagree with the member opposite, and just say that we are taking this seriously.

When it comes to recruitment of nurses, the department has undertaken several different actions to recruit nurses to the community nurses branches; widespread job advertisements across websites and social media platforms; targeted outreach to organizations and individuals; and shifting schedule structure to allow many nursing positions to operate on a part-time, rotational basis. They have been developing a dedicated recruitment webpage to attract and to retain health care providers by addressing common inquiries related to job

application process and showcasing what the Yukon has to offer. We are anticipating the launch of this in a couple of weeks here, heading into December, which is very important.

We recognize, and I've recognized here in the Legislative Assembly several times, that there are shortages. There are shortages, again, based upon result of local, national, and global shortages of health care providers — some community health centers temporarily reducing services therein, and we're seeing that, again, across the world. Now, making that statement does not, in any way, mean — as the member opposite tries to attach a lot of words like: It seems because you're saying that you don't care. No, we're just giving you the statistics and giving a little bit more reality than what the member opposite would allow you to hear in this conversation in the Legislative Assembly on this fine Thursday afternoon.

In February 2022, the Carcross health care community centre, and also the Teslin Health Centre — they were required to reduce some services, and that's never good. Also, in June, we saw some reductions in services in areas like Ross River, and Carcross as well. We've seen a reduction of services in various periods of time in Pelly Crossing, in Carmacks, Carcross, and Mayo. During these service disruptions, the department works very closely with allied public safety agencies, including EMS, physicians and health care partners, and programs to try our best to mitigate the impacts on communities and ensure continuity of emergency care through these disruptions.

Service disruptions are anticipated to continue throughout the remainder of the year. These are a result, and a fact, based upon the global situation that we're in. To characterize that as us not caring, or that we don't want to compare to other jurisdictions, I think it's important for us to put into context the work that the departments are doing to make sure that we have policies in place to help out — triage, if you will — in extraordinary situations, whether that be because of our lack of human resources globally now, or the lack of PPEs that we saw across the country, and across the world, during the pandemic, but it's also good to give context of — compared to other jurisdictions, we are more than holding our own when it comes to disruptions, and also, providing the care that's necessary to people as they need it in these really trying times.

As far as payment on locums, this is an issue that has been corrected by the department. I don't know if the member opposite knows that or not, or if he would use his contacts with these locum folks to tell them that this has been corrected, or maybe even pass on the names of these doctors to us. The Yukon Medical Association now — we just had a quote last Friday from the former Yukon Medical Association president saying that this is the best place in Canada to practise medicine. The member opposite is saying that his experience from the conversations that he has had with locums is that it's a lot more dire.

We had seen a dire prediction with the TFF to start today's conversation. Again, we see this fear from the member opposite. I would love to know the names of these locums who he's talking about; if he could provide that information today in the Legislative Assembly, or maybe send an e-mail to me or

the Minister of Health and Social Services — but, again, the payment of locums has been corrected. That issue has been corrected.

Mr. Cathers: It is unfortunate that the Premier is choosing to dismiss my questions on behalf of Yukoners as somehow being unreasonable. I would note that I have not heard directly from locum doctors. I have heard from resident physicians who live here that this has been a problem for them, and that locums who they have dealt with have told them that they are not interested in coming back to the Yukon because of the delays in payments. The Premier is partially correct. My understanding is that the payment problem is not as bad as it was at the worst, but I have heard clearly from physicians that this problem is still an issue, particularly for locums.

One of the things I would just note for context, as well, is that I have heard from resident physicians that they are used to dealing with the payment system, and it's not as frustrating for them as it is for locums, who are not used to dealing with it. What I will do is pass this one to the Yukon Medical Association and individual doctors, who can choose, if they wish, to follow up directly with the Premier or the Minister of Health and Social Services on that, regarding the names of the locum physicians who they have dealt with in this area, but as the Premier should be aware, once someone has had what they consider to be a bad experience when dealing with a jurisdiction, being contacted by the minister or the department may not be enough to fix the problem.

I want to move on to a few other issues. The issue of vaccinations has been one that has been a topic of discussion for a number of Sittings here in the Legislative Assembly, due to the impact on the public vaccination programs for tetanus, pneumonia, et cetera, as well as children's vaccination programs, and that it created an impact for Yukoners needing to get those for their children.

We have heard, in the past, requests from pharmacists who are interested in stepping in, if government was not able to resume that through public health programs, as well as the Hummingbird clinic, which has also expressed interest in that. We believe that, if government is not able to offer vaccinations, that finding a solution, through working with other health partners, is certainly something that should be considered, if government can't do it themselves. I have urged the government to look at this for things such as travel, tetanus, et cetera.

I understand that there has been some progress on this. There is an expanded scope of practice for pharmacists that is coming into effect on December 28 of this year, to allow pharmacists to assess patients with minor ailments, provide a prescription to treat these conditions, prescribe appropriate travel vaccines and medications for travel, and other schedule 1 medications listed in the amended regulations.

We also understand that the Yukon Pharmacists Association has written to the Department of Health and Social Services, seeking consideration of changes to the professional fees associated with their work, and that they are looking for clarity about — for some of these items that are covered by the expanded scope of practice, they have not yet received any

clarity on how, or if, they will be paid by government for those services.

This is coming up in just over a month — I guess, about a month and a half — that these changes are taking effect. So, I just wanted to put that issue on the Premier's radar. I doubt that he has the answer to that one at his fingertips, but I do just want to note, and as well, advise him that I did write to the minister about this matter. This is time sensitive. It is important that pharmacists receive information, so that they know what the payment schedule will be, because one can safely predict that, for some pharmacies, if they don't know if they are going to get paid by government for providing a service, they will likely choose not to provide that service until they receive clarity from government.

Madam Chair, I am just trying to find the next item on my list here. I want to ask about the issue of the substance use emergency that the government declared last year. We have a situation where, tragically, families and communities in the Yukon are dealing with the loss of loved ones due to drug overdoses that have occurred at a higher rate than even in British Columbia, which has been one of the worst in the country.

The government's actions to date have focused heavily on harm reduction and have not seemed to put enough emphasis on prevention, treatment, and enforcement. My questions regarding this begin in the area of substance use. Since the declaration of the substance use emergency last year, what, if anything, has the government done to increase treatment spaces for addictions and mental health, and expand their availability, both in Whitehorse and communities? There also continues to be concerns around the lack of aftercare for people in this area.

Again, as I have noted before — but just to make it crystal clear for the minister, lest he try to suggest otherwise — we do recognize that effective harm-reduction programs are part of the picture, but continue to be of the belief that the number one priority of any substance use action plan in response to an emergency should be trying to help as many people as possible become free of their addictions and live healthy lives where they are not dealing with that addiction problem.

We also see the situation where, in the same fiscal year that the government declared the substance use health emergency — according to the Public Accounts on page 153, actual spending on the line item “Mental wellness and substance use services”, compared to the previous year, actually decreased by hundreds of thousands of dollars. Operation and maintenance funding, compared to the previous fiscal year, dropped by \$338,000. When factoring in the amounts for capital, the total reduction in spending, comparing the fiscal year in which they declared the substance use emergency to the previous fiscal year, government's actual spending on mental wellness and substance use services dropped by over half a million dollars. That is concerning. I would appreciate an explanation for that drop.

I would also, again, ask the Premier, as I have asked the minister previously: With regard to the substance use emergency, what tangible steps has government actually taken to increase addiction treatment spaces and expand availability?

Have they increased any addictions treatment spaces either in Whitehorse or in the communities since declaring a substance use health emergency?

Hon. Mr. Silver: That's a lot. We don't have a lot of time left here today, but I would be remiss if I didn't try my best to answer all of the questions here from the member opposite. He started with vaccines. We mentioned this earlier today — as far as community nursing and vaccines as well. As we are not at full complement in our staff in community nursing, there is pressure. Especially when you see the success of the vaccination programming, this would be added pressure. As we work to support several complex vaccination campaigns and deliver routine public health programming on top of that, these folks do extraordinary work. They are very professional as well. Our immunizers continue to deliver an unprecedented number of vaccines throughout the Yukon.

Through ongoing investment in preventive treatments and vaccines, we are reducing the overall cost to the health care system while supporting the health and well-being of all Yukoners. There are a couple of interesting facts as far as our immunization efforts — as of August of this year, Yukon health providers administered an estimated 24,962 vaccines — just under 25,000. In 2021, health care providers administered an estimated 106,466 vaccines. That is really close to 107,000 vaccines. Those are unbelievable efforts from our immunizers.

Now, over 1,000 COVID-19 vaccinations have been administered since January of 2021, and CanAge ranked Yukon as the most improved Canadian jurisdiction in the 2022 adult vaccination report. That's commendable in this environment that we find ourselves in. With global shortages and stresses on our community, it's worthy of making these stats available today in the Legislative Assembly and thank our dedicated immunizers for their impeccable work.

Now, the member opposite talks about access to vaccinations. As capacity permits, staff are offering regular immunization through the Whitehorse Health Centre. Vaccination priority is informed by guidance, of course, by the chief medical officer of health, and also staffing capacity and the evolving demand for COVID-19 vaccinations. So, it is just really important to put those stats in there.

We are continuing to work with pharmacies to expand what publicly funded vaccinations are able to offer. So, that's really important. Just a little bit on flu vaccinations — seasonal influenza vaccinations, again, being available through the Whitehorse central vaccine clinic, the community health centres, pharmacies, and delivered directly to residents of long-term care homes. As of October 24, of this year, flu shots became available to high-risk Yukoners, seniors and elders over the age of 65 — and then as of October 31, of this year, flu shots are available for the general public. So, if you don't have your shot yet, now is the time, folks.

During the 2022-23 seasonal influenza vaccination campaign, Yukon will be offering three publicly funded products for all of our citizens — long-term care citizens and individuals over 65. Just one more stat here is that, in the 2021-22 seasonal influenza campaign, we did more than 13,000 flu vaccinations. So, again, fantastic work being done by the

department and the folks who are doing the immunization. I definitely want to give that shout-out to those folks.

The member opposite was talking specifically about pharmacists — a holistic, person-centred, and integrated health care system absolutely relies on our pharmacists. Since 2016, our government has worked with pharmacists to integrate the profession into our health care system by expanding their scope of practice as well. So, through regular meetings, we are discussing our shared goals and enhancing the supports that are available to Yukoners and identifying opportunities for pharmacists to participate in the health care system. They have played an extremely important role in our coordinated response to COVID-19 and also in the substance health emergencies that the member opposite mentioned.

Again, we have put a lot of effort into mental wellness and substance abuse over the years. My work on the national stage — Premier Scott Moe and I co-chaired an initiative “Promising Practices”, a podcast series that went in and took a comparison of all different regions across Canada — best practices — Saskatchewan and Yukon leading that initiative. If you haven't heard the podcast, Madam Chair, I suggest that you do because it's really great. You hear from international academics, and then you hear from amazing people like Allison Kormendy, for example, in Dawson City — local talent and local professionals, all in supporting our approach of listening to those people who are in our communities and have the best knowledge about what we need locally, but also taking a look to the nation to see where the best practices are in play. That is just the work that we are doing on the Council of the Federation side of things.

The department, however, has been doing extraordinary work within the government since the declaration in January 2022, in response to the increasing number of Yukoners who were being poisoned by a toxic drug supply. This is an extremely important conversation. We have run out of time here today, but it is definitely something that is extremely important to us on this side of the Assembly — and the extraordinary work that we have put into this.

Again, to go from two mental wellness nurses for all of rural Yukon when the Yukon Party was in power, to four mental wellness hubs with over 20 dedicated professionals right across the spectrum — we have put in an extraordinary amount of time and effort into this issue. There is a lot more to be done — absolutely — but we continue to work with our partners, and we continue to invest heavily, including a direct investment of \$3.4 million this fiscal year to address the substance use health emergency in addition to the millions more being offered in related programs.

With that, Madam Chair, seeing the time, I move that you report progress.

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

Are you agreed?

All Hon. Members: Agreed.

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. 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: 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 5:27 p.m.

The following sessional papers were filed November 10, 2022:

35-1-74

Bill No. 20, *Animal Protection and Control Act*, reprinted with amendments (Clarke, N.)



Yukon Legislative Assembly

Number 95

1st Session

35th Legislature

HANSARD

Monday, November 14, 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

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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
Monday, November 14, 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: We have a number of people here this afternoon for our tribute to Alan Macklon. I would like to introduce: Sylvia Adams, a family friend; May Blysak; Karen Macklon; Sarah Macklon, whom I worked with at Yukon Workers' Compensation Health and Safety Board; William Macklon; Leslie Peters, a friend with Autism Yukon; Kate Swales, another friend with Autism Yukon; we have Audrey Twardochleb, friend of the family; Jeanie Murray, a colleague of Alan's; and Heather and Tim Hierlihy. Heather was a mentor and worked with me at WCB. I would like to have everybody please join me in welcoming them to the House this afternoon.

Applause

Speaker: Tributes.

TRIBUTES

In remembrance of Alan Macklon

Hon. Mr. Mostyn: Mr. Speaker, I rise today to honour Alan Leo Macklon. Alan was my constituent. I often saw him travelling through the neighbourhood and down Hamilton Boulevard in his electric wheelchair. Alan was a husband. He was married to his wife, Karen, for 41 years. They met in Kimberley, BC. They were high school sweethearts and shared a passion for square dancing. They married in 1981.

Alan was a father. He had five children — Sarah, Stephanie, Samantha, Stacey, and William — and two granddaughters. He had six siblings and many in-laws. Mr. Speaker, Alan was well loved.

Professionally, Alan was a trailblazing nurse. He graduated from the Foothills School of Nursing program in Calgary — only the second guy to graduate. That was in 1980. He was an exceptional clinical nurse and moved to the Yukon in 1988 to work at Whitehorse General Hospital. He worked in critical care. Alan organized regular ventilator training and brought respiratory therapists up from the south to improve the calibre of local nurses, said Geoff Zaporinuk, a former colleague and director of nursing at the Whitehorse hospital. Geoff considered Alan a mentor.

Alan also did medevacs and, on occasion, provided relief at the Old Crow nursing station. In his spare time, Alan would do renovations, worked on vehicles, biked, snowmobiled,

boated, and continued his passion for square dancing. Alan was also eventually a patient.

He was diagnosed with multiple sclerosis in 2007 — a disease that gradually eroded his physical mobility. Alan became active in other ways. He was a forceful advocate for accessibility. He sat on disability committees throughout the city of Whitehorse. For years, he was instrumental in the multiple sclerosis self-help group, helping people get needed support and raising awareness of the disease. He also drove a mean wheelchair.

I met him in 2016. Alan was exceedingly gracious with his time. He spoke passionately about how people with a mobility challenge needed to access exercise equipment and physio. He also mentored me about accessibility, both in homes, in public buildings, and on our streets. Those conversations were extremely important to me, Mr. Speaker. That insight pushed me to have Highways and Public Works improve accessibility on our roads and in our public buildings. Even when we moved the needle, Alan would, in his patient, diplomatic manner, let me know that more could be done. He never let up, and that is what made him a powerful advocate.

The number 2 held a lot of meaning for Alan. When I last saw him in late September, in the early evening, he was with his son William. The two loved to watch movies together, but that night they were wandering the neighbourhood together, chatting. As I recall, it was an unusually warm and sunny night. Alan passed away peacefully, surrounded by his family, a few hours later, on September 22, 2022 at 10:22 p.m. He will be missed by his family and indeed the community as a whole.

Applause

Ms. White: So, today, I stand to add my voice in celebration of a life well lived. Alan Macklon was a lot of things — loving husband and father, a brother, a son, and a grandfather. He was a nurse, and he believed in dignity and inclusion and he cared about people. He also had MS, the disease that put him in his motorized wheelchair.

I met Alan last summer when I saw him trying to cross the Alaska Highway at the lights to Hillcrest in that electric wheelchair, and it was exciting to watch, but not in a good way. I stopped my truck and went to chat with him because you only need to see an adult in a motorized wheelchair circle back and forth, look both ways, and sprint across the highway to recognize that there is a problem. Like the minister said, he was really good in his wheelchair.

I imagine that Alan met everyone in the same way that he met me — with openness and a hint of humour. We chatted a bit that day and I asked him if I could call him, and he raised his eyebrow as if to say, "Sure, sure you'll call me", and then he gave me his number. So, I called him and I met with him and his wife, Karen.

Alan believed passionately in accessibility and inclusion. He talked about how it wasn't his disease that stopped him from participating, but it was poor urban design that made it challenging to do the things that he loved. One afternoon, just ahead of the last municipal elections, Alan and I went for an adventure — he in his chair and me on a bike. I had asked him

to show me some of the challenges that he faced going from his home in Copper Ridge to downtown. We thought that municipal councillors needed to understand some of the challenges that folks in Whitehorse faced around accessibility. We met at the Hillcrest lights, and what came next was an eye-opening afternoon. We made a lot of videos highlighting the challenges that he faced on his way to and from the Walmart McDonald's where we stopped for a coffee, and — spoiler alert — it wasn't great. From having to ride toward traffic on a path that ended nowhere, crossing buttons not designed for accessibility, crosswalks to nowhere, and more, it was eye-opening. These shortcomings fall within the responsibility of both governments, both the municipal and the territorial governments.

We wrote letters to the Minister of Highways and Public Works, and Alan offered to show the challenges first-hand. We were fighting weather and, even though that demonstration didn't happen, improvements were made based on Alan's feedback. Winter came and then so did spring. I sent Alan the city call-out for folks to sit on an accessibility council. We chatted a little bit, and then more time passed.

There was lots of time for talking on that afternoon we spent together last summer, and Alan was very clear: No matter what, he was going to be in charge of his life. He was an advocate for medical assistance in dying. He believed that being able to choose where and how he exited this world was important. It was about dignity.

I saw Alan on the paved path near Canadian Tire on September 18, so I called from my truck and it was during this conversation that Alan told me everything was set. He had picked a date and that he would leave this world on September 22, his way.

It's important, Mr. Speaker and everyone in the Chamber — I have had the conversation with Karen so she knows what's coming next because it was very funny. Alan was standing with my friend Darryl — they had never met before — and he was on speakerphone. Then this is what Alan told me: that he was on his way to the hospital to be weighed because there's a weight limit for cremation in the Yukon, and he wanted to be sure that Karen didn't have to make the arrangements, no matter what happened. So, Karen this morning told me that he just missed the mark and he had to be cremated out of territory. This leads to one of Alan's last two bits of advocacy. Had he known that he would need to be cremated out of territory, he would have organized his death to happen Outside so that he could have been an organ donor. This is something that we in these seats can look at facilitating: How do we make that happen for people?

Days before his death, he reached out to the City of Whitehorse for exemplary grant permission for new buildings going to be built in the city, and he was concerned that new buildings built in 2022 were still not accessible to people with disability and he wanted to know why. So, it's a great question, Alan, and I'm on it.

So, today, as I was scrolling through Alan's photos on Facebook, I smiled a lot because what a beautiful and love-filled life he lived. To Karen, Sarah, Stephanie, Samantha,

Stacey, William, and all of those who are feeling his absence, our hearts are with you.

Alan fought hard. Accessibility issues still exist, and every level of government has a responsibility. Whether it's ensuring sidewalks are shoveled, buildings are accessible, and active transportation corridors truly include everyone, we all have a role to play, and Alan showed us the way.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Pillai: Pursuant to section 7(7) of the *Historic Resources Act*, I have for tabling the Yukon Heritage Resources Board 2021-22 annual report.

I also have for tabling the *Yukon Geographical Place Names Board 2021-2022 Annual Report*.

If I could just ask the Assembly for a little bit of flexibility, I just want to thank the department for their work on it and also our acting director, Sophie Tremblay Morissette, who is here with us today. Thank you for being here, and thank you for the work on these reports.

Speaker: Are there any committee reports to be presented?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions to be introduced?

NOTICES OF MOTIONS

Mr. Kent: I rise to give notice of the following motion: THAT this House urges the Minister of Energy, Mines and Resources to table the Yukon Minerals Advisory Board annual reports from 2019, 2020, and 2021.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

2027 Canada Winter Games

Hon. Mr. Mostyn: Today, I want to provide the House with an important update on the Canada Winter Games. The Government of Yukon has determined that it can no longer proceed with the bid to host the 2027 Canada Winter Games due to a lack of federal support. The Government of Canada has indicated that it is only willing to provide a total of \$16.75 million toward the Games, and that includes only \$3 million in capital funding, the standard amount provided to any small jurisdiction hosting the Games.

This is less than three percent of the requested contribution from Canada and is less than the \$11 million in capital funding that the City of Whitehorse has already signalled it would contribute to the Games. This means no funding to support the necessary projects that would have made the 2027 Canada Winter Games a success and left a lasting legacy in Whitehorse, including a modern arena complex, an

infrastructure to incorporate Arctic and Dene sports into the Games for the first time.

We did not make this decision lightly, Mr. Speaker, and we are extremely disappointed that we cannot proceed with this bid. Hosting the 2027 Games in Whitehorse would have been an historic opportunity to advance reconciliation and bring the highest level of sport in the country back to Canada's north. We made it clear from the outset that substantial contributions would need to be made by all levels of government, including our federal and municipal partners, for this bid to succeed. Without any meaningful contribution from the federal government to support the Games, we were left with no other option.

With the capital cost of hosting the 2027 Games estimated to be in excess of \$185 million and contributions from partners totalling less than \$15 million, it simply is not feasible for the Government of Yukon to proceed with the bid at the cost of \$160 million.

Our government has a responsibility to manage taxpayers' money responsibly. At this time, it is clear that the territory's resources must be focused on housing, health care, education, and tackling climate change for the benefit of all Yukoners. I want to thank the 2027 Canada Winter Games Bid Committee chair, Piers McDonald, and his exceptional team for all their hard work over the past 18 months. I also want to thank our partners at the City of Whitehorse for their collaboration in pursuing this opportunity.

While this is not the outcome that any of us had hoped for, I look forward to continuing to work with our partners to increase recreational infrastructure and support the development of sport throughout the territory in the coming years.

Mr. Dixon: I would like to begin by noting my disappointment about the announcement that the minister is making today. Obviously, this will come as a shock to many in the sport community who were looking forward to hosting the Canada Winter Games here in Yukon in 2027, but also to Yukoners in general who were looking forward to presenting and highlighting our territory on the national stage.

Unfortunately, we are not surprised to hear that the federal government is unwilling to commit to spend the estimated \$200 million needed to host the 2027 Games. Earlier this Sitting, the Yukon Party asked the minister about the leaked letter from the federal Finance minister to her Cabinet colleagues, indicating that federal ministers are beginning to look at cuts in the upcoming federal budget.

In the letter from the federal Finance minister, she clearly stated that any new spending proposals must be paid for with cuts, so we asked the Minister of Community Services about what work he was doing to ensure that important infrastructure money continues to support Yukon communities. As the minister noted, the Government of Canada has indicated that it is only willing to provide a total of \$16.75 million toward the Games, including only \$3 million in capital funding, which the minister has just said is the standard amount provided to any small jurisdiction hosting the Games.

According to the government, that is less than three percent of the contribution request that this Liberal government made to Canada. This announcement should be a reality check, unfortunately, for this government and raises serious questions about many other infrastructure commitments that the government has made. We know that there is a massive funding gap for the Dawson recreation centre that this government is asking Canada to cover. We know that there is an estimated funding gap of, at the very least, \$60 million for the Atlin hydro project that this government is asking Canada to cover. We know that the Moon Lake project, which is already delayed, will require massive federal funding. We have also heard that there are significant cost overruns expected with the territory's largest ever capital project, the Nisutlin Bay bridge, and the Yukon government will be asking Canada to cover that shortfall as well.

The minister admits that they have already allocated all of the Investing in Canada infrastructure program — or ICIP — funding from the federal government as well. That fund will end next year and we have not heard whether there will be a replacement for it.

As the federal government looks to achieve an apparent \$9-billion cut to the incoming federal budget and the main infrastructure funding stream for Yukon municipalities is coming to an end, municipalities are justifiably concerned about what funding will be available for them when federal austerity hits.

In the wake of this disappointing news today, can the minister provide some assurance to Yukoners about federal funding for the critical infrastructure projects that are happening in the territory? Can he tell us if the funding has been approved for the Dawson recreation centre, the Atlin hydro project, Moon Lake, or the additional funding for the Nisutlin Bay bridge as a result of any cost overruns? With the federal Liberals 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 water and sewer projects?

Finally, I would like to ask the minister about the communication from the federal government. Did the Premier communicate with the Prime Minister about this? Did the minister speak to his counterpart? Also, has the Yukon government taken the opportunity to raise their disappointment with our Member of Parliament about this lack of funding from the federal government?

Ms. White: To be honest, the statement of reply that I was working on before 11:00 a.m. is not the one that I am delivering now. I have a lot of questions about costs and who was paying for what, and I was also wondering why some of the big infrastructure initiatives that we were expecting to complete could only happen if we did host the Games. But here we are today being told that the Yukon government was only able to secure three percent of the funding that they requested from Canada. So, did no one see this coming?

It is disappointing to learn that the Yukon government is no longer bidding to host the Canada Winter Games. Many of

us will remember how spectacular it was to host the Games back in 2007. The community came together, volunteering and welcoming athletes from across Canada for a successful Canada Winter Games.

We thank the 2027 Bid Committee, its chair, and the team for their hard work over the last 18 months. We can only imagine the disappointment that they are feeling.

One concern over this statement today is: What does this signal from the federal government? The minister initially made it sound like the \$160 million was a done deal from the federal government, but this government has admitted that they were surprised to see this funding fall through. So, this is of concern, because how many other projects have been promised by this government for which they can't actually guarantee the funding to start or complete them? So, what happens next?

Hon. Mr. Mostyn: I can see this afternoon that we are united in this House in our disappointment — unanimity. Mr. Speaker, this is one of the most difficult decisions that we have had to make, and we did not make it lightly. We are extremely disappointed that we cannot proceed with this bid.

The Leader of the Official Opposition has mentioned the funding for the recreation centre in Dawson. It is a very important project to the community, and I can tell the members opposite that we have allocated the Dawson City recreation centre funding in our ICIP application. That funding has been identified in our ICIP allocations, so that is one of the projects in our ICIP funding that has been put against our ICIP funding.

I have been working for months and months — for 18 months, actually — on this bid, and I really cannot say enough about the team that Piers McDonald assembled and worked on. Assembling this bid gives us eyes on all of the challenges and benefits that we can see through those Games. It is what we do to make sure that we can proceed with a bid. They did their due diligence, and as a result of their fine work, we were able to identify what was necessary to put on these Games and the whole cost, and this is where we landed, but in the end, the federal government was not able to provide the funding that we needed to proceed with these Games today.

The Government of Canada has indicated that it was only willing to provide a total of \$16.75 million toward the Games, including only \$3 million in capital funding, the standard amount provided to any small jurisdiction hosting the Games. This is less than three percent of the requested contribution from Canada and less than the \$11 million in capital funding that the City of Whitehorse has already signalled it would contribute to the Games.

We made it clear from the outset that substantial contributions would need to be made by all levels of government, including our federal and municipal partners, for this bid to succeed. Without any meaningful contribution from the federal government to support these Games, we were left with no other option.

With the capital cost of hosting the 2027 Games estimated to be in excess of \$185 million and contributions from partners totalling less than \$15 million, it is simply not feasible for the Government of Yukon to proceed with the bid at a cost of

\$160 million. Our government has a responsibility to manage taxpayers' money responsibly. Yukoners have made their priorities clear. We need to remain focused on housing, health care, education, and tackling climate change for the benefit of all Yukoners.

Mr. Speaker, I will also say that I was recently in Niagara, meeting with sport ministers. I was just recently at a federal-provincial-territorial meeting on infrastructure held in Moncton, which I had the pleasure of participating in as well. The federal government is suggesting that it has new infrastructure pots of money coming forward. They are going to be focused on several different areas: public transportation; water; waste water; solid waste; and climate resiliency and adaptation. We are going to be looking forward to more details on that infrastructure funding from our federal government as we go forward, but at this time, recreation and proceeding with these Games — we just don't have the funding.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Minimum wage

Ms. Van Bibber: The 2021 Liberal-NDP confidence and supply agreement set out the minimum wage at \$15.20 per hour. It also tied annual increases to the minimum wage to inflation. As of April 1 this year, minimum wage has increased to \$15.70 due to the CPI increase for that year.

When will Yukon businesses learn what the 2022 minimum-wage increase will be?

Hon. Mr. Mostyn: What we are really talking about this afternoon is making life more affordable for Yukoners. We made a commitment to make life more affordable for Yukoners. We have done that in several ways, including universal childcare, including changing the way we handle our minimum wage. We have provided a number of supports to Yukoners in terms of subsidizing their heating and electricity costs, both through fuel wood and through electricity. We are working very, very hard to make sure that this territory, in the face of all the inflation pressures we are seeing, is affordable for Yukoners, and we are going to continue to do that work on behalf of Yukoners.

Ms. Van Bibber: According to the Liberal-NDP agreement, the annual increase to the minimum wage is tied to inflation, which is calculated using CPI. The current rate of CPI is 7.5 percent. That would represent a \$1.18 per hour increase. Should Yukon employers be preparing for an increase of \$1.18 to come in on April 1?

Hon. Mr. Mostyn: As the member opposite noted, we have tied our minimum wage to the cost-of-living increase, as per the confidence and supply agreement. A minimum wage tied to inflation — as with other social supports — aims to help to reduce poverty and increase affordability for Yukon's lowest wage earners.

Do the members opposite disagree with this? Do the members opposite disagree with making life more affordable for the lowest paid Yukoners in the territory?

As committed to in the confidence and supply agreement, and on the recommendation of the Employment Standards Board, the minimum wage will increase each year on April 1 by the previous year's consumer price index.

Ms. Van Bibber: Yukon businesses are looking for certainty as they try to navigate the economic challenges that are ahead. A potentially massive increase to the minimum wage could have a serious impact on a lot of small and medium businesses.

Can the minister explain when businesses will learn what the minimum wage increase — which will occur on April 1 — will be, and what amount of increase they should prepare for?

Hon. Mr. Mostyn: As I mentioned in my previous answers, what the member opposite is talking about is making life more affordable for Yukoners. We have committed to that. We have taken concrete actions to make sure that Yukoners are better off today than they were in the past, and we are going to continue that good work.

As I said in my previous answer, the minimum wage will be increased on the first of April, according to the consumer price index. We're doing that, Mr. Speaker, because it provides certainty to our employees and our businesses that there will be a regular increase in our minimum wage to ensure that people can continue to afford to live in the territory in the face of any sort of pressures — inflation — that we're seeing.

Question re: Universal paid sick leave

Ms. McLeod: Earlier this year, the Making Work Safe Panel, which was established by the Liberal-NDP confidence and supply agreement, tabled its report on paid sick leave. The committee unanimously endorsed a recommendation to establish a universal paid sick leave program that would provide 10 paid sick days to every single employee. The committee was chaired by the Minister of Community Services, and now it falls to that very same minister to implement it.

Will the Yukon government be creating a universal paid sick leave program, as recommended by the committee chaired by the Minister of Community Services?

Hon. Mr. Mostyn: What we're talking about is taking action in the wake of a global pandemic to make sure that citizens in the territory have the proper social supports they need to continue to work and earn a living and that employers, Mr. Speaker, can continue to have workers in their businesses who are not infecting the entire workforce and forcing them to close down, because we have illness spreading throughout our workplaces.

We heard this in our consultations with businesses; however, Mr. Speaker, changes to legislation require broad engagement, and our commitment has always been — our government has always been committed to seeking the proper engagement before making changes that will affect Yukoners.

We are working with our partners to address affordability in a number of different areas — certainly in this one; we know this. My colleague, the Minister of Economic Development, has actually extended the paid sick leave benefit — the cutting-edge, nation-leading paid sick leave benefit that this government put in place during the pandemic to make sure that

Yukoners could continue to afford to live in the territory through the supports we put in place. These supports we put in during the pandemic were a first in the country. They have led the country, and we're going to continue to do that work here.

Ms. McLeod: I should remind the Legislature that it was the Minister of Community Services who chaired the committee that made the recommendation to adopt a universal paid sick leave program and that it is now the Minister of Community Services who must decide how to act on that recommendation that he made.

When he was asked about this in the spring, the minister committed to consulting Yukon businesses before implementing any new program. In fact, he said — and I quote: "We are in direct conversations with businesses right now, and we're going to work with them to alleviate their concerns."

We note that there hasn't been a formal consultation since then, so can the minister tell us which businesses he was referring to, and when will other Yukon businesses get a chance to have their say?

Hon. Mr. Mostyn: I will say again that our strong leadership as we have guided the territory forward has kept our economy going. Our COVID-19 paid sick leave program sparked national conversations and served as a model for employee support across the nation. We are working to make sure that all Yukoners benefit from our territory's economic growth, and we are committed to supporting Yukon businesses and protecting the health and safety of employees. One of the pillars of the Making Work Safe Panel was that it would not adversely affect businesses in the community. We are committed to that. We have had the recommendations, we are doing broad assessments with businesses, and we are doing engagement to find out how they feel about this.

We believe in responsible decision-making that serves all Yukoners. Mr. Speaker, we need realistic solutions to the challenges that Yukoners are facing. The engagement was open to everyone, advertised in print and online. Multiple notices and requests to participate were sent to a broad list of stakeholders. In fact, we had small business representation on the committee itself. I am happy and proud of the work of this committee. I am happy and proud of the work that my colleague has done on this paid sick leave program through Economic Development. We are working very closely to make sure that Yukoners have the supports they need to survive in this environment.

Ms. McLeod: Many small businesses are beginning to wonder which minister will be making the decision. Will it be the Minister of Community Services who chaired the committee and endorsed the recommendation to create a universal paid sick leave program, or will it be the Minister of Community Services who has so far refused to accept the recommendation and bring forward legislative changes?

Which minister will it be?

Hon. Mr. Mostyn: The member opposite seems to be insinuating that we just do a knee jerk and assert this over top of businesses without any proper consultation. We know that is how it has been done in the past. That's not the way this government has ever operated.

We are working very, very closely with our stakeholders. We are going to do this in a measured and rational way that takes into account the concerns of business and labour.

At the heart here, Mr. Speaker, is making sure that people who are working in the territory have protections to take a day of sick leave when they are feeling ill. We are also trying to protect businesses that have seen illness spread through their business and rob them of employees they needed to keep their businesses open.

Our strong leadership has guided us through the pandemic and kept our economy going. Our COVID-19 paid sick leave program sparked national conversations, as I said earlier. It led the country, Mr. Speaker, and we are going to continue to serve to provide that leadership that Yukoners demand.

Question re: Systemic abuse allegations at Jack Hulland Elementary School

Ms. White: Yukoners have recently found out about a class-action lawsuit against this government based on allegations of systemic abuse at Jack Hulland Elementary School. On May 5 of this year in a meeting for parents of Jack Hulland Elementary School students, the Department of Education officials acknowledged that holds and forced seclusion had been used as disciplinary measures until at least 2020.

Will the government tell Yukoners when they first became aware that Jack Hulland Elementary School was using the forced seclusion of children as a form of punishment?

Hon. Ms. McLean: I want to, of course, start by saying that the safety and well-being of students is absolutely the top priority for our government. This matter is an extremely serious matter. The matter is now before the courts.

I informed the House about the situation last November, after it was brought to my attention. The information that we received was reported to the RCMP and to Family and Children's Services. The RCMP are actively investigating this matter and we have been cooperating fully with them. We hired a legal team to conduct a fact-finding investigation into the allegations at Jack Hulland Elementary School. This investigation is also ongoing. We have shared the initial findings of that investigation with the RCMP, and their investigation is ongoing.

Again, Mr. Speaker, this matter is of the utmost — and is an extremely serious matter. It is important that we are working closely with those who are actively involved in the investigations.

Ms. White: Based on our research, seclusion cells were installed at Jack Hulland in 2008 under a Yukon Party government. They weren't removed until sometime in 2020. This Liberal government was first elected in 2016, so that's four years — four years of children being subjected to forced seclusion as a means of punishment, something that the federal courts deemed a violation of Charter rights for inmates.

Will the minister tell Yukoners how this government did not know that forced seclusion was happening in one of its schools for at least four years?

Hon. Ms. McLean: Again, these matters are very serious. We take the safety and well-being of students as a top priority. As well, we are supporting the Jack Hulland school community. This is extremely important. We are actively creating environments that are inclusive, built on students' strengths, and ensuring that every child feels connected and supported to thrive, working, of course, closely with our partners to ensure that our education system supports Yukon students.

Again, this is an extremely serious matter. The isolation areas described in these allegations have, of course, been dismantled and are no longer in use and haven't been for some time. We have kept families informed since this information came to light, including reaching out to parents and children who have been affected. We have offered supports to families through Victim Services, Family and Children's Services, the family resource unit, and Mental Wellness and Substance Use Services. We absolutely understand the stress that families are under and the pressure that this creates. We take these matters very seriously. They are matters before the courts and under ongoing investigation.

Ms. White: These matters are very serious. So, seclusion cells were installed in 2008 — again, under a Yukon Party government. In May, the Liberal government admitted to parents that they knew about the use of seclusion cells, holds, and restraints as a way of punishing children.

So, the Yukon Party knew about this for eight years and the Liberals for another four years before pressure from within the department forced them to put a stop to it. These systemic abuses stopped in 2020, and the government has kept quiet since then — it seems, hoping that nobody would ever know.

Will the minister tell Yukoners how this systemic abuse of children in school was able to go on for 12 years in a Yukon school?

Hon. Ms. McLean: I remind folks in the House how serious these matters are. They are under investigation. They are matters before the courts as well.

These isolation areas, as described, are no longer in use — absolutely. We have worked very closely with our school community, and I want to just point out how committed we are to working with the Jack Hulland school community. Post-incident communication guidelines are being used to address the incidents at the school. School staff have undergone non-violent crisis intervention training. This training was a priority request as we worked with parents and the school council to ensure that staff are familiar with proven strategies for safety and defusing these types of situations that may lead to the use of a whole team from the Student Support Services unit, including an educational psychologist and community consultant. There are many folks working with the school community, and we continue to be committed to working closely with them.

Question re: Systemic abuse allegations at Jack Hulland Elementary School

Ms. White: So, we know that the alleged abuses took place over many years, yet only current Jack Hulland families

received an invitation to the parents meeting in May. Many potential victims of the alleged abuse are no longer students at Jack Hulland, and some of them have aged out of school altogether.

In a March 29 news release, the Yukon Child and Youth Advocate Office stated — and I quote: “From my observations, any lessons learned regarding communication with families and providing timely therapeutic supports have not been applied to this situation.” In short, communication with parents didn’t happen, and supports for students and families are lacking. So, how have the families of students, both current and former, been notified of allegations of abuse at Jack Hulland school?

Hon. Ms. McLean: I will start by just speaking a little bit about the Child and Youth Advocate. The Child and Youth Advocate’s involvement in this matter is vital, and we are working with the Child and Youth Advocate to uphold the rights of children and youth and to ensure that families have the supports they need.

Schools branch officials and school administration have been working on a case-by-case basis to support past and present students and families directly. There is an entire team of folks who are working with the families involved. We also have an inter-agency group that is made up of senior officials in Education, Health and Social Services, Justice, the RCMP, the Child and Youth Advocate, and the Executive Council Office as well.

In terms of communication, we have communicated the serious nature of these investigations into the use of holds and restraints at the schools from the onset of the investigation through the direct communication with parents, guardians, and Jack Hulland Elementary School, and we will continue to do so.

In May, the Deputy Minister of Education provided staff at Jack Hulland Elementary School with a letter clarifying the employer’s expectation of educators in respect to managing student behaviours. Information was also shared with families, and a meeting was held involving Victim Services.

I will continue to build on this as we go forward. Thank you.

Ms. White: The two places children spend most of their time is at home and in school. School is supposed to be a safe place for children, where they can learn, flourish, and become themselves.

They build trusting relationships with the teachers they see day in and day out. A breach of that trust can leave lasting impacts on a child — impacts that most children are not equipped to deal with on their own.

It is unclear to many what supports are available to Jack Hulland families and students, both current and former. Will the minister tell parents exactly what supports are in place for victims at Jack Hulland, and how can these supports be accessed?

Hon. Ms. McLean: I have just gone over how we have communicated with families — specifically, the supports and services that are available to them. We have worked on a case-by-case basis to provide information to families to ensure that

they are aware and that they are accessing the proper supports and to allow them to know what is available to them.

We have been working with Victim Services, Family and Children’s Services, the family resource unit, and Mental Wellness and Substance Use Services branch. We are focused on supporting families and staff, and we will continue conversations on how to move forward in a good way as a school community.

I want to assure Yukoners that this of the most serious nature, and our government is committed to working to support families. These are matters that are before the courts, and active investigations are ongoing. We continue to work closely with those who are conducting the investigations.

Ms. White: Unfortunately, I’m not sure services are as clear as the minister has suggested, so when someone is looking for help, where should they turn?

So, children have been harmed and traumatized for 12 years in two successive governments. Their rights have been systemically violated. Parents’ and children’s trust has been broken at the deepest level. Last week, the Premier stood in this House and told us that the school is moving forward — and I quote: “... in a very positive way.”

Will the minister tell us how a community can move forward in a positive way when families are still left wondering if their children were abused and how long the abuse lasted for?

Hon. Ms. McLean: Again, these are matters that are before the courts. We are working closely with the RCMP to ensure that they have all of the information that they need to conduct the investigations that are ongoing. The RCMP are actively investigating this matter, and we have been cooperating fully.

We have also hired our own legal team to conduct a fact-finding investigation into the allegations at Jack Hulland Elementary School. That investigation is also ongoing. We have shared all of our initial findings with the RCMP, and they are now documents that are part of that investigation.

As I have stated, we have worked closely with the Child and Youth Advocate. We have a team of folks in an inter-agency table that includes Education, Health and Social Services, Justice, RCMP, the Child and Youth Advocate, and the Executive Council Office. We have communicated continually with families to ensure that they are aware of the services that are available to them. We have reached out on a case-by-case basis as well.

These are matters that I do not take lightly, Mr. Speaker. We’ll continue to work closely to ensure that the community and families are supported, especially the children.

Question re: Children’s medication supply

Ms. Clarke: Many Yukon families with infants or young children have noticed the extreme shortage of children’s medication in Yukon pharmacies. We know that there is a national shortage of these drugs. Last week, Health Canada announced that it was bringing in emergency shipments of certain children’s medications from the US and Australia.

On Friday, Health Canada told the CBC that distribution around Canada will begin very soon. How much of the

emergency shipment of children's medicine will be coming to the Yukon, and how will it be distributed?

Hon. Ms. McPhee: Canada is experiencing historic demand for pediatric ibuprofen and acetaminophen, commonly known as "Tylenol". There are concerns with accessing these products locally and nationally. Also, pediatric amoxicillin, which is an antibiotic used to treat a wide variety of bacterial infections, is experiencing national shortage pressure as well. Health Canada is addressing these concerns with partners, as the Yukon Party member opposite said in the question, and announcements have been made that they have obtained what is quite an extensive amount of pediatric ibuprofen and acetaminophen, which will be distributed across Canada.

They are addressing these concerns with partners, of which we are one, of course, to increase supply. The Department of Health and Social Services is closely monitoring this situation. We sit on the drug shortage task force that was developed as part of the national COVID-19 response. I am assured by a text I received on the weekend from the federal minister that Yukon will have its share.

Ms. Clarke: Many parents have been alarmed by the spike in respiratory illnesses in other parts of the country. Whether it is from COVID, influenza, or RSV, some jurisdictions are facing serious pressure on pediatric health care. This problem is made worse by the shortage of over-the-counter medications, like Tylenol and Advil. What steps is the Yukon government taking to help families with infants or young children during this shortage of children's medication?

Hon. Ms. McPhee: As I have just said, I expect that the shortage of children's ibuprofen and acetaminophen, at the very least, will be short-lived for us here in the territory. Canada has obtained a number of months' supply and will be distributing them across the country. At this time, the Yukon Hospital Corporation is managing any pressures and is working alongside our Community Nursing branch, in partnership, to ensure that Yukoners are supported. We are aware that certain pediatric — amoxicillin, as I have noted — antibiotics are a bit short here in the territory, and we are mitigating these pressures. I know that announcements have gone out from the hospital, working with Community Nursing, pharmacists, and physicians through these challenges to suggest alternatives to the use of that medication, if necessary.

Yukoners are definitely encouraged to speak with their pharmacists, who can provide recommendations and next steps, as well as their health care provider.

Ms. Clarke: We have heard from some pharmacies that they are having to remove these products from the shelves and keep them behind the counter in order to avoid bulk buying and to ensure that prospective buyers are aware of alternative products and dosing schedules.

What steps is the Yukon government taking to work with local pharmacies to ensure that families with infants and young children can access the necessary medicine that they need to mitigate the upcoming winter flu season?

Hon. Ms. McPhee: It takes us back to the very beginning. The Yukon Party question today noted the announcement from Health Canada, and as I have said, I

received a text from Minister Duclos on the weekend indicating the announcement that was coming with respect to the fact that Health Canada had, in fact, obtained a number of months' worth of pediatric ibuprofen and acetaminophen, and it would be distributed across Canada. We have been working with pharmacists; the Department of Health and Social Services is closely monitoring the situation here with respect to shortages.

We are encouraging families to please buy only what they need so that there is enough for everyone. The Hospital Corporation, as I have noted, is working with Community Nursing, as well as pharmacists and physicians, to discuss these challenges and provide conversations among this team of health care professionals, and I thank them very much for their leadership on this issue. They are determining alternatives to care, and they are providing information to families.

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* — Third Reading

Clerk: Third 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 third time and do pass.

Speaker: It has been moved by the Minister of Environment that Bill No. 20, entitled *Animal Protection and Control Act*, be now read a third time and do pass.

Hon. Mr. Clarke: Thank you, Mr. Speaker, and before I start my comments, I would just like to acknowledge that the chief veterinary officer, Dr. Mary Vanderkop, of the animal health unit is present in the gallery, as well as director Kirk Price from the Agriculture branch from the Department of Energy, Mines and Resources — welcome to the Assembly.

I sincerely appreciate the comments and contributions from the members on both sides of the House in support or the comments in general with respect to this act. I would like to take a few minutes to highlight the bill and its content.

The *Animal Protection and Control Act* will provide a comprehensive, modern, enforceable framework for managing all aspects of animal protection and control in the territory. As I presented at second reading and discussed during Committee of the Whole, the focus of this new act is to improve animal welfare and control across the Yukon. This bill is largely about safety — safety for animals and safety for Yukoners.

Over the years, communities have expressed concerns about public safety from roaming dogs, as well as the need to control cats, livestock, and working animals. This is an essential part of the Government of Yukon's ongoing work to ensure that we live in safe, supported communities.

Through this act, we have created a flexible regime for enforcement that will allow the Government of Yukon to work

with communities to develop unique solutions appropriate for that community, thereby supporting better relationships with First Nation governments and Yukon municipal governments.

It is clear from the public engagement that Yukoners would like to see a higher standard set for animal welfare and control across the territory. We hear from Yukoners on a weekly basis about their concerns over dogs in their communities, among other animal-related complaints.

Mr. Speaker, winter brings more complaints and concerns about livestock welfare, too. Yukoners are frustrated with the limitations of government response to date. The tools enabled by this act will address those limitations and allow us to respond. We will move forward with additional engagement.

We are excited to see the amount of feedback received thus far and the willingness and interest in providing input on the details in the regulations. This act improves animal protection by establishing standards for the care of animals and setting standards for the acceptable means of killing animals humanely. This act will also provide a clear framework for managing which species of exotic animals may be owned in the Yukon and regulates the operation of animal-related businesses, including animal rescues and pet stores.

Without this new act, 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 safety, the environment, and property.

I thank the members opposite for their contributions to this debate, and I look forward to the passage of this necessary, progressive, comprehensive and non-partisan legislation.

Mr. Cathers: This legislation will affect thousands of Yukoners who have animals. I am going to summarize without going through all the details of the many hours of debate that we have had regarding this. I do want to summarize some of the key points here.

What I do want to note is that there are some good parts in this legislation. My colleagues and I do agree that the act itself was in need of replacement and, in some areas, strengthening, but we do have some serious, outstanding concerns. First among those concerns is the lack of consultation on the details of the legislation with Yukoners who are affected by it.

In the first place, I do find it odd that government didn't see it as necessary and appropriate to consult with stakeholders on the details of this legislation before tabling it. It is disappointing that, once they tabled the legislation, they received multiple requests from stakeholders asking government to pause and consult them on the legislation, and government unfortunately chose not to listen to that.

Several years ago, the government did a high-level consultation and survey. At the time, as the Minister of Environment has acknowledged, they missed consulting with one important stakeholder group whose lives and livelihoods are affected by this legislation.

Another stakeholder group has recently written to the minister claiming that they feel that their feedback was ignored in the original "what we heard" document and that they felt that

the survey itself, several years ago, was biased. After that high-level consultation years ago, the government unfortunately did not consult with stakeholders or the public on the details of what they were proposing. They drafted Bill No. 20 without involving stakeholders, including farmers, municipalities, outfitters, tourism operators, and dog mushers.

After it was tabled, the government received letters from multiple stakeholders asking them to consult on the details of the legislation. This was a very reasonable request from Yukoners whose lives and livelihoods are affected by the bill, as well as the Association of Yukon Communities and the Town of Watson Lake, which have some obligations placed on them as a result of this legislation and also feel that they were not adequately consulted.

The government could have listened to these reasonable requests and consulted without even necessarily delaying when this act would come into force, since coming into force will happen in spring 2023 at the earliest, according to statements by the Minister of Environment. Instead, the government that originally ran on the slogan of "Be Heard" refused to listen to Yukoners who were politely asking to be consulted on the details of a law that will affect them, their animals, and their livelihoods, in some cases.

I should just clarify that sentence, Mr. Speaker. They refused to listen to Yukoners whose lives would be affected by this, and in some cases, those people would also have their livelihoods affected by the details of this legislation. Mr. Speaker, there is no good reason for government to refuse that reasonable request from multiple Yukoners.

It seems that the Liberal government felt they would lose face by pausing and doing consultation on the details of the legislation, so they dismissed those requests from stakeholder groups.

As mentioned, the government did high-level consultation several years ago, but key details of the legislation and the fine print of it were never shared with the stakeholders who would be affected by it most before it was tabled. Then, when government received requests from those stakeholders for consultation, they refused those requests, and after days of criticism in the Legislative Assembly, they finally relented and reached out further, with an after-the-fact attempt by the minister to make phone calls to consultation that seemed to be about the pretense of consultation versus actually meaningfully consulting. From feedback we have heard from stakeholders who received phone calls, those calls from the minister seemed to largely ask the stakeholders to put out a full list of concerns and questions, and when stakeholders indicated that they and their members still had not had the chance to fully go through the details to understand the legislation and how it would affect them yet, the minister seemed happy to wrap up the phone calls and consider that, in his view, a successful consultation. That is, of course, not actual meaningful consultation.

I want to move on to some specific sections in the legislation as well. As members will recall, under questioning, the minister was unable to point out anywhere in section 41 of the act, or anywhere else in the bill, that created an exception to the rules set out in there which made it illegal, among other

things, to have an animal off your property or out of your vehicle at all times. The minister was first unable to point to another section in the act that created an allowance. Then, in response to questions, he suggested it was maybe a typographical error. Then the minister said they were going to look into it in more detail, and then the minister, on a subsequent day, indicated he would be bringing forward an amendment to section 41.

Also, we did ask the minister to share that with us prior to him proposing it so that we would have time to consider it. The minister, instead of providing it to us on the Thursday, when we know that he had the amendment, chose not to share it until he actually proposed that wording change during line-by-line review on the bill on the following Monday afternoon.

To give credit where credit is due, the minister's amendment did partially correct the problems in section 41, but it didn't go far enough. The amendment the minister proposed to section 41, which was ultimately passed, did improve it; however, it's important to note that what the government originally tabled made it unlawful to ever have an animal off your property or out of your vehicle. The minister acknowledged that they made an error in section 41, though he has not explicitly acknowledged how serious that problem was and tried to gloss over the severity of the mistake made by him and his colleagues in tabling this legislation. It seems that, accidentally on the part of the minister, he tabled legislation that made activities on public property illegal. That included walking your dog on a leash, riding your horse, driving a team of horses, dog mushing, and a number of other activities.

The change that the minister introduced did improve that. The revised version does seem to allow having your animal off your property and on public property in some circumstances, which is certainly better than where section 41 started out; however, it is disappointing that the government chose to reject an amendment we proposed, which would have made it clear that animals can be loose on public property as long as they aren't causing damage, endangering public safety, or running at large.

I do want to emphasize that the minister has repeatedly told this House that it is his intention that it would be legal to conduct a number of activities where an animal is not on leash, including walking dogs off-leash and outfitters' horses grazing in remote areas. The minister has repeatedly asserted that his intention is for those activities to continue to be legal under this act; however, even with his changes to section 41, he has still failed to point out which section of this act actually allows those activities to occur. The minister's speeches are emphatic, but it is the legislation itself that ultimately will determine what is and is not legal.

So, as I noted, it is disappointing that the government chose to reject an amendment we proposed which would have clarified this section and made it clear that what the minister claims to intend this legislation to do would, in fact, be the case, and that would be specifically the amendment we proposed in section 41, which would have made it clear that animals could be loose on public property if they weren't causing damage, endangering public safety, or running at large.

It is still an offence under this bill in section 41 to allow your animal to stray onto public property. The term "stray" is not clear and is not defined in the legislation. So, this continues to be a concern, and we will, of course, see how it is implemented by the government, but it is an example of — the fact that the government made such a serious error in the first place is something that could have been avoided if they had simply agreed to consult with stakeholders.

We have also made it clear that the section regarding entry without a warrant is something that we do not support. As noted during debate on November 7, I made it clear that the Yukon Party caucus would be voting against section 14, Entry without a warrant. As I noted at the time, we have expressed the view that, just as we did in the *Animal Health Act* in 2013, because of increasing accessibility of telecommunications in the modern era, in our view, the ability for an officer to apply for a telewarrant is as far as the legislation should go, and there is no longer, in our view, the requirement for legislation to consider including the provisions for entry without a warrant. We also need to acknowledge that an increasing number of Yukoners have grown more concerned about the potential erosion of civil liberties, and as I noted, I have also become more concerned about that than I was at one point in time. So, we did vote against the inclusion of section 14, Entry without a warrant, into this legislation. Unfortunately, that did not succeed, and the legislation does contain the provision for warrantless entry.

I think that I will conclude my remarks there. I could go on at much greater length talking about some of the specific concerns that we raised and the specific concerns from stakeholders. However, that has largely all been said, and at this point in time, in the interest of continuing on with the other important items of business that remain undebated, I will wrap up my remarks at this point. But I do want to include a note that it is unfortunate, with legislation that affects the lives of thousands of Yukoners and the livelihoods of many of the stakeholders who contacted the government — it is unfortunate that they did not see a need in the first place to consult with them on the details of the legislation, and secondly, it is very disappointing that, when those stakeholders respectfully asked to be consulted, government chose to charge forward and dismiss those requests for consultation.

So, for those reasons, while we do agree with some parts of this legislation, we will not be supporting the bill being passed today.

Ms. White: I think the first thing that I will do is I will ground myself in the memory of what happened in 2015 in Ross River, when a young person was killed by dogs. That was a pretty traumatizing time, to be honest. It was hard to be supporting the community through that, and it was hard to be dealing with a government that didn't make changes at that point. Again, we all have a different perception of history, but I have my own.

So, I will start by saying that I think about that when we talk about this bill in front of us. I also think about my friends in unincorporated communities who are being chased home by

dogs or they can't let their dogs out — are concerned. I think that there lots of different things.

I do appreciate that this legislation will help deal with that, and I think that is a critical nature. I appreciate all the work that was put behind this, and I do understand, based on the minister's re-telling, that there was extensive consultation leading up to it. Again, it happened before COVID, and this was written during COVID. I think that this is a reminder for all of us in this room to make sure that we communicate things out to the public before they come to the House as legislation. I think that could have definitely taken away some of the sting that people were experiencing.

The minister has been very clear in his commitment that consultation will happen with affected groups as regulations are being developed, and I think that is really important. I do think that a real asset is having a conversation with the knowledgeable people within the department, because I think that a very short conversation with those folks can get rid of any concerns that people have about what may or may not be included in this piece of legislation.

I do really appreciate this Chamber's willingness to make sure that the religious practices of halal and kosher slaughtering are now actually protected under law, as opposed to just being put into regulations. There were lots of reasons why those communities brought forward those concerns, and so we do appreciate the House's willingness to work with us on that.

Like lots of legislation, Mr. Speaker, the proof is going to be in the pudding, they say, or in the regulations, so we think those are going to be important. I guess I would urge all those who are behind that development of the regulations to, you know, not just to consult once, but to consult often and also quickly.

So, you know, the minister has made a lot of commitments and promises about how things will go forward from here, so we will be watching, and we will be paying attention.

Hon. Mr. Streicker: Today is an important day for the territory, as we debate and then vote on the new *Animal Protection and Control Act*, which is replacing and improving the *Animal Protection Act*, as well as the *Pounds Act* and the *Dog Act*. To date, everyone who has risen to speak to this legislation has begun by talking about how important it is and that the current legislation definitely needs an overhaul. So, we have all acknowledged that this is an important piece of legislation.

In my role as an MLA, and also in my previous role as Minister of Community Services, one of the most commonly recurring community issues has been conflict with dogs. When I go to communities and I talk to folks, there is a lot of conversation about dogs. At the community level, I would say that dogs and democracy are deeply intertwined.

So, let me begin today by discussing how we talk to Yukoners about animals and this new legislation. I hope this will address some of the Member for Lake Laberge's first concern that he raised, which was about consultation. In 2018, we put out a broad call for public feedback, including to First Nations, municipalities, and relevant organizations, and we

organized a community tour with meetings on request, and we headed to Carmacks, Carcross, Dawson, Mayo, Old Crow, Pelly, Tagish, Teslin, and Whitehorse. Everyone who asked — that's where the folks went.

We held focused meetings upon request, including with animal protection officers, First Nations, municipalities, local advisory councils, mushers — including the dog mushing association and the Yukon Quest — and the RCMP. We corresponded with the Yukon Fish and Wildlife Management Board and the Society for the Prevention of Cruelty to Animals. We conducted a survey and heard from over 900 Yukoners, and we produced a "what we heard" document. We then reached out again to First Nations, municipalities, and organizations in 2019. This led to more meetings on request — mushers again, Fish and Wildlife Management Board again, the Klondike Farmers Forum — we set up an Agriculture Industry Advisory Committee, including farmers, the Yukon Agricultural Association, and Growers of Organic Food Yukon. We hosted a livestock workshop. We corresponded with individual farmers, more First Nations, the Yukon Wildlife Preserve, and again with the RCMP. After that second round, we hit a pandemic.

So, it did take a bit of time to draft this new legislation. Since the legislation was tabled here this fall, we have written back and forth with Yukon Muslim and Jewish cultural societies, humane societies, the outfitters association, wilderness tourism, dog mushers association, the Association of Yukon Communities, Growers of Organic Food Yukon, and the Town of Watson Lake. I am going to come back to this group of correspondence in a bit, but all in all, what I would say is that is quite a bit of engagement — it's a lot of engagement.

I took a look back at the last time the *Animal Protection Act* was amended; it was 2008, under the Yukon Party. I hunted down the "what we heard" document from that engagement, and I have it here to table today. Under the Yukon Party, the engagement took place in the six months before the legislation was tabled. They conducted a survey with responses from less than 150 Yukoners. By the way, I didn't see any outreach to any specific organizations — no reference to outfitters, no reference to dog mushers, no reference to wilderness tourism, no reference to any group from the agricultural sector, and no First Nations. In comparison, the bill we are debating today has had two full rounds of engagement, which began several years ago, with a third round coming up for regulations. We created an ag industry advisory group, and the survey we conducted, which the Yukon Party has criticized even just now, got more than six times the number of responses than their survey did in 2008. As I said, it's a lot of engagement.

One of the things that I found completely fascinating was to look at these two "what we heard" documents to try to see the difference in how we have evolved as a government in engaging with Yukoners, and it is substantial.

I will also note that, with respect to those stakeholders who have reached out to us during the time this legislation has been here in the Assembly and being debated — as the Department of Environment and the minister have done in reaching back out, it has always been to say, "Yes, let's engage further. As we

go to develop regulations, let's engage." So, it has never been dismissed.

The Yukon Party has asked why we need to pass the bill now. Just now, the Member for Lake Laberge suggested that there would be no problem to postpone the bill. I will talk about the main reason why it's important to keep moving forward, but whenever you have a bill, you typically wait to develop regulations until the bill has passed the House. Why? Because we respect this House. It may be amended by the House. That's why you would want to wait until you pass the bill before you start working on regulations. That's something the Minister of Justice has taught me — but the main reason it's important to pass this bill and then begin to work on the regulations is simple: It's because Yukoners are asking us to improve this legislation. It's important.

Our chief veterinary officer has told us that she gets calls every week — every single week — from the communities about animals. They are mostly about dogs that are not in control. These are issues that the existing legislation does not help address. We need to improve this legislation. That is why we are here today.

While this bill has been debated here in the Legislative Assembly, I have had several meetings in my own communities with extensive conversation about the importance of advancing this legislation. There have been several times when the Yukon Party has suggested we are trying to rush this bill through the Legislature. Actually, we debated this bill in Committee of the Whole for seven days. That's more than any other bill so far this Sitting, including our supplementary budget.

Four years in the making; lots of engagement; lots of debate: so, not rushed.

Let me turn now to the single biggest specific concern raised by the Yukon Party: warrantless searches. When we had second reading debate about a month ago, the Yukon Party's first person to speak to this bill — their critic for Agriculture — stood and said — and I quote: "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." That's from Hansard, on page 2257.

The Member for Lake Laberge made a comparison that, under the new *Child and Family Services Act*, the government — quote: "... 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..."

As I pointed out later in debate, the Yukon Party was wrong. Warrantless searches are allowed for when there are kids at risk, and in fact, the Yukon Party voted for those provisions, along with all of us, this past spring — and that was the right thing to do. After second reading of this bill that we are debating today, I looked back at the existing animal protection legislation, and sure enough, the provision to allow for warrantless searches is already in the existing *Animal Protection Act*.

So again, the Yukon Party was wrong. The bill before us today is not creating this provision; it is keeping this provision. I looked back to see when warrantless searches had been

introduced into the *Animal Protection Act*, and to my surprise, it was the Yukon Party that brought the provision in, in 2008. I've just tabled the "what we heard" document from 2008, and it's fascinating to read back through Hansard the words of the Member for Lake Laberge arguing about why warrantless searches are the right thing to do in 2008 and now argue the exact opposite.

After we tabled the animal protection and control bill last month, the Yukon Party started a letter-writing campaign to various groups asking them to write to us and to ask us to pause this legislation. I know that, Mr. Speaker, because I was copied on a bunch of that correspondence. They misinformed Yukoners about warrantless searches, saying we were introducing them, which is not true, and that they don't exist under child protection legislation, which is also not true. They stated that this included animal protection officers having the right to warrantless searches — also not true. Beyond this, the Yukon Party sought to create fear around a range of issues —

Some Hon. Member: (Inaudible)

Point of order

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

Mr. Cathers: The minister is well aware that accusing other members of seeking to create fear has been ruled out of order multiple times. I would ask you to have him retract that statement in his relaying of somewhat revisionist history and apologize to this House for making it.

Speaker: Government House Leader, on the point of order.

Hon. Mr. Streicker: I believe that what you ruled for us was not to use phrases like "fearmongering". In your ruling, you said that the use of the word "fear" was not out of order; it was how it was used.

Speaker's statement

Speaker: I just want to caution the member and all members about using phrasing around "fear" in the debate.

I am not certain that there is a point of order, but I will review Hansard and get back to this House, as required.

Please continue.

Hon. Mr. Streicker: Thank you, Mr. Speaker. Let me rephrase.

Beyond this, the Yukon Party sought to create an unfounded concern around a range of issues such as prohibited species, restricted species, standards of care, animal hoarding, and regulation-making powers.

Some folks shared, as I said earlier, the original letters from the Yukon Party. Others wrote to us to express their concerns based on the Yukon Party's misinformation. Of course, we followed up with everyone who contacted us, and I wrote back to people, sharing the background information and correcting the record. I made sure to copy opposition MLAs in my correspondence.

Our Minister of Tourism and Culture met directly, for example, with the Wilderness Tourism Association of the Yukon. The association expressed their concerns that we were

introducing warrantless searches. The Minister of Tourism and Culture shared the same background information that I have shared today during third reading. The association was shocked to learn the history and the Member for Lake Laberge's involvement in that history.

Regardless of this history, should we allow for warrantless searches? The Yukon Party says no; I think the answer is yes, and here are three reasons why: (1) it is for emergencies only, when animals are in severe distress and there is no opportunity to get a warrant or a telewarrant; (2) it is only the RCMP who are authorized to do so, and there are checks and balances to make sure that they do not overstep, like having to show in court that the conditions for a warrant existed before they entered; (3) Yukoners are telling us that we should protect animals from harm in these situations. Let me just go over those a little bit more.

The Yukon Party is now arguing that telewarrants should be good enough, but we all know that we don't have universal cell coverage. In fact, the Yukon Party wants us to — given that nearly every Sitting, they put forward a motion asking — and now I am quoting, Mr. Speaker: "... to expand cellular phone coverage to people without service in rural areas..." That is from Hansard, on page 2279, from October 19 this year.

The Member for Lake Laberge, who voted in favour of warrantless searches in 2008 and again this past spring, is now referring to warrantless searches as government overreach, abusive, and trampling civil liberties. It is unfortunate to hear the Yukon Party now being so critical and so untrusting of the RCMP — because that is who we are talking about, Mr. Speaker. That is who would execute these warrantless searches. This is not a new provision, and over time, we have seen that it does strike a balance to ensure that we can prevent animals from harm while protecting civil liberties.

Through our engagement, Yukoners did not express concern about warrantless searches, but they did ask for more tools for the RCMP to support enforcement in our communities. I note that when the Yukon Party asked this question directly from the 2008 "what we heard" document, they indicate that over 90 percent of the Yukoners who replied to their survey said that they support warrantless searches. That is their engagement, carried out 14 years ago, and this is on page 4, item 7.

Since the Yukon Party has raised this concern, I have been talking with Yukoners about the new act and about this existing provision. For example, I went to the Yukon Agricultural Association AGM. In my remarks, I talked about the act. We had a question-and-answer period afterward; they raised no concerns about the bill. I confirmed that we would continue to work with them as we develop regulations.

I went to a few local advisory council meetings. The meeting last week in Tagish is noteworthy for a couple of reasons. They had a presentation from our chief veterinary officer. Councillors asked many questions. Overall, they expressed that this was an important bill to bring forward and long overdue. The local RCMP detachment was at the meeting, and I asked the two constables what they thought about warrantless searches. They said that they already had that

authority and, of course — this is not surprising — that they would always use telewarrants if they could and that it was also good to have the provision to enter without a warrant for emergencies when a telewarrant was not possible. After the RCMP left, I asked the local advisory councillors what they thought of the warrantless searches, and they said that they supported them.

I will note, for the record, that in my responses to e-mails initiated by the Yukon Party's campaign to undermine this new bill, I did have one Yukoner — one constituent of mine — who advocated for us removing the existing provision for warrantless searches, but there are so many other Yukoners who are asking us to include this.

Let me move off of warrantless searches, and let me just talk about why we want — what the purpose of this legislation is. Seven years ago, a young man, Shane Glada-Dick, was attacked and killed by dogs that packed up and were feral. This is a stark example, but I am aware of many other concerns and instances of dangerous incidents caused by dogs not in control or rather caused by owners who do not take proper responsibility for, and care of, their animals.

Let me turn now, finally, to section 41 that the Member for Lake Laberge referred to. It is titled, "Duties of owners", and there was a typo. I appreciate that the typo was found. It was missing the word "or". What it now does is that it says that Yukoners can take their dogs off of their property onto public property, but they have to make sure that those dogs are under control. That typo was fixed. I appreciate that the members opposite believe that this is not correct, but that is what the whole purpose of this legislation was about, including ensuring that, as long as those dogs are controlled well, there is no issue.

So, beyond that stark example, let me talk about a few others. In Tagish, there was a long and protracted civil court case to deal with dogs. I think, under this legislation, we might call that "dog hoarding". In Mount Lorne, one owner had her pet attacked and killed by a dog-mushing team when they were out for a walk along the trails. She presented to her LAC. In Marsh Lake, I have seen adults bitten, kids bitten, and small dogs killed by other dogs out of control, and last winter, I was inundated with calls regarding a herd of horses being neglected in the cold months. All of these are unfortunate stories and why we need a new *Animal Protection and Control Act*. Yukoners have told us that this is important and all of my communities keep telling me that we need this legislation.

Before I sit, I would just like to take a moment to thank the Department of Environment and the Agriculture branch for their incredibly hard work that they put in to bring us this new legislation. I would also like to give a specific shout-out to Dr. Mary Vanderkop, our chief veterinary officer, and Jay Lester, Yukon's animal protection officer, for their many visits to our communities. They have done a great job. Thank you very much.

Ms. McLeod: This has been an interesting debate, and the Minister of Environment stood up on at least two occasions to outline who the department had consulted with, and he neglected to mention anyone from southeast Yukon on both of

those occasions. Now, the minister was asked again to clarify that, and so the minister, by omission, clarified that no, he had no knowledge of any consultation that took place in southeast Yukon.

I know that recently a letter has gone back to the Town of Watson Lake — probably the First Nation, but I'm not exactly sure on that — to outline all of the opportunities that the town was given to respond. I don't doubt that. Perhaps they did, but what I can say is that everyone who is in a position of authority today wasn't then. The consultation took place a long time ago, so long ago that nobody remembers that it happened.

I personally don't recall any public meeting, but you know, government says that it happened. At the end of the day, the people of southeast Yukon do not feel that they were consulted on this piece of legislation at all, and so, for that reason, I will stand behind the people in southeast Yukon, and I will not be supporting this bill.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Hon. Mr. Clarke: From the outset, before I make my closing comments, I would just like to associate myself with the comments made by the Minister of Energy, Mines and Resources as they pertain to the well-debated issue of warrantless searches, as they currently exist in the *Animal Protection Act*, and as they are proposed to exist in the new *Animal Protection and Control Act*, as we debated at some length over the course of seven days in Committee of the Whole. I associate myself with the comments made today by the Minister of Energy, Mines and Resources. I also associate myself and support the comments made by the Minister of Energy, Mines and Resources as they pertain to the amendments made to section 41 of the new proposed *Animal Protection and Control Act*, but as I provide my final comments with respect to third reading of Bill No. 20, *Animal Protection and Control Act*, I will just outline some next steps, confirm some next steps, and a general overview of this legislation.

The Government of Yukon has been working for several years to develop this new legislation. Our engagement started in 2018 but continues to this day. We are still having conversations and are still taking a great deal of feedback. We acknowledge the importance of engaging key stakeholder groups and recognize that they have special interests to take into account. We also take seriously our responsibility to serve the public — those many individual Yukoners who have continued to voice concerns and to speak to our mandate to advance sound, modern legislation.

Once again, I would like to thank Yukoners and stakeholders for their input thus far. Implementing this new act would not be possible without their critical feedback, and we look forward to hearing more. There will be opportunities for key stakeholders to provide feedback on the standards of care for animals, cosmetic surgeries, exotic animals, and any other questions or concerns that may arise. 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 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 steps, prior to finalizing the regulations, is to reach out to each of the key stakeholders, seeking their input, to ensure the regulations reflect the Yukon way of life. We will first begin asking stakeholders how they prefer to be further consulted so that their values and input can be seen to help shape the regulation development. It is important for us to maintain positive relationships as we ensure this important legislation works for all sectors.

In terms of whether we are open to consultation being led by the agriculture industry, we certainly support the industry taking a leadership role through consultation, but we recognize that there are many groups with different structures that represent specific agriculture industry sectors in the Yukon. We want to ensure all groups are well-represented.

I would, once again, as I have said on numerous occasions during the course of this Fall Sitting, emphasize that the act will not come into force before the regulations are developed and passed and that we will be engaging with affected stakeholders as the regulations are developed.

The members opposite also asked questions regarding permitting animals and animal-related businesses. 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 the legislation. I would like to assure Yukoners that this legislation is not a tool to ban or restrict the ownership of breeds of animals, such as dogs, across the Yukon. As well, the intention of permitting animal-related businesses 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.

There were concerns raised during Committee of the Whole debate with respect to the Government of Yukon potentially off-loading enforcement onto communities. Let me be clear: The *Animal Protection and Control Act* provides the opportunity for the Government of Yukon to enter into an agreement with an interested Yukon First Nation for the application of additional requirements to be enacted by regulation respecting the care or control of animals to all or a part of the settlement land of the First Nation.

The act will be enforced by territorial government employees, but can also be enforced by authorities in municipal or First Nation governments when those governments want to take on that authority. This is particularly helpful when other governments lack authority to enact bylaws.

Again, it provides opportunity and not an obligation for local governments to assume authority and to enforce in a manner consistent with their needs. We have also discussed, as we heard from the Leader of the Third Party and the Member for Whitehorse Centre, the prohibition on the use of exsanguination without prior stunning. 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 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. The amendment to the bill proposed by the Member for Whitehorse Centre provides certainty that, when drafting regulations pursuant to subclause 34(3)(c), allowance must be made for the reasonable ability to follow cultural or religious practices for animal slaughter.

While there were other topics that were discussed during general debate, I will wrap up by clarifying how this act will be enforced. The departments of Environment and of Energy, Mines and Resources will be working together to develop a compliance and enforcement policy. The goal of any legislation is to bring people into compliance, so the first stage will be a broad communication and education component. We will work with individuals on a case-by-case basis. This will be followed by graduated enforcement. 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 offences. Officers will be able to use their discretion when assessing the severity of the contravention and will use orders as a tool to guide individuals into compliance, rather than penalize.

The new legislation will provide for tickets for most minor offences, and deputy officers, on behalf of local governments, may issue these, which aligns with the concerns raised by communities. Enforcement duties will be divided between the staff of the Department of Environment and the Department of Energy, Mines and Resources. Primary responsibility for issues related to control or welfare of livestock will rest with Energy, Mines and Resources Agriculture branch officers. Officers in the animal health unit of the Department of Environment will respond to concerns about companion animals. Animal protection and control officers will continue to maintain a strong relationship with the office of the Crown prosecutor to ensure that evidence is gathered and investigations are completed in a professional and thorough manner when a prosecution is warranted.

Once again, Mr. Speaker, I thank all Members of the Legislative Assembly for their participation in this fulsome debate. I am confident that the new legislation will provide the framework needed to oversee the welfare of animals and to contribute to safer communities for Yukoners for years to come.

As we have heard numerous times during debate, we hear from Yukoners on a weekly basis about their concerns over dogs in the communities — among other animal-related complaints. Winter brings more complaints and concerns about livestock welfare as well. As I indicated previously, Yukoners are frustrated with the limitations on government response to date. The tools enabled by this act will address those limitations and allow us to respond.

We will move forward with additional engagement. We are excited to see the amount of feedback received thus far and the

willingness and interest in providing input on the details of the regulations.

I look forward to the support of members opposite — certainly appreciate the support from the Third Party and the comments from the Member for Takhini-Kopper King, the Leader of the Third Party — in passing this progressive, necessary, thorough, overdue, and non-partisan legislation.

Speaker: Are you prepared for the question?

Division

Some Hon. Members: 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.

Clerk: Mr. Speaker, the results are nine yea, eight nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 20 agreed to

Speaker: I declare that Bill No. 20 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.

Motion re appearance of witness**Committee of the Whole Motion No. 8**

Hon. Mr. Streicker: I move:

THAT, from 3:30 p.m. to 5:30 p.m. on Monday, November 14, 2022, Dr. Sudit Ranade, Yukon's chief medical officer of health, appear as a witness before Committee of the Whole to answer questions regarding the chief medical officer of health's responsibilities to protect and promote the public's health.

Chair: It has been moved by the Member for Mount Lorne-Southern Lakes:

THAT, from 3:30 p.m. to 5:30 p.m. on Monday, November 14, 2022, Dr. Sudit Ranade, Yukon's chief medical officer of health, appear as a witness before Committee of the Whole to answer questions regarding the chief medical officer of health's responsibilities to protect and promote the public's health.

Committee of the Whole Motion No. 8 agreed to

Chair: The matter now before the Committee is continuing 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 five minutes.

Recess

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

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Hon. Mr. Silver: We will pick it up where we left off. Last time we were in Committee of the Whole in general debate, the member opposite was asking a series of questions at the end of the day on Thursday, most of which I was able to respond to. I was in the middle of responding to issues related to the substance use health emergency, so I will start with that topic today.

There was a suggestion that, since the Public Accounts showed a 1.6-percent reduction in mental wellness and substance use spending from fiscal years 2020-21 to 2021-22, somehow this government was not committed to addressing this emergency. I would like to remind everyone that the substance use health emergency was declared on January 20, 2022 and that the 2022-23 budget passed in the spring session, and it included substantial new funding to address this challenge. The amount spent in the Health and Social Services budget on mental wellness and substance use prior to this year, as the member opposite was pointing out, was between \$21 million and \$22 million. In this budget, after the

emergency was declared, significant new funding was allocated to Health and Social Services to increase their spending in this line item to over \$25 million.

The January declaration was a commitment to action by our government but was also a call to action to all Yukoners as well. To make our commitment involves all stakeholders. If we want to make our communities safer and healthier, we need to work together in a coordinated fashion to address substance use in our territory.

There was more than \$5.5 million in this year's budget allocated to support the immediate response to the substance use health emergency, and \$1.1 million of this is targeted to enhance the supervised consumption site to increase access and supports to more people who are in need. Expanding the safer supply program to rural communities and increasing availability in Whitehorse is supported by more than \$850,000 in this year's budget.

Approximately \$1.8 million is being used to support additional mental health and social services throughout the territory.

As far as police services, almost \$300,000 in new funding this year is bolstering the RCMP's response for toxic supply of illegal drugs in the territory. I know that many Yukoners are struggling with mental health and substance use issues, so that's why we have taken this action. Our government is committed to working with our partners to take action to respond to the substance use health emergency by approaching this in a coordinated fashion. We are working to find solutions that will help ensure that Yukoners can access the supports, if they need them.

We know that Mental Wellness and Substance Use Services has increased medical capabilities for withdrawal management by adding a physician clinic lead. The Referred Care Clinic and the opioid treatment services have expanded services and added seven FTEs, which include an overdose outreach team to provide harm reduction and education to support clients with system navigation and to provide connections to other services related to substance use.

I have a couple of other things to point out. The Mental Wellness and Substance Use Services at 405 Alexander is used to ensure that clients have access to harm reduction, education, and outreach services. The Department of Health and Social Services continues to work with the RCMP to implement Car 867. The objective of this new partnership is to provide trauma-informed, clinic-centred responses to mental health emergencies.

Last but certainly not least, Mental Wellness and Substance Use Services expanded services at the supervised consumption site to include inhalation as an approved method of consumption.

Thank you very much for the indulgence, Madam Chair.

Ms. Van Bibber: I am going to rise today to ask a few questions on the Tourism department and the tourism season.

Has the minister heard if White Pass & Yukon Route will service Fraser, Bennett, and Carcross next year? If so, when is the anticipated start? Does he believe it will be at pre-COVID frequency?

Hon. Mr. Silver: I appreciate the question from the member opposite. I know that Tourism and Culture has been bringing partners in Carcross together regularly to discuss some challenges and some opportunities to support the destination development in the community. We know that folks see tourism as having a great potential, especially as we prepare for post-COVID seasons, but they also want it to be better managed — was part of the conversation there as well — with more direct benefits to local businesses and residents.

Specifically to the White Pass folks, I haven't heard anything recently from that private sector endeavour there, but consistency within that *Yukon Tourism Development Strategy* is really important. The government has a key role in supporting other governments and the private sector as well, as we all have the same goal of bringing tourism into Carcross and ensuring that the destination is managed sustainably.

As the member opposite knows as well, as part of a pilot project, Tourism and Culture is investing in different projects identified by businesses and organizations that support broader destination and community development, but I unfortunately don't have any update as far as timing for this summer for the member opposite.

Ms. Van Bibber: The change in travel, and now the slow uptake in world travel, is continuing to have impacts on local tourism businesses, hotels, restaurants, souvenir shops — the list goes on. Can the minister elaborate on how tourism numbers looked this past season across the Yukon, in comparison to the last two seasons during COVID? How are we doing in comparison to pre-COVID numbers?

Hon. Mr. Silver: I know that quarter 2 tourism indicators show that the Yukon's tourism industry is bouncing back strongly from the impacts of the pandemic, but despite this positive trend, we have not yet fully recovered to the 2019 levels. We have been impacted by global geopolitical situations and economic and demographic factors that have affected all economies throughout the world, thereby creating challenges in our tourism sector. I know that, pre-summer, folks were cautiously optimistic with booking levels and rates, so that was nice to see as well. I know that folks were busy, but to say that we are back completely, we haven't really accomplished that yet. There have been challenges, including travel delays, transportation delays, accommodation and labour market shortages, and also inflation pressures as well. I know that the department is working very collaboratively with industry partners to address these setbacks.

From January to September of this year, approximately 113,000 passengers arrived at Erik Nielsen international. While this is up significantly over the 2021 arrivals, it's still 31 percent lower than the 2019 standards that we have set — those arrivals for that same period in 2019. In terms of hotel capacity rates, the rate for the month of August of 2022 is 17.3 percentage points higher than August of 2021 but still 42.8 percentage points higher than 2020 but yet still 3.8 percent lower than 2019.

So, it's encouraging to see these numbers. The tourism sector has definitely rebounded significantly this year — taking a look at the information from the interim fiscal update that we

provided in October and, again, still identifying there that we are still not at the pre-pandemic levels, the number of international border crossings into Yukon totalled almost 96,000 from January to July in that fiscal update time period — already 51 percent above the total visitation reported in those two previous COVID years.

So, we are poised to see a great season this year with our amazing tourism providers, and we know the government COVID-19 relief and recovery initiatives played a critical role in sustaining Yukon's tourism industry throughout the pandemic, enabling the recovery that is now underway. I've said it a few times in the Legislative Assembly: For a healthy economy, you need healthy people to accomplish that. So, looking forward, we will be placing a priority on working with industry partners to support community capacity and destination development.

Ms. Van Bibber: Seeing the time, I move that you report progress.

Chair: It has been moved by the Member for Porter Creek North that the Chair report progress.

Are you agreed?

Some Hon. Members: Agreed.

Chair: I declare the motion carried. Pursuant to Committee of the Whole Motion No. 8 adopted earlier today, the chief medical officer of health will appear as a witness before the Committee.

In order to allow the witness to take their place in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

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

Request for Acting Chair of Committee of the Whole

Chair: At this time, I will ask if any private member wishes to volunteer to be Acting Chair of Committee of the Whole, as I would like to take part in questioning the witness appearing today, pursuant to Committee of the Whole Motion No. 8.

Member for Takhini-Kopper King rises

Appearance of witness

Acting Chair (Ms. White): Order, please. Pursuant to Committee of the Whole Motion No. 8 adopted on this day, Committee of the Whole will now receive the witness, the chief medical officer of health.

I would ask all members to remember to refer their remarks through the Chair when addressing the witness, and I would also ask the witness to refer their answers through the Chair when they are responding to members of the Committee.

Acting Chair's statement

Acting Chair: Members and the witness may refer to me as "Acting Chair".

Witness introduced

Hon. Ms. McPhee: I would like to welcome Dr. Sudit Ranade, who is Yukon's chief medical officer of health, here as a witness appearing before Committee of the Whole today. I am very excited to introduce our new chief medical officer of health to our Legislative Assembly. He brings a wealth of experience and a renewed approach as we continue to proceed through this world pandemic. He has been asked and invited here to appear as a witness today to answer questions about the chief medical officer of health's responsibilities to protect and promote Yukon's public health system.

Thank you for being here.

Acting Chair: Would the witness like to make a brief opening remark?

Dr. Ranade: Sure. Thank you to the Acting Chair. My name is Sudit Ranade and I am the new chief medical officer of health for the Yukon Territory. Thank you for having me here today. I really appreciate the chance to be here.

I am sure that there will be some questions that I will be happy to answer where I can, but I would just say, broadly, in the Yukon and in other places, the chief medical officer of health fulfills a number of statutory obligations as well as sort of a collaboration kind of function in terms of advising the government of the day on a number of scientific issues, especially as they relate to public health, but sometimes as they relate to clinical medical practice. Those are the two domains in which advice is typically sought in addition to the fulfillment of the statutory function of the CMOH.

CMOHs have a history in terms of their statutory function that dates back to around 1882. Shortly after the first was instituted, many other provinces and territories put in place a chief medical officer of health largely for health protection functions, but the role has evolved over time. Certainly, you can see the work of chief medical officers of health in assisting with policy development for health promotion, in assisting with the development of health protection guidance, and a number of other functions. I will probably leave that there.

In terms of the Yukon Territory, I would say that I'm still learning a lot about the Yukon Territory and about this place and about the context in which I practise, but having said that, the public health fundamentals and the medical fundamentals that are part of the prerequisites for this role — I can tell you that I have those and that we can talk through them if that's needed.

Beyond that, I think, as has been mentioned, the key focus here is on population-level health issues. There is the COVID pandemic that is still in play. There is substance use and its effects on human health and the population health and a number of other concerns that are relevant to the Yukon Territory. Over time, I will have the opportunity to examine those in more detail and then make recommendations as appropriate for each topic or area.

I think I will leave my remarks there.

Mr. Dixon: Thank you very much, Acting Chair, and thank you to Dr. Ranade for his opening remarks; I appreciate that, as well as the introduction from the minister.

We will have a variety of questions today. I think the obvious topic is, of course, how we carry on living with and managing COVID-19, but I will have some other questions as well for the chief medical officer over the course of today.

This is a timely appearance for the chief medical officer of health because of the recently announced changes to Yukon's approach to managing and living with COVID-19 last week, so I will have some questions for the chief medical officer of health about the new *Charting the Course* document and the new approach that the Yukon government will be taking.

Before we get there, I think I would like to begin with a more contextual question for the witness. We are seeing a course in other jurisdictions, particularly out east — a fairly significant spike in respiratory illnesses overwhelmingly, at least, affecting infants and children. We have seen considerable pressure put on pediatric and children's health facilities in Ontario and other areas in the southeast part of the country. Those include COVID, but it is certainly not limited to COVID. There has been an increase in RSV, influenza, and a range of other respiratory illnesses.

Throughout the last couple of years, I think what we have seen — and if I am wrong here, I invite correction — typically is a bit of lag between impacts of this nature in eastern Canada and the north. So, as a general opening question — as we see the impacts affecting other regions of the country of an uptick of respiratory illnesses, is it something that we should be watching for here in the coming weeks or months? Should we expect a similar spike here in the Yukon as well?

Dr. Ranade: I would say that, typically speaking, yes; it looks as if the patterns that are established in the eastern part of the country typically move in a westerly manner. You would say that even about influenza crossing over hemispheres and the pattern that it takes. So, you would expect things that you are seeing there to also play out here, but perhaps a little bit later.

The question is about degree, and the question is about the level of health system preparedness. The comment that I have in response is really that health systems in general are facing a number of different pressures. The first is a human resource pressure. The second is an infrastructure pressure. The third is the pressure of what comes in the door because of what's prevalent in terms of illnesses in the community.

So, I think that there are ongoing activities in order to ensure readiness, but nobody can say for sure exactly what the surge will be or when it will come, and you will see it through health system indicators like emergency department visits and admissions.

Mr. Dixon: Thank you, Acting Chair, and thank you for the response from the witness.

I will build on what the witness has indicated. In speaking about the level of health system preparedness, he noted the three items that he did. I would note that in other jurisdictions — particularly the one that is getting the most attention recently, which is Ontario — they have seen that particularly their pediatric health capacity has been stretched. I know that certain pediatric hospitals and children's hospitals have been forced to enact policies and changes to allow for operation

overcapacity. Can the witness give us a bit of a sense of his assessment of our hospital preparedness specifically and the health system more generally, in anticipation of what we could see down the road, which could be a spike in respiratory illnesses of the nature that we see in Ontario?

Dr. Ranade: So, first, I would acknowledge that, because I'm still new here, there are elements of the health system that I'm still learning about and still trying to understand. My understanding of the current situation is that there are multiple levels of care, and when care requirements exceed what can be provided in territory, people are then flown out of territory for specific care.

The challenge that many northern communities have highlighted in calls that I have been on — and so I will reflect that here — is that when those jurisdictions to whom patients are sent become overwhelmed, they start thinking about how they can manage their own capacity. One of the concerns that we have — or a position that we're putting forward — is that hopefully should not impact the transfer of patients from here to other jurisdictions in order to provide or receive care. I don't know enough about the way this system works to say for sure whether or not there is adequate surge capacity or whether it's prepared in that way, but that's one of the considerations that I think we need to think about for this winter.

Mr. Dixon: I appreciate the answer from the witness. Since COVID-19 appeared in the territory, there have been a number of steps taken by the government to mitigate the impact of COVID-19, but also, some of these steps obviously affect other illnesses as well; in particular, I would note the commitment and the interest in improving ventilation, particularly in Yukon schools. I know that the previous chief medical officer of health had commented about the need for improved ventilation. I have heard similar comments from the Canadian chief medical officer of health — or the national chief medical officer of health. I'm wondering if the chief medical officer of health here can talk to us a little bit about the need for improving ventilation, particularly in the school system — in schools where large numbers of children are in close proximity to each other — and what is the assessment that he can provide around the work that we have done so far to improve ventilation?

I do know that the government has highlighted that they have installed a number of HEPA filters in classrooms, but we don't know the full extent of that. I'm wondering if the chief medical officer of health, in his time in the Yukon, has been called upon by either the Department of Education or Highways and Public Works to provide advice on the installation and improvement of ventilation in Yukon schools.

Dr. Ranade: I will try to take the last part of it first. So, if I were to be consulted, I would be happy to advise on interventions such as ventilation for the reduction of transmission of respiratory diseases. I would say that — in terms of what actually has been done in the local systems and in the school system — that may be a question better sent to the minister of that area.

In terms of the ventilation piece overall, I think that we now have to start thinking about these interventions that were

introduced during COVID as now being interventions that may have impacts on respiratory diseases overall. Then the question becomes: To what extent would they have an impact? — and then decide whether or not they are useful interventions, but not just from the perspective of COVID — now from the perspective of a number of respiratory viruses.

Mr. Dixon: I appreciate the answer from the witness. That actually is a perfect segue to my next question. Now, I had the benefit of hearing Dr. Ranade on the radio this morning in his interview with CBC, so I am familiar with what he will likely say here, but I think it is beneficial for Yukoners to hear — those who are listening or those who will follow in Hansard.

Dr. Ranade spoke about mask mandates and why there is not a decision at this point to go in that direction. I thought the comments on the radio were quite interesting, and so I would like to provide an opportunity for the witness to describe why it is that we aren't considering mask mandates at this time, why it is the view of the chief medical officer of health that such a decision should not be taken at this point, because it is obviously an intervention that sort of came about in the public discourse largely because of COVID, but now, as other respiratory illnesses come into play, there is also a discussion about that as well. I would just like to provide an opportunity for the witness to explain the position on mask mandates and why we are facing the current course of action that we are.

Dr. Ranade: Acting Chair, if we can just take a step back for a second and say that, you know, my role would be to provide recommendations or advice, and then the government would then decide whether or not a mandate was advisable, based on some of the recommendations that I would provide, I suppose, as well as other factors that are outside of my recommendations.

So, in terms of a mask mandate, you are seeing conversation around that in many other places, especially as RSV and influenza cases rise in different communities. What I would say is that — just like I said before, about ventilation — now you need to think about these things as not being related just to COVID, but related to a number of other respiratory viruses that are going to continue to persist — right? — in the community. So, we will continue to see influenza year after year after year, as we will continue to see RSV and we will continue to see COVID, and we will continue to see other respiratory pathogens. So, then the question that you have to ask about these interventions, in terms of a mandate, is: What impact do we think they will have, how much impact, and how much impact if they are used in isolation?

So, one of the points that I made this morning on the radio was that many people have resumed a full set of social activities as part of their life, and those social activities are important; they bring a lot of well-being to us. So, you have to examine those social activities in the context of the idea that most social interactions, especially if they are over a long period of time in close contact with people who you like, doing things that you like — those are going to bring risks of respiratory virus transmission, whether it be COVID, or influenza, or the common cold. I think that it is important now to think about what impact would interventions in public or congregated

settings have, given that people have continued to socialize to what you might consider pre-pandemic levels, and what impact would those interventions actually have, if people are engaging in activity that presents significant risk of transmission.

Mr. Dixon: I appreciate the answer. Just to be perhaps a little bit more clear, what is the chief medical officer of health's current advice for Yukoners about mask wearing?

Dr. Ranade: My current advice about mask wearing is this: The first is, if you are a symptomatic individual, that raises the probability that you are infectious. So, if you are symptomatic and you are going to a place that you need to be for an important reason — for example, you need to go get groceries or you need to go do something that's important in your life — the general advice around a symptomatic person would be to isolate yourself to the extent that you can, but if there are circumstances under which you can't, that's a situation in which I would definitely recommend the use of a mask, and that is because if your own respiratory secretions are more likely to be infectious because you are unwell, then the use of a mask can protect the environment around you from those secretions.

In terms of other mask-wearing by people who are asymptomatic, I think it's important to remember that, for a fully asymptomatic person, the likelihood that they either have disease or are infectious is fairly low. So, what I would be saying is that it becomes more of a comfort around people wearing masks as their choice to make themselves feel better in situations, or feel protected in situations, in which they may not be able to control the time that they spend with other people. So, it becomes something that people can choose to do.

There are some other circumstances in health care where we are still recommending — or I'm still recommending — universal masking. There are two reasons for that: One, when people seek health care, they are likely to be unwell, which means that they have a higher likelihood of being infectious, first of all. The second part of that is that health care providers have a responsibility not to act as a vector of transmission between themselves and a patient or between one patient and another patient. So, that's the reason for continuing to recommend that in health care settings.

Mr. Dixon: Just for some further clarity, in which current settings does the chief medical officer of health recommend mandatory masking?

Dr. Ranade: The settings in which I continue to recommend that — and I believe those are reflected in the guidance documents that will accompany *Charting the Course* — are clinical care settings in which patient care is being actively delivered.

Mr. Dixon: I appreciate the CMOH's answers. In the context of the general public, he has made a clear case that masking among asymptomatic people is perhaps not the course of action that is required currently. Can the chief medical officer of health provide us with what sort of scenario or changes might lead him to change that advice or to increase the stringency of that advice?

Dr. Ranade: I would say that there are a couple of circumstances. Now what you are seeing is pressure on the

health care system in some provinces. I had previously stated that this might be a situation where we would have to look at some of these interventions. That is one scenario, although I would say, again, that it is hard to say exactly how much impact just the use of mask mandates would have in terms of reducing transmission without accompanying public health measures, such as reducing social gatherings and so forth.

The other important situation where I would reconsider some of the public health measures or the recommendations around them would be if we had evidence that there was, for example, a COVID variant against which vaccination no longer provided protection from severe disease. If that were emerging, or if that were proving to be the case, and we would have some warning of that, it would circulate in other parts of the world, and we would see reports of lack of protection from severe disease by vaccines against a particular strain, so that would be a reason to revisit the recommendations.

Mr. Dixon: I appreciate the response from the chief medical officer of health.

I am sure that, like all MLAs throughout the course of the last number of years, through the imposition and removal of masking mandates, I certainly heard from a lot of Yukoners who noted some of what they felt were some of the more negative ramifications of mask mandates, whether it be the impact to the development of children's language skills through the course of having to wear a mask in school or other implications. Can the chief medical officer of health discuss some of the perhaps unintended consequences or negative aspects of requiring mask use?

Dr. Ranade: The published literature on this talks about what I would consider to be — we would say “non-severe, negative consequences of mask use”. There are some published reports on mask-related dermatitis on the face and some other reports about just general discomfort.

I think there are some very reasonable scenarios where mask-wearing can have some harms, based on a person's history or based on a person's previous experience or trauma, but I would say that those are case-by-case situations as opposed to population-level situations.

The other piece around where it's appropriate or not is related to the developmental trajectory of children. Certainly, I think, for the very youngest — and I think you saw this in settings with younger children, daycares and so forth — nobody expected those children to wear masks because it is not developmentally appropriate. There is no fixed age cut-off of that, but certainly there are average ages around where it can become more developmentally appropriate than in the younger ages.

Mr. Dixon: I appreciate the response and the acknowledgement of the fact that there are some unintended consequences that are associated with masking mandates.

I will move on, because I know time is short. One of the issues that has come up in Ontario — and I learned this morning from the doctor on the radio that we don't have any cases, to his knowledge at this point, of RSV. Can the chief medical officer of health just describe what we are dealing with here — what it means from a public health perspective and what we

should be thinking about with regard to the possible entrance of RSV into the Yukon?

Dr. Ranade: RSV is a virus that we have been dealing with for many, many years, so it is not a new virus for the medical or public health field. Largely, it is a virus that causes respiratory inflammation, and that inflammation can cause more severe disease in very young patients. Part of the reason for that is just that their lung structure and bronchioles are already small, so when you get a little bit of inflammation there, it can become harder for them to breathe. The treatments around RSV are largely supportive, so the critical determining factor in terms of RSV outcomes is access to care. While there are no other major preventive measures for RSV besides the usual, standard respiratory virus prevention measures, on the other side, the most important piece around RSV is — especially when young kids are seen — that they be seen quickly and that they be given the care that they need, which is largely supportive.

Mr. Dixon: I appreciate that answer.

Can the chief medical officer of health tell us whether or not there is a vaccine available for RSV?

Dr. Ranade: There is no vaccine in the way that we think about vaccines for other viruses like a flu vaccine or COVID vaccine for RSV. There are monoclonal antibodies that are used in children who may have a risk of very severe disease by virtue of the fact that they were born too early, for example, or born at low gestational birth weight. There are some eligibility criteria around the use of that product, but they are really reserved for situations where the person might be at highest risk of severe disease, but other than that, there is no vaccine for RSV.

Mr. Dixon: I appreciate the answer.

So, going back to the strain that the surge in respiratory illnesses in eastern Canada has placed on the health care system in other provinces, one of the factors that has compounded that challenge has been the national shortage of childhood medicine — in particular, ibuprofen, acetaminophen, Tylenol, and Advil for most of us parents at least — children's Tylenol and children's Advil. Obviously for most parents, the most common treatment for these types of illnesses is over-the-counter medication like Tylenol or Advil or their equivalents.

In some of the public discourse that I have seen, the shortage has compounded the already challenging capacity issues that are being faced in other parts of the country. Is the chief medical officer of health involved in any of the discussions around the national shortage? Can he provide any sort of input as to what the Public Health Agency of Canada, perhaps, is engaging with the provinces and territories on? We learned earlier today from the Minister of Health and Social Services in Question Period that there is a supply of these medications that are coming to the Yukon, but we still don't know exactly how they will be distributed. Is there advice that the chief medical officer of health provides to the Government of Yukon about how that distribution occurs, and if so, what is it?

Dr. Ranade: I would say that I'm currently involved in this mostly in an ancillary way, so I may not have all of the answers for your question.

I can say that, at the Health Canada level, I am aware of discussions to sort of expedite the availability of pediatric formulations of over-the-counter medications that are in shortage currently, but as to specific dates, times, or mechanisms by which that would be delivered, I don't have that information.

There are two pieces to this. There is a community side and also an acute care side, and so, if there were to be a prioritization, probably we would ensure that the acute care system has enough to treat inpatients and then work to build supply in the community. That would be my initial assessment of what would be likely.

Mr. Dixon: I appreciate that answer.

I will move now, if I can, to the *Charting the Course* document that was released last week and some of the changes that the Yukon has undertaken with regard to our approach to COVID-19. The document is fairly brief for Yukoners to review, and it is largely, in my view, sort of broken into five general goals.

So, I will start with the first one and that is "Vaccination". One of the changes that is occurring with regard to vaccination is a shift in vaccine delivery in Whitehorse from a mass clinic to existing immunization programs. So, I would like to ask if the chief medical officer of health can describe what that is going to mean for Yukoners seeking the COVID-19 vaccine, whether it is the most recent booster or any other aspect of the COVID-19 vaccination in Whitehorse. Likewise, does he have advice or information about rural Yukon and what that change in delivery will mean for rural Yukon?

Dr. Ranade: In the short term, there won't be significant changes to the way that vaccines are delivered. It is mostly the expression of a longer term goal that, rather than having COVID vaccines delivered separately from other vaccines, the place in which you can receive your normal set of vaccines — either for a pediatric series or for other purposes — would be also a place where you could get COVID-19 vaccines. So, there will be some transition pieces around that, but the goal is to have a system where, when you get one vaccine, you can get other vaccines. That is currently in place, to my knowledge.

For example, the current delivery system is one where you can make an appointment for a flu vaccine and also get a COVID vaccine at the same time. The goal is to really just integrate the vaccine delivery pieces so that it is not a COVID-19 vaccine out here that is delivered in this way and then you get all of your other vaccines in these other ways.

Mr. Dixon: I appreciate that answer. I will move to the next aspect, which is "Testing and Treatment".

It is noted in a press release from last week that the COVID-19 testing and assessment centre will close on November 18, which is later this week, and that testing is no longer routinely recommended for Yukoners with COVID-19 symptoms, unless indicated by a health care provider in a clinical assessment.

It goes on to note that the confirmatory lab-based PCR testing remains available for those who need it for diagnostic or therapeutic purposes, such as for accessing Paxlovid. As a general question, can the chief medical officer of health provide some information about when someone should seek testing? When should they elevate their — perhaps just having symptoms and being concerned about really needing to seek a PCR test?

Dr. Ranade: I would say, first of all, that if anyone has any kinds of symptoms that are respiratory, those symptoms could be influenza, COVID, RSV, or some other virus. So, just as we did before, the idea is that if you have symptoms that are mild and can be managed, then you manage them through the ways in which you are used to managing mild symptoms. At the point in time at which you think you need greater care for your symptoms, then when you seek that care, it might be reasonable to test you for COVID as a way of understanding what to treat you with. But beyond that, the thinking is that mild symptoms of COVID can be managed similarly to mild symptoms of influenza or mild symptoms of RSV. It's the severity of the symptoms that dictates the need for testing rather than whether or not you think you might have a particular disease.

Mr. Dixon: Can the CMOH provide a little bit more information about Paxlovid, what is the effectiveness is of Paxlovid as a treatment, and when it is deployed in a setting where someone has a need for it?

Dr. Ranade: Paxlovid is an anti-viral medication that has been approved by Health Canada for the treatment of mild to moderate COVID symptoms essentially in order to prevent them from becoming severe COVID symptoms. Somebody who already has severe disease who needs to be admitted, for example, would not be treated with Paxlovid. It's an outpatient treatment designed for people who might be at greater risk of severe disease to reduce the likelihood of a progression from mild symptoms to severe symptoms.

Mr. Dixon: I will move on to the changes to the self-isolation rules. Obviously, one of the rules that has changed or one of the changes in direction we saw last week was the change to the self-isolation guidance to align with other illnesses. That will also include the closure of the self-isolation facilities.

So, I would just like to provide an opportunity for the chief medical officer of health to provide some comment about why this decision was taken, what the new guidelines are, and what it will mean for Yukoners who find themselves with COVID-19.

Dr. Ranade: I think I would like to take a step back on that answer to, you know — the way in which we used to manage isolation for respiratory viruses pre-COVID was to say that the symptoms directed the time of isolation. So, as long as you were feeling unwell, you should isolate yourself, and beyond that, you know, wait 24 hours for respiratory viruses before you reintegrate yourself into doing other things with other people.

When COVID happened, there was all sorts of conversation around: What is the incubation period? What is

the period of communicability? — these things that guide the kind of general time frame of infectiousness. The consequence of saying that it was, at first, 15 days or 14 days, then 10 days, then seven days — there are two consequences. One is that you may actually be keeping people out of their routine for longer than needed, depending on how long their symptoms go. The other consequence is that, for many people, it becomes challenging to say, “Well, if I have COVID, it's this rule, but if I have some other respiratory disease, it's this rule.”

So, the thinking here is to now integrate these things together so that if you have COVID, for example, and your COVID lasts three days, that would be the period of time that your symptoms last — for three days; you would isolate yourself for that amount of time, plus an additional 24 hours. But if you have COVID and your symptoms last for 10 or 14 days, then the symptoms are driving your isolation, because they are really the proxy for your infectiousness. The same thing would be said if you had flu or if you had some unknown virus that you didn't get tested for.

Mr. Dixon: I will move on to the public reporting side of the change. The way that the government and the chief medical officer communicates will change, as a result of the announcement last week. So, I'm wondering if he can provide a bit more information about what Yukoners can expect with regard to public reporting and communication with regard to COVID-19.

Dr. Ranade: Again, this is part of integrating the response to COVID with what we do with other respiratory viruses. Two things: One, COVID-19 surveillance has been sort of put over here as a separate category that is distinct from the surveillance for other respiratory viruses. The goal, over time, is to integrate the surveillance mechanisms. So, we have a system of respiratory virus surveillance that includes COVID but also includes flu and RSV and other diseases, if they are reportable to public health. The goal is to then have essentially more comprehensive respiratory surveillance.

Mr. Dixon: I will conclude my questions with this one, so in advance, I will thank the witness for appearing today. I appreciate his candor and information.

The final question I have is simply related to nomenclature. Is it fair to say that we have moved from COVID-19 being a pandemic to endemic? Is that correct terminology that we would use in our discussion of COVID-19?

Dr. Ranade: It does depend on your definition of “endemic”. If you decide that a definition of “endemic” is “present routinely at baseline”, then I would suggest that, with our two-year experience now, COVID has moved into this phase where we expect it to be around.

Similar to flu and other respiratory viruses that routinely circulate — if you consider endemicity as a situation where a virus routinely circulates, even though it may peak or crest — yes, you would say it has probably reached that point.

Ms. Blake: I would like to thank the witness for being here today. It's nice to see him.

A lot of the questions that I am going to bring forward are questions that I have been hearing from the communities. I just

returned from Old Crow yesterday, so I am going tie some of the questions in.

The first question I will start with is on surveillance and reporting. I apologize if I am repeating some of the questions of my colleague. I was taking as many notes as I could.

Can you explain the purpose of pausing the COVID dashboard and moving it toward a dashboard for all respiratory illnesses?

Dr. Ranade: The rationale for that is to really give a better picture of respiratory virus circulation and not to have COVID surveillance exist in isolation. Over time, when we can build a respiratory surveillance reporting system, it would include COVID, as well as other respiratory viruses. The thinking is that, when you just look at COVID when other respiratory viruses are circulating, you get an incomplete picture of what's happening. This is an effort to create a more complete picture of respiratory viruses as they're circulating.

Ms. Blake: I appreciate the answer.

So, waste-water testing has been done in other jurisdictions successfully. Here in the Yukon, Haines Junction is also doing waste-water testing. Is your team planning to use waste-water testing for COVID? If not, why not?

Dr. Ranade: I think that we are looking very carefully at the waste-water surveillance project that's happening currently in the Yukon and trying to understand, as it evolves: What additional information does that supply, compared to the routine surveillance mechanism, and then also, what additional information or impact does it have on decision-making related to the viruses? I think the first part is there's a growing recognition of the additional surveillance value. The second part is less clear in most jurisdictions, which is: What impact or what decisions would you make differently based on that knowledge? I think that's something we had hoped to get from the evaluation of the pilot.

Ms. Blake: Thank you. So, the next question I have is in terms of masking. When folks reach out, they often ask me if I know, or if I do not know, if they should mask or mask up or not, depending on where they are. The new plan indicates that we are now treating COVID similar to other respiratory illnesses. Are there plans to ramp up prevention and treatment for respiratory illnesses? An example is that hospitals in other jurisdictions have been asking that masking be increased in indoor settings. We all know that masking works not only for COVID but for other respiratory illnesses. With flu season approaching and hospital staff at an all-time shortage, what would trigger your office to re-institute a mask mandate?

Dr. Ranade: I'll just go back and suggest that I would offer recommendations to the government, and the government would then decide whether or not to put in any kind of mandate or other interventions.

What would trigger change in recommendation from me around that would be one of two scenarios. One, again, we're looking at masking not as an intervention purely for COVID-19, but now about more respiratory viruses; but also, I think it's important not to consider that intervention in isolation. It's important to think about the other public health measures and what impact they may have had relative to

masking before you move to the step of just focusing on a mask mandate.

Because many of these viruses are transmitted in social settings that happen in ways in which people want to be there doing that thing, if those behaviours are not changed, or if that aspect of society's intermingling does not change, then it's hard to say what impact just masking alone will have. In terms of the guidance around: "When should I mask?" — for any individual, if you have symptoms and you need to be somewhere where there are other people around, then there is a strong recommendation to mask, because if you are symptomatic, then that increases the probability that you would be infectious with whatever you have, but the other part of it is for people who do not have symptoms. At the moment, my recommendation is that it's a personal preference around what makes people feel comfortable in a setting.

Ms. Blake: I thank the witness for the response. With the new plan, the plan recommends that the best course of action is to stay home when sick. Given that you have made this the primary tool to fight COVID and other respiratory illnesses, would you encourage the implementation of paid sick leave so that less infectious people have to chose between losing wages or coming into work? This is especially important when related to the ongoing worker shortage and risk of overwhelming short-staffed health care centres.

With a recent trip I just completed to Vuntut Gwitchin, there were a few folks who reached out indicating that they weren't sure how much more time they could take off work because they are dealing with living in an environment with black mould; they're dealing with allergies, so at times, they don't know if their symptoms are from allergies from the mould or actually sick. So, they're continuously taking time off work, using up their vacation leave and special leave, and having to lose income.

Dr. Ranade: I guess I would say that, as a policy matter, there are lots of discussions that can happen around the sick leave and benefits around people being away from work when they're ill. Just from a purely public health perspective, I would say that one of the things we try to do is help enable environments for people to make healthy choices. I would say that, if one of the recommendations around people staying at home when they're sick has barriers to it, then policy tools that remove those barriers can assist with the goal of mitigating transmission of respiratory viruses.

Ms. Blake: I've been able to hear from some employees at the Vuntut Gwitchin government how they're taking on 20 different tasks in a day when they are short-staffed, so I hope that paid sick leave is something that is being looked at for the territory.

Moving on, the plan also indicates that COVID working groups are going to be disbanded. Does this include the long COVID working group?

Dr. Ranade: I have participated in some of those discussions, and I think that this group has its own plan about what their deliverables are and how to move forward, so the recommendations in charting the course are not related to that particular working group.

Ms. Blake: I thank the witness for that answer.

In terms of ventilation, good ventilation is necessary to prevent many respiratory illnesses. I know that my colleague asked about ventilation within schools. My question is: How is the chief medical officer of health working to improve ventilation in all public buildings, including health facilities and others where there is public access?

Dr. Ranade: I would say that I think that this relates to a question about: In what way would the chief medical officer of health be working with these other areas? So, the implementation and the direction-setting would really come from those areas. They would be asking the chief medical officer of health, if indicated or appropriate, for advice on which of the interventions to choose or how to choose them, and I would be happy to provide that advice.

Ms. Blake: My next question is in regard to communications. I have had many conversations with folks in the communities who don't know what the protocol is when they get infected with COVID. They don't know where to get vaccinated or who to reach out to for this information. These are also questions that came up during my visit in Vuntut Gwitchin over the weekend. Does the chief medical officer of health's office plan to increase communication with communities, and if so, how? Also, can you please lay out what your plans are to reach folks in the communities — many of whom do not have Internet access, cable access, or phone access — to encourage them to get vaccinated for COVID and the flu?

I will just add the last question: Have you planned to visit each community throughout the territory?

Dr. Ranade: I would say that — maybe I will start with the last question.

I think that having an on-the-ground sense of communities is very important to the practice of public health, and so I would be happy to visit, as per whatever protocols or procedures are decided upon between the Yukon government and communities. I am happy to do that.

I would say that, in terms of the communications plans and paths — certainly, I have taken back some feedback around making sure that the communications are available through multiple channels, and they have some communications folks who are planning those things out. But at any time, I think that they are open to feedback around how to reach people who might not have Internet access, for example, or people who might communicate or need to be communicated with in different ways. That is something that is an ongoing piece that is always happening, and we are happy to continue to try to improve it.

In terms of where people can get vaccines and what the guidance is — where people can get vaccines is essentially where they got vaccines before. So, wherever they were getting COVID vaccines, that is where they will still be able to get COVID vaccines, and in terms of the guidance, it is very streamlined toward symptoms now. So, the idea is, what you would have done before, you do now, in terms of your symptoms — which is to isolate for the duration of your symptoms.

Ms. Blake: Again, I just thought that would be an important question, because during my community visit in Vuntut Gwitchin this weekend, I heard from two families who are working toward medical travel outside the territory, and they just weren't sure who to talk to in the community to access vaccinations before their travel, so I hope that information gets to them soon.

Many folks in the territory believe — I have heard from those who reside in rural communities — that the chief medical officer of health is responsible only for COVID. Can you please share which other public health issues your office is responsible for monitoring and making directions on?

Dr. Ranade: I will try to answer that question. Much of it relates to the statutory responsibilities that are set out for the chief medical officer of health, but broadly speaking, the chief medical officer of health would be an advisor on any public health-related topic. So, it would not just be about COVID; it would be about communicable diseases, non-communicable diseases, environmental health, and so forth. There are a number of different — anything that could constitute public health would be a topic that the chief medical officer of health could have advice or support on.

Ms. Blake: I thank the witness for the response. In terms of the substance use emergency in the territory — the other public health emergency to contend with is the substance use health emergency. With resources diverting from COVID response, are there plans to direct that money, those buildings, and the “all hands on deck” attitude in public health services toward that substance use emergency?

One example that comes to mind is COVID facilities, like the self-isolation facility. This facility is now closing. Are there plans to make the self-isolation facility available for the substance use health emergency?

Dr. Ranade: I'm not sure that I can speak to the plans for that facility or to how resources might be redirected from one response to another, but I would say, from a public health perspective, that the substance use health emergency is a vital public health topic, and there are many interventions that are already going on, as well as probably — you know, there are lots of other pieces that jurisdictions are building into these responses. So, it just shows you that it's a very multi-connected issue. So, managing it requires multiple parts coming together.

Ms. Blake: So, it has been almost one year since the substance use health emergency was declared, and many Yukoners are trying to understand what the declaration means in practice. I do get calls from First Nation governments and non-profit organizations regularly asking me these questions. Do you currently have a strategy mapped out for the substance use health emergency, and if so, can you share it with us and Yukon First Nation governments?

Dr. Ranade: I would say that there is an ongoing plan of activities, and it is probably something to defer to the minister on that.

Ms. Blake: My next question is: Has your office been communicating directly with each respective Yukon First Nation in the territory to understand what each community's needs are when it comes to the substance use emergency in the

territory? Also, can you share what directions the office has given this government to respond to the substance use health emergency?

Dr. Ranade: I would say that I'm happy to be involved in ongoing advice and support with respect to the substance use health emergency.

In terms of communicating directly with each First Nation, what I'm starting to do is look at the current processes that exist in terms of the connectivity between the Yukon government or specifically the Department of Health and Social Services and Yukon First Nations. So, where there are opportunities for me to engage in those discussions, I'm happy to do that.

Ms. Blake: The last two questions I have for the witness: Are there any plans to exempt newer treatments, like psilocybin and other therapies, for mental health treatment? These are questions that I've been hearing from mental health providers who provide service to the surrounding communities.

The last question is: Have you made any community visits to understand the mental health and substance use needs of each community? Those are my final questions. Thank you.

Dr. Ranade: For the last question, I was able to go out on a visit to a health centre recently, but I have not been able to do community visits yet, which I'm hoping to do.

In terms of the question around approving or exempting certain medications for treatment, in general, I would say that's a system question and that health systems have processes to decide what medications are approved and through what means, rather than being a specific CMOH question to approve or exempt a particular medication.

Mr. Hassard: I have just a follow-up question to the Member for Vuntut Gwitchin's question. The CMOH said that he would not, or has not, travelled to rural Yukon to the communities. So, I'm curious: Does the CMOH plan to travel to rural Yukon?

Dr. Ranade: Yes, it is my hope that I'll be able to get out to a number of different communities in the Yukon. Yes, I don't have specific dates, but I'm hopeful that I'll be able to do that.

Acting Chair: Are there any further questions for the witness?

Hon. Ms. McPhee: I thank the Members of the Legislative Assembly for their questions today and thank the witness very much.

I understand that we will end Committee today by moving that the Speaker do now resume the Chair. In anticipation of no further questions for the witness, I would thank Dr. Ranade very much for his time today and thank everyone today for the questions that they have brought. I please encourage any further questions to come — or those appropriate to come — to my office in my role, and we will certainly endeavour to have Dr. Ranade answer if there are additional questions from today's appearance. Thank you.

Witness excused

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

Acting 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 Acting Chair of Committee of the Whole?

Chair's report

Ms. White: Mr. Speaker, Committee of the Whole has considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

Also, pursuant to Committee of the Whole Motion No. 8 adopted earlier today, a witness appeared before Committee of the Whole to answer questions related to the chief medical officer of health's responsibilities to protect and promote the public's health.

Speaker: You have heard the report from the Acting 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 moved by the Government House Leader that the House do now adjourn.

Are you agreed?

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: Disagree.

Mr. Kent: Disagree.

Ms. Clarke: Disagree.

Mr. Cathers: Disagree.

Ms. Van Bibber: Disagree.

Mr. Hassard: Disagree.

Mr. Istchenko: Disagree.

Ms. White: Disagree.

Ms. Blake: Disagree.

Clerk: Mr. Speaker, the results are nil yea, 16 nay.

Speaker: I think the nays have it.

I declare the motion defeated.

Motion negatived

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.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 20 minutes.

Recess

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

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Ms. Van Bibber: We will continue with our tourism theme with the questions.

Border issues — with the federal COVID rules and the various restrictions at borders at the start and at the end of our season, the Little Gold border crossing was a huge problem for Dawson, of course. We suggested that the Minister of Tourism and Culture advocate to keep open the border one week earlier and staying open one week later to accommodate at least the September long weekend. This was not done until the eleventh hour and Dawson lost a much-needed infusion of visitors right at the close of the season.

Can the minister ensure that this will not happen again and work with local businesses to help lobby on their behalf with the federal government?

Hon. Mr. Silver: In preparation for helping to support the 2022 tourism season, we worked with our industry partners and with the federal government to ease border and travel restrictions. This enabled tourism recovery, while also protecting the health and safety of Yukoners. It was definitely not great to see the border — the Little Gold port of entry at the Top of the World Highway — not go back to a regular schedule. The federal government made that decision — governments, plural — made that decision, even though we did a lot of advocacy work with our partners.

In that advocacy work, we did see the elimination of COVID-19 testing requirements at the international borders in Yukon. We saw, through the advocacy of the minister and his

team, a reinstatement of the international travel through the Erik Nielsen Whitehorse International Airport and also the Dawson City Airport. We saw a streamlined process for cruise passengers at the Fraser port of entry. That was quite the work done by the minister and his team — again, letting the federal governments — plural — knowing the reality of remote borders is something that was very integral in the decisions being made on those national levels. So, that is important — and, also, with our engagement, as well, getting that border open to begin with was quite the feat as well.

So, again, talking with folks like Gertie's and others in the tourism industry out of my riding in Klondike, that time frame is extremely important for a lot of reasons: not only the last of the American tourists and other tourists who are getting the beautiful fall colours that they could see up in our neck of the woods and prolonging the season and then heading into Alaska, but also, it is really important, as well, for the funding of Gertie's. They have a staff who they rely on from right across the country. The production crew is world-class. We want to make sure that we do as much as we can to extend our tourism seasons, and so, the work that the minister did in all of these capacities — to do their best to get back to as normal as possible — knowing full well that the considerations also have to take into consideration the health of not only the travelling public, but also the communities that they travel through — we're hoping to see a lot more "normal" next summer.

Ms. Van Bibber: Thank you for that answer. I was wondering if the minister had heard any reports from the Little Gold border crossing at the Top of the World Highway and if he has heard when it is expected to open in this coming season, 2023.

Hon. Mr. Silver: I have not, no.

Ms. Van Bibber: There has been an expression of interest for land for a new convention centre, which closed on October 14. It was reported that nine plan takers submitted bids by the end of September. The minister indicated that the timeline to have the new centre built was two to three years. I was hoping that we could maybe get an update on this process.

Hon. Mr. Silver: I probably won't be able to provide anything in the form of an update, as I would imagine that any news on the new convention centre would be something that the department would want to get out there in a timely fashion.

There is definitely a need in the Yukon for a new and up-to-date convention centre. After the closure of the former High Country Inn facility, for example, we are missing out on an opportunity to host the Canada Chamber of Commerce AGM, because we didn't have a proper facility for that. So, the need is not lost on us. Conventions, conferences, and many other forms of meetings are extremely important economic drivers. Again, these are the types of things that we can use to extend our tourism season and our conference season as well. It can contribute to year-round, high-yield tourism visitation — so, extremely important investments.

We are in an early exploration stage right now with this initiative to learn who is interested and to see what land is available. That expression of interest did close October 14 of this year, and the department is really interested in helping to

connect potential proponents with the tourism industry partners — also with government funding sources and investors. That good work is ongoing.

At this time, space to host anywhere from 750 to 1,000 seated attendees is under consideration, with a desired timeline of being built in two to three years. It's too early in the process for cost estimates, but they are not necessarily ruling out some degree of financial participation by our government and exploring opportunities with federal funding and private sector as well.

A new convention centre in Whitehorse would make a significant contribution toward the Yukon development tourism strategy and their goal of doubling Yukon's tourism business revenues to \$500 million to \$525 million by 2028.

There have been a couple of expressions of interest received, and those are now preparing to go through the RFP process. Again, I don't have too much more to update the member opposite on in this pursuit.

Ms. Van Bibber: I thank the minister. You answered my next question.

The Government of Yukon has extended the tourism non-accommodation sector supplement program to provide ongoing support for the Yukon's tourism sector. The new extension period ran retroactively from April 1, 2022 to July 31, 2022. Did the program run out on July 31? Can the minister tell us the total expenditures for the program this fiscal year?

Hon. Mr. Silver: As far as money set aside so far or spent, if folks recall, back in the 2022-23 mains of this year, we put aside \$300,000. The actuals that we saw from the Public Accounts in 2021 showed a budget of \$1.229 million from the actual spend for tourism non-accommodation sector supplements.

Now, between the launch of the program in 2020 and March of this year, 2022, \$1.6 million was distributed through TASS, which is the tourism accommodation sector supplement, and \$5.65 million through TNASS, which is the tourism non-accommodation sector supplement. So, an additional \$1.9 million was distributed to the hospitality sector to alleviate the impacts of COVID restrictions, and the government extended and made changes to TNASS with the new extension period running retroactively from April 1, 2022 to July 31, 2022.

Accommodation businesses were eligible for TASS. They became eligible to apply for TNASS as well as we switched them around, based on necessity. As of September 21 of this year, the revamped TNASS program provided over \$264,000 to local businesses during the extension period.

Ms. Van Bibber: There is a new program called the "Rugged Apprentices pilot" or "voluntourism", which was an inaugural event this fall in September, with 33 Canadian volunteers used on different projects — one in Carmacks, one in Dawson, and one in Watson Lake — where these volunteers built or helped maintain tourism infrastructure. Once the volunteers arrived in the territory, food, accommodation, and transportation were covered by the department.

Can the minister tell us what this program actually cost for these 33 volunteers?

Hon. Mr. Silver: I wouldn't have a dollar value right now in general debate. For a supplementary budget, it doesn't have any budget items for Tourism and Culture.

The regenerative tourism is a concept whereby visitors travel with a mindset to leave a destination in a better place than it was before they arrived and to engage in experiences that go beyond a traditional vacation — an excellent initiative for us to be looking at.

So, in September of this year, we welcomed 36 Canadians participating in that program — the apprentice program — over two days. That took place, as the member opposite said, in Carmacks, Dawson City, and Watson Lake. They had over 300 applicants to this program, so there is clearly a need to look at this and to take a look at this concept more thoroughly. So, our government, working with communities, Yukon First Nations, and also tourism businesses and local partners, invited volunteers to work on tourism-related, local community projects, such as enhancements to trails and to community infrastructure as well.

Some of the work that was done in Watson Lake, for example — Sign Post Forest beautification happened, removing some of the illegible, weathered signs and replacing damaged signs and also doing some trail repair. In the Village of Carmacks, there were some park enhancements — building picnic tables and benches, painting, and park beautification. In Dawson City, there was work with the municipality and also with the Klondike Visitors Association doing Crocus Bluff recreation site enhancements. It's amazing what they are doing up there on that trail right now, including a new provision of maintained disc golf that is extremely popular, but also bush work and trail maintenance as well.

The overall program was budgeted at \$175,000, and many of the expenses were of a one-time cost related to program development. It would be much more cost-effective to then repeat the program in a future endeavour, should a program review deem this advisable.

As far as costs — I know that it was about \$45,000 for creative development and a landing page. This is a reusable asset. There was photography, videography, and capture. This is also a reusable asset that was a \$10,000 investment. They paid media for some ad placement, so that was about \$11,000. Apprenticeship start kits, welcome gifts, and those types of things were roughly around \$79 per person for a total of \$2,800. In-Yukon transportation — whether it be with Yukon's airline, Air North, or with Standard Bus or with Ruby Range Adventure — was around \$8,000. The opening event, Yukon Transportation Museum, and also some cold cuts from Yukon's The Deli — \$3,500. The closing event, which was at the Eclipse Nordic Hot Springs and also partnered with Gather Café and Taphouse — just under \$10,000. Materials to communities for the projects were \$45,000. To communities to host, the fees — which were \$200 per person per night — were another \$21,600. So, the program budget breakdown is just to the tune of \$156,600.

Ms. Van Bibber: There is another program called the "Express Micro-grant", and this is also a new endeavour hoping to get quick dollars to various projects that might need small

injection money for a project. Tier 1 is up to \$1,500 and tier 2 is up to \$5,000. Can the minister tell us if this is being well-subscribed to, and also, will this program continue?

Hon. Mr. Silver: So, the microgrant express — this is a new fund, and it fills a gap in current funding supports offered by the Government of Yukon for creative cultural industries and also is identified as a priority action in *Creative Potential*, which is the Yukon's creative and cultural industries strategy. So, feedback from this sector clearly demonstrated a need for flexible funding in this capacity with simple applications and simple reporting requirements and a quick turnaround for approvals — all feedback that we got from the sector.

As far as your eligibility, emerging established and professional artists, creatives, or people involved in the creative and cultural industries, artists' collectives, and non-profit societies registered in the Yukon that are in good business standing — so businesses, First Nation governments, and municipal governments that present activities created around artists. More specifically, the new program is aimed at those who have never received funding before, especially for those who might find the funding world a bit intimidating. This program will prioritize first-time applicants and those from equity-deserving communities. This program will provide quick response to take advantage of these opportunities, and it couldn't come at a better time as we are stimulating investment in our post-pandemic days here, hopefully.

So, internal review by the arts section based upon eligibility criteria in the decision-making process — applicants will be notified of the results in writing within five working days for tier 1 and 10 working days for tier 2. So, that's a very quick turnaround — the department making good on what they heard. So, the intake is ongoing, with a minimum of \$12,500 available each month for distribution, and the budget is \$150,000 available for each fiscal year until March 31, 2024.

I don't have very much more for the member opposite other than, like I said: For tier 1, it is up to \$1,500; for tier 2, it's from \$1,501 to \$5,000, and the funding can cover 100 percent of all eligible expenses.

Ms. Van Bibber: Thank you for that information.

We looked on yukon.ca and found that the last published tourism annual report is for 2018. Can the minister tell us where we can find the other reports for the years since?

Hon. Mr. Silver: If the member opposite can clarify which specific reports she is referring to — I know that the minister tabled two reports today, but I don't think that those are the ones that the member opposite is referencing.

Ms. Van Bibber: It is the tourism annual report. On the website, it says that it is only for 2018, and then we were looking for subsequent years.

Hon. Mr. Silver: I have a firm commitment from the minister responsible that he will take a look into where those reports are.

Madam Chair, seeing the time, I am going to move that we report progress.

Chair: It has been moved by the Member for Klondike 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. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

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

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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 5:26 p.m.

The following sessional paper was tabled November 14, 2022:

35-1-75

Yukon Heritage Resources Board Annual Report April 1, 2021-March 31, 2022 (Pillai)

The following document was filed November 14, 2022:

35-1-111

Yukon Geographical Place Names Board 2021-2022 Annual Report (Pillai)

Written notice was given of the following motion November 14, 2022:

Motion No. 530

Re: extending the Special Committee on Electoral Reform's reporting deadline (White)



Yukon Legislative Assembly

Number 96

1st Session

35th Legislature

HANSARD

Tuesday, November 15, 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

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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, November 15, 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: The Chair would like to make a brief statement on the tabling of documents. Yesterday, during the rubric “Tabling Returns and Documents”, the Minister of Tourism and Culture, in tabling two documents related to the Department of Tourism and Culture, stated: “If I could just ask the Assembly for a little bit of flexibility, I just want to thank the department for their work...” — and so on. I am not going to repeat the whole statement. Members should not use the time for tabling returns and documents to make speeches. This is out of order, and I will ask the Minister of Tourism and Culture not to do that again. There is plenty of time to debate in this House, and there are more appropriate times to thank the department officials.

Speaker's ruling

Speaker: Yesterday, during debate on Bill No. 20, the *Animal Protection and Control Act*, the Member for Lake Laberge rose on a point of order after the Government House Leader stated in his remarks: “Beyond this, the Yukon Party sought to create fear around a range of issues”.

Yesterday, I cautioned members about phrasing around the word “fear” in the Assembly. For further clarity, members should not imply that other members are deliberately setting about to create fear. Members should seek different phrasing with respect to the word “fear”.

Withdrawal of motions

Speaker: The Chair wishes to inform the House of changes made to the Order Paper. The following motion has been removed from the Order Paper as the action called for in the motion has been taken in whole or in part: Motion No. 479, standing in the name of the Member for Vuntut Gwitchin.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: Following protocol and doing things right, I would like to welcome to the House today, Sophie Tremblay Morissette, our director from Tourism and Culture. I would also like to welcome Casey Prescott, the chief executive officer of the Yukon Arts Centre. She is with us today, as well as our co-chair for the board, Line Gagnon. Thank you for coming today for our tribute to the Yukon Arts Centre.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of the Yukon Arts Centre 30th anniversary

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to the 30th anniversary of the Yukon Arts Centre, which first opened its doors on May 29, 1992. Thanks to the vision and efforts of the Arts Canada North Society, Whitehorse proudly boasts a multicultural visual and performing arts centre up on the hill overlooking downtown.

Prior to having this world-class performance and exhibition space, events were held either in the former F.H. Collins Secondary School gym or the courthouse.

The Yukon Arts Centre is an accessible 428-seat theatre with professional sound and lighting, a green room, rehearsal space, dressings rooms as well as three galleries and office spaces.

Since 1985, the Yukon Arts Centre has also held the permanent collection that includes over 100 works from northern Canadian artists. While some of the collection is periodically on display, the entire collection can be viewed online.

For three decades, the Yukon Arts Centre has provided an incredible space for artists and audiences. Milestone dates such as this provide us a moment to pause and reflect on all that has been accomplished and experienced and how to appreciate how much the centre has enriched the lives of Yukoners. The Yukon Arts Centre has enabled our community to benefit from the countless performances and art exhibitions from local, national, and internationally renowned talent.

Over the years, the Arts Centre has grown and expanded to include programming at the Old Fire Hall, as well as the wharf space along the waterfront in downtown Whitehorse. The programming offered continues to evolve and create opportunities for performers, exhibitors, and audiences to connect and be exposed to new ideas and fresh perspectives.

The venue and its accomplished staff were integral to the recent hosting of the international arts summit and received high praise from the delegates. I know that over 3,000 Yukoners were thrilled to take in the birthday bash last month at Shipyards Park with national talent Serena Ryder and the Strumbellas performing alongside a host of homegrown local talent.

During COVID-19, the centre staff swiftly adapted and were able to continue to offer programming in safe and innovative ways. In fact, they are one of the few theatres in all of Canada that stayed open and maintained operations during the pandemic. A sincere thank you for the exceptional efforts to ensure access and enjoyment of the arts through the challenges of the past two years.

Please join me in extending congratulations and gratitude to the founders, organizers, technicians, volunteers, and, of course, the countless artists and performers who enrich our community through their talent. We look forward to many more

provocative and inspiring performances and exhibitions in the years to come.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize the Yukon Arts Centre as they celebrate their 30th anniversary. There is so much to expound upon when we speak of this facility that our tribute time cannot do it justice. Since its opening, the Yukon Arts Centre has been a community hub and showcased so many performances and art displays, and for that, we are richer.

But let's concentrate on this celebration year. At the end of June, Their Excellencies Governor General Mary Simon and Mr. Whit Fraser completed a short Yukon visit. Included in the itinerary was to attend the opening of the *Tether* exhibit and view the film *Dreaming Roots*. This exhibit was in conjunction with the Arctic Arts Summit and the artwork displayed by northern indigenous artists. It showed the bond between diverse groups across the north and that the northern cultures, in art, have threads beyond regions and communities. We are tethered together. *Tether* celebrated the knowledge and stories of the artwork and our shared practices and kinship across the northern globe.

Then, on a beautiful Saturday, at Shipyards Park, the 30th birthday bash happened. Throw a party, and it's free, and the organizers were still surprised at the turnout — an estimated over 2,000 guests. An opportunity to gather in the post-COVID world was just what Yukoners needed, and it helped that the headliners were soloist Serena Ryder and the band Strumbellas, along with many local artists. It was a huge success, and Yukoners appreciated the wonderful concert in the park.

As the Yukon Arts Centre continues to champion and support the art world, thank you to the staff, organizers, volunteers, partners, and artists who do the hard work — thank you. We recognize and we congratulate you on the last 30 years of accomplishments, and we wish you many more years of success.

Applause

Ms. White: The NDP add our voices in celebration of the Yukon Arts Centre's 30th anniversary. From before shovels were even in the ground, there was a buzz about what could be. Now, looking back on a generation of programming, you can see that all of those hopes and wishes for what could be have indeed become reality. From hosting nationally and internationally recognized performers and artists to developing and encouraging homegrown talent, the Yukon Arts Centre is truly a jewel of the north.

Thank you to those who dreamed big about what could be; thank you to those who nurtured the dream into reality; thank you to those who keep it going, forever-evolving and growing with our northern community. Mr. Speaker, I would be remiss if I didn't give a nod of thanks to the foresight of Tony Penikett's government for investing in the arts in such a meaningful way.

Applause

TRIBUTES

In recognition of World Diabetes Day 2022

Hon. Ms. McPhee: I rise today on behalf of the Yukon Liberal government to recognize November 14 as World Diabetes Day. World Diabetes Day 2022's theme is "Access to Diabetes Education".

Canada's contribution to diabetes treatment is unquestionable. In 1922, 100 years ago, Leonard Thompson, a 14-year-old boy who lay dying from diabetes at the Toronto General Hospital, was given the first injection of insulin. That insulin was discovered and isolated by Frederick Banting and Charles Herbert Best, who went on to win the Nobel Prize in Medicine the following year.

Almost half of adults with diabetes remain undiagnosed, of those living with diabetes, and 10 percent have type 1 diabetes and 90 percent have type 2. Early screening is important, because people who are undiagnosed may not be managing their blood sugar levels, which can put them at higher risk of complications. Currently, in the Yukon, our community health centres and other programs, such as the Diabetes Education Centre and the Chronic Conditions Support Program, help Yukoners with regular screening and diabetes education. Managing diabetes can be made easier with education about nutritional counselling, exercise planning, and glucose management medications.

There have been some recent changes in the chronic disease formulary that make access to certain medications, like Jardiance and Ozempic, easier. The Yukon government is leading the country by providing access to technologies that are proven to help people manage their blood glucose and avoid medical emergencies. The Yukon was the first jurisdiction in Canada to provide coverage for continuous glucose monitors to individuals 18 years of age and younger who have type 1 diabetes, and we joined Ontario and Québec in providing coverage for flash glucose monitors in 2022.

Now, the Yukon is providing continuous glucose monitors for all Yukoners with type 1 diabetes. Monitors change lives and allow those with type 1 diabetes to live fuller lives by preventing low blood sugars and staying safe while doing activities, such as exercising or driving. Monitors provide information about the relationship between someone's blood sugar and the food or the insulin or the other medications they may take. It's important to remember that everyone's journey is different and what works for one person may not work for another. There are many risk factors that can contribute to diabetes that are not manageable, such as age or gender or genetics. Therefore, early screening, diagnosis, and education is so important in managing and reducing complications from diabetes.

I would like to thank our Yukon Diabetes Education Centre and the Chronic Conditions Support Program, community health centres, and all of our dedicated health care professionals who are helping support Yukoners living with diabetes.

Applause

Ms. McLeod: I rise today on behalf of the Yukon Party Official Opposition to recognize November as National Diabetes Awareness Month and November 14 as World Diabetes Day.

November 14 is the birthday of Dr. Frederick Banting, winner of the Nobel Prize in Physiology or Medicine in 1923, after his incredible discovery of insulin in 1921. It was this discovery that saved the future of every individual to be diagnosed with some form of diabetes. Without insulin, diabetes would have continued to be a tremendously fatal disease over the last 100 years. It is estimated that over three million people are diagnosed with diabetes in Canada. It is also estimated that another two million have the disease and are unaware, and six million more are living with a condition known as prediabetes, placing them at a serious risk for type 2 diabetes.

I would like to recognize the incredible efforts of the Yukon T1D Support Network. This organization started small, but the power and drive behind the few moms who started it has allowed this group to gain momentum and make great leaps for the type 1 diabetes community. This organization continues to be a valuable resource for Yukoners with type 1 diabetes and their families. Their advocacy has secured life-changing technology for Yukoners, and their efforts throughout the year provide support and services to so many.

Thank you to all those in the health care field who work to support and treat Yukoners with type 1 and type 2 diabetes, gestational diabetes, and prediabetes, and to those who help monitor and support children in the school system with diabetes. Your support makes a tough disease a little easier on individuals and families throughout the territory.

Applause

Ms. Blake: I rise today on behalf of the Yukon NDP to pay tribute to World Diabetes Day, which took place on November 14. Today, I think about what needs to be done, collectively and individually, for better prevention, diagnosis, and management of diabetes. I want to especially thank the Yukon type 1 diabetes support network for their hard work advocating for Yukoners living with type 1 diabetes. Their efforts do not go unnoticed. I know so many Yukoners who are so grateful for all that they have done.

Many Yukoners still face health inequities. First Nation people also continue to face higher risks of developing type 2 diabetes, more than any other group in Canada. With the legacy of colonization, including residential schools and lasting inequality, our communities lack access to health education and nutritious, affordable foods.

Yukoners continue to face inequity through the shortage of primary care providers in their communities. As a territory, we still have work to do. With our continuous glucose monitoring program, we have seen what support can do for Yukoners with type 1 diabetes. We also have the unique responsibility to advocate beyond the territory. With access to primary care, community support, and education, we can leave so many of the issues faced by those living with diabetes behind.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Pillai: Pursuant to section 12(3) of the *Arts Centre Act*, I have for tabling the Yukon Arts Centre annual report.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

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

Speaker: Are there any further reports of committees? Petitions.

PETITIONS

Petition No. 15 — response

Hon. Ms. McLean: I'm pleased to respond to Petition No. 15 regarding a downtown Whitehorse elementary school, brought forward by the Member for Whitehorse Centre. I would like to thank all citizens who signed the petition. Thank you for your deep care about education and for speaking up about your values for your community.

Healthy and happy neighbourhoods are made up of many important elements: access to public services and buildings, such as schools; access to grocery stores; recreational opportunities; gathering places; transportation; history; design; and having safe, stable, affordable housing. Implementing all of these elements is an important part of urban planning, which is needed to create and sustain good neighbourhoods. Just as it is for neighbourhoods, there are many elements to create and sustain schools that uphold the tenets of today's modern programming and curriculum. Location, access to greenspace, technology, modern and experiential facilities, inclusive and cultural spaces, and design are all important elements. The spaces in which children learn need to be safe, comfortable, and functional, as well as culturally rich, in order to create a positive learning environment.

We will be undertaking a public engagement to hear from Whitehorse residents about how important these factors are for each school community, including downtown residents. As we know, École Whitehorse Elementary School is an old school and due to be replaced. Replacing École Whitehorse Elementary School is an important priority for us, and there are many sound reasons for doing so.

I wish to be clear that this decision does not close conversations in respect to future learning facilities in the downtown core. I met with downtown residents who are concerned about having an elementary school in the downtown core, and I hope that they will continue to contribute and share their views in upcoming public engagements. The upcoming public engagement will be where voices of communities will shape the long-term plans for replacing and renovating aging Whitehorse schools. We want to hear from the public and the

school communities to better understand their user experiences with their school facilities and how to better reflect Yukon's K to 12 programming and neighbourhood needs.

As I mentioned, there are many factors that contribute to thriving schools and neighbourhoods. We want to hear what residents value most, including those who are thinking of starting families.

We will continue to invest in all schools to ensure that they remain safe places to learn. It is great to see citizens engage with us on important matters, and we hope that you continue to contribute when public engagement is launched. Creating positive learning environments is our goal, as the education of our children today is the foundation for our future.

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. White: I rise to give notice of the following motion:
THAT this House supports the people of Taiwan.

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 establish a safe house for men in Old Crow.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Charting the Course: Living with and managing COVID-19

Hon. Ms. McPhee: *Charting the Course: Living with and managing COVID-19* is our government's new guide for ongoing response to the pandemic. *Charting the Course* will shift our management of COVID-19 to resemble how we treat our other respiratory viruses in the territory. That is now possible because of a number of factors.

First, new COVID-19 variants are more transmissible but are leading to less severe outcomes. We also have high vaccination rates in the territory due to the availability of safe and effective vaccines. We also now have the availability of treatments, like Paxlovid, that lessen the severity of COVID-19 for those at high risk of severe outcomes.

Charting the Course lays out a number of changes to manage COVID-19 in a more sustainable way. While Yukoners should continue to stay at home when they are sick, the need to self-isolate has shifted away from a specified number of days to staying home until symptoms resolve.

Most Yukoners can safely manage COVID-19 at home. As a result, self-isolation facilities will close on December 16, 2022, because they are no longer needed. Testing is no longer routinely recommended for Yukoners with COVID-19 symptoms unless indicated by a health care provider in a clinical assessment.

As we announced last week, the COVID-19 testing and assessment centre will close on November 18, 2022. Yukoners

can use the self-assessment tool online to see if an assessment from a health care provider is recommended, or look at the latest stoplight guidance to help determine if kids can get back to their regular activities.

At-home rapid tests remain available, free of charge, at a wide range of locations throughout the territory. Whether you choose to test or not, please stay home while you are sick to avoid spreading any illnesses to others. The paid sick leave rebate program remains available to help Yukoners prioritize their health and reduce the spread of COVID-19.

Some places, such as long-term care homes, health centres, Yukon hospitals, and other settings may continue to require public health measures, like masking, to protect vulnerable populations. We ask that Yukoners respect these measures and each other's personal health decisions as we learn to live with COVID-19.

Vaccination remains the best way to protect yourself, your loved ones and your community from severe outcomes related to COVID-19. If you are not up to date, please book an appointment or call your health centre today.

Mr. Speaker, I want to thank all of the health care workers across the territory who have worked to protect the health and safety of Yukoners throughout the pandemic.

I also thank all Yukoners who have made sacrifices and followed public health advice to protect their health and the health of our communities. Without their dedication, we would not be in the position that we are in today.

Mr. Dixon: I appreciate the update from the minister on this announcement that was made last week. We have reviewed the news release and had the opportunity to ask several questions of the chief medical officer of health yesterday in the Legislature. The CMOH did answer all of our questions yesterday, and I would like to thank him again for his time.

Ms. Blake: I want to first thank the chief medical officer of health for appearing as a witness yesterday and for answering our questions. It has been a difficult three years, living under the weight of this global pandemic. It has been hard on people across the territory in different ways, and while many may celebrate this plan as the end of the pandemic and the end of public health measures, I know that many also read it with dread.

Watching the headlines in other provinces is difficult — emergency rooms overrun, children's hospitals working well beyond capacity, and staff being faced with difficult triage decisions with each new patient arrival. I remain hopeful that we don't get to that point in the Yukon, but *Charting the Course* does not reassure me of that.

I want to use this time to speak about the concerns that Yukoners have shared with us about this plan. The plan is to end all COVID-19 measures and treat it like other respiratory viruses, but that approach is already proving ineffective in Ontario and elsewhere. If the minister is really going forward with this new approach, we need to change the way we do public health.

The plan will end the mass vaccination clinic, but so many children still haven't had the opportunity to get their shots. We have heard that the Whitehorse Health Centre is already triaging its vaccine delivery. Will the government instead offer vaccines in schools or at medical clinics?

Yukoners have expressed concerns about their ability to receive timely boosters under this new plan. The plan asks for Yukoners to stay home when they are sick, but so many still don't have access to adequate paid sick leave. The plan says that it will only release data for a technical audience going forward, but how will Yukoners make good decisions about their health without access to robust data?

Current estimates are that as many as 40 percent of COVID infections result in 12 weeks or more of recovery. That's three months of illness, and many are taking much longer. The plan calls for an end to all COVID-19-specific working groups, but makes no mention of the many Yukoners living with long COVID. Will that working group be cancelled too?

I asked this of the chief medical officer of health yesterday, and the response was not clear. I would appreciate a follow-up from the minister.

If the government has decided to give up on controlling the virus, what supports are being planned for those who continue to suffer its effects long term? The plan mentions strategic goals and actions, but those are nowhere to be found. What are the goals? What new actions will the government take to protect our health and our health care system? I see only a plan that calls for an end to action.

Lastly, I want to also acknowledge the hard work of our health care professionals in the territory over the course of the pandemic. I thank you for going repeatedly above and beyond to support all Yukoners.

Hon. Ms. McPhee: I think it is imperative to say, if it isn't clear, that *Charting the Course: Living with and managing COVID-19* is not declaring any end to a pandemic; it is simply charting the course forward. It is a plan that clearly sets out what Yukoners can expect, and that is what Yukoners deserve.

From the start of the pandemic, our government took immediate action that helped to prevent the most severe health outcomes due to COVID-19. We worked closely with the office of the chief medical officer of health and followed the science throughout the pandemic. The Yukon was one of the first jurisdictions in Canada to roll out COVID-19 vaccines, and we now have the highest vaccination rates in the country.

Following the recommendations of the chief medical officer of health, we made tough decisions to place limits on gatherings, require masks, and require vaccinations. The opposition objected, and the Yukon Party, in particular, consistently undermined public health advice. Mr. Speaker, our focus has always been on protecting the health and safety of all Yukoners, and our leadership helped prevent the most severe health outcomes here in the territory.

Our government also took swift action to provide financial support to Yukoners and Yukon businesses, and that is not ending. At the beginning of the pandemic, we immediately launched a paid sick leave rebate program that is continuing to

ensure that Yukoners can stay home when they are sick. This program sparked national conversations and served as a model for employee support. We created the Yukon business relief program that delivered millions of dollars to businesses across the territory to help cover their fixed costs and loss of revenue. This program was recognized as the best and most generous in the country.

We launched the Yukon's tourism relief and recovery plan, providing almost \$15 million to support the tourism sector and develop innovative programs, like Great Yukon Summer, to support tourism businesses. These measures were comprehensive and effective and helped us to avoid the most severe economic impacts of COVID-19.

In fact, our economy grew during the pandemic, and Yukon now has the strongest economy in the country. Our government was here to support Yukoners throughout the pandemic, and we will continue to provide support as we learn to live with COVID-19 going forward.

There are lingering challenges, such as long COVID or post-COVID condition. Our government has already started the conversation on this issue with affected Yukoners. The post-COVID-19 working group was established in May and has been using emerging research and personal experiences to develop information and resources to help support those who are impacted by the lasting effects of COVID-19. There is nothing in *Charting the Course* that indicates that these working groups will not continue to be supported, and they will.

The chief medical officer of health will continue to closely monitor the situation and to make recommendations to the Government of Yukon that will continue to inform our public health response.

We would not be in the position that we are in today without the hard work of many partners across the territory — our dedicated public servants, our dedicated medical professionals, and Yukoners who stepped up and supported one another. I thank them all. We will continue to foster those relationships and to support Yukoners going forward.

Charting the Course is what Yukoners deserve to know about how their expectations can be met, and, as we go forward, we will continue to respond, as necessary, when this pandemic — which is, frankly, not through with us yet — manages to change and evolve, and we will do the same.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Rent control

Ms. McLeod: Since the Liberals implemented rent control as a commitment in the confidence and supply agreement, the results have been exactly as predicted. There have been evictions; there have been steep rent increases; and there has been a large sell-off of rental units.

In the spring, the Minister of Community Services said this — and I quote: "The rental index aims to offer stability in rent for Yukoners..."

So, will the minister now admit that the flawed rent caps that this government brought in have done anything but create stability, and that this policy experiment has been a failure?

Hon. Mr. Mostyn: What I want to do in my introduction to this question this afternoon is to remind the House and Yukoners that the Yukon Liberals entered into a confidence and supply agreement with the New Democrat caucus shortly after our election, and it was shortly thereafter that the Yukon Party endorsed the confidence and supply agreement.

So, surely that year, the Yukon Party again also threw their support behind a rent cap and a number of other objects within our confidence and supply agreement that we struck with the NDP. So, I wanted to start there.

I will say that the rent index was a commitment that the NDP campaigned on and brought to us as part of our confidence and supply agreement. The index is temporary; it will end in January, Mr. Speaker. That is the intent. We are working with partners to address affordability across a spectrum of services and supports in the territory. Stable, affordable housing is a foundation to the health and well-being of Yukoners. Meeting increasing housing demands in the territory is not something that any one government or organization can accomplish on its own, and we continue to develop and support partnerships and innovative approaches to address housing needs in the territory.

Ms. McLeod: The effects of this flawed policy on the Yukon housing and rental market have been disastrous. The only hope that Yukoners who own rental units have had is that the Liberals have been clear that this flawed policy will end with the CASA. In advance of the Sitting, the Premier made this clear in an interview with the CBC Yukon that ran on October 5: “No more CASA, no more rent cap” was the byline.

So, will the Minister of Community Services commit to immediately repealing this flawed policy on February 1, 2023?

Hon. Mr. Mostyn: As I said in my last statement, the policy stays. We are honouring the agreement that we have with the New Democratic caucus. It is clear that the Yukon Party caucus tried to enter into this same agreement with the NDP, and they are not honouring that agreement. We have seen that again and again. We don’t know where the NDP stands on any of these policies, Mr. Speaker.

Some Hon. Member: (Inaudible)

Hon. Mr. Mostyn: The Yukon Party — sorry — my apologies. We don’t know where the Yukon Party stands on any of these policies, Mr. Speaker. They are for carbon pricing, then they’re not for carbon pricing. They are for the rent cap, but then they’re not for the rent cap. They are for — I mean, I could go on and on, Mr. Speaker. They say one thing and do another. They are really difficult to follow. We don’t know where they stand.

We know where we stand, Mr. Speaker. We are working very hard for people in the territory. We are moving the territory forward. We are trying to make sure that we address the housing situation in the territory. We are working diligently to get 1,000 lots online. My colleague, the minister responsible for housing, has a number of initiatives that he is doing to make sure that affordable housing is available for Yukon. Housing is a spectrum, and we are working across the spectrum to make

sure that Yukoners have a place to live, and this is an issue that is near and dear to our hearts.

Ms. McLeod: As it stands, Yukoners who own rentals are able to increase rent once a year at a rate that is set on May 15 based on the rate of inflation. So, many Yukoners would like to know: Will they be allowed to change the rent based on the market, or will they be bound by the regulation brought forward by the Liberal government as a commitment under CASA?

The CASA expires on January 31, so will the minister tell us if the regulations setting out rent control will be repealed on February 1, 2023, or will it stay in place and bind the ability of rental owners to control the rent that they charge for their property?

Hon. Mr. Mostyn: I will say again that the rent index was a priority for the New Democratic caucus, and we agreed to support that policy. We appreciate the New Democratic Party’s willingness to work together to address housing pressures in the territory.

The Yukon Party’s only solution is to develop land, which we are already doing and at a faster clip than the Yukon Party when they were in government. We have talked at length in this House recently about how little they spent on land development and how much we are spending on land development in the territory.

Since 2006, our population has grown by 12.1 percent. That’s how we are moving the territory forward, and housing construction has kept pace with that. The number of private dwellings has increased by 12.9 percent, so more, actually, than our growth rate. There was \$267 million in residential construction in 2021, shattering the 2020 record of nearly \$200 million. This year’s budget includes more than \$60 million for housing. That is for initiatives across the territory. This year’s budget also includes hundreds of new housing options, either recently completed or currently underway, including the 46-unit Cornerstone community housing development to provide supportive housing in Whitehorse. We had an agreement with Da Daghay Development.

Mr. Speaker, we are working diligently to move the territory forward on behalf of all Yukon residents.

Question re: Health care services

Mr. Kent: I also have some questions on the 2021 confidence and supply agreement.

That agreement between the Liberals and the NDP calls for the creation of — and I quote: “A seven day per week walk in/call-in mental health clinic will be opened in Whitehorse to service the entire territory.”

Can the Minister of Health and Social Services tell us if this commitment has been fulfilled?

Hon. Ms. McPhee: The establishment of the seven-day-a-week service for Yukoners with respect to mental health is an initiative partnership that the Department of Health and Social Services has entered into with the Yukon branch of the Canadian Mental Health Association.

Funding has been provided to that organization to provide that service, seven days per week. I understand that they are in the process of staffing — that they have gone to six days a week is the most recent information I have — and that soon, if they can resolve their staffing issues, they are fully intending through that partnership to provide that service seven days per week to Yukoners.

Mr. Kent: Based on the minister's answer, it seems that the full extent of this commitment made in CASA to create a seven-day-per-week walk-in mental health clinic in Whitehorse has not yet been fully achieved. So, can the minister say definitively when this new walk-in mental health clinic will be open?

Hon. Ms. McPhee: I truly appreciate the opportunity to talk a little bit about CASA and the commitments that are made there. We have committed to upholding the confidence and supply agreement here in the territory because it's good for Yukoners. Yukoners deserve stable government, they deserve government to have the members of this Legislative Assembly work together to provide them service and opportunities, and, not the least of which, certainty is required. There has been much progress on health care, climate change, dental care, and electoral reform through the agreement and the working together of the Yukon Liberal government and the Yukon New Democratic caucus. The Yukon Party — I think we should remember — endorsed the confidence and supply agreement. It seems like today they don't like it.

We are committed to working together to move Yukon forward. Mr. Speaker, our agreement with the Yukon NDP has allowed for stable government over the past 18 months. Yukoners deserve that stable government. Our strong leadership has guided us through the pandemic and kept us going, helped to keep the economy going, and helped to keep Yukoners safe and healthy. We are focused on moving the territory forward and making life more affordable for Yukoners. The commitments in the CAS agreement allow that to happen.

Mr. Kent: So, the confidence and supply agreement also committed to a territory-wide dental care plan that the minister just mentioned in her previous answer. This summer, the Liberals and NDP issued a report card on their progress. At that time, they committed that a new income-tested, public dental care program would be launched in December of this year. So, can the minister confirm that a new program will launch in the next few weeks?

Hon. Ms. McPhee: The Government of Yukon is taking steps to establish the territory-wide dental care program, as noted in the preamble to the question, as per our commitment in the confidence and supply agreement. Our government is working to expand access to the extended benefits services, including implementing a territory-wide dental program.

This fiscal year, we are investing \$1.8 million in the territory-wide dental care program. A request for proposals seeking a contractor to process the claims for the new Yukon public dental plan for a three-year period will start in January of 2023, and has, in fact, been awarded. Yukoners who are registered in the pharmacare and extended health benefits

program, social assistance clients, non-insured health benefits clients, as well as children from kindergarten to grade 8 in Whitehorse, and kindergarten to grade 12 in communities, currently have access to dental care. This program will begin to support those who do not qualify for those programs that will continue to exist here in the territory. It is anticipated that the implementation date for this coverage is January 1 of 2023. I am very pleased to say that this is part of this CAS agreement.

Question re: Whitehorse Correctional Centre substance use issues and supports

Ms. Blake: Since the substance use emergency was declared almost a year ago, very few people have received the support they need. This is especially true for folks at the Whitehorse Correctional Centre. People at WCC have shared that the time they spent there left them with the highest mental health risk and very few supports. Some have reported that they used moderately before being incarcerated, and left the WCC heavily dependent on street drugs. We have heard from others that there have been multiple overdoses at the WCC.

Can the minister tell us how many overdoses have occurred at the WCC this year?

Hon. Ms. McPhee: I appreciate the alarm sounded on the other side of the House, but these are pieces of information that should be brought to my attention, through my office to the Department of Health and Social Services, as well as through to the Department of Justice. It is not something that I have been advised of at this point.

I think that what is incredibly important for Yukoners to know is the response that the Government of Yukon has made with respect to the substance use health emergency. We are committed to working with our partners to take action to respond. Mental Wellness and Substance Use Services has increased services in response to the substance use health emergency. I will take a moment to say just a few of those.

Mental Wellness and Substance Use Services has increased medical capabilities at withdrawal management by adding a physician clinical head. The Referred Care Clinic and the opioid treatment services have expanded their services and added seven new individuals, which includes an overdose outreach team to provide harm reduction education, to support clients with system navigation, and to provide connections to other services related to substance use. There has been an expansion of the services at 405 Alexander, Car 867 — I would like the opportunity to continue to advise Yukoners of these important services —

Speaker: Order.

Ms. Blake: This isn't just one story. This issue is systemic, which is why I am asking about it in the House. Safe supply is only available in Whitehorse at the Referred Care Clinic, which Yukoners can walk into and self refer if they need to. For folks at WCC, the process to see someone at this clinic is unclear and many do not get the help that they need. Instead, they struggle alone and end up using a toxic drug supply to cope.

Is the Referred Care Clinic accessible to people at WCC who want to access safe supply?

Hon. Ms. McPhee: It has long been a strategy and plan of the departments of Justice and Health and Social Services to work together to provide the services to individuals who happen to be at the Whitehorse Correctional Centre in a more seamless way, because it certainly hasn't been that way in the past. Mental Wellness and Substance Use Services continues to expand their services, and we will support any individuals, including those who happen to be in the care of the Whitehorse Correctional Centre for whatever period of time that may be. It is not the policies of this government that individuals who spend time at the Whitehorse Correctional Centre do not have the services they need while there. I certainly would appreciate the individual cases or stories being brought to my attention by the member opposite.

The Department of Health and Social Services has continued to work with the Yukon RCMP to implement Car 867. The objective is to provide trauma-informed, client-centred responses to mental health emergencies. Mental Wellness and Substance Use Services has also expanded its services at the supervised consumption site to include inhalation as the approved method. We have continued to provide expansion of services to Yukoners and will do so.

Ms. Blake: People at the WCC are struggling, but they still have the strength to reach out for help when they need it. We know this, because they call our office regularly, seeking advocacy support. We hear regularly from folks who are advocating for themselves to recover and repair harm. People at the WCC have asked to be sent into treatment programs outside of the territory, so that they can learn the tools to cope and to stay sober.

The minister declared a health emergency. She has also claimed that her justice system is restorative — yet this government continues to harm people at the WCC who struggle with health issues. Will the minister allow more folks at the WCC to attend treatment facilities as part of their release plan?

Hon. Ms. McPhee: As I have said, it may have been the policies in the past, quite frankly, that individuals who are at the Whitehorse Correctional Centre were not provided the services that they needed in a way that would assist them in recovering and to provide the opportunity for them to change behaviour and to become the contributing members of their communities that I know that they all wish to be. That is not the policy of this government.

We have worked very diligently to make sure that individuals who are in the Whitehorse Correctional Centre have the services that they need. I encourage them to reach out to the medical staff who is employed to work at the Whitehorse Correctional Centre, and that they can be connected to programming through that route.

I also encourage the member opposite to describe to me, however she may wish to do that, if there are specific matters that I can bring attention to and resolve.

Question re: Whistle Bend development

Ms. Clarke: Last week, on November 10, the Minister of Community Services told the Legislature that he was on track to release over 200 lots this year. We know from his

ministerial statement earlier this year that the 200 lots that he is referring to include phase 6B, phase 7A, and phase 8 in Whistle Bend.

Can the minister confirm that the Yukon government will be releasing more than 200 lots this year, as he said last week?

Hon. Mr. Mostyn: What we are talking about his afternoon is our commitment to make more housing available to Yukoners in several spheres.

Again, I have said it before and I'll say it again, we agree that lot development is very important to Yukoners in the territory. That's why we have increased our budget to \$30 million this year for new lot development — \$30 million.

The member opposite has been told now, in their last year in office, the Yukon Party invested \$7.7 million. We are spending nearly four times the amount of money spent by the Yukon Party in their last year in office this year.

We are making historic investments in development in housing. We have \$30 million, as I just said, in the budget for lot development in the Yukon this year, and we are working to develop 1,000 lots in the coming years.

Ms. Clarke: Earlier this month, I asked the minister about phase 6B and he didn't answer.

According to the minister's briefing notes, phase 6B was originally scheduled for completion in July of this year and included 101 lots. Can the minister confirm if phase 6B was completed this summer as planned, or has it been delayed?

Hon. Mr. Mostyn: I will give a little bit more history this afternoon. I want to say that, during the Yukon Party term, they averaged just \$6 million a year in lot development. We are investing more than five times that amount for Yukoners.

The goal that this government has put forward is to actually develop 1,000 lots for Yukoners. We made that commitment during the election. We are committed to doing that. We have done this deliberately and intentionally to make sure that Yukoners have a supply of homes they can rely on.

We hear from businesses — I hear from Yukoners all the time that they need more housing in the territory, and we are fulfilling that commitment. Our Liberal government has built strong, collaborative relationships with municipalities, private landowners, developers, and First Nation partners across the territory to speed up lot development for Yukoners.

Our government is working hard to increase the supply of lots in Yukon communities for housing, as well as business and economic opportunities. Fixing the territory's housing shortage is not something one government organization can accomplish alone. We need to work in partnership to increase the housing options.

As I have said, the Yukon Party record on housing is embarrassing. They sat on millions of dollars and refused to invest in affordable housing. We are still paying the price for the Yukon Party's inaction on housing. We have tripled investment in lot development compared to the Yukon Party. I understand the Yukon Party is upset with our initiatives, and we are going to continue.

Speaker: Order, please.

Ms. Clarke: With due respect, the minister has not answered my question, so I am going to ask it again: Can the

minister confirm if phase 6B was completed this summer as planned, or has it been delayed?

Hon. Mr. Mostyn: I will say that this fall and winter, we are working toward tendering up to three new phases. A lift station, landscaping projects, and storm water outfalls will be constructed next year. I will also say that we continue to advance Whistle Bend as quickly as possible in phases, and we see progress every year — releasing lots by way of lottery for private citizens and contractors before the spring construction season.

Now, I will say, as well, that in the last two years, municipalities across the territory have issued almost 1,300 permits for residential construction — a significant increase over the historic average — and over the last four years, we have seen the addition of more than 1,000 new homes in Whitehorse, a 60-percent increase over the previous four-year period. Residential investment has reached a record high in the Yukon with \$267 million in residential investment construction in 2021, shattering the 2020 record of nearly \$200 million, and in the coming years, our goal is to develop 1,000 new residential lots across the territory — as I said before, \$30 million this year.

Question re: Diabetes treatment

Ms. Van Bibber: In May of 2021, this House unanimously passed Motion No. 30, urging the Government of Yukon to develop a territory-wide type 1 diabetes strategy, to be completed by September 2022. The Minister of Health and Social Services said at the time — and I quote: “Yukoners have sent a clear message that we need to work together for the benefit of the territory and that this is what we are committed to doing...” — and went on to say that the government would be supporting the motion.

Unfortunately, it has been 18 months since the motion passed and two months past the deadline, and the strategy has not been completed. Can the minister explain why the deadline agreed to in the motion has not been met?

Hon. Ms. McPhee: Thank you, Mr. Speaker. I think that today — well, one day past the anniversary of Diabetes Awareness Day, but during Diabetes Awareness Month here in the territory, it is incredibly important to address this issue. The Government of Yukon has committed to working with our partners to develop a type 1 diabetes strategy here in the territory, and our work is ongoing with Yukoners with type 1 diabetes, their families, local advocacy groups, and service providers. That work aligns with the recommendations in *Putting People First* to enhance supports for individuals to improve health outcomes.

As noted back in May 2021, the Yukon Legislative Assembly unanimously supported that motion, and the work is underway to complete the type 1 diabetes strategy. The focus, in doing that work, is working with families, local advocacy groups, and service providers, so that we get it right as we go forward. The date has not been met, unfortunately, but I think what is more important here is to make sure that the individuals who are guiding and doing that work with us are satisfied.

Question re: Chilkoot Trail Inn social housing

Mr. Dixon: Earlier this Sitting, we asked a series of questions of the minister responsible for housing about the purchase of a local hotel to convert into housing, using a combination of territorial and federal funds dedicated to affordable housing. Here is what the minister said on October 27, 2022 — and I quote: “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”.

Can the minister confirm if that statement is indeed accurate? If there is a challenge with ownership, or operation of the former hotel by the NGO, will the CMHC take on full responsibility, as the minister said?

Hon. Mr. Pillai: Just before getting into the core of the question, I want to just touch on a bit of background for Yukoners on this. So, it was announced again last spring that the Safe at Home Society was a successful recipient of funding from the Canadian Mortgage and Housing Corporation, and that was to deliver 55 units of permanent, supportive housing. The dollars that were allocated — it was \$10 million through the northern carve-out of the National Housing Co-Investment Fund, and another \$5 million that was provided by CMHC to the City of Whitehorse.

If I understand the question correctly, it is: Who would be the first charge on the mortgage? As I was briefed by our department, the first charge on the mortgage, after the NGO, would be the Canada Mortgage and Housing Corporation.

Mr. Dixon: I appreciate the answer from the minister, because that is, actually, not what the audited financial statements of the Yukon Housing Corporation say in the recently tabled Public Accounts. The Housing Corporation’s financial statements, that were reviewed and signed off on by the Auditor General of Canada, say that if the Safe at Home Society is unable to operate and maintain these housing units for 20 years, it’s the Yukon Housing Corporation that — and I quote: “... would need to determine an appropriate course of action to endure the Corporation’s adherence to any potential obligation arising from this flow through arrangement.”

So, it’s clear that there is an obligation on the Yukon Housing Corporation, because of their role in flowing through the funding. So, can the minister explain this discrepancy between what he has told us and what exists in the financial statements of the Housing Corporation that were signed off by the Auditor General of Canada?

Hon. Mr. Pillai: Sitting with our leadership team at the Yukon Housing Corporation, I was made aware that the CMHC — the Canada Mortgage and Housing Corporation — was first charged on mortgage and that the Yukon Housing Corporation was second to that. I know that there were some conversations that happened directly, I think, from the Canada Mortgage and Housing Corporation, as we were going through this process, and really, with a focus on what their responsibility was.

Certainly, if I have provided information that was incorrect, I’ll come back and correct the record, but, again, from

what I have been briefed on and sat down with leadership team and the president of Yukon Housing Corporation and focused on understanding any liability around this — also, looking at all the opportunity that's here, specifically, again, as my colleague said, we're trying to look at a number of different avenues to deal with increasing the housing stock — especially for vulnerable populations. And it's true, when you go back on the record, there is certainly a large gap that has been left here in the Yukon, and we're trying to make sure that we use innovative ways to support this. So, again, my understanding — our briefing material, sitting down and having conversations with our team — that has been our understanding.

Mr. Dixon: So, the minister's comments were not just inconsistent with the Yukon Housing Corporation's financial statements, they were also inconsistent with what the Yukon Housing Corporation told the City of Whitehorse late last year. Here's what the December 2021 administrative report on this said: "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..." — YHC — "... to assume responsibility for the ownership and operation of the facility, and ensure funding conditions are fulfilled."

How can the minister explain what he told the Legislature last week, as well as today, that is so completely different from what his own financial statements for the Yukon Housing Corporation say and what the Yukon Housing Corporation told the City of Whitehorse just last year?

Hon. Mr. Pillai: I might have misheard, but I think that, in closing that question, the Leader of the Official Opposition said what was said to the City of Whitehorse just last week —

Some Hon. Member: (Inaudible.)

Hon. Mr. Pillai: Last year, yes, thank you. Yes, that was last year. During that process, there was a bilateral agreement that CMHC had. I know that CMHC had requested some changes. The president of the Yukon Housing Corporation and the senior team sat down with me. We went through this and there seemed to be a change.

I appreciate the fact that you are pulling minutes up from the meeting with the municipality a year ago. As soon as this had come to the House — of course, I would sit down with our senior team. We went through this. There was a request by CMHC to make a change. That was based on the money that was flowing. We have no problem coming back to the House if I have to correct the record. I believe that, at this particular time, the information that was provided with me is the correct information. It is prudent in how it was transferred to me. If there is any issue with that, we will come back and check the record.

We are trying to ensure that we are investing in affordable housing. I think that is the key. As my colleague said, there is a massive gap — two large funding sources that came to the Yukon were buried and were never used. We will look at innovative ways. We will work with our partners, and if there is any change in the information, I will make sure to bring it back to the House.

Speaker: The time for Question Period has now elapsed.

We will now proceed to Orders of the Day.

ORDERS OF THE DAY

Ms. White: Pursuant to Standing Order 14.3, and notwithstanding Standing Order 12(2), I request the unanimous consent of the House to move without one clear day's notice Motion No. 530.

Unanimous consent to move without one clear day's notice, and notwithstanding Standing Order 12(2), Motion No. 530

Speaker: The chair of the Special Committee on Electoral Reform has, pursuant to Standing Order 14.3, and notwithstanding Standing Order 12(2), requested the unanimous consent of the House to move without one clear day's notice Motion No. 530.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Motion No. 530

Clerk: Motion No. 530, standing in the name of Ms. White.

Speaker: It has been moved by the chair of the Special Committee on Electoral Reform:

THAT the terms of reference for the Special Committee on Electoral Reform, as established by Motion No. 61 of the First Session of the 35th Legislative Assembly, and amended on October 25, 2021, with the adoption of Motion No. 167, be further amended by changing the special committee's reporting deadline to the House from the 2022 Fall Sitting to the 2023 Spring Sitting of the Legislative Assembly.

Ms. White: First of all, I would like to thank my colleagues for unanimous consent today. That actually really aligns with the work that we have been doing on the Special Committee on Electoral Reform. My colleagues, the Member for Mount Lorne-Southern Lakes and the Member for Lake Laberge, and I have put a huge amount of time into this committee since it was first established. One of the reasons why we are looking for an extension right now is to continue on with the really hard work of consensus that we have been working on. The three of us have been working really hard at reaching consensus in our decisions, and this is that one last point.

We are asking for an extension to actually be able to go out and reach out and survey the population one more time before we make our final recommendations. What we have heard in our travels — at this point in time, we have in time been all over the territory. We have had more than 6,000 people participate in the survey, and we have had lots of people send in information. We believe that this one last step is the step we need to do together to be able to come back with the strongest recommendations we can to this House, based on, what I would suggest, is going to have been a very thorough engagement process with the people of the territory.

We know that it's not ideal. This is the second time we are asking for an extension, and it turns out that if you want to do

this kind of work well, you really need quite a bit of time. We appreciated that first extension we were given last fall, and we are here again asking for another extension.

Again, this is us working on consensus. This is taking all voices from that table and coming together. I hope that we will get the support of the House, and I thank you for the ability to share where we are at and where we hope to go.

Hon. Mr. Streicker: I will just add a few thoughts to the comments of the Leader of the Third Party. I would like to also begin by thanking the members of this committee for the hard work and thanking Yukoners for all of the input that they have been giving us. I think we toured seven of the communities — so, lots — I will just run through the list in my mind: Haines Junction, Teslin, Watson Lake, Dawson City, Mayo, Carmacks, and Whitehorse, of course. So, lots of meetings in the communities — lots of feedback.

We had this great survey with lots of people providing information. But the one thing that we have not yet gotten to is that we heard from citizens, as we talked to them about a desire for a citizens' assembly — but on the first survey that we did out to Yukoners, which did get a great response, it was pretty lukewarm on that. We thought that if we went back out to Yukoners and gave them more background information, we would get a clearer idea of where things sat, and that would allow us to reach a consensus as a committee.

I would like to acknowledge that the committee has met — I think that it is coming up to 25 times — and it has met with a dozen expert witnesses, so it is a lot of work. We are very close with our report, except for that one question, which we would like to resolve, and what we would like to do is to talk to Yukoners to get that information.

So, I would appreciate the support of the House to allow us to do that work and to come back with a more informed report for the House.

Speaker: If the member now speaks, she 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.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

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

Speaker: The yeas have it.

I declare the motion carried.

Motion No. 530 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.

Committee of the Whole Motion No. 9

Hon. Mr. Streicker: I move:

THAT from 3:30 p.m. to 5:30 p.m. on Tuesday, November 15, 2022, Mark Pike, chair of the Workers' Safety and Compensation Board, and Kurt Dieckmann, president and chief executive officer of the Workers' Safety and Compensation Board, appear as witnesses before Committee of the Whole to answer questions regarding the operations of the Workers' Safety and Compensation Board.

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

THAT from 3:30 p.m. to 5:30 p.m. on Tuesday, November 15, 2022, Mark Pike, chair of the Workers' Safety and Compensation Board, and Kurt Dieckmann, president and chief executive officer of the Workers' Safety and Compensation Board, appear as witnesses before Committee of the Whole to answer questions regarding the operations of the Workers' Safety and Compensation Board.

Committee of the Whole Motion No. 9 agreed to

Chair: The matter before the Committee is continuing 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

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

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

Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Hon. Mr. Silver: Before we launch into today's questions, I did have a follow-up from yesterday. I was asked about annual reports for tourism and why the reports for recent years have not been posted to the Tourism and Culture website. So, I went up and curiously just searched on our website for annual reports for tourism and, right away, you get the answer to the question. They are now quarterly. We stopped doing annual reports in 2018, but if you take a look, the annual tourism indicator reports are listed, and right below it is listed as the "quarterly" and "monthly" indicator reports. The reason for the change that was done four years ago is based on data, basically — in a nutshell. If it is too late coming, then the data won't necessarily give the information out to the users — that they need it in a timely manner. That is why there was a change. On the website, the information has already been posted for quarter 2 of this year, and we expect that quarter 3 data will be released within the next month or so.

Mr. Kent: I know that my colleague, the Member for Porter Creek North, will appreciate that response from the Premier on the reporting for Tourism and Culture.

I am going to focus today, in the limited time that we have, on some questions with respect to Energy, Mines and Resources. The first topic that I wanted to discuss with the Premier is one that a lot of Yukoners are thinking about or talking about, which is the supply of fuel wood. The government has recently announced a couple of different subsidy programs: one for the consumer at a \$50-per-cord rebate, and another one for commercial harvesters at \$10 per cubic meter. I should step back — the consumer is purchasing from a commercial operation at the \$50-per-cord rebate.

So, I am curious if the minister can tell us the total budgeted amount for both of these programs. Obviously, they are not in the current supplementary. I would expect to see them in the supplementary for later on this fiscal year. I am just curious as to the cost per program — the amount of resources per program — that the government has allotted.

Hon. Mr. Silver: Again, a lot of those numbers are going to flow in as these programs get accessed and used. A little bit of background to this — the firewood situation is a top priority, and we are doing everything we possibly can to secure and to expand access to timber, looking at every option to support the forestry industry and to access those sources of firewood for Yukoners, not only this winter but moving forward as well.

As the member opposite mentioned, we have launched a timber harvest incentive for registered Yukon timber harvesting businesses for \$10 per cubic meter of timber harvest sold between April 1, 2022, to March 31, 2023 — so, retroactive to

last April. The timber harvest incentive will provide immediate and direct supports to registered businesses and, of course, if folks are looking to get more information about that, all of this information can be found on yukon.ca.

Of course, this is just one-half of the incentives that the minister has put forward, and we are hearing positive feedback from industry about this incentive.

Now, given the high price of fuel wood, we launched a fuel-wood initiative as financial relief for Yukoners buying fuel wood — firewood to heat their homes — so Yukoners can also receive a rebate of \$50 per cord of firewood up to a maximum of 10 cords. Most information on eligibility and application requirements also can be found on that website — yukon.ca. Yukoners interested in harvesting their own firewood can apply for a free permit to harvest up to 25 cubic metres — 11 cords — of firewood for personal use.

Although a significant volume of fuel wood is under active permits, some of the wood is challenging to access, as we have heard in debate in the Legislative Assembly, or is not economically viable. Working with the producers to make sure that we are getting them into places where they can operate to find better areas of harvest is extremely important to the department. We are working with industry and also with the Yukon Wood Products Association to help to expand timber and to move firewood to market.

The minister and the team at Energy, Mines and Resources have met with the Liard First Nation. They have met with local operators — again, the Yukon Wood Products Association in Watson Lake — to identify new harvest areas and begin planning for a more sustainable wood supply in that region.

The estimates of costs — for the consumer rebate, we are estimating that we would see this come in at around \$500,000 or \$510,000. For the supplier initiative, we have put aside \$300,000 for that initiative.

Mr. Kent: I appreciate those numbers from the minister. We will, obviously, look toward the end of the season to get a better sense, and then we will circle back with the government at that time to see how much the cost came in — whether it was over or under that budgeted amount.

With respect to the \$10-per-cubic-metre subsidy, one of the harvesters that we heard from was curious as to the rationale for some of the exclusions that were part of that, whether it was government contracts — or, I believe, there is an exclusion for harvesting on First Nation land. I am hoping that the minister can explain to us what the rationale was for those two exclusions when it came to developing this program.

Hon. Mr. Silver: There's lots of information coming in as to how we develop all of our different types of incentives, whether it be for fuel wood or other initiatives here to help to make lives more affordable for Yukoners. As we were developing this program, the harvesting opportunities in some areas — for example, Fox Lake, where fuel-wood harvesting had been focused — had ended. There had been no recent fires near Whitehorse that would have created new, readily accessible fuel-wood supply as we came up to taking a look at opening up different areas.

And then, of course, with inflation — also an extremely important variable as to how we design this program. A portion of firewood burned in the Yukon is being harvested as well, as the members opposite know, in a northern part of British Columbia. We are not only looking just in Whitehorse, but also in other areas as well.

Industry is extremely experienced in helping us to develop programs, so we did work alongside them, knowing the current situation that we are in. Again, we are relying very heavily on that Blue River burn that is in northern BC, just south of us. It's about 20 kilometres south of our border along the Stewart-Cassiar. That burn crosses the highway and has good access to optimal terrain as well as economical timber. Now, timber from this burn is closer to the Whitehorse market than timber in the northern and eastern areas of Watson Lake. I know that, in past years, Yukon operators imported a significant portion of fuel wood into the territory from here.

When taking a look at, first and foremost, how we are expanding opportunities to increase harvest areas permitting — a significant amount of firewood, developing new commercial and personal harvest areas throughout the territory — a lot of work and planning goes into that. We are listening to industry, workers, and harvesters in each of our communities to understand the concerns and to find suitable wood for their operations. Again, a lot of the work that we do is based on the work that we have done with the Yukon Wood Products Association, helping us to move firewood to market. That's extremely important work.

With specifics to which areas we are going to be permitting, all wood within timber harvest permitting areas are eligible for incentives under the Yukon licensed businesses part of this rebate.

Before I cede the floor, I will just mention again the important work that we do with the association — building and upgrading forest roads to expand access to timber, and connecting harvesters with commercial purchasers and fuel-wood suppliers. We are meeting with British Columbia officials, as well, to address the permitting issues there — permitting operators in Quill Creek and starting the work on the firebreak and also identifying sources of previously harvested wood to be moved to market.

Mr. Kent: Just so we can get back to the individual who reached out to my colleague from Pelly-Nisutlin, I am curious about the rationale that the government used when designing the \$10-per-cubic-metre subsidy program to exclude government contracts and also exclude opportunities to harvest on First Nation land. Just so we can get back to this individual, I am curious if the Premier can answer that question — so we can provide an answer to this individual who reached out to us.

Hon. Mr. Silver: I am actually not aware of any exemptions to the initiative program. If the member opposite can pass along that contact information, we will work directly with them. Otherwise, we can get back to the member opposite after the department looks at Hansard.

Mr. Kent: I believe it is in the news release that was put out with respect to this program — that there were those exemptions for wood harvested for government contracts or

wood harvested on First Nation land. I don't have the news release in front of me, but I will see if I can track it down and, perhaps before we finish up here this afternoon, I can quote that for the Premier.

One of the other questions that I had with respect to the wood supply — the Premier mentioned that the government is looking at other options for expanded timber opportunities. I think he mentioned the southeast Yukon and working with the Liard First Nation. I am wondering what the Premier can tell us about other opportunities. I know that the Whitehorse and Southern Lakes forest plan was finalized almost three years ago — two years ago, anyway — so I am curious if there are any opportunities for harvesting, either if there are any standing dead wood opportunities there or green wood harvesting opportunities.

In speaking and debating with the Minister of Energy, Mines and Resources on the *Clean Energy Act*, we talked about the priority of that plan, which was to identify harvesting areas within that planning region. So, I'm wondering if the Premier can give us an update on working on that specific priority to identify harvesting areas in the Whitehorse and Southern Lakes area.

Hon. Mr. Silver: So, when it comes to any of the forest resources management and the planning therein from the Department of Energy, Mines and Resources, the work is extensive and collaborative — working with First Nations, with forestry industries, and, also, as I mentioned, the Yukon Wood Products Association — to identify timber harvesting and to provide wood supply for those commercial operators.

Through the forest management planning, we created short- and long-term timber supply for firewood and also wood products while incorporating other important landscape values, such as wildlife habitat and heritage. We know that it's essential to have that timber supply that's economically viable for now and also in the future. That planning is an extremely important process that the department undertakes with its partners.

Now, currently, all Yukon communities accessible from highways have access to fuel-wood and sawlog harvesting areas, and new areas are being planned right across the Yukon. Seasonal restrictions ensure that fuel-wood harvesting does not overly affect wetlands, forest soils, seasonal wildlife habitat, or even increase the risk of fires. Now, we have the contract that we had mentioned before for Quill Creek for fuel break that has been issued. Construction has begun. The work should be completed by March 1 of the next year. We did amend a permit in Quill Creek to allow for the use of a central processing area during low fire conditions. This will allow the licensee to produce and to haul the timber year-round that is harvested from winter-only cutting areas. That's extremely important.

We are working to develop more areas that can support summer harvesting, and we work directly with harvesters to find areas that can support their businesses. In addition to new planning areas, we have extended forest resource roads and expanded existing personal-use harvest areas to ensure that there is made available access to timber supply right across the territory.

Just to get back to the member opposite on the eligibility criteria, what is not eligible would be timber harvested under a Yukon government contract, including, but not limited to, fuel abatement projects, land clearing, right-of-way establishment, or maintenance and campground wood supply — that would be obvious why. Also not eligible is timber harvested on mining claims; timber harvested on agricultural lands, like agreements for sale or lease; timber harvested on settlement land; or harvested on private land — so, commercial suppliers who purchase timber from a commercial timber harvesting business and re-sell the purchased timber as well. So, I think those are very fair stipulations, as far as where you can and cannot, on certain lands, go ahead and harvest without the right of the proper authorities.

I don't have too much more to add for the member opposite when it comes to other potential opportunities, but I do know that in planning new areas, they have extended, as I said, those forest resource roads to expand existing personal-use harvest areas, but when the department is ready to announce other areas, I am sure that they will do that in a timely fashion.

Mr. Kent: The Premier read out — it wasn't actually in the news release, but it was part of the link from the news release that took you to the eligibility requirements, and what is ineligible. So, the Premier mentioned the ineligibility, so I guess, again, just looking for a response that we can get back to this individual with is: What was the rationale used to make timber harvested for Yukon government contracts ineligible? That is the question that this person involved in the industry had for us, so I was just sort of hoping that the Premier can give us an answer on that.

I will just ask a couple more questions to close out the forestry and wood supply part of my questions. There was an area close to Johnsons Crossing that was identified a few years ago for harvest, and then went through YESA, and the YESA process recommended that project not proceed, but in subsequent discussions on the floor of the House with the current Minister of Energy, Mines and Resources, he had mentioned some discussions going on with the Teslin Tlingit Council about that area. So, I'm curious if the Premier has any updates for us on that Johnsons Crossing fuel harvesting area. It was an area that would have supported a small mill operation in the Whitehorse area, and which has subsequently had to close its doors, or severely curtail any of the activity they have been doing.

Then, one other question with respect to the harvesting subsidy program — I believe it was in the media after we talked about this on the floor of the House in Question Period one day. The minister mentioned that wood harvested in British Columbia was eligible for this, but I think — just to paraphrase it — I believe he said there were only certain parts. So, I'm just curious where those lines are drawn on — those invisible lines are on the map, for which areas of BC are eligible for this harvesting subsidy, and obviously, which ones are not eligible. Where is that line on the Alaska Highway, and where is that line on Highway 37 that wood is eligible and then not eligible? So, there is that; there is Johnsons Crossing, and a rationale for

making wood harvested under a Government of Yukon contract ineligible.

Hon. Mr. Silver: Some things, from my perspective, look obvious, as far as why somebody can't harvest without other permits. I would have to ask the member opposite if there is a specific case, if he could share that information with me, so we can get the answer to that specific question. If there is a particular contractor he is working with, I would be happy to look into that specifically and take a look at why somebody wouldn't be able to access.

Again, from the parameters that I see, these are pretty self-explanatory as to why there are certain areas where timber could not be harvested — like, for example, on private land.

Looking at all commercial harvesting opportunities in the Yukon, a lot of work goes into the planning of those areas, requiring the harvesting licences and the cutting permits. Before an authorization is permitted, there is a legislative process and timelines that include approving a timber harvest plan.

We are working through all that system. When it comes to southwest Yukon — Haines Junction and the Quill Creek timber harvest plans — Quill Creek reopened for timber harvest in October of this year. We talked a bit about this already earlier. Restrictions on harvest timing in this area come from terms in the environmental assessment decision documents to address that fire risk and seasonal road conditions as well.

There have also been situations with high moisture in certain areas that prevent vehicles from accessing these places during frozen conditions, but we are working on a fuel break to allow for more summer harvest blocks and year-round timber hauling in that area, based on what we are seeing, as far as the land that's there.

Also, along with that, there was a contract for a fuel break design and fire modelling. That was issued in June, and it was completed in September. In October, we engaged with Champagne and Aishihik First Nations, the Alsek Renewable Resources Council, and the St. Elias Firearms Association on the design there.

One last thing to say there: The contract to construct the fuel break in Quill Creek was issued in October of this year, and construction has begun, as I mentioned before. So, that's good to know. The Forest Management branch is working with Wildland Fire Management to explore options on fire season restrictions for commercial harvesters as well, so there's more to come on that.

We have amended, as I said, the Bear Creek logging permit to allow for the use of central processing, so that's good additional information for the member opposite.

Up in Dawson, we completed the Goldfields timber harvest plan near Dawson, and this provides opportunities for both personal and commercial firewood — about 19,000 cubic metres, roughly 8,400 cords of fire-killed spruce — so, there are two new harvest plans under development that will provide additional fuel wood and sawlog opportunities in the Dawson region. There are also new personal-use firewood areas in the Dawson region as well, which is good to see.

In southeast Yukon, there is a multiple approved timber harvest plan in the southeast Yukon with approximately 30,000 cubic metres of timber volume available there. The department has heard from the large operator in the district that the timber profile in the available blocks was of concern, not necessarily economically viable, so a new cutting permit was issued to the operator just a little, short while ago in October — October 21 — so, we are continuing to plan for new areas for the operators as well.

Through field work and meetings, department officials were working with the local operator, the Liard First Nation, and also the Wood Products Association to identify short-term and long-term harvest areas there. We do know that the Liard First Nation has approached the Government of Yukon to help identify potential options for areas to harvest to provide fuel for citizens for the winter under their aboriginal right. The Forest Management branch staff are travelling to Watson Lake to assess the possible options. Much of the firewood in the Yukon is harvested, as folks know, in northern BC, and this year, operators don't have the same amount of access to that timber, so are looking for these other options.

When it comes to the Teslin area, we are working with the Teslin Tlingit Council to implement the Teslin timber harvest plan. This area will provide fuel wood and sawlog opportunities in that region, so available timber supply supports the Teslin Tlingit Council and also the Village of Teslin to feed their 13 biomass boilers, and also to provide heat to several of the buildings.

Whitehorse and the Southern Lakes area management plan is underway and will focus on balancing the need to harvest timber within the Yukon's most populated region with the values of community wildlife protection and the preservation of important caribou wintering harvests as well.

When it comes to that implementation agreement that was signed by Kwanlin Dün, the Ta'an Kwäch'än Council, Carcross/Tagish First Nation, and the Government of Yukon in February of this year — so that is an extremely important opportunity as well.

I will just say, as well on this, that the last phase of this project — the Copper Haul Road north fuel break is currently going through the YESAA process there. There's a little bit of background on the opportunities there that are presenting themselves this year and the work that the department has been doing with the associations.

So, to be clear, the minister had said that the harvester needed to be a registered Yukon business, so there is not a concern, necessarily, where the wood comes from. Any permitted area in British Columbia will suffice.

Mr. Kent: I appreciate that. To sort of circle back in the Teslin area, the question that I was hoping to get a response to was with respect to that parcel in and around Johnsons Crossing that went through YESAA, and then YESAB sent a recommendation that it not proceed, and the minister had indicated that there were some ongoing discussions with TTC about that. We are looking for an update on those discussions.

The Member for Pelly-Nisutlin — the MLA for the Teslin area — has just sent a note to me, and he wanted to find out

why TTC was told to stop providing heat from biomass to the Teslin school. I believe that was last week, so I am wondering if the Premier has a response to that as well.

Hon. Mr. Silver: Other than what I said about the Teslin part — where they are working with the Teslin Tlingit Council to implement the harvest plan and working with the Village of Teslin — I don't have any update as far as how that is going, nor do I have any information about a stall on biomass, but I will endeavour to get the answers for the member opposite.

Mr. Kent: With respect to the ineligible timber under the harvesting plan, I appreciate the Premier saying that as long as you are a Yukon-based business, you can harvest anywhere in British Columbia and bring that wood north. I think that is what he mentioned about there being no line on Highway 37 or the Alaska Highway where you are no longer eligible. So, I appreciate that response.

Then, with respect to the government contracts, there was a concern raised with us around the supply of campground wood. My colleague, the Member for Pelly-Nisutlin, who heard from the individual who has concerns, will send an e-mail to the Minister of Energy, Mines and Resources about that and the rationale so we can get back to that individual.

I did want to pivot to some mining questions, with the limited time we have left before witnesses arrive here later. The first topic that I wanted to discuss with the Premier is the status of the collaborative framework, which was a commitment made to the Yukon mining industry to take a look at timelines of reassessments around YESAA assessments for mining projects. That commitment was initially made back in, I believe, 2017.

Last year, we found in one of the briefing binders that the Council of Yukon First Nations and the Yukon government sent a joint letter to the federal minister, asking to take a look at YESAA. The response that came back from the federal minister was favourable to it. Again, looking at timelines and reassessments on projects, I believe that in the fall of 2021, according to that briefing note, there was to have been a meeting where this was discussed. I'm looking to get a sense of where the government is at with respect to the collaborative framework, or the YESAA reset MOU, or perhaps this letter that was sent to the federal minister and the response and any subsequent work since then.

Hon. Mr. Silver: So, in general, the YESAA oversight group is a joint effort between the Government of Canada, Yukon, and also Yukon First Nations to work together to define deficiencies and ongoing improvements to the YESAA process. We have heard the members opposite call it "red tape". We don't agree that YESAA is necessarily red tape. It's an important part of the *Umbrella Final Agreement* — where it got its loans from.

The oversight group has made progress in identifying a targeted amendment, as the member opposite talked about, to the *Yukon Environmental and Socio-economic Assessment Act* to address the issue of whether an assessment is required when a project's authorization is amended or renewed. That issue has a huge history to it that I won't get into. The oversight committee approved a consultation plan and a work plan for advancing this amendment.

Phase 1 consultations of the concept of the proposed amendments are currently underway. An engagement workshop with industry and First Nations was held just a couple of weeks ago, on October 25, and another one is planned shortly, actually — it is starting tomorrow.

We have raised amendments to the YESAA activities list regulations as possible next projects to the oversight group to advance. We are expecting that the oversight group will facilitate, review, and continue to work with the YESA board to advance further improvements to that process. The oversight group — I'm going to catch folks up from the summer here — met on May 4 and approved the work plan and consultation plan for the concept of proposed amendments regarding assessments and amendments and renewals, as well as planning for the upcoming YESAA forum. That was, of course, in May when they did that planning. They met at the end of the summer, on September 7, to continue to advance work on the assessment and amendments and renewals, as well as the YESAA forum.

At that time, Council of Yukon First Nations brought forth regional land use plan conformity checks to the oversight group, and the oversight group members asked that the technical working group do a scan of where the conformity checks issue is being discussed and make recommendations on whether to further work through the OGs, as we like to call them — the oversight group. So, that work went on in the summer.

There was a technical working group that was there, supporting the representatives, and again, these representatives are from the Government of Yukon, Canada, and First Nations. The Council of Yukon First Nations determines two of those four people. So, in those workshops with industry and First Nations — working on targeting YESAA amendments to address the assessment of amendments or renewals. That was kind of the planning work that went into the October meeting and the meeting that is going to be happening tomorrow. This oversight group is targeting early in the new year to advance a recommendation to the Minister of Northern Affairs on a YESAA amendment.

Mr. Kent: Hopefully we have time before the end of the Sitting to catch up and ask some more questions with respect to that specific YESAA amendment that is going forward and is in early-stage consultation right now.

Madam Chair, seeing that we have witnesses who are arriving at 3:30 p.m. and 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

Chair: Pursuant to Committee of the Whole Motion No. 9, adopted earlier today, Committee of the Whole will receive witnesses from the Workers' Safety and Compensation Board. In order to allow the witnesses to take their place in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

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

Appearance of witnesses

Chair: Pursuant to Committee of the Whole Motion No. 9, adopted on this day, Committee of the Whole will now receive witnesses from Workers' Safety and Compensation Board.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses. I would also ask the witnesses to refer their answers through the Chair when they are responding to the members of the Committee.

The Member for Whitehorse West, I believe you will introduce the witnesses.

Witnesses introduced

Hon. Mr. Mostyn: The witnesses appearing before the Committee of the Whole today are Mark Pike, chair of the Workers' Safety and Compensation Board, and Kurt Dieckmann, president and chief executive officer of the Workers' Safety and Compensation Board. These two gentlemen are old hands at this, and I have had the pleasure of working with them for years during my tenure in the civil service.

The Workers' Safety and Compensation Board is committed to making our workplaces safer and better, so folks don't have to worry at breakfast whether that farewell to their family or their friends is their last. It is committed to zero entries in a year. That's the goal. It may seem like an unrealistic goal, but I have heard that argument before, and the response is simple. Look around the room. Whom are you willing to sacrifice? Zero must be the goal.

The board — this institution — is dedicated to safety first. That's job one — hazard identification and injury prevention. The board is also there to compensate those injured on the job. If you are a worker injured on the job, you are eligible for assistance, absolutely and completely. Let me repeat that. If you are injured on the job, you are eligible for compensation.

Finally, the board provides insurance for businesses so that when injuries happen, the resulting settlement does not bankrupt the workplace, depriving others of livelihood. It's elegant.

I look forward to hearing questions this afternoon about this important corporation from my colleagues in the House.

Chair: Would the witnesses like to make any brief opening remarks?

Mr. Pike: Thank you, Madam Chair. I am Mark Pike, and I am chair of the Board of Directors for the Workers' Safety and Compensation Board. I know I will get that name wrong a few times today. I am joined today by Kurt Dieckmann, who is our president and CEO. I would like to thank you for the opportunity to come before you today and participate in what we expect to be an informative discussion about the board, its business, and the culture of workplace safety in the Yukon.

The *Workers' Safety and Compensation Act* requires us to appear in this House on an annual basis. We are always eager for this appearance, because it provides us with the opportunity to talk about the work and duties that every member of our organization is proud to perform. It has been a long journey to arrive where we are today, a journey that began over five years ago, when our latest strategic plan was in development. It was during that process that it became clear that, for the benefit of all Yukoners, the *Workers' Compensation Act* and the *Occupational Health and Safety Act* needed to be modernized and harmonized.

During the fall of 2019 and early 2020, we conducted public engagement on behalf of the Government of Yukon. Throughout the engagement, we looked to our community and asked this simple question: What do you need? From the public open houses, written submissions, online surveys, one-on-one meetings, and external advisory group meetings, what we heard was loud and clear: our stakeholders wanted change. They wanted legislation to be clear, simple, and accessible. They wanted mental health to be treated with just as much weight as physical health. They wanted legislation to reflect and accommodate the diversity of Yukon workplaces and workers. We are proud of how Yukoners came together with such openness, honesty, and integrity to advance our territory's safety and compensation systems.

In December 2021, the Legislative Assembly unanimously passed the new legislation that supports the primary goal of preventing workplace injuries and caring for injured workers. The *Workers' Safety and Compensation Act* came into effect this summer on July 1. The new legislation aims to enhance worker safety, reduce workplace injuries, streamline the appeals process, and improve return-to-work practices.

With our new act, our name changed to Workers' Safety and Compensation Board. We would like to extend our heartfelt thanks to everyone for their work, support, and contributions to that effort.

Again, we are happy to appear before you today. We welcome any questions that you may have about our 2021 annual report, or any other aspects of our business. I would like to just note that, in our annual report — on the inside front cover — is a summary of our “Year at a Glance”, which is quite informative.

With that, I would like to thank you, Madam Chair.

Mr. Dieckmann: I don't have any statements to make, thank you, Madam Chair.

Ms. McLeod: Thank you, Madam Chair, and I want to thank the witnesses for joining us here today. I have had a chance to look at the 2021 annual report and have just a few questions for the witnesses.

So, in looking at the figures — and actually, I found the chart on page 1 to be quite handy and quite informative — thank you. So, in looking at that, there are a fair number of changes between 2020 and 2021. One of the changes is the total number of workers covered by WCB, and the number seems to have increased by 2,320 workers. Does the board have any statistics available to break down this number a little further —

for instance, whether they are public sector or private sector employees?

Mr. Dieckmann: Thank you very much for that question. We don't have a breakdown of the private sector and public sector employees.

The increases that we have seen are reflective of — really, increases in the activity in the territory, that's really all we know, but we don't have definitive numbers on how many people are working in the public sector and how many people are working in the private sector.

Ms. McLeod: Another big change is the increase in claims — and I think this is broken down a little bit — claims and open claims. I'm not sure what the difference is between those two things, so maybe the witness can explain that, but my question is whether or not the witnesses have any further information about what types of claims these might be. My question becomes, are these workplace injury claims, as we would traditionally look at them, or what percentage of these might be due to the inclusion of adding mental health injuries to the roster of acceptable injuries?

Mr. Dieckmann: I'll try to break this down to the best of my abilities. First of all, the difference between the types of claims, what we have in here: open claims are the total number of open claims that we have in the system. So, there are historic claims in there; those are some of the new claims that would have occurred in the past year, but it's the total number that we have of open claims. The figure of claims — 961 for 2021 — that is the number of claims that were filed during the course of the year, and they represent a wide variety of claims, both physical injury and psychological injury. Then, when we get to the accepted claims — 793 claims — that's the number of claims that were filed that were actually accepted for compensation. So, about 80 percent of the claims that come in are accepted. Of the ones that aren't accepted, some of them don't meet the criteria of occurring out of and in the course of employment. Others might be claims that came in where we didn't get any additional information to back up the claim, so maybe a worker didn't actually file a claim. We got a medical, and we got an employer's report of injury, but a worker chose not to file. So, that's the difference in there.

When it comes to the nature of injury, we are seeing slight decreases in the number of physical injuries. I would like to draw you to — if you want to look in the report — page 15, “Lost-time injury rate per 100 covered workers”. When you look at that, you can see that over the past 10 years, we have seen a decrease in the lost-time injury rate, and we are actually seeing slight decreases in the total number of injuries coming in, but on the psychological injury side, we did see increases — you know, going back to about 2014, we saw a spike in the number of psychological injury claims coming in, but that has levelled off. We get, on average, about 25 of those a year. So, the number of physical injuries has been declining; the number of psychological injuries has somewhat stabilized.

Going back to that “open claims” piece, what we are seeing is that the psychological injury claims are remaining open for longer periods of time, and that is having an impact on resources of the board — you know, the case management of

the claims. It's also having impacts on claims costs. The good news is that the lost-time injury rates are coming down, and we are seeing a change in the nature of injury.

Ms. McLeod: I thank you for that answer. I guess, when I'm looking at these numbers — although, of course, everyone wants to see less injury in the workplace; just these numbers — so, I'm happy for that explanation, because just looking at the numbers, it looks like there is an increase in the number of incidents, as well as the increase in deaths, which would be alarming as a stand-alone thing, but with that explanation, it clears it up for me somewhat.

So, there are 138 new businesses registered with WSCB. Can the witness give us any information about what types of businesses are starting up?

Mr. Dieckmann: We did see an increase in the number of construction businesses or companies coming into the territory and starting up. I would say that probably accounts for most of it — the mining, construction, heavy industry type businesses.

Year over year, it's kind of an interesting thing. We do have businesses starting up and businesses closing down. The churn is typically around 30 percent of businesses turn over in the territory on an annual basis. A lot of that is companies coming from outside the territory, doing work for a period of time, registering with us, spending a season, going out, not registering the next year; a different business comes in and registers. That is typically in the mining, construction, and consulting areas where we see that kind of churn.

Ms. McLeod: If I understand what you say, there may be more than 138 businesses that have registered, but some have dropped off.

Mr. Dieckmann: That is correct. It's really difficult to put a number on the new business start-ups that have remained as operating businesses in the territory, because a lot of the churn we get is transient employers coming through the territory for a season or for two seasons.

Ms. McLeod: It's my understanding that a new business has to prepay the WCB premiums when they register. Can the witness confirm that? We will start there.

Mr. Dieckmann: When a business registers with us, we ask for an estimate of their assessable payroll, and then we will charge them the cost of compensation based on that estimate that they provide to us. As we get closer to the end of the year, we will send out notification, asking them if they would like to revise their estimate. They can revise it up or down. If they were busier than they thought they would be, typically, they will revise it up and pay the remainder of the compensation owed for the year. Then at the next year, when they register, we will do a verification on their actual payroll for the previous year, and get the estimates for the upcoming year, and charge them the compensation based on that.

Some companies do choose to operate on their actuals, so that's usually the larger and established businesses that are operating year over year. With those businesses, we will set it up so that they can, on a monthly basis, report their earnings for the previous month and pay the compensation based on that, so

they base theirs on actuals. It really depends on the businesses and how they want to operate.

The other thing that we will do with some businesses, if they give us an estimate and then want to set up a payment plan, so maybe they want to pay quarterly, we will also work with them on that, so we really try to work with the business to meet their needs and set it up for their business operations to make it suit their needs, but we do ask for the estimates on the front end, even if we do set up payment plans.

Ms. McLeod: Where I was going with this questioning was that I had also heard that there was some kind of base rate, or something that was embedded into the rates that are due. I will just start there.

Mr. Dieckmann: If I understand the question correctly, it is: Is there a minimum compensation amount that people have to pay on? If that is the question, then yes, there is a minimum compensation amount.

Ms. McLeod: The minimum that is required — maybe you can explain to me how that works with, I guess, working with these businesses to see what works best for them, and whether or not that is dependent on the type of business.

Mr. Dieckmann: When we are working with an employer, the majority of individuals who employ people — well, actually, I shouldn't say the majority.

All people who employ other people have to provide us with an estimate on the earnings that the people who they are employing pay. If somebody is a proprietor — so they are not a corporation — a proprietor doesn't actually have to pay compensation for themselves. So, an individual who has a truck and a chainsaw and cuts wood doesn't have to register with the business, as long as they are a proprietor and they are operating, and not employing anyone.

With the proprietors, we ask them to estimate what their earnings will be. For some, that isn't easily done because, especially if they have just started out — we will ask them to give us an estimate, and, at the minimum, we are going to charge them \$150 for compensation in order to be able to register in the system. But we do want them to provide us an estimate and, especially once they have been operating through the year, to actually update that estimate.

The way that the policy that we have works is that, if they make an estimate that is significantly less than what they actually earn, we will only pay indemnity payments, or loss of earnings wages, on what the estimate that they gave us was, and what they paid compensation for. So, it is really in their best interest to make an accurate estimate of what their assessable payroll will be — or what they are going to earn themselves — so that if they do get injured, they are getting paid compensation based on what their actual earnings would have been.

Ms. McLeod: This is an issue that has been raised with some of my colleagues. I guess that the prepayment of WCB is kind of seen as a bit of a detriment to someone who is starting out in business because start-up businesses don't have a lot of cash to pay out. What can the board do to make things easier for start-up businesses?

Mr. Dieckmann: What I would encourage any business that is starting up to do is to have a conversation with the

assessment officers and see if there is the possibility to set up a payment plan, because we do that with a lot of employers. We do it with new employers; we do it with established employers. I would encourage them to have the conversation with the assessment officers and see what can be done, because we do really try to tailor to the unique needs of the individuals.

Now, if we do have a history with a business where we have set them up on a payment plan and they haven't paid — they don't stick to what the plan is — then we are going to require them to pay the full amount up front, but that is generally once we have an established history. Our outstanding unpaid assessments are extremely low. Most people do pay their assessments, and we have very few that actually go to collections.

Ms. McLeod: I thank the witness for that.

I want to talk a little bit about the funding position. Of course, it's noted — and we all know this — that the policy requires that WSCB maintains a funded position between 121 and 129 percent of total liabilities in order to provide rate stability and ensure the stability of benefits for workers. I see that the board reported a funded position increase from 132 percent in 2020 to 143 percent in 2021, so I'm wondering what the projection is for 2022, given the board's desire to get that number down to their optimum funded position.

Mr. Pike: The numbers quoted are obviously right out of our report, so there's no argument about those. In the current market, we are around 124 percent. As any of you know who have investments in the market, since January 1, life has not been that good. I am just picking round numbers here, but the value of our investments has gone down by \$20 million-plus, so right now, we are sitting right in the range. I think it's at about 123 or 124 percent. In and of itself, the market — if you want to call it a problem — has cured the problem. I would much rather it had not happened, but that's where we're sitting right now.

At this point, the board is not looking at any further action as a result of that. We will just have to see how the markets play out over the next periods of time.

Ms. McLeod: It's good to hear that. Yes, I know the pain. In fact, I was going to hand my money over to you, because I see that you are recording a 12.7-percent increase in your investments, so good on you.

So, those are the current markets. We understand, of course, that investments are taking quite a blow from that.

What is the current rate of inflation? What is the net effect of that on the rates for the businesses and your funding position?

Mr. Dieckmann: That's a really good question. As our chair pointed out, we are currently in our range and at around 123 or 124 percent. That is actually looking at it from the lens of our benefits liability at the end of last year. We don't actually know what our benefits liability is going to be, calculated for 2022. We typically will see a fluctuation of one or two percentage points over the previous year. But when you add inflation into that — inflation is running at around a seven-percent annualized inflation rate. That actually has an impact on our benefits liability going forward, so it could

increase our benefits liability if inflation remains as high as it is, so there could be a downstream, long-term negative effect.

On a one-year basis, the effect shouldn't be too dramatic. As I said, we may see a one- or two-percentage point shift in our total liabilities, but persistent inflation does have an effect on our funded position. If our funded position does fall below our target range, then we do get into a position where we have to start surcharging on the rates, so it does have an impact on the rates.

Our current rate is actually subsidized because of the high funded position that we have had previously — so, in 2020 and 2021 — and the rates that were set for next year were based on our funded position at the end of 2021, so they also have a subsidy built in to them.

So, going forward, if our investments remain within the current range, then the board may have to start to remove those subsidies, so there could be impacts on the rates down the road.

Ms. McLeod: So we can anticipate that rates will remain somewhat stable over the next year — if I'm hearing you correctly. How will you inform the businesses and organizations that are paying these rates? How much lead time will you give them, or how will you keep them informed as to what's happening with their rates and the board's position?

Mr. Dieckmann: I will start, and I will let our chair add to it. I'm sure that he will have pieces he would like to add.

We're actually starting into our audit cycle now. We run on the calendar year so, as of December 31, we will start closing our books. By April of next year, we will have produced an annual report, and I know that you all will be eagerly awaiting that — to pick up the report and read through it to see where we are.

After the release of our annual report, we have our annual information meeting. At the annual information meeting, that's where we give an update to all our stakeholders as to our status — where we are, where we were. At the end of the year, we give them an idea of where we are at that point in time. You have to remember that at all times, when you are looking at the financial information — or any information that we're providing — it is point in time information. So, if the markets do recover over the next year, we will be in a position to announce good news. If the markets continue in a downward trend, then there could be some challenges going forward, and if we remain within our funded position, that is actually the ideal place where we really would like to be.

But we do advise, in advance, where we are, and then we get into our rate setting, and generally, we are able to announce the rates for the upcoming year. By September or October, we try to get our rate announcement out for the next year.

Mr. Pike: Kurt stole all of my thunder, but essentially, we do try to use our best crystal ball and let the world know what the rates will be for the next year by September or October of the previous year. There is a lot of crystal ball gazing in there and a lot of balancing.

Just a comment — when you talk about whether inflation will stay high or not — inflation is a two-pronged sword for us. If it stays high, it increases our benefit liability, which means that we have to collect more money, but, in general, your rate

of return on investments should go up as well, because all of a sudden, you are getting three-, four-, or five-percent interest where you were only getting one percent before. So, you try to balance all of that, use your crystal ball, and set rates for the next year. We set the 2023 rate in September or October — I can't remember. Anyway, we are trying to do it ahead of time so that the business community has time to adapt and deal with that as one of the costs of running a business.

Ms. McLeod: I just have one further question, and then I'm going to turn it over to the Member for Takhini-Kopper King. When reading through the report, there are some programs in there that seem to have been created and/or led by WSCB. One of them is the Ironwomen running club, and there are various programs that are mentioned. I'm wondering if you can provide us with a breakdown of the costs of those programs.

Mr. Dieckmann: The Ironwomen running club — well, the programs that we have in the schools are essentially our staff going into the schools and providing those services. I don't have a breakdown of the costs. We could break it down by looking at the salaries of the employees who provide the service, the travel costs, and those kinds of things. I don't have that broken down, but I can get that for you if you would like that presented in the House.

Ms. McLeod: No, I'm not looking for you to break out those salary dollars. My interest was whether or not that was an added cost to your operations, and, of course, that means it is paid for the ratepayers, so that was my only question.

Mr. Dieckmann: Thanks for that clarification. Those programs — all of the training and education programs that we do in the schools are programs that we have developed internally. The running club was really a response to trying to help instill physical activity and mental wellness in younger female students — they are the target of the running club. One of our staff leads that. Then what we do with those types of things is that we work with the Department of Education and with the schools to set the program up and then help it be sustainable as part of the schools' own programming. Then we will go in and supplement.

With some of the other programming that we have, we actually have two education consultants who we employ — both of whom are teachers. When we're looking at programs like "Susie, the Safety Squirrel", for example, it is a program that is targeted toward — I believe that it is the K to 3 group. It is really about teaching kids about general safety. We have a program where we use Lego, and we discuss safety with them and we have them talk about what unsafe things might be and then use Lego to actually build out a scene and then explain to everybody in the class what that is.

So, the programs are designed and developed internally by our staff, in consultation with the Department of Education, and they are designed very specifically to meet the learning outcomes of the specific grades. We have programs that are delivered right from K through 12. It has really proven to be a valuable program, just for introducing youth — especially when we get into the high school ages and it is part of the Planning 10 program, helping them to understand that they do have rights when they are in a workplace and they do have

responsibilities when they are in a workplace. It tries to help teach them how to ask the appropriate questions and explore the hazards that they may face in different particular workplaces.

What it's really all about is trying to set students up for the future when they enter into the workplace and to give them a really good perspective on what "hazard assessment" means, and what they need to be looking for when they are going into a workplace. But even more importantly, I think, is how to assess the hazards just in life in general. One of the programs that we do have actually looks at safety online for younger students, so it's trying to teach them how to do an assessment of whether what they are doing online is actually safe behaviour.

This is programming that I'm really proud of and the board is really proud of the programming that we do there, because when we can reach out to youth and get youth thinking about workplace safety and safety in general, we really do believe that it will translate into safer workplaces downstream.

Mr. Pike: I just want to reiterate what Kurt has said. From the board's point of view, we believe strongly in education and in talking to younger people. It's all about prevention and, for sure, there is a cost to that. Obviously, we employ two consultants and have the costs associated with that, but we strongly believe that, in the long run, it will prevent injuries and prevent disabilities. Our record shows that, in fact, it's working. It's hard to be very specific about which items allowed our last high injury rates to fall, but certainly that's a program that we believe strongly in.

Ms. White: As per always, I welcome the witnesses and appreciate your attendance. I apologize about the metre away from us as I turn my back to face the Chair to ask the questions.

Just to jump right into it, looking at the numbers between 2020 and 2021, can you let us know if there have been any worker fatalities this year to date?

Mr. Dieckmann: Can I just ask for a clarification? Is it for fatalities this year or the year 2021?

Ms. White: It's published in the reports of 2022 — please.

Mr. Dieckmann: To date, we have not had any fatalities.

Ms. White: That is fantastic news, Chair, and I hope we continue that streak to the end of the calendar year. Unfortunately, I know three people who died in workplace injuries. It's a really big deal, and it affects communities, obviously, and families, and things like that.

When an incident like that happens, what sort of investigation takes place? By that I mean, how do work situations change, or how do safety practices get developed or amplified or changed to prevent incidents happening in a similar way in the future?

Mr. Dieckmann: Actually, I do apologize. We did have a fatality this year. It was not one that fell under our workplace health and safety. There was a motor vehicle crash that did result in a fatality. In that particular instance, we provide whatever assistance we can to the investigating agency, so in this particular incident, it was Transport Canada. We offer up

our assistance. We do attend the site. We collect evidence. We work with the RCMP.

In those instances, the RCMP collects most of the information, and we are there to assist. We do offer our assistance. Sometimes the federal agencies do take us up on it. If they don't have anybody in the area, they may ask us to gather certain bits of evidence; we will do that for them, and hand it off to them, but if they have investigators nearby, they will handle it.

When we do have a fatality that falls under the jurisdiction of workplace health and safety under our act, we do fulsome investigations. We also work very closely with the RCMP and with the coroner, because we all have certain things that we need to determine. Generally, the RCMP are the first ones on scene and will start the investigations. When we show up on scene, then they will hand it off to us, and we will work with them to exchange any information that they may have had.

Then we look at causation. We try to make a determination as to what the root causes were and what any contributing factors might have been to lead to the incident that caused the fatality. We also work with the RCMP on the front end, because they have an interest to see if there is any criminal activity. I am sure that all of you know that there is a section of the *Criminal Code* that does establish certain criminality on workplace fatalities and incidents. So, they'll have to make a determination as to whether or not they believe there is any criminal activity, and if there isn't, they will leave it to us to do the examination and to do the investigation.

Once we've gone through an investigation and we've determined what the root causes were, then what we do is take measures to inform industries of what our findings were. If we find that the workplace had not exercised in due diligence in trying to prevent the injury, we may lay charges; we may issue administrative penalties. There are enforcement actions that we may take, but the reality is what we're really looking to try to do is to provide information to the workplace, specifically, and other workplaces, to let them know what conditions existed to result in the incident and in the fatality.

When we do find that there are things that were not done correctly, we are very specific as to how to prevent it from happening in the future. If it's not as clear-cut, a failure of something that couldn't have been anticipated, then we might put out general statements to make sure that you examine equipment on a regular basis to determine whether or not there are any deficiencies or defects in the equipment. We will get that out to specific industries. Especially if we see mechanical failures that could happen on anybody else operating similar type equipment, we'll let the industry know what failed, where the failure was, and what they should be looking for.

Ms. White: Of course, we acknowledge the loss for that person's family. I was reminded by the incident when the witness said so. Looking at the report and understanding that we're nearing the end of 2022, what category has seen the largest increase in claims this year?

Mr. Dieckmann: So, I would direct you to page 14 and 15 of the annual report. While this isn't definitive, you can see where we are seeing the injuries. So, in 2021, you know,

"Contact with objects and equipment", there was an increase in there, and "Falls", there was an increase in that area. So, "Contact with objects and equipment" are struck by, struck against — they typically result in physical injury — breaks, lacerations, and those types of things. If you take it and then look at it in conjunction with the "Accepted claims by part of body affected" — you know, upper extremities; trunk is typically strains, like back strains, back injuries; the head is a bit concerning, when we start to see an increase in head injuries. So, when you look at "Contact with objects" and head injuries, you can kind of get a bit of a picture of what may be happening — people struck by and getting head injuries.

We haven't seen really major shifts in the types of injuries — the mechanism of injury. They have remained pretty constant. When you look at the numbers — I mean, these will fluctuate. You will see fluctuations of 20 or 30 injuries in a year — pretty common throughout our annual reports over time.

As I say, the one graph that I always like to point people to is the lost-time injury rate, because if you looked year-over-year, you would see — you know, go through a number of our annual reports — you'll see that some of these injury numbers are coming down, or have been coming down over the years. It's still the typical — slips, trips, and falls are one of the worst that we get, and time of year is really, really critical when it comes to those. Right now, it's horrible out there. I know, like right now, somebody is probably reporting an injury from slipping and falling. When we get this type of weather — and what I like to reiterate to people is there are things you can do. Proper footwear — the key to avoiding slipping in bad weather like this.

Where it gets really tricky is when we see people working at heights — working on roofs. They get up in the morning, they go out, and there is frost on the roof. Before they have tied off, they step on the roof, and they slip and they go off the roof.

One of the things that you will be seeing coming from us as an organization is that we are going to start to really key in on those areas where we know there are sort of time-of-year, climate-type injuries that occur, and start putting bulletins out and notifications to try to raise the awareness. We are really starting to dip into social media a little bit more. It is an area that we haven't explored in the past. What we are going to do is to address some of the things that we see. We are going to try to use social media to get more information out in a more timely manner, to try to prevent some of those time-of-year type of conditions that we know will result in injuries.

Ms. White: I guess when I was asking the question, it was less about maybe the category of injury, more so the claim area. So, looking at "Accepted claims by occupation", for example, and we have had previous conversations about different things, is there one specific coverage — industry that is covered — that has seen an increase? I know that, looking at the report, it talks about ages, trades, transport and equipment operators, and related occupations, but I imagine that is more than one insurance — workers' compensation insurance area. I am wondering if there is one particular industry or insurance coverage area that has seen an increase?

Mr. Dieckmann: The short answer is no, we haven't seen a marked increase, based on industry or industry group. When you look at the "Accepted claims by occupation", the only one that has a slight uptick is in the "Natural and Applied Sciences and Related Occupations". There are six additional injuries in that area, and that is probably just a reflection of maybe a slight increase in the number of people working in that industry, but we are not seeing — based on industry — real spikes in any particular industry, above and beyond what we have seen historically.

Ms. White: Just looking at that graph on page 16, it says, "Management Occupations". Well, they have doubled — 2020 had 12, and 2021 had 26. It is hard for me to imagine exactly what kind of workplace injury one would get in management occupations, but maybe the witnesses can help me understand what the doubling of that number might mean.

Mr. Dieckmann: Honestly, I can't tell you what would have resulted in the doubling of that — yes, going from 12 to 26. If you look at it from a percentage, it seems like a huge increase, but when you're looking at raw numbers, it can be a statistical blip. I can try to find out some more information and provide it back to the House, if you would like, but yes, "Management Occupations" is traditionally fairly low.

Ms. White: Although I do appreciate that answer, as a baker who worked on my feet doing physical labour and never had to see a chiropractor — it wasn't until I got an office job, where my chair ruined me to start off. One of the things about that section A, "Management Occupations" and that doubling, I agree that numbers alone isn't a big indication, but the sheer percentage is.

In 2021, there was still the work-at-home policy, I imagine, implemented by the Yukon government during COVID. There were concerns about some people's workstations and how they were being monitored. So, maybe I will just take this opportunity to veer into that. With the direction that the Yukon government had that folks were, in some cases, working at home, and now, in some cases, working from home in perpetuity, what role does WSCB play in ensuring that people's workspace at home is, for example, not going to cause management occupation injuries?

Mr. Dieckmann: Yes, the remote work is a challenge for us, as an organization. The act doesn't actually allow us to enter private residences to do inspections unless we have the permission of the homeowner, so it is challenging. The way we are dealing with it is through conversations with employers to find out what they have in place in order to ensure that the workplace is actually properly set up. I will use us as an example, because we do have some people who are working hybrid operations.

Through the agreement that we have, we ask the individuals to provide us with photographs of their workstations and workplaces. It has to be a separate workplace, so they are not working on a kitchen table. They have to have a proper office set up. They have to have the desks, and all those things have to be in the place. We ask them to provide us with a photo of their workstation, and part of the agreement is that

we can also go in and look at the workplace, if we do have any concerns.

So, what we're looking for is for employers to actually have policies and procedures around how they are establishing that work environment. The other thing that is really, really important for remote work is having regular check-ins with employees, because somebody working alone at home is working alone. If there are issues that could arise, you have to be checking on them on a regular basis. Case law is starting to develop in this area, where people who are working at home, if there aren't regular check-ins, an employer can actually run afoul of occupational health and safety legislation.

All the legislation across the country says that you need to have measures in place to check on people who are working alone who may be exposed to certain hazards. That's the approach that we have been taking. We have been looking at it from a policy perspective: what policies are in place, and are people following them? Are they actually checking to verify, prior to signing off on a remote work arrangement, that all the things are in place that need to be in place for the person to work safely? What is their method of checking in on people? How often? Have they done the hazard assessments, because that is a big piece of it?

If you are going to set up a schedule for checking in, you have to have actually reviewed the hazards, see what the risk of injury actually is, and then establish your check-in procedures, based on those hazards.

Ms. White: I thank the witness for that. When you mention policies and procedures about working from home, does WSCB look at those policies and procedures to make sure that they are in line with workers' compensation? How does that oversight work?

Mr. Dieckmann: In the course of an inspection of a workplace, we will ask what type of work is being done, where are people working. What are the policies and procedures that people have in place? Then we will do reviews of the procedures when we are on-site.

We don't ask people to send all their policies and procedures to us. We wouldn't be able to deal with that volume of information, so we do it through our inspection process. That's part of what we ask.

All employers are required under the act to have policies and procedures in place to ensure that the work that they do is done in a safe manner. Any employer that has over 20 is actually required to have a safety management system, so that's a very comprehensive safety program, essentially, that lays out a number of different things. It has policy statements on how you will protect workers, and it has to have sections on how you are properly training, how you are checking on workers, how workers have safe work practices and safe job procedures in place for ensuring that the work is done safely, and hazard assessments have to have been completed. Those are the types of things that we actually check on when we are doing inspections of work places to make sure those things are in place.

Remote work is now one of the things that we would be looking at if people have workers working remotely. We have

always asked about workers who are working alone, and it's getting people to understand that the remote work is, in fact, working alone and so that has to be included in the procedures that are established within the workplace.

Ms. White: I guess the reason why I'm asking that is that Yukon government is the single biggest employer in the territory, and I do know, from talking to folks, that there were injuries received while working at home for Yukon government. I wanted to know what kind of oversight there was to make sure that people's work spaces were safe and weren't going to hurt them.

The next question that this leads into is: What does the claim process for that look like? So, you are working from home — and, in the case of 2021, not necessarily by decision but by direction. Let's say that you get an arm injury. What does that claim process look like in that case — if you've been directed to work at home by your employer and your work space is not set up adequately?

Mr. Dieckmann: I will start by saying that the workers' safety and compensation system is a no-fault system. So, if you are working at home — you have been directed to work at home — and you sustain an injury in the course of your work while working at home, that would be adjudicated just as any other claim would be adjudicated. If it is found that it did arise out of and in the course of work, compensation is paid, return-to-work plans are made, medical is all provided, and all those things.

Generally, the claims process is fairly simple in that, if someone gets injured, the worker is required to report it to their employer. Within three days of being informed that there was an injury, the employer is required to report it to the board. The worker would go to their doctor. They would get a medical and we would receive the medical. It's the worker's choice as to whether or not they file for a claim for compensation. If they want to file a claim, they will fill out the worker's report of injury and send it in. We will go through the process of doing the adjudication. Really, it's no different than someone who is working alone on the side of the road or working alone in a shop downtown. The process for the adjudication of claims and acceptance of claims is exactly the same.

Ms. White: One of the policies — well, I'm not even sure I would call it a policy. But one of the directions that came out of the WSCB near the beginning of COVID was talking about accepting claims for receiving COVID while at work. There was the requirement of PCR testing, among other things.

Can the witnesses let me know how many claims were started, how many were accepted, and how many were denied?

Mr. Dieckmann: We did receive a number of COVID claims during the course of the "acute phase"— let's call it — of the pandemic. We received a total of 102 claims, and 102 claims have been filed to date related to COVID exposures. Of those 102 claims, 46 claims were accepted as there was a direct link between contracting COVID-19 and the worker's employment.

Overall, claim numbers were low — 102 isn't really a lot of claims. The impact of COVID on our system was significantly less than in other jurisdictions.

As we have moved out of the acute phase of COVID, and now that it is essentially a disease of life — it is endemic — it's really difficult to make a determination, in a lot of instances, if there was a greater chance that somebody would have caught it at work than they would have caught it just out in the public. It has become more like the flu or like the common cold. It is not something for which it is very easy to make a determination as to whether or not it is work related at this point.

Ms. White: I do appreciate that answer. That was actually something that we highlighted when the policy came out — the challenge of getting a PCR test within the right amount of time to be able to file the claim. As the Yukon government has just tabled their *Charting the Course*, which changes the government's response, is there still an aspect of the compensation board that will deal with COVID claims at work? If so, how will that happen knowing that — PCR testing — there is no longer a testing centre? If there is that in an ongoing way, what does that look like?

Mr. Dieckmann: I have to think about how to frame this. We are still receiving claims for exposure to COVID and for COVID. In order for us to accept a claim, we need verification that it is COVID, so there has to be some testing. We can actually arrange to have testing done. But in order for us to accept a claim, there has to be a greater likelihood of an individual contracting COVID through their work than there would be of contracting it in the general population.

An example that I could give is — if you had a flight nurse, for example, transporting a COVID patient down to Vancouver and who was in a tight area with them through that, the likelihood of the exposure having happened in the work environment is greater than, say, a nurse who is working on a maternity ward and isn't regularly exposed to COVID patients. So, claims are still being accepted for COVID, but it is becoming more challenging to make a determination as to whether or not it was directly arising out of, and in the course of, work.

Ms. White: I thank the witness for that answer. One of the accepted claims by event or exposure that is of concern to me, just looking at it, is assaults, violent acts, and harassment. Even though the number is down in 2021 — from 39 the year before to 33 — just the very nature of those incidents is of concern. When we look at that classification — assaults, violent acts, and harassment — is it industry specific? Do we see one industry reporting it more often than others? Are there repeat areas where we see these problems? How does the WSCB support people through that kind of incident?

Mr. Dieckmann: That's a really good question. It's one that I asked myself when I saw the numbers. There isn't a particular industry where we are seeing elevated numbers. We are seeing these types of injuries and these types of incidents in multiple industries. So, when we look at the assaults, for example, we are seeing that in a spectrum. We see it in bars, we see it in convenience stores, we see it in health care, and we see it in education. So, it's a broad spectrum. We see it in primary industries as well. There is no real area where we can pinpoint it and say, "This is a major problem."

We do tend to see probably slightly more when you get into health care than you do in other areas, but it isn't spiking in that area.

We do see it right across the board. As far as: How are we helping? As I have said earlier, the claims are looked at and adjudicated, as all other claims are. When we do have incidents — like violent incidents, where we have reports of harassment, where we have assaults — workplace health and safety does their investigations, and they will go into the workplace, and they will do investigations. They will make sure, as I have said earlier, that procedures are in place, policies are in place, that there are mitigation strategies in place, and then, on the compensation side, with a lot of these, especially when you are talking about things like assaults, you generally have two components to it. You will have the physical component — so you may have physical injury that arises out of it. Generally, that is pretty easy to deal with. You know, the physical injuries do heal, but we also, quite often, see the secondary injury, which is psychological injury, which is far more challenging.

What we do, is where there is the potential for psychological injury, we actually will do things like send people to see a psychiatrist or a psychologist or a service provider — send them to a multidisciplinary clinic for assessment before we actually — it manifests. If we can do that and we can get out in front of it, typically we can help the person to recover a lot sooner than if we don't know about it.

Where it becomes really challenging is when we don't get the reports until months after, and it does happen. Sometimes people don't want to come forward, and by that time, they are already suffering through some psychological trauma and psychological injury. Then it becomes a lot more challenging to deal with, but there again, when we have a report — if we get a doctor who says, we think this person may have PTSD, or may have some other psychological injury that falls under the DSM-5, we will, right away, get them to a service provider to try to get them treatment, even before we adjudicate the claim, because we want to try to get on them as fast as possible. If we send them out to a service provider and they start to get treatment, and then, later on down the road, we find out that it didn't actually occur, out of or in the course of work — so, we adjudicate the claim and find that it isn't a work-related injury — we still feel that it is beneficial to get that treatment started, because the person then has a path forward, even if it isn't a claim under our system. They have contact with service providers. They are starting to get treatment, and if it does end up being a claim, the faster that we are on top of it and get them to treatment, the better the outcomes are down the road.

Ms. White: I do appreciate it. I agree that the quicker we can have the intervention for folks — especially if we are talking about psychological injuries — the better.

In an August 29 *Yukon News* article, the byline says, “Workers’ Health and Safety Board has given the department until Oct. 7 to take corrective actions”. It says, “Yukon Education department flunks health and safety inspection”.

The article talks about: “The inspection report by the Yukon Workers’ Safety and Compensation Board shows the Education department is failing to meet legislation that requires

health and safety committee programs in schools. Those programs are legislatively mandated in 18 of the territory’s 36 schools.”

I was hoping the witnesses could give me an update on the October 7 deadline to fix this problem and to let me know where we are at, based on the report that the board did.

Mr. Dieckmann: I am reluctant to speak specifically about employers, workers, individual employers, individual workers, individuals in general. What I can tell you is, when we write orders — especially when we are talking about program orders, which are safety committee orders, or program orders, or if we write orders to develop procedures, if we write orders to develop a health and safety management system, we call those “program orders”, and while we put dates, that it must be complied with by a certain date, we are looking for the employer to get themselves into compliance. The first date is a reporting date, so let us know where you are — do you need more time? We will work with them, because these are the types of orders where we really need to work with employers.

In all instances, when we write these types of orders, there is a continuum of timelines that occur. We will expect progress over time, but when you are looking at a safety committee — especially things like ensuring you have monthly meetings, we ask to be provided with minutes for a period of time. We will generally ask for a year’s worth of minutes. We are looking for minutes for the meetings going into the future. If we put a compliance date of, you know — what was that one? It was October 7, but we’re looking for minutes out until the end of the year or into the next year; you can’t be in compliance until we have finished the amount of time to get all of the safety committee minutes.

From my understanding, speaking with the safety officers, they’re working with the department, and they are moving toward compliance.

Ms. White: I thank the witness for that. Just in the time we were sitting there, I found another article, dated in November, that says they have met that. I do appreciate it, but one of the concerns that we have highlighted, for example, from teachers within schools is how occupational health and safety works within a school, and how that’s able to direct different things. The concern, of course, is that in some schools, meetings haven’t happened, there haven’t been committees, and that work hasn’t been done. If we all take safety seriously at the core, we need to make sure that we’re following those processes.

This leads to another follow-up question: How often do you investigate government departments? For example, I just highlighted a report that came back saying that the Department of Education was failing to meet its obligations. How often are government departments investigated?

Mr. Dieckmann: I don’t have a timeline and I couldn’t give you a number on how often they are investigated. Government departments are regularly investigated — sorry, inspections are regularly completed on all employers in the territory, including government departments. Government is the largest employer in the territory, so they probably get more inspections than any other employers get, simply due to the

number of workplaces that they have, but I wouldn't be able to break it down by percentages as to what percentage of government workplaces are inspected on an annual basis.

As far as investigations go, that's a whole different thing. We regularly inspect workplaces.

If, in the course of doing an inspection of a workplace, we find that something has happened and hasn't been reported, or we find that there are things in the workplace immediately dangerous to life or health, or there are serious infractions, then in those instances, we do a deeper dive and actually go and investigate, and we start looking for the root causes and find out why those conditions are existing in the workplaces as they are. How often that happens is really a function of what our safety officers are finding when they are out in the workplace.

The other times when we will do workplace investigations is if there is a serious incident that we are made aware of — so, if there is a fatality or if there is a serious incident, as defined under the *Workers' Safety and Compensation Act*, we will go out and do investigations in those instances. I would say that government is not investigated any more in those instances than some of our other, larger employers are. There again, I don't have raw numbers, and I would have a difficult time sort of coming up with raw numbers over the period of time.

I can assure you that government is regularly inspected, and we do regularly go into government workplaces. The other thing that we do when we are doing inspections and investigations — well, inspections, especially — is we triage. So, when we have industries where we tend to get more injuries — higher risk industries — we will tend to visit those industries more than others. So, there may be some departments that get inspected more than other departments do. When we look at, for example, Highways and Public Works, we probably visit their work sites more than we would look at Tourism and Culture work sites. Those are just examples. Don't quote these as absolutes.

The reason being is that, when you look at the operations of Highways and Public Works, when they are doing highway-type construction, we are stopping at those workplaces. When we are going by and we see them doing roadwork — if we see that their signs aren't put up, we are stopping, doing our inspections, and writing our orders. We are doing those kinds of things, so I hope that answers your question.

Ms. White: Indeed it does.

The last time that the witnesses were here in this capacity was in November of last year, and it probably won't surprise the witness — and I'm hoping that we have some additional information when I'm going to ask about presumptive cancer coverage for wildland firefighters.

Partially there was a commitment made by the minister to look into it more and to investigate. We had a back-and-forth last year when I asked why the classification was going to go in the category that indicated — I will find it again. But I just wanted to know if any additional research has been done about presumptive cancer coverage for wildland firefighters.

Mr. Dieckmann: Yes, I was anticipating this question coming up, so I thank the member for the question. One of the things that I really want to stress — and I can't stress this

enough — is that a lack of a presumption does not mean that people are not covered. I really want to emphasize that. Any worker who gets injured out of, and in the course of, their work is entitled to compensation under the system. So, if a wildland firefighter gets cancer because of the work that they do, it is covered. So, I just want to be really, really clear about that.

What we are talking about here is a presumption. An example that I would like to give is — cancer coverage for structural firefighters was expanded to include prostate cancer, when the legislation was passed. We had already accepted prostate cancer in two firefighters before it ever became a presumption in the territory. I just want to be really clear that the presumption doesn't add protection.

Now, to get to the question, we have been monitoring the literature on firefighter cancers and looking at wildland firefighters. We have not found any additional information that would suggest that wildland firefighters are at any greater risk of contracting occupational cancer than what would be found in the general population. If we had real concerns about cancers within wildland firefighters, the first place that we would be going is looking at prevention.

The presumptive discussion is really a decision that is not made by us as an organization, but I really do want to emphasize that whenever we do see risk — areas of risk — that is something that we will act on. Then we really want to look at what is being done to prevent the injury from occurring. So far, we have been looking at it from both perspectives — is there any greater risk of cancer within this cohort, and, if there is, what preventive measures can be put in place to ensure that they are not getting any additional exposures that will cause additional cancers?

When the presumption was first introduced for structural firefighters, that was a big discussion that we had with the International Association of Fire Fighters. We all agreed that there were things that could really be done on the prevention side, and that was beefing up the use of SCBA — self-contained breathing apparatus — when attending fires, making sure that SCBA was available to all firefighters and that there was backup available so they never had to go into a situation where they were exposed to the chemicals because of a lack of personal protective equipment, enhancements to the turnout gear, enhancements to the cleaning of turnout gear — because one of the big things that was found with the structural firefighters was that when they were coming off fires, they didn't have separated dirty and clean rooms for their clothing. They were changing from their turnout gear into their street gear in the same place, and so they were cross-contaminating. They didn't have facilities for washing their gear and those kinds of things. Those were all things that we agreed needed to be beefed up, and we, as a regulator, put requirements in place and really went out of our way to make sure that those things were being done in fire halls. There is still work to be done in that area, but, for the most part, it has improved dramatically.

So, that's where we like to go first — what is being done on the prevention side. In our research, though, we have found that the risk of exposure isn't greater than for the general population. The other thing that we have found is that there

aren't any good solutions for improvements in personal protective equipment other than looking at things like self-contained breathing apparatus, and the best prevention that we have been able to find is to not put wildland firefighters into situations where they are going to be exposed to highly carcinogenic atmospheres.

So, when you are looking at operating on the wildland urban interface, that's where it becomes really problematic. So, if procedures are kept in place where wildland firefighters are working in wildland fire environments and not working in that urban wildland interface, they are not getting the same exposures that you would get as a structural firefighter to things like burning plastics, volatile organic compounds, and the types of toxins that have been of concern in the structural firefighting environment.

Ms. White: I thank the witness for that.

I will just bring back up that it was wildland firefighters who have brought this to my attention. It is wildland firefighters who have been dealing with cancer who have brought it forward, and it is wildland firefighters who have seen family members who are wildland firefighters die of cancer. It's in conversation, even in the Yukon, with wildland firefighters who have had a cancer that no one else in their family ever had and could be tied back to carcinogens, and are then trying to prove that it came from a particularly bad fire and have then been denied. So, it's based on experiences that people have had here.

Last year when we were talking about this — it is resource and transportation low. Last year when the minister did the full mail-out to industries talking about how high their rates were going to go — when I was just trying to get people adequate coverage — it was said that it was just going to be in the resource and transportation low area where there were going to be all the costs. It is an interesting one because, at one point, one of the witnesses said that some of the wildland firefighters are covered by government, so the government category would absorb those costs, and the First Nations Wildfire was actually covered under the resource and transportation low, but then both witnesses went on to say that the board of directors has the ability to look at it and determine where the liabilities should go.

It's interesting because resource and transportation low includes such things like adventure tourism and other groups. We know that the minister reached out, for example, to an aviation company and others, but it would seem to me that, when we talk about wildland fire — so if we look at this year's example, just lightning strikes cost nearly \$16 million to fight. Not that we have had a chance to have a conversation about Community Services yet, but I am hopeful that we will get there. A lot of those fires were along the highway, which means that it was near bitumen, which means that the fire was hitting something that I would say was an urban interface, in a different way.

I am here to put in the pitch that I hope that the investigation hasn't stopped as of last year. For example, we had a debate in this House about psychological injuries and PTSD and presumptive coverage. At the time, my colleague Liz

Hanson and I said that it needed to go further than just first responders, and we even listed others. We thought it should cover everyone. We didn't win that argument at that point, but here we are with presumptive coverage for PTSD, which covers all industries.

I guess my pitch is that I hope that WSCB will continue to look at it and look at how to make this possible. After having conversations with the firefighter unions, I know, for example, that Australia is looking at fully covering their wildland firefighters for presumptive cancers. Knowing that the actions we took last fall about expanding those presumptive cancer coverages are actually being adopted now, it is now just kind of spreading. We were at the beginning of that, and I still hope we have the opportunity to do that for wildland fire.

Do the witnesses have anything they would like to add? Otherwise, that is it for my questions today.

Mr. Dieckmann: I would like to assure the House that, yes, we are continuing to monitor, and if we do find reports and evidence that show there is an elevated risk, there are two things we will do. One is that we will advise the minister right away to ensure that the minister has the information that they need for this House to be able to make whatever decisions this House makes, because that is a decision of this House. It's not a decision of ours. The other thing that I can assure you of is that we will continue to push to see if there are additional preventive measures that can be put in place in order to reduce the risk. I am a strong believer that we need to protect and prevent first. Compensation is a downstream, negative effect of a failure to do what's right at the beginning, which is to ensure that workers are safe in the workplace. Those are two guarantees that I will make to this House.

Hon. Mr. Streicker: Thank you for the opportunity to rise and ask the witnesses some questions. I am going to try to follow up a little bit on the "presumption" question around wildland firefighters, and in particular, ask some questions about safety committees. Can I just start — in the annual report on page 15, where we are looking at the rate of, sort of, the change of lost-time injuries, and we see this year that it is lower than other years. Is the graphic in behind it the trend? That line — has it been trending downward over the last decade or so?

Mr. Dieckmann: Yes, that is a trendline that we have seen trending down over the last — this is 10 years in here, but actually, if you go back further, another five years, the lost-time injury rate was even higher, so that we have seen a steady downward trend in the lost-time injury rate.

Hon. Mr. Streicker: Later on, or somewhere else in the report, when I was looking at it — still, the cost of compensation is going up. So, even though the lost-time for injury is going down, there still are costs, and those would just be presumably because of the types of injuries that we are dealing with — or, inflation generally — that there are additional costs. I am asking the board whether that is their understanding.

Mr. Dieckmann: One of the trends that we are seeing is — we are seeing less physical injury — and the costs on those are — we are seeing them drop, but the psychological injury and the cost of psychological injury claims is on the rise. So,

they are offsetting some of the cost savings that we have been seeing on the physical injury side.

One of the things that a lot of people wouldn't recognize is that, when we have physical injuries — so, if you have somebody and they break their arm, and six weeks later, the arm has gotten better, they are back to work, and they are off the system — we may not see them again until 40 years later. Maybe there might be some sort of a recurrence that happens, and because of that, they needed a shoulder replacement or something. So, there is a long period of time when there is no cost associated with that claim, and with some of them, we would never see any cost associated with them again.

When we get into the psychological injuries, one of the things that you'll note, if you look at the "Year at a Glance", and "Open claims", with the physical injuries that occur — you know, they come on, and they come off, so that the open claims in there are really a function, a lot of times, of — you know, we had 700 claims this year, and 700 of them went on to the system, and 700 came off, because they all got better.

With the psychological injuries, what we're seeing is that we're getting, on average, about 25 of those a year. Those 25 are cumulative. Every year, we are adding 25 more of those claims on to the system, and they have costs that do go on for years and years and years. Even when somebody has returned to work, they still generally need counselling on a regular basis, so there are all of these costs associated with that. There are always medical costs associated with it that will carry on. So, we're seeing an offset in some of the — where we would have been seeing savings on the physical injury side, it's being absorbed by the psychological injury.

Hon. Mr. Streicker: I thank the witnesses for that response. Just before I move on to the safety committee questions I have, can I just ask — because when we were talking about presumption for wildland firefighters last year, there was this conversation about British Columbia and what their system does. I'm just wondering whether the witnesses have any comparison about how it is dealt with in British Columbia versus our set-up here in the Yukon.

Mr. Dieckmann: So, the environment that they fight fires in, in BC is somewhat different. They do actually action the wildland urban interface in BC, so they do have higher exposures. We do anticipate it will start to show up in the literature at some point. One of the challenges is that — you know, when you have small cohorts of workers, it sometimes takes a while for the information to catch up to the — like, for the studies to happen and for the information to become available, in order to be able to make sound decisions, but they do work in a different environment there than what we have been informed they work in here.

We have actually looked at the types of environments that they work in here. We have worked with the folks at Wildland Fire to get a clear understanding of what they action and what they don't, so there are differences in where they action fires.

Hon. Mr. Streicker: I thank the witnesses again for that. I have one more question to try to think this through: When the Member for Takhini-Kopper King was asking questions, she mentioned this category — I don't know if I'm getting the

language quite right — that wildland fire is part of the transportation low. I'm just wondering what is involved where Wildland Fire, or any group, how they're placed within a group or not, what it means about moving it, and how that happens, et cetera.

Mr. Pike: Just a comment first. I suspect that Kurt might want to add something to that, but if you look at the groups on our rate structure, the groups who are together are groups who historically had similar accident rates and similar cost structures. You know, you might look and say, well, they have nothing in common from a business perspective, but from our perspective, they're having the same sort of injury rates and the same costs. We, as a board, move groups around within that. If their cost structure starts to change dramatically, they could go up or down or to a different group, but the groups are based on what they historically had as a cost of injuries. That's how they end up lumped together.

Hon. Mr. Streicker: Just following up one step further, what would be the consideration if you were thinking about moving it? Would it be if you're seeing that the subgroup — in this case, maybe Wildland Fire — was not working the same way as others within that group, then you would consider moving it?

Mr. Dieckmann: So, the type of work they do isn't — while we try to keep, sort of, types of work closer together, it's not always possible to do.

It really is based on the cost experience that they have, and so, when we're looking at moving a group, what we do is we examine their cost experience in relation to the others in their group. If their cost experience has been going up — and the board never moves an industry right away. What we do is that we look, first of all, at the cost experience of an industry over a 10-year period. Based on the cost experience over a 10-year period, the board then classifies them based on who else has a similar cost experience over that 10-year period. Then what we look at is — if somebody's cost experience is moving in a different direction than everybody else in that industry, we will typically watch them for three years to see if it's a trend, and just to make sure that it's not one blip.

The other thing that the board does is, in looking at that cost experience, we look and see if there is a single, very expensive injury that happened during that period that we can pull out because it was an anomaly — and does that bring them back in line with the cost experience with the others in that industry? If that's the case, then we wouldn't move them. But, if we do start to see a trend and over three years we are seeing them really moving away from the cost experience of everybody else, then what the board does is they look and see — given the trajectory, who has a similar cost experience, or which rate group has a similar cost experience, and is it appropriate to move them into that rate group.

Sometimes, when an industry has gone offside very quickly and their cost experience is just taking off, the board may look at it and say that they belong in a higher rate group — but what we are going to do is that we're going to move them to an intermediate one first, give them another year or two to see if they can get their costs under control, and, if not, then

move them up to the next one. There's a lot of work that goes into this.

During that period as well, the administration works with that industry. We advise them well in advance that they are moving in a bad direction, the trajectory is likely to end them up in this rate group over here, and we will try to work with them at the industry level to introduce industry-specific safety programs to outreach to the various employers in that industry. If there is one employer who is driving it, we will really concentrate on them. That's how that works.

Hon. Mr. Streicker: I know that we only have a few more minutes and I probably will not get all my questions out, but I would just like to talk for a minute about safety committees. I appreciate what the witness said earlier.

I don't wish to ask questions about specific investigations, but I do want to try to ask some general questions about safety committees within the Yukon government. I wonder if they could just start by giving a bit of a description about what safety committees are, their purpose, and how well they are functioning from their experience.

Mr. Dieckmann: I can answer this in two ways. Do you want this answer or do you want this answer?

This is an area I can go on and on about, because safety committees are one of the things that I think is an extremely important part of the safety management system of an organization.

Basically, what the function of a safety committee is — they are the internal monitor of the performance of the internal responsibility system of an employer. No safety committee should function in a way that it becomes adversarial. You know, workers want this done, management doesn't want to do it, and they are not working together. It's about looking at how safety and performance within the organization are functioning and where there are areas that could function better, making recommendations to management. That's really what their function is.

One of the main purposes of it is to fulfill the worker's right to participate as well. Workers have three basic rights. They have the right to participate, they have the right to know, and they have the right to refuse unsafe work. Those are three basic rights. The safety committee is designed to help fulfill that right to participate.

If you look at our legislation, when safety programs are put in place, when policies and procedures are developed, when inspections are done, safety committees are tasked with participating in those undertakings to make sure that the policies that are developed are actually developed with worker input. When inspections are done, the workers have an opportunity to examine those inspection reports, participate in the inspections, and make recommendations based on what they see in the workplace. It is really designed to be a collaborative effort to manage and monitor workplace safety.

Where you see safety committees start to unwind and not function appropriately is when they become the safety cops in an organization — for sort of a way of framing it. When the safety committee takes the position that their job is to go around and do an inspection and then tell the workers what they have

to do, the committee doesn't function well. It really has an advisory role, and that is what it should be sticking to.

As far as Government of Yukon, we have examined safety committees in a number of the departments. We are finding some themes arising. One of the things that we have seen is that some safety committees have good terms of reference; some of them need to work on their terms of reference. It is really, really important for the employer to establish terms of reference for the safety committee so that they understand what their function needs to be and how they are to participate and provide that oversight of the operation of the internal responsibility system. That is one of the things that we have observed.

Another one that we have observed is that, in some organizations or in some of the areas of government, they are doing a really good job of having meetings, documenting the meetings, following up and doing those. In other areas, there could be some improvements in those areas.

One of the things that sort of stood out as we have been examining safety committees and looking at them in government is that I think there is starting to be a challenge with getting members to sit on committees. It could be for a variety of reasons. I am sure that COVID had something to do with it. I also suspect — and this is pure speculation on my part. One of things that we do see in government is that employees move around a lot. They will get seconded over to another area; they have a training opportunity and they go. So, they are on a committee and they move over to another position somewhere on a term or a secondment, or wherever they are going for a developmental opportunity — so now they are short on the committee, and it has taken a while to get those people replaced on the committee. If that happens one or two times, all of a sudden, you no longer have a quorum on the committee. You have to bring new people in and train them.

The union does play a role in that as well, because the union has an opportunity to appoint people. If there isn't a union representative within that workplace to realize that this is something that they should be bringing forward to try to get someone appointed to the committee, that can delay things as well. So, you start to see, all of a sudden, that the committee, where it had been functioning really well in the past, suddenly, you're down a couple of members, and it's not functioning as well, and then the meetings aren't happening, and then we come in and we write a bunch of orders to correct this, and then it will operate really well for awhile again, and then it sort of falls off. That's not unique to government. We see that in a lot of large organizations where people move around a lot. I do think that there is something there, but as I say, that's pure speculation on my part.

Hon. Mr. Streicker: I know I will only get one more question in, so I won't open-end it too much, but I will just ask about the compliance issue that was raised earlier. I think what the witnesses said was that now, once those orders come in, the safety committees are doing their work, but it would take a bunch of time until we meet the end of it, because it has to be for a window of time; however, are there any concerns that government is not following up with the recommendations that have been provided by WSCB?

Mr. Dieckmann: The short answer is no. Our safety officers, when they write orders, they monitor compliance. It would take us not doing our job, and the committee or the employer not doing theirs, in order for it to not get into compliance. Sometimes it takes longer, depending on what the orders were or depending on what was found. Sometimes it takes a little bit longer, and sometimes it happens really quickly. It really depends, but we do monitor it right through the process, until we get a final verification of compliance, and then we will close off the orders.

What you will see if you look at the orders that get written, especially around safety committees, is that the safety officers are asking for minutes from the safety committee meetings that extend out a period of time, so that they can continue to monitor until they are comfortable that the committee is functioning appropriately; so, they do come into compliance eventually.

Chair: Are there any further questions for the witnesses?

Hon. Mr. Mostyn: No, thank you, Madam Chair. I would like to thank the witnesses for their time this afternoon.

Chair: The witnesses are now excused.

Witnesses excused

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. 206, *Second Appropriation Act 2022-23*, and directed me to report progress.

Also, pursuant to Committee of the Whole Motion No. 9 adopted earlier today, witnesses appeared before Committee of the Whole to answer questions regarding the operations of the Workers' Safety and Compensation Board.

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 this 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 papers were tabled November 15, 2022:

35-1-76

Yukon Arts Centre Annual Report 2021/22 (Pillai)

35-1-77

Sixth Report of the Standing Committee on Rules, Elections and Privileges (November 15, 2022) (Mostyn)

The following written questions were tabled November 15, 2022:

Written Question No. 31

Re: Whitehorse Correctional Centre substance use issues and supports (Blake)

Written Question No. 32

Re: documents related to the Safe at Home Society's purchase of the former High Country Inn (Clarke, Y.)

Written Question No. 33

Re: Safe at Home Society's purchase of the former High Country Inn (Hassard)

Written Question No. 34

Re: Nisutlin Bay bridge project (Dixon)



Yukon Legislative Assembly

Number 97

1st Session

35th Legislature

HANSARD

Wednesday, November 16, 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

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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, November 16, 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 written questions

Speaker: The Chair wishes to inform the House of a change made to the Order Paper. The following written question was not placed on the Order Paper as it was not in order: Written Question No. 32, tabled by the Member for Porter Creek Centre.

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 in the Assembly today to welcome a number of individuals who are local business leaders and are here for our business anniversary tribute today. Please welcome, first of all, Joe Muff, founder of Alkan Air, as well as Wendy Tayler, CEO and current partner with Alkan Air, and Jeff Faulkner, chief aviation officer and current partner.

As well, from Riverside Grocery, we have Levi and Ella Commons and Leona Commons.

Could we give a warm welcome to everybody today who is here for the tribute?

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Riverside Grocery, Bean North, and Alkan Air significant anniversaries

Hon. Mr. Pillai: Mr. Speaker, I rise today on behalf of the Yukon Liberal government to pay tribute to three iconic Yukon companies celebrating significant anniversaries.

Riverside Grocery, just down 2nd Avenue from this Assembly, is celebrating 40 years of providing locals with healthy, sustainable food options. The store opened in 1982 and began as Whitehorse's first 24-hour business. Since then, they have become known for providing a variety of food items not offered at chain grocery stores. It is often said that if you can't find it at another grocery store, you can find it at Riverside — also memorialized by Yukon's own Speed Control, if you haven't heard their songs. In addition to conventional grocery items, they also carry a wide selection of organic, vegan, fair-trade, whole food, and speciality items.

Riverside Grocery remains a Yukon special staple and is an independent family-owned and -operated business. Three generations of the Commons family have worked in the store

and many of their employees have been working there for more than 10 years. I want to congratulate Riverside and the Commons family on 40 years and thank them for all that they have given to our community.

Mr. Speaker, the second company that I will speak about today is Bean North. The Yukon-based coffee roaster, owned by Michael King and Helen Voogd, has been operating for 25 years and I want to congratulate them on their long-standing success. Since 1997, they have provided the territory with great-tasting, fair-trade, organic coffee. Operating out of the Takhini valley just outside of Whitehorse, Bean North products can be found in Canadian coffee shops in British Columbia, Saskatchewan, and all the way east to Newfoundland.

It is excellent to see the Yukon being represented by a brand that demonstrates such care for their craft, and I thank Bean North for their commitment to quality.

Lastly, Alkan Air is celebrating its 45th anniversary. Founded in 1977 by Joe Muff, Alkan has provided a variety of flight services throughout its long history, and today it provides charter services, flight training, medevac flights, and more. Based at the Erik Nielsen airport here in Whitehorse, their expert staff are available around the clock, 365 days of the year, providing these important air services to western Canada. Alkan boasts a diverse fleet of aircraft and highly skilled pilots, ready for any challenges.

Again, I want to congratulate Alkan Air on 45 years of operation and thank them for continuing to provide the highest quality air service to Yukoners.

Congratulations to all of these excellent northern establishments on their milestone anniversaries.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize some Yukon businesses as they celebrate some incredible milestones. Alkan Air is celebrating 45 years this year, and we would like to thank you for those years of service.

We also recognize the three founders of this business: Joe and Win Muff and Barry Watson, who began Alkan Air in 1977. From humble beginnings, they turned what we have heard was a seasonal business into a full-service, year-round charter company servicing mining, tourists, and government clients. In addition to charter and ambulance service, Alkan Air offers a flight academy which provides high-quality aviation education with state-of-the-art equipment and an incredible staff.

Congratulations to the whole Alkan team, past and present — well done.

Three generations of a family-owned and -operated business, Riverside Grocery, is celebrating 40 years. A small, odd-shaped building with nooks and crannies and shelves laden with amazing products — organic, vegan, whole foods, and specialty products that are unique to this little store. This incredible shop has left such an indelible impression on Yukoners that there is even a song written about them by a local band, Speed Control.

Riverside has seen many changes over the years, but they are still best known as the little place with the best variety. Yukoners know that, for a trip to Riverside, you must have time to explore and enjoy the adventure.

Congratulations to the team at Riverside, and thank you for your years of service.

Bean North Coffee Roasting Co. is not only a superb service keeping those in the north caffeinated; it has worked to supply stores, cafés, and restaurants across the Yukon, right into BC, Saskatchewan, and even east to Newfoundland. They have done this for 25 years. They have had a great relationship with their coffee producers and farmers and buy at fair price. They donate coffee monthly to Hospice Yukon, the Guild Society, and Victoria Faulkner Women's Centre. Bean North also provides wonderful fundraising opportunities for Yukon non-profits to sell coffee throughout the year to raise money for their sports and organizations. Check out their café in the woods on the Takhini Hot Springs Road if you haven't done so.

Thank you to Bean North for your community support and incredible coffee and tea. Community businesses such as these three companies are what makes Yukon the best place to live.

Applause

Ms. White: I rise in behalf of the Yukon NDP to celebrate three incredible Yukon businesses on epic anniversaries.

You know, Mr. Speaker, most everyone will have a story to tell about Riverside Grocery, Alkan Air, and Bean North coffee, and I'm no different. I first discovered Riverside as a much younger person, and as a teenager, it became my landing pad. My friends and I would peruse the aisles for treasures for hours at a time because where else could you find an entire chicken in a can, dinosaur candy that dyed your mouth blue, and organic toothpaste at the same place? Well, Riverside, that's where. Leona and her dad, Jack, ran a marvellous ship. This family-run business opened its doors in 1982 and it has never looked back. Leona and her husband, Pat, carried the torch as the store evolved and grew with the times and their three kids. Today, this gem is being steered by the third generation as Ella and Levi have taken the helm. They support companies whose values they share — companies based on community with ethical and environmental practices, often with an eye on zero waste. Even though I haven't seen one of those blue dinosaurs in a really long time, the wonders of the store will never cease to surprise, amaze, and delight me.

Alkan Air does a lot of amazing things, but I know them best as the company with the ace pilots who could land in the very worst conditions out at Wolverine Lake. The airstrip at Yukon Zinc is in a valley, and there was more than one occasion when, flying in that, you couldn't see the ground and you couldn't see where the sky was or any hills in the surrounding area. But no matter what, Alkan always got us in and, more importantly, at the end of 28 days, they always got us out. So, Wendy, Jeff, and their team support people during some of their toughest days with medevac flights, and they are training the next generation of pilots through their flight school.

Started in 1997 by Helen and Michael, Bean North coffee has stayed true to their vision of truly supporting the farmers who grow their beans. They have built long-term and direct relationships with the producer groups who pay a fair price for the coffee that they roast, and that coffee is delicious. I love their café in the woods and all that they do to support local and distant communities, but I can tell you that pots of Bean North coffee brewing in the cook shacks at remote mining camps, in the absolute dead of winter, makes everything better.

Riverside Grocery, Alkan Air, and Bean North Coffee Roasting may appear very different from the outside, but at their core, each of these businesses not only understands the importance of relationships, they strive to build and nurture them.

So, thanks to each of you for investing your time and energy and resources in making your businesses the important community assets that they are. Congratulations and happy anniversary.

Applause

In recognition of Avalanche Canada and Yukon Avalanche Association

Hon. Mr. Mostyn: I rise on behalf of the Yukon Liberal government to pay tribute to Avalanche Canada and the Yukon Avalanche Association. These two organizations, with the support of a strong community of local avalanche professionals, work tirelessly each winter to provide Yukoners with backcountry forecasts and avalanche safety training. Yukoners love wild places. Whether for hunting, skiing, sledding, or hiking, we spend a lot of time in the mountains. But as more of us venture into the backcountry, we need to be aware of avalanche risk and be prepared to travel safely.

Since 2010, the Yukon Avalanche Association has worked to foster a culture of avalanche awareness across the territory. The Yukon government proudly funds and supports their work, as we share their focus on public safety and preparedness. When you are heading out for the day on the snow, check the forecast and conditions before you go. Avalanches are more likely to occur with heavy snowfall, strong winds, and rapidly warming temperatures. Make sure that every member of your group has the right safety gear and the training and knows how to use it.

Avalanche skills training teaches you how to use your safety gear and helps you recognize the telltale signs about unstable snowpacks and heightened avalanche danger. Avalanche education is a lifelong process. We are lucky to have both Avalanche Canada and the Yukon Avalanche Association supporting informed decision-making in the backcountry.

Local Avalanche Canada course instructors provide avalanche skills training right here in the Yukon. We truly appreciate their efforts to help Yukoners strengthen their winter backcountry skills. Avalanche Canada, in partnership with the Yukon Avalanche Association, provide the public with a recreational avalanche forecast for White Pass and the Wheaton Valley.

Snow is piling up, Mr. Speaker, and it won't be long before we see the first avalanche forecast published for the season.

Beyond avalanche awareness, backcountry safety starts with sharing your trip plan. Tell someone where you are going and when you will be back. Before you go, check 511, and drive according to conditions. Use extra caution when you see crews or equipment on the road.

I would also like to acknowledge our colleagues at Highways and Public Works who work around the clock to keep our highways safe and open for Yukoners, despite winter avalanches. I look forward to our continued partnership with the Yukon Avalanche Association and Avalanche Canada as we work together to help keep Yukoners safe in the mountains.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize the important work done by the Yukon Avalanche Association. As we head into the winter season, a lot of Yukoners are starting to get excited — “let it snow, let it snow, let it snow” — tuning their sleds and gathering their supplies for climbing, hiking, skiing, and winter camping.

We know that, with most backcountry activities, it is important to think of the risks associated. Bad weather and the possibility of avalanches are among these risks. The Yukon Avalanche Association was formed in 2010, and it is a valuable resource for anyone looking to enjoy our mountainous terrain. They promote avalanche safety and awareness among backcountry users. They provide extensive web-based information. They provide opportunities for training with local course suppliers and host public outreach events. I would encourage everyone to go to their website; it’s a really great website.

The Yukon Avalanche Association partnered with Avalanche Canada to deliver an avalanche forecast for the White Pass. As a backcountry snowmobiler, I often use this site, actually, before I plan a trip. The Haines summit is my backyard. Safety is important, and knowing the conditions helps plan your activity, and it helps dictate where you are going to ride.

So, as the MLA for the Kluane riding and, of course, the Yukon Party, we support the hard work of the Yukon Avalanche Association. I do want to thank them for their work; it makes the backcountry a safer place to play, and good luck in the future.

Applause

Ms. White: The Yukon NDP wishes to thank the Yukon Avalanche Association for their ongoing contributions to public safety. The winter backcountry landscape has changed a lot since I first started my exploration of the Skagway Pass as a 16-year-old kid with her friends, when we viewed cornices as jumps and not as the train tracks that they actually are. In large part, this change has happened due to the work done by the Yukon Avalanche Association.

Formed in 2010, this not-for-profit organization promotes avalanche safety and awareness for backcountry users. They are doing the good work of normalizing backcountry safety through public events, online information sharing, and training

opportunities. We’re grateful for the work that they have done and continue to do. So, thank you to the volunteers and community members who fill out their snow report, share observations, and make the mountains a safer place to play.

If anyone has a hankering for snow, you can join the YAA film night, November 24 at 6:00 p.m. at the Beringia Centre, to kick off the season with ski and snowboard movies. So, thank you to them for the work that they do.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Streicker: I have for tabling today a legislative return based on questions from the Member for Copperbelt South last week.

I also have for tabling two reports talking about placer mining in wetlands, one from the Canadian Parks and Wilderness Society and one from the Klondike Placer Miners’ Association.

Ms. White: I have for tabling an article from *Xtra Magazine* entitled “Yukon government temporarily pauses funding for some gender-affirming care”.

Mr. Istchenko: I have for tabling a letter from the Yukon Dog Musers Association. It is addressed to the Minister of Environment, and it is dated November 16, 2022. It is in regard to the passing of Bill No. 20.

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

THAT the House express its solidarity with the people of Iran who are fighting for their rights and freedoms.

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

THAT this House urges the Minister of Highways and Public Works to improve the current standard of highway vegetation control in the Ross River area to address safety concerns and improve visibility.

Ms. White: I rise to give notice of the following motion:
THAT this House urges the Government of Canada to support the people of Taiwan by:

(1) condemning the People’s Republic of China’s use of military tactics in an attempt to intimidate the people of Taiwan;

(2) urging the People’s Republic of China to exercise restraint in the Taiwan Strait;

(3) supporting Taiwan's participation in international organizations such as the World Health Organization, the International Civil Aviation Organization, *United Nations Framework Convention on Climate Change*, and INTERPOL; and

(4) supporting Taiwan's admission into the *Comprehensive and Progressive Agreement for Trans-Pacific Partnership*.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with ATCO Electric Yukon and Yukon Energy Corporation to allow them to operate electric vehicle charging stations and bill for the energy.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to ensure the safety of its community airports and medevac program by properly maintaining the backup generators at all airports.

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

THAT this House urges the Government of Yukon to expand eligibility for its paid sick leave rebate to include people with illnesses other than COVID-19.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

National Action Plan to End Gender-Based Violence

Hon. Ms. McLean: I am proud to rise before the House today to recognize our government's endorsement of Canada's first-ever national action plan to end gender-based violence.

The federal government, in partnership with provincial and territorial governments across Canada, released this historic national action plan last week. This plan marks a significant milestone in our government's collective work to end gender-based violence. It also marks the culmination of years of meaningful engagement with people from many different backgrounds and perspectives, including survivors, front-line service providers, indigenous partners, community leaders, experts, and academics.

This 10-year action plan will work to address the root causes of gender-based violence in Canada and ensure that no matter where someone lives in our country, they will have timely and reliable access to necessary services and protections. The plan has five pillars that will further guide our shared work to achieve these goals, including: support for victims, survivors, and their families; prevention; a responsive justice system; implementing indigenous-led approaches; and a social infrastructure and enabling environment.

The work ahead of us, of course, will not be easy. Gender-based violence is a complex issue. It also occurs all too frequently. In Canada, more than 11 million people have experienced intimate partner violence at least once since the age of 15. We also know that Yukon has rates of domestic

violence three times greater than the national average and that indigenous people are disproportionately affected.

Recognizing this, our government has worked diligently to reduce gender-based violence in Yukon, with initiatives such as support for the Yukon Advisory Committee on Missing and Murdered Indigenous Women and Girls to release a strategy and develop an implementation plan; working with our partners to develop the sexualized assault response team in Whitehorse; and creating a new community safety planning program to ensure consistent funding for First Nation governments to engage in community safety planning activities.

This national action plan provides our government a clear strategic framework from which we can further build. It also marks the first important step to new funding flowing to the territory.

I look forward to the next steps in putting the 10-year plan into action, including beginning formal negotiations with the federal government on a bilateral agreement. I also look forward to hearing from our Yukon-based partners to set priorities under the plan. We know that our priorities in Yukon must align with Yukon's Missing and Murdered Indigenous Women and Girls and 2S+ strategy. I firmly believe that, together with sustained and purposeful action as outlined in this national plan, we can achieve a Yukon where everyone feels safe and is treated with dignity.

Ms. Clarke: Salamat. Thank you for the opportunity to respond to this ministerial statement on a very important topic — gender-based violence.

We are happy to talk about this on the floor of the Legislature today. We are pleased to hear that the Yukon will be adopting the federal government's 10-year *National Action Plan to End Gender-Based Violence*. I know that we all think that we understand what gender-based violence is. However, I would like to remind this House and all Yukoners that gender-based violence could take many forms. Gender-based violence can include physical, sexual, psychological, emotional, and financial abuse, as well as technology-facilitated violence. These are all behaviours that we denounce.

This is also a good reminder that such violence should not be committed by anyone against another human being. I do hope that the minister can clarify a couple of items from her ministerial statement. She did outline how the Yukon has offered supports in the past, but can she tell us how the Yukon will take action on this national action plan? Is the Yukon government budgeting any money for these actions, and how much funding do they hope to secure in a bilateral agreement with the federal government? Did the Yukon, including local groups who offer support for victims of gender-based violence, have any input into the national action plan? The minister says she will hear from Yukon-based partners to set priorities under the plan. How does she plan to do that?

As well, last fall, I asked about the decision by the federal government to shut down a committee reviewing sexual assault cases. At the time, women's organizations were critical of the decision to shut down the work to re-examine sexual assault

cases that police labeled “unfounded” or where no one was charged.

Yukon women’s groups lobbied to have it reinstated, and a Yukon-led process was the only way to continue to work. We asked the Yukon government to develop a made-in-Yukon project so that women’s groups and the Yukon RCMP could continue their work. I am hoping the minister can update us if they have made any progress toward creating a made-in-Yukon version to help vulnerable Yukoners access the justice system.

We are committed to addressing the five pillars of this plan toward a society free of gender-based violence, and we support the *National Action Plan to End Gender-Based Violence*

Ms. Blake: The Yukon NDP supports the *National Action Plan to End Gender-Based Violence*. Across the Yukon, women and gender-diverse folks continue to face high levels of domestic and community-level violence. This is especially true for indigenous women, girls, and two-spirit people. While I am optimistic about this endorsement, I remain concerned about what concrete actions this government will take.

Pillar 1 includes support for victims, survivors, and their families. Every week, I hear from this population about the lack of support they have available to them. Many of them have been waiting just to get basic counselling services. Will this funding from this endorsement address this gap in services?

Pillar 2 is focused on prevention. Early support in the home is critical to preventing violence and harm. Currently, that support is not being provided to many families across the territory. There are a high number of women and children who are facing poverty with no income support. There are still vacancies in health care and education, creating an unequal system for people living in communities. There is no aftercare when people are involved with systems, leaving people with no options to heal or prevent future harm. If Yukoners’ most basic needs for support are still not being met, how is the government preventing harm?

Pillar 3 will create a responsive justice system. The national action plan will enact the *Canadian Victims Bill of Rights* and amend the *Criminal Code*. Currently, justices are not required to take continued education on updates to the *Criminal Code* or other legislation. Will the minister require Yukon justices, lawyers, and front-line workers to take training to understand and uphold these changes?

Pillar 4 will implement indigenous-led approaches with NGOs, First Nations, and other groups. How many of the Missing and Murdered Indigenous Women and Girls Calls to Action has the government fully completed to date? What work has the minister done to transform the justice system by using circle courts? What happened to the Gladue report writing program that this government funded over three years ago? How effective is this process for victims, survivors, families, and communities?

Pillar 5 will create social infrastructure and enabling environment. Non-governmental organizations are critical to this social infrastructure. They work around the clock to advocate, support, and report on the needs of women, girls, and gender minorities in the Yukon, but many are working off the

side of their desk without adequate pay. A group of women’s organizations asked the minister for an increase in core funding over a year ago. Has the minister increased the core funding for these organizations in the amount that they have requested?

This endorsement is a step in the right direction, and I’m hopeful that meaningful action will be taken, both in government decisions and to support other organizations that are already working to end gender-based violence in the Yukon. I look forward to the minister’s response. Mahsi’.

Hon. Ms. McLean: Thank you very much, Mr. Speaker. I thank my colleagues from across the way for your support for the first-ever *National Action Plan to End Gender-Based Violence*

In 2021, Mr. Speaker, federal, provincial, and territorial ministers responsible for the status of women endorsed the joint declaration for a Canada free of gender-based violence, which included a common vision, principles, and goals for the national action plan.

I worked closely with the federal minister around that declaration, and I believe that some of the work that we did in the Yukon around missing and murdered indigenous women and girls had influence on a national declaration as well.

The *National Action Plan to End Gender-Based Violence* will see that \$539.1 million, most of which will flow through provincial and territorial governments over the next five years, to support initiatives that reduce gender-based violence and build safer communities across the country.

I had the opportunity to attend the federal-provincial-territorial ministers meeting virtually last week. I can tell you that, on the 40th anniversary of this forum in Canada, to be there — and to have supported over the years in this position — and to reach an actual national action plan to end gender-based violence was an emotional day for all of the ministers across Canada. It was one that I will never forget and was certainly a milestone for our country.

Over the coming months, we will continue to work with our federal partners to determine what that funding looks like for Yukon and how it will be rolled out in our territory. We know that the pandemic had impacts on Yukoners and families, resulting in higher rates of domestic and gender-based violence and increased demands for services.

I would also like to reflect on a few of the questions that came up in terms of the input from local groups. I can assure members of this House that Yukoners participated at the national level to bring forward these recommendations and to help form the pillars that we ended up agreeing to. There was extensive consultation with indigenous groups, which formed that additional pillar to the strategy. Yukon — again, being the first to have a response to the national inquiry through our strategy and we are close to having the implementation plan completed — really filled that portion of this plan. It is an important plan for Canada.

This year, the Yukon Liberal government provided local equality-seeking organizations with over \$2 million to ensure that they can continue to provide valuable services to Yukoners experiencing violence. We will continue to work with the

community partners to ensure that they have the resources they need to provide the support that many Yukoners depend on. Our government has worked to make a more inclusive and safe community for all Yukoners.

In 2021 — actually, before I go there, I will just go back to some of the questions.

Speaker: Ten seconds.

Hon. Ms. McLean: I will wrap up by saying that this is a great day for Canada, for Yukon, with a vision —

Speaker: Order, please.

This then brings us to Question Period.

QUESTION PERIOD

Question re: Land development

Mr. Hassard: In March of last year, the Premier and the Deputy Premier stood on the curb at 5th and Rogers to announce the Liberals' housing policies for the election. One of their marquee promises was to develop the land parcel at 5th and Rogers to ensure — and I quote: "... the development increases the amount of available housing, including rentals."

Since then, a few things have changed. The Deputy Premier was demoted, and the Premier has announced that he is retiring. Unfortunately, one thing that hasn't changed is the status of 5th and Rogers. Can anyone in the Liberal government explain why they haven't delivered a single housing unit at 5th and Rogers?

Hon. Mr. Streicker: Yes, the reason that there has been some delay at 5th and Rogers is because there were a whole series of slides along the clay cliffs this year. I think everyone noticed — thanks to the City of Whitehorse, which did all their work to try to make sure that things were safe along Robert Service Way.

I know that the Yukon Geological Survey did a lot of work to try to look at that risk. There was a slide, in particular, right next to 5th and Rogers, which required us to go back and do some geotechnical work. That work is completed, as far as I understand, and we are very close to issuing the RFP.

So, there was a delay; it was about making sure that Yukoners were safe.

Mr. Hassard: Just by way of background for Yukoners and for everyone listening, the Liberal government has been promising various things in relation to 5th and Rogers for years. The simple fact is that it was so important to them that they put the Premier and the Deputy Premier up at a press conference to announce their housing platform.

As we know, the only thing that has changed are the titles of those who made the announcement, and in the minister responsible for housing's mandate letter, the very first item related to housing directs the minister to release the 5th and Rogers land parcel to the private sector for future housing development.

Can the minister tell us if he has taken any steps at all to fulfill this section of his mandate letter?

Hon. Mr. Pillai: First of all, it's a walk down memory lane, having the previous Leader of the Official Opposition, who is very comfortable with personal attacks and insults — I

just remind Yukoners that the new Leader of the Official Opposition said that things would change — another inaccurate statement from the Yukon Party.

Yes, we have taken a measure. We have worked with a number of stakeholders. We have gone out with an expression of interest. We have spoken with a number of development corporations about 5th and Rogers. We had an RFP that was ready to go. Although I think most Yukoners can understand that this government is not responsible for the slide that happened this summer, I'm sure the Yukon Party will figure out a way to blame us for it. It happened. We think that the prudent thing to do is to make sure that the ground is stable, that it's safe to build, and to understand what the specs should be if we have to build a berm to protect any further development.

So, that's the work that has been going on since the slide. It is unfortunate because it is an extremely important spot. We believe that we could build up to 300 units, and that is in line with the city's south Whitehorse plan. We believe that this density is necessary, and we think it is key to the market when we think about rental property.

Mr. Hassard: So, in November of last year, the Minister of Energy, Mines and Resources said that they were hoping to release the parcel very soon. In his words — and I quote: "The goal is to try to catch the next building season..." Then this April, the Minister of Community Services told the Legislature that the lot was going to a competitive RFP. It was well underway and would be out before the end of the spring session. So, as we know, none of these things happened, and now we have heard from four different Liberal ministers about this parcel, and we have heard four different things. It has unfortunately become a trend that the ministers are inaccurate and unreliable when sharing information.

So, can someone please tell Yukoners definitively what is going to happen with 5th and Rogers and when it is going to happen?

Hon. Mr. Pillai: Yukoners remember that the Yukon Party sat on this. If we go back in time, at least multiple organizations, I think, were promised this particular location, and then nothing happened. So, what we have done is that we have looked at the location, we have built out an RFP, we have worked with the City of Whitehorse, and this summer we were ready to go out to a competitive process, and then there was a slide, which everybody in the Yukon knows. That slide then triggered more work.

We received a letter from the City of Whitehorse identifying the fact that it would be prudent for us to ensure that we did updated geotechnical work. Community Services, Energy, Mines and Resources, and Yukon Housing Corporation came together and supported that work. We believe that this work will be completed in full. We have reports that have gone to Energy, Mines and Resources. We want to review it, and we want to share it with the city as well. Then, at that point, the RFP that we already have prepared can be put out.

So again, we have been working on this. We have been moving it ahead — much different from what happened before where there were promises, promises, but nothing ever

happened. So, we are moving on it, but we have to make sure that it's a safe place to build.

Question re: Beaver River watershed land use plan

Mr. Dixon: In 2018, the then-Deputy Premier announced the process for the sub-regional land use plan for the Beaver River watershed. At that time, he made the bold claim that this was a — and I quote — “new way of doing business”. He further claimed that it will help get mining projects going and, unfortunately, it turns out that he was very wrong. The former Deputy Premier originally promised this land use plan would be completed by March 31, 2020. We are two and a half years past that deadline. So, can that minister tell us when the plan that he promised would be done years ago will actually be completed?

Hon. Mr. Streicker: I thank the Yukon Party for the question. Yes, this is a new way of doing business; it's by working with First Nations. That's the difference.

The Government of Yukon and the First Nation of Na-Cho Nyäk Dun remain committed to the agreement that supports a proposed tote road and calls for the completion of a land use plan for the Beaver River watershed, and we recognize the need for a road access management plan before road construction occurs. We have completed several stages of public and stakeholder consultation for the Beaver River land use plan and are working toward completing the plan in 2023. I will just say that the last time I met with the First Nation of Na-Cho Nyäk Dun, we discussed the Beaver River land use plan — recommitted to it. We will continue to work on that. I appreciate the question and the chance to rise and speak about the Beaver River land use plan.

Mr. Dixon: Just a bit of background for the minister — this plan was announced in response to a positive YESAB recommendation about a tote road connecting to an exploration project, and, of course, the former Deputy Premier claimed that launching this plan was a — and I quote — “new way of doing business”. Of course, if this is the new way of doing business, anyone who cares about the mining industry should be very concerned. Instead, his plan has created uncertainty and delays for the industry.

Here is what the mining company impacted by his approach told CBC Yukon in 2020: “If this road can't be permitted following a positive environmental and socio-economic assessment decision and years of governmental encouragement to invest in the project, then you have to wonder if Yukon is in fact open for business.”

Is the former Deputy Premier concerned with the delays and missed timelines associated with his new way of doing business?

Hon. Mr. Streicker: I think that what I have just said — for the Yukon Party, so that they can hear — is that this is a new way of doing business. It is about working with First Nations. So, that is different, and yes, there are times when things take longer. I spoke with ATAC industries just recently; we set up a meeting for during Geoscience so that we could get together. I meet with them often. We believe that this is the right way to go, and I think that our economy shows it. As far

as mining in the territory, it is going very well. We have the strongest economy in the country. I think that the Fraser Institute just released recently, again, about mining jurisdictions across the world, and the Yukon moved up — I believe that we are in the top 10.

I think that we will continue to work with mining, and what I want to say about the mining industry is that I appreciate all of the effort that they are making toward environmental, social, and governance goals, because we believe that is the way of mining in the future.

Mr. Dixon: So, just to remind the minister, last fall he told us that this would be available this spring, and of course, that hasn't come to fruition. The tote road for ATAC Resources was originally recommended for approval by YESAB in 2017. At that time, the Deputy Premier came up with a new way of doing business, which the current minister seems to be lauding now, as well, to be completed in 2020. We are now at the end of 2022 — half a decade after the project was recommended to go forward and with no end in sight.

So, can I ask again: When will this plan be ready?

Hon. Mr. Streicker: What I am saying is that we will continue to work with First Nations. So, there are times in a government-to-government relationship when I won't be able to control all of the timing, and I will take responsibility for that here in this Legislative Assembly. But what I will continue to do is stand on my feet and say that it is important that we have a respectful government-to-government relationship. So, yes, it is taking longer than we wanted and anticipated. We have worked closely with the companies that are affected by this, but we have continued to say that this is important and that we will do our part to be diligent to get the final plan in place, and I would like to thank industry, the First Nation of Na-Cho Nyäk Dun, and Energy, Mines and Resources, in the Land Planning branch and the minerals branch, for all the work that they have done in order to realize this.

Question re: Electric vehicle charging stations

Ms. White: Yukon's first electric vehicle charging station was installed by the Mount Lorne transfer station in winter of 2018. At that time, there were 12 electric vehicles registered in the territory. In November of 2019, Yukon government installed the first three fast-charging stations. Now there are fast-charging stations from Dawson to Watson Lake and nearly all points in between, and that's fantastic.

We're just now seeing the private sector begin the process of installing them, too. The government even offers a rebate program to support installation costs. The *Our Clean Future* 2021 report says that this program is complete.

Can the minister tell Yukoners how many rebates have been provided for commercial EV charging stations to date?

Hon. Mr. Streicker: I will have to look into the number to get that specific piece of information. I can say that we have been moving more quickly than we even anticipated with the charging stations. We now have from Watson Lake to Beaver Creek, and we have from Dawson and Mayo down to Carcross. We fully expect that there's an opportunity for business to come

in. We have moved ahead with the type 2 charging systems, and we are working with businesses and departments, et cetera.

We have put quite a bit of money into the budget for those stations. I will have to investigate further regarding the specific question.

Ms. White: We look forward to that response, because we have heard there are problems. We know the urgency of ending our dependency on fossil fuels, but this government is standing in the way of mainstreaming electric vehicles. The private sector wants to participate, but the problem is that they can't sell the electricity. Right now, if a gas station or a business were to install a charger, they would have to buy the electricity from ATCO and then give it away for free. That is not a great business model.

Our Clean Future calls for changes to the *Public Utilities Act* to allow for businesses to install charging stations and resell the electricity, but this work isn't expected to be complete until at least 2024. Can the minister tell Yukoners why he is putting off this critical legislation for another two years?

Hon. Mr. Streicker: I will begin by saying that the work of amending the *Public Utilities Act* is significant. I had no understanding that we could not do the work to support the ability to have these charging stations ahead of that act review, so that is a new piece of information that I will investigate further.

I know that our utilities are working with our Energy branch to talk through how we can get to the time when there is a model to charge Yukoners. Of course, up to now, what we have been doing is we, as a government, have been paying for that electricity when we put in the fast-charging stations in order to incentivize those people who are early adopters of zero-emission vehicles. So, the work, as I understand it, is underway right now to get to a place where we can allow for a more commercial activity around the fast-charging stations.

I will report back if there is anything around the *Public Utilities Act* that I was not aware of.

Ms. White: Currently, private businesses cannot sell electricity without changes to the *Public Utilities Act* and that is a barrier.

Yukoners recognize that it is important to get more EVs on the road to displace fossil-fuel-powered vehicles, but the only two companies that will be able to sell electricity as fuel for the next two years or more are ATCO and Yukon Energy. That means that we are unlikely to see any new charging stations available to the public between now and 2025 that are not paid for by the Government of Yukon. On top of that, the government is paying a private company to manage the stations and give away the electricity for free.

Is the minister working with ATCO and Yukon Energy to allow them to operate EV charging stations and bill for the energy that's used?

Hon. Mr. Streicker: I think I just answered that question in my previous response. Are we working with ATCO and Yukon Energy to work on this question? Absolutely, we are. We are also working with Yukon University and the northern energy innovation team to identify how that distribution network can work, to identify any specific

vulnerabilities that we have within the system, and to support an uptake of electric vehicle fast-chargers and smart heating units. We are working.

The member opposite seems very definitive about the *Public Utilities Act*. I would say again that I am not sure that is correct, but I will investigate it further and make sure to report back if I find anything about it that would be of import to this House.

Question re: Yukon nominee program support for Filipino community

Ms. Clarke: This past March, the Yukon government celebrated signing a memorandum of understanding with the Republic of the Philippines. This delivered on a commitment back in 2019 in a letter of intent. The letter established — and I quote: "... a framework to undertake negotiations on immigration programming and pursue cooperation on human resource development between the Philippines and Yukon."

Yukon's Filipino community and Yukon businesses have been looking forward to the collaboration on immigration issues that were promised in the MOU; however, the joint committee has not yet established the terms of reference required to put the MOU into action.

When can the Yukon Filipino community and Yukon businesses expect the MOU to be implemented?

Hon. Mr. Pillai: Mr. Speaker, after two years of negotiations and discussions, I am pleased that we were able to reach an agreement on the terms of the memorandum of understanding on the employment and protection of Filipinos under the Yukon nominee program. On March 18, 2022, I met with then-Secretary Bello with the Philippines' Department of Labor and Employment to sign the MOU. It should be noted we are the only jurisdiction, and the leading jurisdiction in the country, out of all provinces and territories to do so.

Bello has since taken on a new post following the May 2022 Philippines general election. Work on the MOU implementation continues with a new department, so there's now a brand new national department in the Philippines of migrant workers, and that was formed in February 2022.

Economic Development is working to finalize the implementation and the guidelines of the MOU with the Department of Migrant Workers, and the MOU, of course, will make it easier for Filipinos to come to the Yukon, while reducing costs and red tape for employers.

Ms. Clarke: Salamat, Mr. Speaker. Well, we are glad the MOU has been signed and that work has started, but it appears there is a lot more work to do.

In 2019, the minister signed a letter agreeing to come up with a framework supporting Filipinos and businesses in the Yukon nominee program. This spring, he signed an MOU agreeing to establish a joint committee to create a framework supporting Filipinos and businesses in the Yukon nominee program, but everyone is waiting for the actual program benefits to be delivered.

When can the Yukon Filipino community and Yukon businesses expect to see the terms of reference finalized and the program finally delivered?

Hon. Mr. Pillai: Again, our two governments — and I would like to highlight how progressive that is. That is the territorial government and the federal, the national Government of the Philippines again, working hand-in-hand to develop implementation guidelines for the MOU.

These are expected to be completed in the coming months. So, again, we had a national election in the Philippines. The responsibility for this work has changed federal departments in the Philippines. Of course, that has given us a bit of — taken us a bit more time, as they have the responsibility under a different particular area within government.

Again, I want to thank the Filipino community.

All parties were represented this last weekend as the Filipino basketball league began the start of their season. But really, what it was about was all members of the House going out to celebrate how much richness we have gained by having the Filipino community and how important the community is. Again, I want to thank the Filipino community for guidance through this work and for all that they contribute.

I would also just note, too — excited to hear from Air North. That same day, we also put in a support agreement between Air North and Philippine Airlines, and there is more to come on that.

Question re: Emergency measures legislation review

Mr. Kent: So, the Yukon government invoked the *Civil Emergency Measures Act*, or CEMA, a second time, in November 2021, to curb the spread of COVID-19. We have been concerned with abuses of CEMA, and that is why, in March of this year, we introduced a private member's bill aimed at making changes to make the government more accountable. That bill was defeated after the government committed to a full review of CEMA. It is a commitment in the Minister of Community Services' mandate letter as well — and I will quote from that document: "In response to the challenges faced by the COVID-19 pandemic, review the Civil Emergency Measures Act and the Public Health and Safety Act to better equip the Yukon to address future emergencies."

So, when will the full review of CEMA and the *Public Health and Safety Act* begin, and when can we expect legislation to be introduced to the House?

Hon. Mr. Mostyn: Really what we are talking this afternoon is making sure that Yukoners are safe and doing a full assessment of how the *Civil Emergency Measures Act* worked throughout the global pandemic, which was certainly an event that is deeply imprinted on all of our minds. We are undertaking a legislative review of the *Civil Emergency Measures Act* and the *Public Health and Safety Act* to identify challenges in existing legislation, proposed policy direction, and options for further action. This is a lot of work that the Department of Health and Social Services and the Department of Community Services are undertaking to make sure that our act is modern and is meeting the needs of Yukoners in the event — the certainly unwanted event — if such an event like a pandemic happens again.

Mr. Kent: So, after the private member's bill was defeated in March, the Leader of the Yukon Party told local media that — and I quote: "It's incredible, strong, broad and sweeping powers that they give themselves when they enact a state of emergency..." This was proven out in a confidential briefing note that we found in the Minister of Education's spring briefing binder. With regard to non-violent crisis intervention training at Jack Hlland Elementary School, the note says — and I will quote: "On February 23 and 24, the Minister used her authority under CEMA to close the school for two days to allow the training to occur..."

As important as this training is, it certainly isn't something to curb the spread of COVID-19. Does the Minister of Education believe that this was an appropriate use of her authority under CEMA?

Hon. Ms. McLean: I am happy to add some insight into the situation back in February of last year. On February 23 and 24, I approved the request of the school council to make the school calendar adjustments to suspend classroom instruction.

The training that we are talking about is non-violent crisis intervention. The training was a priority request from the entire school community. The safety of staff and students is always the first priority, and the training was in response to concerns raised for the safety of staff and students. Earlier, training scheduled on a non-instructional day was cancelled due to COVID-19 restrictions. It was imperative to adjust the school calendar to offer the training when the contractor was allowed to travel again.

Section 46 of the *Education Act* requires that the minister shall establish the hours of classroom instruction annually on March 31. The Minister of Education should adjust the hours of instruction to respond to community and school outbreaks of COVID-19, so the ministerial order that we are talking about is the 2022/15, enabling me to do what I did for that training.

Question re: Wildlife harvest allocations

Mr. Istchenko: This spring, the Minister of Environment announced that he was throwing out the guidelines to establish outfitter quotas. In March, the minister said that this was because the department now interprets these guidelines to be inconsistent with the *Wildlife Act*. This was confusing to many in the industry because the 25-year-old process has been consistent with the *Wildlife Act* by every other Minister of Environment since 1990, and the *Wildlife Act* hasn't changed.

The only reason to change this interpretation is if the government has a new agenda and no longer prioritizes the outfitting industry and the benefits that it creates for the Yukon.

So, can the minister tell us why he thinks that the 25-year-old guidelines are inconsistent with the *Wildlife Act*?

Hon. Mr. Clarke: Establishing outfitter quotas is a complex process that requires balancing the rights and interests of outfitters, Yukon First Nations, and renewable resources councils. Given the changes made to the quota process and the fact that some outfitters were assigned quotas for the first time, we received an unprecedented number of appeals, which created delays in the appeal process.

We recognized this spring — nine outfitters submitted appeals to the Outfitter Quota Appeal Committee. One has since withdrawn, and two have also submitted appeals to the Concession and Compensation Review Board.

The fact is that it is 25 years ago and that, as I said, establishing outfitter quotas is a complex process. It requires balancing the rights and interests of outfitters, Yukon First Nations, and renewable resources councils. I have met with outfitters. I have certainly met with Yukon First Nation governments over the course of the summer — with Little Salmon Carmacks First Nation, Na-Cho Nyäk Dun, Tr'ondëk Hwëch'in, and the Teslin Tlingit Council.

So, this is 25 years later. There is a greater degree of complexity to these relationships.

Mr. Istchenko: I didn't get an actual answer to my first question.

So, since the Liberals have been in power, the government's relationship with the hunting and fishing community has never been worse. There was hope that the new minister might correct this, but unfortunately, that hasn't happened, and there is now serious concern about the ongoing viability of outfitting as an industry.

Earlier this month, the Yukon Outfitters Association wrote to the minister citing serious concerns about the outfitter quota process — the unintended consequences of the recent moose harvest restrictions, the removal of the licensed harvest of the Finlayson caribou herd with no recovery plan in sight, and the unilateral revision of the quota guidelines. The Yukon Outfitters Association concludes — and I quote: “Our collective experience around these and other unresolved issues do not instil confidence that outfitter interests will be addressed...”

So, my question to the minister is simple: Does he truly value the outfitting industry and —

Speaker: Order, please.

Hon. Mr. Clarke: Outfitting is a valued industry in the Yukon that benefits communities by creating jobs, purchasing goods, and, in many cases, donating fresh meat. As part of the review of the quota allocation process, the Department of Environment worked with outfitters to place all outfitters on quotas this year, including four concessions that have never had quotas. Quotas are set to ensure that wildlife harvest remains at sustainable levels considering wildlife conservation, indigenous subsistence harvest rights, and resident and non-resident hunter interests.

As I have indicated previously, the Department of Environment conducted six moose surveys and two elk surveys in 2021. In addition, we completed census work on five caribou herds, conducted 12 caribou composition surveys, and deployed collars in 10 caribou herds.

In 2021 as well, the Department of Environment spent approximately \$680,000 for six 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.

As I have indicated a number of times, I will be guided by the best data available, and we are deploying resources in that regard.

Mr. Istchenko: I want to return to my first question. Many in industry are wondering what has changed that is making the guidelines inconsistent with the *Wildlife Act*. That was my question.

Can the minister explain what has changed to make the process inconsistent with the act?

Hon. Mr. Clarke: The quick answer is that we are in a more complex and collaborative Yukon. There are mature government-to-government relationships between Yukon government and self-governing First Nations. We are also receiving the valued input from many renewable resources councils, with which I have had the opportunity to communicate and, as I also indicated, with indigenous governments. These quota regulations are from 1996.

We are in a different Yukon in 2022 and it is more complex. I have the utmost respect for the outfitting industry, and I am committed to continuing to have open lines of communication. The industry is valued, but I am also committed to representing all Yukoners and all stakeholders.

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

ORDERS OF THE DAY

Speaker: We are now prepared to receive the Commissioner of Yukon, in her capacity as Lieutenant Governor, to grant assent to certain bills which have passed this House.

Commissioner Bernard enters the Chamber announced by her Aide-de-Camp

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Madam Commissioner, this 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: *Second Act to amend the Legal Profession Act, 2017 (2022); Clean Energy Act; Technical Amendments Act (2022); Animal Protection and Control Act.*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

Commissioner leaves the Chair

Speaker: I will now call the House to order.

GOVERNMENT MOTIONS

Motion No. 472

Clerk: Motion No. 472, standing in the name of the Hon. Ms. McLean.

Speaker: It is moved by the Minister responsible for the Women and Gender Equity Directorate:

THAT this House urges the Government of Yukon to advance initiatives that will end discrimination, homophobia, and transphobia in Yukon, including supporting advocates and working with partners to continue implementing the LGBTQ2S+ action plan.

Hon. Ms. McLean: Thank you very much, Mr. Speaker.

I am honoured to rise today in the Legislature to speak to Motion No. 472, which calls on the House to end discrimination, homophobia, and transphobia in the Yukon, including supporting advocates and working with partners to continue implementing the LGBTQ2S+ action plan.

Homophobia is defined as a fear, hatred, discomfort, or mistrust of people who are lesbian, gay, or bisexual. Similarly, transphobia is fear, hatred, discomfort, or mistrust of people who are transgender, gender queer, two-spirit, or who do not follow traditional gender norms.

For most of us, these definitions are extreme, and we may find it hard to understand how someone could hold these views against those who do not identify with the heteronormative ideology. What people must also consider, however, is that this includes more than just overt discrimination: systemic discrimination, inequity, stereotypes, and micro-aggressions that are harder to spot and therefore harder to eliminate.

I will be rising in the House again soon to speak to the Transgender Day of Remembrance on November 20. That is a day to honour, mourn, and remember individuals who identified as transgender and gender-diverse around the world who were killed because of anti-trans violence and oppression. Just last year, 2021, was described as the deadliest year for transgender people since annual reporting of worldwide homicides began in 2008. In the last 12 months, 375 trans and gender-diverse people were reported killed globally.

Mr. Speaker, it seems that, time and time again, we hear people talking about the heinous crimes against the LGBTQ2S+ community and other challenges that they face. I want to acknowledge and name the hate that continues in our society today. We are not immune to acts of violence in the Yukon. Violence and aggression toward transgender and other LGBTQ2S+ Yukoners has and does happen here. This hatred has no place in our Yukon. Now is the time, more than ever, to change the conversation.

As an indigenous person, I understand how marginalized populations continue to be traumatized when conversations continue to go on around the pain, suffering, and violence that we have faced. I stand here today with a lot of privilege but also with an understanding of the need to share stories of people, not just the struggles they face. It is society that is struggling, not LGBTQ2S+ individuals. We are lucky in the Yukon that we look around at the richness of our diversity. We will see beautiful LGBTQ2S+ people — Yukoners who identify as transgender, two-spirit, and gender-diverse — who are making outstanding contributions throughout the territory just by being who they are.

At a time when people's human rights are being called into question and oppressive legislation is being passed so close to our borders, it can indeed be a scary time. I hear LGBTQ2S+

people when they say that they are scared by current events. What I want you to know is that, right now, the Yukon government will protect your rights. I want you to know that. We are working and will continue to work to make sure barriers are removed and that equity is factored into all of our decision-making.

A cultural shift is needed in organizations, in communities, and within families, as well as personal accountability and self-reflection to truly end discrimination. That is some of the thinking behind the Yukon's *LGBTQ2S+ Inclusion Action Plan*, which seeks to continue to work to make the Yukon government an inclusive employer and program and service provider. This is a plan based on "nothing about you without you". The Yukon government worked with the LGBTQ2S+ community to develop this plan. We will be checking back in next summer, as promised, to make sure that we are getting it right and to identify where any priorities may have shifted in the community.

This five-year plan has over 100 actions from across government. The actions in this plan came from what the community told us needed to change.

There are a few areas I wanted to specifically mention today from the action plan, because we know they are major priorities for the community. It has been mentioned before that the Yukon has some of the most progressive and comprehensive coverage for gender-affirming care in North America. We also know that there is an issue with how this care can be covered. We are working to make sure that this is rectified as soon as possible and that people will not lose their place in line when they are seeking gender-affirming care.

Other resources related to gender-affirming support include Queer Yukon. We are, of course, fortunate to have the work and advocacy of this community-based organization. They provide programs and services and support for LGBTQ2S+ Yukoners, including the gender gear program, which provides access to gender-affirming supplies with funding from Government of Yukon.

We also know that the mental health resources, including counselling services, are vital. Mental Wellness and Substance Use Services offers services, including rapid access to counselling for adults, youth, children, and families. MWSU counselling staff recently completed a two-day training session with the World Professional Association for Transgender Health. This past summer, they came up to the Yukon to provide tailored training for mental health care providers.

Another area we know is a major priority of the LGBTQ2S+ community is education. There is some exciting work going on in education involving special and inclusive education. This will include addressing the sexual orientation and gender identity, also known as the SOGI policy, in schools. There is work to be done to ensure the implementation of these policies and that the work truly supports those we are trying to serve.

Of course, progress on implementing the *LGBTQ2S+ Inclusion Action Plan* was impacted by the pandemic, but it has not stopped. Advancing inclusion represents long-term cultural change work. We are learning that this work takes time and that

we must bring many public servants, service providers, and Yukoners along with us.

Foundational work, such as building awareness and enhancing training, must be done first. I am pleased that the Yukon government was recently joined by our colleagues in the federal government in releasing an action plan on LGBTQ2S+ inclusion. The first federal *2SLGBTQI+ Action Plan* was announced on August 28, and it includes \$100 million in support for 2SLGBTQI+ communities across Canada. Of the \$100 million announced to support the plan, 75 percent of the funding will be targeted toward community organizations focused on diversity and inclusion.

The federal government will formally engage provinces and territories in advancing 2SLGBTQI+ equity across Canada, starting with the FPT table on the status of women. This was part of our discussions last week in the FPT on the status of women — I am really excited about the work that is happening there — along with the federal government's *National Action Plan to End Gender-Based Violence*. The Yukon is in a good position, with our federal counterparts, to bring awareness to our northern context and to raise awareness of the needs of community-based organizations, doing some of the front-line work with the LGBTQ2S+ community.

It is an exciting time. I think that we really absolutely have an opportunity here to turn the dial and to really advance the interests of Yukoners. I am very pleased that we were able to do all of that planning work in advance of Canada's plan. Now, with these new resources that are historic and the first of its kind, I am looking forward to the discussions ahead. There is momentum right now toward equity and inclusion, not just in the Yukon, but across this country.

In conclusion, I urge all members to support the *LGBTQ2S+ Inclusion Action Plan* and its continued implementation. I also encourage members to counteract the violence, aggression, and negative stereotypes prevalent in our society today. Connection leads to understanding, and understanding leads to acceptance and support. So, I encourage everyone to embrace the LGBTQ2S+ community and think about how you can be part of the solution. Community and family support is a major determinant for good mental health and feeling that one can live as their true selves.

Our supportive relationships are protected, so we must continue to listen to our allies and speak up against all forms of LGBTQ2S+ discrimination. Again, I hope that my colleagues in the House will vote with me in support of this motion today.

Mr. Dixon: I am pleased to stand to respond to this motion. We support the Government of Yukon advancing initiatives that will end discrimination, homophobia, and transphobia in the Yukon. Discrimination of any kind, including homophobia and transphobia, have no place in our territory, and I'm proud to join my colleagues in standing up against discrimination. I know that across the country, and indeed the world, transphobia, homophobia, and other types of discrimination are all too common, and steps are needed to ensure that equity and fairness are achieved for the LGBTQ2S+ community.

I would also like to note that we are supportive of the *LGBTQ2S+ Inclusion Action Plan* that the government brought forward last year. As the document suggests, we recognize that there's a lot more work ahead of us to create a more inclusive Yukon and to end discrimination. We look forward to working with all Yukoners to build a more inclusive home for all of us. We will be supporting this motion.

Hon. Ms. McPhee: I am certainly speaking in support of my colleague's motion. I think it's incredibly important that Yukoners understand our government's commitment to making change that supports an inclusive community here in the territory. As part of that public statement and public commitment, it is important that we speak to this motion.

I can say that certainly it is our position that we have been dedicated to making change. We are moving the territory forward with respect to many, many aspects of defining our community. We are working to support all Yukoners in many ways across all departments. That includes the new acronym for Yukoners in the 2SLGBTQ+ community.

We have changed laws to support inclusion, and that is important because it clearly signals the kind of place, the kind of community, that we have here in the territory — the kind of community that we are building to be inclusive.

We have changed programming to improve access. One example would be to improve access to gender-affirming health care. Other examples of laws that were changed is the banning of conversion therapy issues early on in our last mandate with respect to other pieces of legislation that affirm the fact that gender diversity is welcome here in the Yukon Territory and that, not only are we going to say that, we are going to change the laws to make sure that everyone is aware and that rights are protected. That's an important statement on behalf of a government.

I just want to speak for a second about the gender-affirming care situation. Back in March 2021, the Government of Yukon announced changes to significantly improve access to gender-affirming health care, including surgery for Yukoners, and to make those services free, to include them under our health services here in the territory. Since that announcement, we have determined that additional work is required to ensure that the delivery and the access to all services can be appropriately provided.

We continue to uphold that commitment while ensuring that these changes don't create concern or an avenue for private health care. Our system of health care here in Canada is second to none and must be respected.

We are seeking, through the work that is currently being done at the Department of Health and Social Services and the Department of Justice, the authority to provide these services in a way that allows the government to pay for them. It's not a matter of getting more funding for those services to be covered; it is a matter of the legal authority for the government to be able to do this and to be able to pay for them. We are working diligently to have those changes made by the end of this calendar year, 2022 — only some weeks away now.

I appreciate that the necessity to wait for some of those services is stressful. It is absolutely of concern to Yukoners, but I can assure them that a solution is in the works and that we expect that, within the next few weeks, it will be resolved.

The Department of Health and Social Services and, in fact, our entire government recognize the importance of these services for the transgender and gender-diverse community and the growing number of people waiting to access this kind of care. We are working to resolve this matter as soon as possible. I think what is also critically important is to note that we are working very closely with Queer Yukon, that we will be assuring individual patients and individual seekers of care that their gender-affirming care will be resolved and that the payment for that to private clinics should be resolved in the next number of weeks.

Since the announcement, as I have noted, the additional work was identified. I think it is important to remind Yukoners that Yukon is leading the country in our commitments to advancing gender-affirming care and access, and we recognize that this does come with some challenges. We are very close to having those resolved.

Currently, many, many services are available and they can be performed here in Whitehorse or in other places, as I will note in a moment. Here in Whitehorse, there is gender-affirming voice and mannerisms coaching, there is the ability to have a hysterectomy and salpingo-oophorectomy, and coverage for gender-affirming hormone therapy is available through the chronic disease and disability benefits program. That is the avenue for payment. It is not considered either a chronic disease or a disability, but nonetheless, that is the route for that.

Additionally, Yukoners can access the following services through the Gender Surgery Clinic located in Vancouver General Hospital. With respect to feminizing procedures, there is coverage at the moment for breast reconstruction — I shouldn't say "at the moment". There is coverage ongoing. I don't want anyone to think that there is some issue with respect to that. There is coverage ongoing for breast reconstruction, for orchiectomies, for vaginoplasties — although there is a long waiting list — and there are vulvoplasties and revision surgery available.

Under the concept of masculinization procedures, chest masculinization — or what is often called "top surgery" — is available, metoidioplasty, clitoral release, phalloplasty, penile and testicular implant surgery, and revision surgery — all available. The department has determined that the following services at this time cannot be paid for through our current legal authorization, and we're working to address this, but the small number of those — not that they're not serious. Please don't take this in any way as but supporting these required procedures for individuals, but at the moment, we do not have the legal authorization to pay for tracheal shave surgery, body contouring surgery, gender-affirming hair removal, voice surgery, and any gender-affirming services that are performed in a particular specialized clinic in Montréal.

We are working diligently to explore the options to create the path forward. Our government and department recognize

the importance of these services for the transgender and gender-diverse community and the growing number of people waiting to access this care. I know that there has recently been an article produced in a publication that speaks about Yukon government temporarily pausing funding for some gender-affirming care. I note that the article is fair. It describes the fact — there are some inaccuracies in it, but I think it is a fair description about what has happened with respect to this policy change.

What it does not say is that Yukon's gender-affirming care program is second to none in Canada. It does say that we are absolutely committed to resolving this issue and will do so in the next few weeks. What it also does not say is that we have reached out to individual patients here in the territory and confirmed that these procedures will be covered in the very near future, and we have attempted to reassure them and their service provider that this is something that will happen.

We have to be quite careful with respect to reaching out to the care providers and the privacy of those individuals, but we are attempting to reach out to them to make sure that we do not want anyone losing a spot on a waiting list because of the details and the authority. We have committed to pay for these services, for these procedures, for these life-changing procedures for individuals, and it is a matter of authority that we need to resolve.

So, as I have said, we have reached out to service providers to make sure that they are aware that this is in no way an issue of no funding or an issue of no commitment to this — it is absolutely the opposite.

I do note that in the article — and this is something that we will be seeing — being a leader in the Yukon has its consequences in a positive way, and we expected that — there is a note in here, for instance, about an individual who, in fact, moved to the Yukon in part because of the comprehensiveness of our territory's gender-affirming care program, and we do expect other Canadians to move or others to come to Canada, to move to the Yukon, because we have set a precedent. We have set a program and a commitment to a program for gender-affirming care that is, as I have said, second to none.

I look forward to this matter being resolved in the very near future. I am certainly pleased to be able to speak to this motion and to confirm our resolve in this matter: the work that Yukon government has done with respect to promoting and protecting the rights of all individuals here in Canada.

I will note, with respect to a few other notes that I have — I want to make sure that I have covered everything. If I haven't been able to convey any message this afternoon, what I hope that Yukoners hear is: We are committed to the Yukon being a place of safety, we are committed to the Yukon being a place of inclusion, and we are committed to supporting Yukoners who need medical procedures to achieve their whole selves, and that will be our commitment going forward. While there are a few procedures that are currently not covered, and I do appreciate that causes concern, Yukoners have our utmost commitment that it will be resolved as soon as possible and within the next few weeks.

I appreciate the opportunity to address this motion and provide all that information to Yukoners.

Ms. White: Today, in speaking in favour of Motion No. 472, I just want to reiterate that the Yukon NDP has always stood together with folks who are facing discrimination, whether it be homophobia, transphobia, or others. You know, we have stood by our queer and trans friends since the day I was elected. It was the Yukon NDP who fought to make sure that driver's licences could be changed — or now on wedding licences. When someone gets it, there is room for four parents, because there has been the recognition that parents come in all sorts of groups and sizes. So, of course, we are in support.

I do have some concerns, though. I do have some concerns for things that recently happened. I agree that, when the announcement was made two years ago about our gender-affirming care policies — I mean, it is leading in the country. There have been different concerns over time. I was contacted by a pharmacy, because Yukon government forgot to communicate out to doctors that hormones — like hormone therapy — was covered and it was no longer a cost. That was not communicated out to medical clinics or pharmacies. I was actually contacted by a pharmacy to try to get that message out.

So, with the recent challenges, I appreciate that we're going to have different takes. Of course, I am not a member of the community that has been affected, but I do think that is a really important voice to hear. So, I'm going to read a letter that was posted on Queer Yukon on November 4, and it's important to note, that's just under two weeks ago.

So, Queer Yukon Society "... has been hearing concerns from community members about delays and cancellations to gender affirming care for Trans, Two-Spirit, Non-binary and Intersex people. Earlier this week ... our Executive Director and ... our Health and Education Manager met with YG's Director of Insured Health and Deputy Minister for Health and Social Services to bring up these concerns. We made it very clear to Health and Social Services that the delays and uncertainty caused by this move have huge negative impacts on people's mental health, and we asked them to communicate directly and transparently with community members who are affected.

"Today, we received the attached letter. We are disappointed that YG chose to notify service providers before community members, and to address the letter to Queer Yukon rather than to the Trans, Two-Spirit, Non-binary and Intersex people affected by the change. But we are glad to be able to provide some clarity and transparency to community members and we will continue to make your concerns heard and share any information we learn.

"Based on our conversation on Tuesday, we understand that:

"YG is currently unable to pay for any services in private clinics ... including surgery or hair removal. Access to hormones, and surgeries at Vancouver General Hospital, are unaffected.

"This is a temporary pause, and there is a 'written in stone' commitment to have a legal fix in place by the end of December 2022 and restart payment in January.

"People who already have referrals in for surgery can work with their healthcare provider and YG to make sure they don't lose their position in line.

"We've made it very clear to Health and Social Services that the delays and uncertainty caused by this move have huge negative impacts on people's mental health. We're pushing to have the wait times at Mental Wellness waived for members of our community who need support, and we'll let you know when we hear back.

"Please take care of yourselves and each other, and get in touch if there's any support QYS can offer."

The reason why I wanted to read this — this is from Queer Yukon Society — is because the minister said that she felt there were some inaccuracies in the *Xtra Magazine* article. I wonder if, for example, it's this line that says: "Queer and trans folks are angry and feel confused about how this pause could have been allowed to happen in the first place, since the Yukon government promised to expand care nearly two years ago."

Or there's this line, when the department talks about the mistake. This is a quote from one of the Queer Yukon members: "It's obviously a huge mistake to make this kind of commitment to provide life-saving, highly vulnerable care to people without having a plan in place to make sure you can actually do it," they say. "Mistakes happen, and it seems like Health and Social Services took steps to fix the issue as soon as they became aware of it.

"In my mind, the bigger issue is how they've communicated about it — without a public acknowledgement of how we got into this situation, it's hard for our community to trust that it won't happen again."

So, a lot of what this article talks about is the broken trust. In the case that the minister talked about, the individual who was accessing electrolysis heard from their provider that it had been cancelled, so the provider had been told about the cancellation, or the pause, prior to the client who was accessing the service — and that's the problem.

In the last two and a half years, I thought that we were really clear that the best thing we could do is communicate with people; we could let them know what was going on and the timelines and what that's going to do. I'm relieved that the department has been reaching out and they have been letting people know that it's a pause and, as we heard from the minister, it's going to pick back up again in January, but it was our office that people were calling with the fear that they had gone to so many appointments and gone through all the steps, and all of a sudden, this really important surgery that was coming might be cancelled because no one had communicated with them.

So, when folks started bringing those concerns to us — that's a concern, right? If all this information had been clearly communicated, that would have been better.

I just want to make sure that we recognize that the policies regarding gender-affirming care may be leading, but the fact that we have had to put a pause on it because, when that announcement was made, no one thought to look at how these processes were going to be paid for and whether or not it was legal is problematic.

I do hope that people have been able to jump wait-lists and I hope that they have gotten access to the support that they need, because I think it is really important.

When I go to, for example, the GSA at Porter Creek Secondary School, they have questions about the *LGBTQ2S+ Inclusion Action Plan*, including, very specifically, the issues around SOGI. They want to know when the evaluation of the SOGI policy is going to happen in partnership with them. They have written letters. They have asked to be involved, so they just want to know when it's going to happen.

I think it's really important, and I appreciate that my colleagues from the Yukon Party have come out clearly with a statement because we all know in this Assembly that it hasn't always been that way, so I do appreciate that.

I do appreciate the work that is ongoing to support people in the queer and trans community, but I guess this is another cautionary tale to us — to make sure that government programs, if there are any changes, are clearly communicated to people ahead of time to make sure that the people who are going to be the most affected by the changes are the first to be informed and not the last informed, because that is when problems arise.

Again, the track record of the NDP speaks for itself when I say that we will be supporting this motion. Again, I expect that the Yukon government will do a better job of communicating with people about changes that affect them directly.

Hon. Mr. Clarke: I am pleased to rise this afternoon to respond to Motion No. 472, standing in the name of the Member for Mountainview — namely that this House urges the Government of Yukon to advance initiatives that will end discrimination, homophobia, and transphobia in Yukon, including supporting advocates and working with partners to continue implementing the LGBTQ2S+ action plan.

The theme of my comments is to absolutely support this motion but to also recognize that progress in inclusiveness and combating hate cannot be taken for granted.

In many US states, the socio-political climate for transgender people is becoming increasingly hostile. In 2021, more transphobic laws and policies were passed in the USA than in any year to date. This unenviable record is on track to be broken in 2022.

In certain states, an environment in which the removal or reduction of trans populations is being pursued by socio-economic, medical, and institutional means. Attempts to reduce or remove trans populations are occurring via social invisibilization, stigma, removal of support, and discouraging transition. There's a developing narrative that trans ideology is corrupting youth with the accompanying suggestion that the permeation of insidious ideologies of Woke Gender allows the mutilation of children and the undoing of the family. These talking points are aggressively pumped out in order to create moral panic.

In some conservative circles, there is a clear use of toxifying ideas about transness as an infiltrating, contagious, corrupting threat to vulnerable kids, seducing them and leading

them astray through drugs and surgery. In a recent poll asking about the estimated proportion of transgender people in the USA, the average perception was that it represented 21 percent of the population when the actual figure is estimated to be closer to one percent.

Imagery presenting trans identity as an infiltrating foreign force is also potentially an early warning sign as LGBT foreign infiltration and moral terrorism is already deployed in Hungary and Russia. We know that transgender and gender-diverse youth are disproportionately affected by depression, anxiety, and suicidal ideation when compared to their cisgender peers.

Some studies suggest that the prevalence of suicidal ideation is reported by almost two-thirds in some studies, with tragic figures ranging across countries from 32 percent to 50 percent for suicide attempt rates. While exact figures remain undocumented, research suggests that 31 percent of transgender persons in India end their life by committing suicide and 50 percent have attempted suicide at least once before their 20th birthday.

It is known that transphobia can lead to social discrimination, minority stress, and internalized self-hate, creating risk factors for mental illness in this population.

Transgender high school students report significantly higher rates of victimization and harassment than their cisgender peers and are more likely to feel unsafe at their school. There is substantial evidence that structural stigma in the form of discriminatory laws and policies and prejudicial societal attitudes also shape mental health outcomes among multiple stigmatized groups. That is why it is critical that we not only combat this form of hate in our individual lives, but also as a society on a structural level.

I support this motion and I am proud to continue to promote our government's actions to meaningfully address and combat this type of hate.

As well, we strongly support the protection of civil and human rights of LGBTQ2S+ youth and all persons. It is vital to understand and acknowledge current educational and mental health issues of queer youth, particularly those who identify as transgender and gender-expansive, as well as the consequences when basic human and civil rights of this population are not protected. If unchecked, we know that this type of hate can devolve into dehumanization and extreme violence. As history starkly reminds us, those who were considered sexual deviants in Nazi Germany were placed in concentration and death camps. In the camps, they were subjected to the horrors of forced labour, castration, and other forms of torture and had a pink triangle attached to their clothes to identify them. It is estimated that only 60 percent of those who were transported to concentration camps survived.

Of course, there has been real progress and there is reason for optimism. We know that homophobia has generally reduced or subsided in recent years in western democracies. However, it is still a stark reality that homosexuality remains criminally punishable up to and including a death sentence in many jurisdictions around the world. In recent years, hundreds of men have been detained and tortured as part of anti-gay purges in Russia's Chechen Republic. One of Putin's henchmen and the

head of the republic, Ramzan Kadyrov, not only denied the existence of any persecution, but went on to deny the existence of gay men in Chechnya, adding that those people would be killed by their families. According to Human Rights Watch, it is difficult to overstate just how vulnerable LGBTQ people are in Chechnya, where homophobia is intense and rampant. LGBTQ people are in danger not only of persecution by authorities, but also of falling victim to so-called “honour killings” by their own relatives for tarnishing the family honour. Kadyrov has encouraged extrajudicial killings by family members as an alternative to law enforcement. In some cases, gay men in prison have been released early specifically to enable their murder by relatives. This violent homophobic rhetoric sometimes — and obviously — does lead to physical violence. This is without mentioning unofficial ill treatment, extortion, and discrimination.

The recently defeated president of Brazil, Jair Bolsonaro, uttered many odious comments about homosexuals, with statements like: “I’m not going to fight or discriminate, but if I spot two men kissing in the street, I’ll beat them up” and that “90 per cent of adopted boys are going to be gay and will be sex workers for the couple.” He also said in a TV interview that if “... the kid begins to look gay-ish, you just beat him up really bad and this will fix him. Right?”

The fact that the now former president, Bolsonaro, has just recently lost the presidential election is, without a doubt, a significant relief for Brazil’s LGBTQ2S+ community in a fragile — but it is — parliamentary democracy in Brazil, a country of almost 220 million people.

This is about basic human and civil rights. This is about saving lives and combating hate and discrimination.

I thank the Member for Mountainview for bringing forward this motion and her substantial and significant efforts over many years in combating this type of hate. I also thank the Member for Riverdale South for her tireless work in this regard over many years as well.

I certainly look forward to my colleagues supporting this motion.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McLean: I thank my colleagues for their comments today and for the support from all three parties for this important motion that we put forward today.

As many have reflected on, our government has worked tirelessly on working with our LGBTQ2S+ community and their allies to ensure that we are working toward a more inclusive Yukon.

The Government of Yukon works to improve inclusion and create equity in its programs and services for LGBTQ2S+ Yukoners. This work, as you have heard today, is well underway.

I wanted to reflect on some of the comments that were made today by the Leader of the Third Party. I know that most of the member’s comments were focused around the gender-

affirming care for folks seeking those services. We are incredibly proud of that policy, and we remain a leader in our country, and perhaps North America, on gender-affirming care. I believe that the Minister of Health and Social Services has spoken very clearly about our government’s commitment to ensure that the issues that have arisen in regard to this important care are rectified, and she has given very specific timelines for that work to be completed.

I want to just go over a few of the actions that we have taken. Again, the LGBTQ2S+ action plan was released on July 15, 2021 following a comprehensive public engagement in 2018 and 2019. Queer Yukon Society and All Genders Yukon Society reviewed the draft and final versions of the action plan. In that release, we did that together with the community. Our commitment is to ensure that we are always working in lockstep with the community — again, over 100 actions outlined in this plan.

I wanted to just highlight some of the work that we have completed. We know we have, as folks have stated here today, a lot of work ahead of us. We are, again, leading the country, I believe, in terms of our response to our LGBTQ2S+ community and inclusion throughout the territory, working toward changing the culture. I know that, for me — I have been the minister responsible first for the Women’s Directorate and now for the Women and Gender Equity Directorate. I have worked since 2016 on advancing this file. I am so proud of where we are at. When I do have opportunities to sit with my colleagues from across the country, I am always proud to talk about the work that we have done in the Yukon. I have certainly had ministers and other MLAs from across the country contact me to talk about the process that we went through and how we did this work together and to find out more about some of the innovative responses that we have been able to achieve in the Yukon. For such a small jurisdiction, we definitely are contributing to this conversation in a significant way through our action.

Some of the examples of the work underway or that has already been completed are really important to put on the record today, as we don’t always get opportunities to speak about this area of our work along with my colleagues in the House — and particularly, the Minister of Justice and of Health and Social Services and the former Minister of Health and Social Services. We worked carefully together to accomplish the work that we’re talking about today. We expanded health care insurance coverage for gender-affirming therapies, procedures, and surgeries, which has been a huge focus of the discussion today.

We provided HIV pre-exposure and post-exposure medications free of charge. We are: integrating language into the new official Government of Yukon communication style guide; incorporating gender-inclusive washrooms and change rooms, change room specifications and design guidelines into Yukon government design guidelines and technical standards manual to improve the gender-inclusivity of future renovations and new buildings; upgrading the official name and mandate of the Women and Gender Equity Directorate to reflect the work of the LGBTQ2S+ inclusion and spectrum of gender identity and expression; including pronouns in e-mail signatures as a

best practice for Yukon government employees who feel comfortable doing so; amended the *Family Property and Support Act*, which allows separated common-law spouses equal access to spousal support compared to married spouses; providing operational funding for Yukon Pride Centre; creation of a gender-neutral washroom in the Whitehorse Visitor Information Centre and gender-neutral washrooms and change rooms at CSSC Mercier — which was the first school built as we were adopting this new practice, and it will be the practice going forward in terms of our Yukon government design guidelines and technical standards manual; passing the *Sexual Orientation and Gender Identity Protection Act*, which bans conversion therapy in the Yukon; making LGBTQ2S+ awareness and inclusion training available to all Yukon government employees through our internal [YGLearn](#) website; and offering World Professional Association for Transgender Health mental health training to all Mental Wellness and Substance Use Services clinicians.

Again, we made historic moves in terms of funding the LGBTQ2S+ community, and I am very, very proud of being able to provide Queer Yukon with funding that has helped to establish our first Pride Centre in the Yukon. I know that folks are aware — and many of you were here during the last mandate and this mandate and are aware of all of the other legislative changes that we have made since 2016 to ensure inclusion of LGBTQ2S+ Yukoners. Again, we know that we have a long way to go and we are very grateful for our partners that have helped us to work to create a road map for the work that we are doing.

Again, I am very proud that the federal government has also released a 2SLGBTQI+ action plan that will bring \$100 million of dedicated funding to support Canadians who are working to advance inclusion throughout Canada. I am looking forward to very specific discussions with the federal, provincial, and territorial ministers responsible at future tables, and this will be a huge part of our discussions going forward.

I thank all members today who had an opportunity to speak. I am thankful, of course, that all three parties have indicated that they will support this motion. I believe that it is an important one for all Yukoners.

Thank you, Mr. Speaker, for the time allowed to me to debate such an important motion.

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.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

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

Speaker: The yeas have it.

I declare the motion carried.

Motion No. 472 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.

Request for Acting Chair of Committee of the Whole

Chair: At this time, I will ask if any private member wishes to volunteer to be Acting Chair of Committee of the Whole, as I am unable to Chair for part of this afternoon.

Member for Takhini-Kopper King rises

Acting Chair (Ms. White): Order. Committee of the Whole will now come to order.

The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

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

Acting Chair: The matter before the Committee is continuing general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Mr. Kent: Yesterday when we left general debate, we were talking about Energy, Mines and Resources, and I wanted to pick up on some of those conversations here this afternoon. I want to take the opportunity again to welcome back the Deputy Minister of Finance, who is here to provide support to the Premier today during general debate.

I had asked a series of questions about the collaborative framework, which has now — from my understanding — sort of become the YESAA reset MOU table or a table of First Nations and industry. The Premier mentioned yesterday that there was an initial engagement on a potential YESAA amendment between industry and First Nations and, I am assuming, Yukon government representatives on October 25. The next round of workshops or meetings on that started today, I believe. I'm just wondering if the Premier can tell us who is represented at those meetings on a potential YESAA amendment that I believe he said would be ready sometime in the new year.

Hon. Mr. Silver: As far as the actual meetings that were scheduled to happen today, I'm not really sure of who was in attendance, but if the Member opposite is asking who the representatives are of the oversight group, it would be: Kate Durand for our government, as the chair; Dionne Savill for Canada; Daryn Leas from the Council of Yukon First Nations; and also Emmie Fairclough from the Council of Yukon First Nations.

Mr. Kent: So, yesterday the Premier mentioned that industry was involved in these workshops as well. Perhaps he doesn't know the names, but does he know who or which organizations are representing industry in these discussions?

Hon. Mr. Silver: As I said, they were targeting, early in the new year, to advance recommendations to the Minister of Northern Affairs. I don't have the information as far as who attended meetings, but I know that working on that target amendment for assessment of amendments and renewals is well underway, and our Yukon representatives on OG have raised a review of the YESAA assessable activities. I know that exceptions and the executive committee project regulations — the activities list regulations — are possible next projects for them to advance in those initial conversations at the meeting that was scheduled for this week, but I don't have an update on those activities.

Mr. Kent: So, perhaps the Premier can indicate whether or not we can get some information on who was in attendance at those meetings. I know that obviously a lot of the focus with respect to the collaborative framework has been on mining, but there are other industries that we all know go through the YESAA process and could potentially benefit from addressing issues around timelines and reassessments. The forestry industry is one that called for some changes to the assessable projects list at the June 2021 meeting when representatives of all three parties, including the Minister of Energy, Mines and Resources, were in attendance. It sounds to me like the Premier doesn't have that information today, so hopefully he is able to get that information to us on which industry organizations are represented at these two workshops — the one on October 25 and then the one that started today.

I guess one final question on that — and then I will ask a quick question about another regulatory topic. The Premier has mentioned that they are targeting the new year for a potential YESAA amendment, and then will the broader consultation be the responsibility of the federal government? Is that where the public engagement and other engagement will take place at that time with the amendment, or will there be an opportunity for Yukoners and the public to weigh in before that amendment is sent to the federal government?

I have just one other quick question. This is in reference to an October 17 *Whitehorse Star* article entitled "Yukon joins energy and resource tables agreement". In that, the federal minister responsible for Natural Resources Canada, Minister Wilkinson, said that they wanted to identify additional resources needed to align regulatory permitting processes "... so we can find ways to go faster with respect to some of these prototypes, all the while respecting constitutional obligations and ensuring we are doing it in an environmentally sustainable way." I am just curious if the Premier has any information on these roundtables. I asked the minister during the *Clean Energy Act* debate about this, but is there any further indication of when this regional energy and resource table initiative will happen in the Yukon? Does he have any comment on this streamlined regulatory and permitting process that the federal minister was talking about?

Hon. Mr. Silver: In both — I don't have a lot of information as far as set dates or timelines. I know that with the establishment of that regional table, there are internal conversations that are ongoing right now to establish the pathway forward. It would be the same with our previous conversation and the reset table.

I do agree with the member opposite that this isn't just necessarily about mining. The names that I have heard, as far as who has been engaged — it would be the usual suspects in mining — obviously the KPMA and other representatives. I take his point on other resources and industries and businesses being affected by these changes, but I don't have anything to update the member opposite as far as timelines past this week's activities.

Mr. Kent: Does the Premier have any information regarding Minister Wilkinson's comments in the *Whitehorse Star* in October about the resource roundtable and identifying additional resources to streamline regulatory and permitting processes?

Hon. Mr. Silver: Again, that was my original part of the answer. I apologize if I wasn't clear there. There are internal preliminary discussions that are underway right now in establishing that regional table, but that is about all I have for the member opposite at this time.

Mr. Kent: I apologize; I didn't hear that part of the response.

I wanted to move on to an issue that came up during Question Period today, and that's the Beaver River sub-regional land use plan. I have some questions for the Premier about that. Obviously, we talked earlier today about the initial YESAB recommendation on the ATAC Resources tote road in 2017. I think it was in April or May, and then in the following

year, in 2018, the former Minister of Energy, Mines and Resources announced the sub-regional plan for the Beaver River area as part of the approval process, or the decision document process, for that project to proceed. At the time, it was said that it would be ready in two years, which is 2020. We are still awaiting completion. Last year, the current Minister of Energy, Mines and Resources told this House last fall that it would be ready in the spring of 2022, and then I believe that he is expecting it to be ready in 2023.

So, I do have the work plan documents from yukon.ca in front of me. It is a winter 2022 update, and it says that they were in phase 2, which is background reporting. It says here that it was complete in May 2022, so I am assuming that this work has been done. But there is some planning framework under phase 3 that had a completion of October 2022. The tasks under that — and I will just read them quickly as there are only a few of them. To finalize the planning framework, there was: a vision, principles, and goals; land use designations; LMUs, or land management units; and implementation.

So, can the Premier tell us if that work was completed in October of this year — that planning framework work that is identified in this document?

Hon. Mr. Silver: Just for context here a bit, we are talking about an ATAC mining land use application for a proposed 65-kilometre all-season road project that crosses First Nation traditional territory and includes upgrading existing trails, construction of new roads, three access-control gates, and numerous river crossings as well.

This goes back a bit, obviously. In February 2018, the Department of Energy, Mines and Resources and also the First Nation of Na-Cho Nyäk Dun signed the ATAC road agreement. According to the agreement, the land use plan and a road access management plan must be finalized before any road construction occurs. In November 2020, the chief mining land use concluded that the authorization to construct that road would not be issued on the basis that the application did not reflect the road access management plan and also the wildlife monitoring plan. ATAC Resources Ltd. can submit another road access management plan for better addressing the issues identified in the record of decision.

The decision does not affect our government's ability to consider future application for an all-season road, and the nature of any future submissions will determine what assessments and regulatory review processes will be required.

The member opposite is correct that we did complete three stages of public and stakeholder consultation on the Beaver River land use plan and are working on completion of the plan for next year, 2023. As the member opposite read off, this land use plan is available on yukon.ca, if folks want to read up on this.

Through the process, we are working to address the concerns about the potential impacts of the proposed tote road — on moose mostly and other wildlife species, including harvest considerations for those species. The planning committee met with ATAC Resources Ltd. in the spring of 2022. We heard the minister on his feet today speaking about meetings that he has set up during Geoscience with the

proponent — again, all to work toward the completion of an access road management plan — and currently waiting for a final version of the draft plan from the company.

As far as phase 3 activities and how they are going, I don't necessarily have anything more to update the member opposite on with the specifics of what has been done in phase 3 since the information that was accessible on the website had been posted.

Mr. Kent: Sorry, I just wanted to clarify with the Premier — he talked about a road access management plan, which, according to yukon.ca, the completion is pending the completion of the sub-regional land use plan, but did he say that we are waiting on the draft plan from the company? Can he just clarify for us?

Hon. Mr. Silver: No, I'm just saying what options the company does have.

Mr. Kent: Again, I asked about phase 3 of this planning framework, which was to be completed in October 2022. There is another timeline deadline coming up in December with respect to analysis and the draft plan — that was phase 4. Phase 5, which is the final draft plan and implementation, is due in March 2023. Then, phase 6, it says, is the final plan. The completion on that is to be determined by the parties.

Is the Premier suggesting that phase 6, which is the final plan, will be ready in 2023? That would be consistent with what we have heard from the Minister of EMR.

Hon. Mr. Silver: Yes, to be clear, we have completed three stages of public and stakeholder consultation on the Beaver River land use plan, and they are working toward completing the plan in 2023.

Mr. Kent: So, there will be additional — I see in phase 5, there will be a final opportunity for plan review by the public, NND citizens, and stakeholders. We can circle back on this in the Spring Sitting and check in with the government on where we are at with respect to what has been identified for this winter 2022 plan. I think the minister mentioned he will be meeting with ATAC Resources, and we will follow up with them prior to the spring as well just to get a sense of where they believe we are at with this planning document and resolution to something that has been going on for quite some time now. As mentioned, that initial YESAB recommendation came back in 2017.

I do want to move on to another topic, which is the staking withdrawals in the southeast Yukon in the Ross River Dena Council traditional territory, as well as the Liard First Nation traditional territory. I understand that this is something that would be led by one of the Premier's departments, the Executive Council Office. I am curious if he has any updates for us. This is a significant area that is off limits to new staking, obviously, and it is an area where there are an awful lot of minerals — particularly some of the critical minerals that are on the federal list and are important for our transition to a low-carbon future.

Does the Premier have any updates? Can he let us know when the last meeting was held with the Kaska First Nation to discuss the staking ban and what we hope to be the eventual removal of that ban? For RRDC, toward the end of next year, it will be 10 years since that ban came on. I know that the ban in

the Liard First Nation area came on in the 2016-21 mandate of the current government.

Hon. Mr. Silver: There is the mineral staking prohibitions in place in the Kaska asserted traditional territory in the Yukon to allow time to address the court declarations that were made in the Ross River Dena Council and the Kaska Dena Council mining cases when the Yukon Party was in power. We put mineral staking prohibitions in place for the A Cu Village site as well, around the area in the asserted territory of the Taku River Tlingit First Nation, to support our ongoing decisions and discussions and to hopefully alleviate some of where that was heading as well. We do anticipate that the work being done in collaboration with First Nations to develop new mining legislation will help address many of the issues, including the court declarations that we inherited.

When it comes to Ross River specifically, the mining prohibition in that area was put in place, as the member opposite said, coming on a year here, so March 27, 2013, and is in place until April 30, 2024. This is intended to allow the advance consultation with the Ross River Dena Council and other Kaska as to how to better address the declarations regarding mining staking, exploration, and development.

As far as the southern portion of the Kaska asserted traditional territories, the mineral staking prohibition in that area was put in place on February 1, 2017. Again, it is going to be in place until April 30, 2024, as we do the same with consulting and trying to find a pathway forward. To support some of the conversations on, for example, the A Cu Village, there was a mineral staking ban that was put in on March 28, 2019. This withdrawal is in place until September 30, 2023, so three mineral staking prohibitions in the Kaska and the Taku River Tlingit First Nation traditional territories, covering approximately 23 percent of the Yukon. Of this, the Ross River area prohibition covers 13 percent, the prohibition in the Kaska assertion outside of the Ross River area covers 10 percent, and the prohibition in the A Cu Village area covers a negligible percentage.

Of the three areas, the Ross River area has the highest mineral potential, especially when we're taking a look at a critical mineral strategy on our efforts to get off fossil fuels. Additional staking prohibitions have been in place for reasons such as land use planning to create parks and protection areas, but that's not what the member opposite is asking about. The Ross River Dena Council are part of monthly meetings that we're having with the conversations on new mineral legislation, and that's where we're hoping to see reconciliation in action and a pathway forward to the litigation that we inherited.

Mr. Kent: I'm going to move on to a question that I have with respect to Yukon Zinc and the Wolverine mine. Members may have seen some online ads, and I understand there are some full-page ads in local newspapers about the sale of the mill. I'll just read briefly from this online ad. It says — I think I'm going to pronounce this right — and I quote: "Welichem Equipment Limited owns substantially all of the removable equipment at the Wolverine Mine in the Yukon Territories, Canada." So there are a number of pieces of equipment

identified here: the mill and the 200-plus-person camp and some other equipment, such as the assay lab, a batch plant, truck shop, and warehouse.

So, these assets, once they're sold, will the money from those sales be applied against the remediation that is now on the Public Accounts and on the books at a substantial amount of money, or does it go to this equipment company that is selling them? I'm just curious if the Premier has any insight on that for Yukoners.

Hon. Mr. Silver: Getting into kind of some of the legal aspects of this particular situation, the corporation's decision regarding the ownership of those assets by the third party, Welichem, general research partnership, required the receiver to replace essential assets on the site with funding provided by the Government of Yukon.

The receiver and Welichem have reached an agreement in principle requiring Welichem to remove its assets from the site and providing that all of the assets used for water treatment remain part of the mine property. The final terms of the arrangement will be captured in the settlement agreement that is filed in court.

Mr. Kent: I appreciate that response, so I will let those interested know about that.

I just wanted to take a step back to the Beaver River area and that area north of Keno City. I know that there is an ongoing lawsuit filed by the First Nation of Na-Cho Nyäk Dun with respect to some permits. Can the Premier give us a status update on that? Are we still awaiting a decision? Is that where we are at with respect to that? I don't want the Premier to comment on the specifics of the law case; I am just wondering if he can give us a status update of where we are at with respect to that particular lawsuit.

Hon. Mr. Silver: So, in March 2021 — March 15, the Ides of March — the First Nation of Na-Cho Nyäk Dun did file a petition for a judicial review of the Government of Yukon decision document under the *Yukon Environmental and Socio-economic Assessment Act* to follow a proposed class 3 quartz mining exploration program to proceed in the regulatory phase. There is not much to report at this point, other than that a judicial review was heard on June 28 and 29 of this year, and the decision was reserved and is not expected before the fall of this year. So, that is kind of where we are right now.

Mr. Kent: I want to move on to a number of other mining-related topics and will start with regional land use planning. The Minister of Energy, Mines and Resources delivered a ministerial statement earlier this Sitting on the Dawson regional land use plan — that the consultation period on the final recommended plan has been extended, I think, until December 20. I do want to touch on the confidence and supply agreement that the governing Liberal Party has signed with the New Democratic Party about accelerating other land use planning.

I am wondering if the Premier can give us an update on what resources have been allocated to that particular commitment in the CASA. This current CASA is set to expire in just over a couple of months. I am just wondering what kind

of resources have been allocated to accelerating the other land use plans in the territory.

Hon. Mr. Silver: Conversations are continuing. The fact that money is spent — the money that was set aside for regional planning. We believe that, by the completion of the Dawson regional land use plan, that money will be tapped out.

We actually have had a bunch of different meetings bilaterally — as our government. Of course, this is a trilateral conversation with the First Nation governments, the federal government, and ours as well. As far as implementation — and also moving forward into other planning regions — there have been lots of conversations with First Nations that would be up next in the queue — and making sure that all First Nations with assertions and traditional territory in those regions are ready to go as part of those conversations.

Also, at the Yukon Forum and into Yukon Days — conversations in the past and also planned for future endeavours in Ottawa — to continue the conversation where that obligation needs to be from all three governments, including the federal government when it comes to replenishing the money that is not there, seeing that so much of the money was spent in the Peel process and it took so many years.

We are advancing those conversations. We have been meeting with communities; we have been meeting with stakeholders. As I mentioned, the process for Dawson is on its way. We are meeting with other affected First Nations so that we can begin work on the four remaining regional land use plans.

Again, there are lots of conversations happening at a bunch of different levels. I'm not going to speak on behalf of the First Nations and the conversations that they have been having with Canada, but we are in consultation with both of those governments to ensure that we have adequate resources to support our obligations under chapter 11.

Mr. Kent: So, can the Premier tell us how much money they are looking for from the federal government as far as replenishing the money? What would the cost-sharing look like, and what is the request to complete the remaining land use plans?

Hon. Mr. Silver: To my knowledge, I don't think we started with a dollar value and are working backwards from that. It is more about what is currently available. There is still \$4.3 million available for the Dawson regional land use plan and all other remaining plans, unless more funding becomes available. There is the 2024 — that's when the funding review happens. So, if agreed to by the parties, a larger funding review will take place. From there, I believe, that will be the process to start deciding, based upon previous plans in the past, based upon willingness of participants, et cetera — and also what we have learned through the plans as far as what we expect as far as dollar values from here forward — again, learning a lot through these processes as far as the responsibilities of the council itself, the responsibilities of governments involved, and trying our best to learn as we go through the processes so that, when it's time for that review in 2024, those dollar values will become a lot more acute as far as understanding the need for each of the remaining plans.

Mr. Kent: I was just jotting down some numbers as the Premier was speaking. There's \$4.3 million left in the funding pot for the completion of the regional land use plans. I think he said earlier that he expected that amount of money to be expended by the end of the Dawson regional land use planning process. I just wanted to confirm that this is exactly what he said.

I'm also wondering about a budget line item for the implementation of the Peel final land use plan. Is there an implementation budget set aside for that, and if so, can the Premier tell us how much that is?

Hon. Mr. Silver: Yes, my statements are speculative at best. Currently, there is \$4.3 million left. We have done two plans that cost us \$5.3 million. It doesn't take a mathematician to know that we are not going to get through the rest of the plans with the money that has been allocated in total. Talking with ministers responsible, I give them my concern that we could be in a position where that money dries up. Maybe that's before we complete Dawson or maybe that's while we start on another plan, but we definitely will not get to the finish line with the number of plans that are still left in the queue in that obligation under chapter 11.

As far as a dollar value for money spent to date on the Peel implementation plan, with all due respect to the member opposite, it's not a budget item for today in the supplementary budget, so I would have to get back to him with that information.

Mr. Kent: Yes, I look forward to getting a sense of what has been expended to date on the implementation of the Peel plan and then what the budget is, looking forward, in terms of costs to implement that plan for that planning region.

It doesn't look like that part of the CASA — about assigning resources to accelerate other land use plans — will be completed before the end of this current CAS agreement. I did want to just ask about another commitment that was identified in the confidence and supply agreement, which is successor resource legislation. We know that the *Quartz Mining Act* and the *Placer Mining Act* are under review. Also, my understanding from the minister in previous conversations that we have had is that, working with First Nations, obviously there was no way to complete it within the current CAS agreement, which would have meant tabling those new pieces of legislation this fall.

I am wondering if the Premier can give us an idea of where we are at in that engagement process. Does he have any sense for when those two new pieces of legislation will be ready for public engagement and when they will be ready for presentation on the floor of the House?

Hon. Mr. Silver: It probably won't surprise the member opposite that I'm not going to necessarily speculate on announcements that haven't already been made when it comes to successor mining legislation. Suffice to say, though, that we are working on this, and the conversations are going very well as we move into this next phase of policy in Yukon. Industry and environmental groups are involved in the process. We are working with our First Nation partners as well. All of these governments and organizations are providing their perspectives

and interests on key policy issues and providing feedback on ideas and options generated. This new made-in-Yukon legislation will improve the regulatory system, strengthen our economy, and also protect the environment and support the modern-day needs of the Yukon.

As far as anticipated public engagement and First Nation consultation, we are tracking that for early in 2023, but I really don't have too much more of an update for the member opposite.

Mr. Kent: So, early 2023 for public and First Nation government engagement on these two pieces of legislation. I guess I'll ask again: Would that mean that the Premier would anticipate legislation being ready for presentation in the next Fall Sitting of the Legislature?

Hon. Mr. Silver: Again, I'm not going to speculate on any announcements that the department hasn't already made.

Mr. Kent: Okay, I appreciate that. We'll follow up with the minister in the Spring Sitting and hopefully get a better sense on timing for when that legislation will be available for public review and tabling in the Legislature.

I did want to just ask quickly about another piece of legislation that's under review, which is the *Forest Resources Act*. Can the Premier give us any sense of timing on that act review and if that will be tabled anytime soon? I know it has been underway for a while, so I'm just curious about any update the Premier can give us on that piece of legislative review.

Hon. Mr. Silver: We are working with First Nations to review the act — the *Forest Resources Act* and its regulations — to make them clear and more effective. I know that the working group of representatives from the Government of Yukon, the Teslin Tlingit Council, Tr'ondëk Hwëch'in, Kluane First Nation, Kwanlin Dün First Nation, and the Acho Dene Koe First Nation has developed draft recommendations for updates to the act and to the regulations. We are asking Yukoners for feedback on the proposed changes this fall. So, we will be reviewing them and working with groups beforehand to make the final recommendations to the government.

Mr. Kent: So, there is a level of public consultation underway — I think the Premier said this fall. Is that underway now, or is it planned for sometime later this month or early into December?

Hon. Mr. Silver: I believe it is ongoing now, but I will find out definitively and report back to the member opposite if my assumption is incorrect.

Mr. Kent: Thank you very much, Acting Chair.

Just one other piece of legislation that was on the floor of this Legislature last fall, which was amendments to the *Lands Act*. It was to deal with resource access roads, essentially. It was an enabling amendment that would have allowed for the development of regulation to deal with resource access roads. It was our understanding last fall, when the act was passed, that the regulation would be ready in the spring. Then I asked in the spring, and the minister mentioned that it wasn't ready at that time, either.

So, can the Premier give us a sense of when that regulation will be ready? We know that a proponent withdrew — I think

it was a class 4 permit application — and was waiting on the development of this regulation. So, just looking for a status update on the regulation's development and when that will be ready. I'm assuming the work with First Nations is ongoing right now. The Premier can confirm that or not and when that will be available for public review.

Hon. Mr. Silver: I will respond in terms of the resource road regulations. I was a little bit confused because the member opposite started with the *Lands Act*, which would probably be different information here.

When it comes to the resource road regulation, we are in the final stages of developing the new regulations which clarify the rules around the construction, the operation, and the decommissioning of the resource roads. That regulation is to address concerns about road access to the backcountry and will provide consistent rules for proponents. We are anticipating having a regulation in place for the spring of 2023, following consultation with Yukon First Nations.

Mr. Kent: I mentioned the *Lands Act*, because that was the piece of legislation we had to amend last year to enable this resource access road regulation to be consulted on and implemented.

I do have a few other questions for the Premier. The first one is about the mineral development strategy. Obviously, there was a fairly long engagement with Yukoners to come up with a mineral development strategy and the regulations. I know that the Minister of Energy, Mines and Resources has mentioned to me in previous discussions on the floor here that some of the recommendations are captured within the review of the two pieces of mining legislation. I believe he made a commitment to get me a list of which ones there were. I would have to look back through some of the legislative returns to see if I received that list from him, but I'm curious if the Premier could give us a status update on the response to the mineral development strategy, which recommendations the government is considering implementing in the legislative reviews, and which ones they're not going to implement — which of those recommendations made by that independent panel they are not going to implement at this time.

Hon. Mr. Silver: I probably don't have too much of an update for the member opposite if he is still waiting for confirmation on specifics. The strategy panel final report focused in on six strategic priorities, set out 125 specific recommendations for a future mineral development and management regime for the Yukon, and about half of those recommendations are related to or contingent upon the development of that new mining legislation.

Specifics toward that — I am not really sure that I have too much more to add to that. We agreed, under the MDS, to prioritize those that pertain to successful legislation, and as I mentioned, that would be about half of those. But as far as the specifics, I will leave that up to the minister and his correspondence with the member opposite, the critic.

Mr. Kent: Thank you, Acting Chair. I will follow up with the minister on that commitment that he made to get a list and see if it was actually just contained in a legislative return or

if it was a letter or something like that. So, I will follow up with the minister on that.

I do have just a few more questions left. The first one is on class 1 notification. Obviously, this is something that is now a requirement for any of the low-level — or perhaps not low-level, but class 1 activities. Anyone wishing to undertake them now has to provide notification to affected First Nations. I am curious; I know that the Prospectors Association and others were working with the government on coming up with a different class for non-mechanized or very low environmental-impact activities to see if that could be conducted without notification. You know, obviously, when individuals are out on the land and have to either book helicopter time or that type of thing to get out there, that is extremely expensive, so I think that some of them were hoping to be able to do some low-level, as I have mentioned, perhaps non-mechanized activities.

So, I am just curious if the Premier can give us any update on where we are at with working with industry and First Nations to develop some activities that would be allowable without notification.

Hon. Mr. Silver: I wouldn't have much of an update for the member opposite other than recognizing that he is correct in some of these suggestions coming forth from the different organizations — NGOs — that work with the industry, but as far as any update as to a “class 0” — I have heard it called — or a low-level classification, I think that those conversations are ongoing, but I will work with the minister to see if there is any update for the member opposite.

Mr. Kent: I appreciate that and I can follow up with the minister as well on that.

I have just a couple of questions on some energy issues. The independent power production policy, or the IPP policy, is something that was flagged in the Yukon Utilities Board's recent report on the energy purchase agreement on the Atlin hydro project. I don't have the report in front of me, but just to paraphrase, I think there was concern with the IPP in that it focused on summer energy rather than winter energy, and there was a recommendation that the government focus on different IPP projects that provided winter energy.

Does the Premier have any comment on that particular recommendation and where the government is going to go with respect to IPP winter energy generation projects rather than the summer ones that were flagged by the Yukon Utilities Board?

Hon. Mr. Silver: Well, supporting the locally developed sources of energy is extremely important through the independent power production policy. I know that the minister has been grappling with expanding that spectrum into the months when we really need it — into winter months. Again, based upon that, whether it's the IPP or working with Atlin or working with the Taku River Tlingit or other First Nations that may be interested in helping along the way or even with folks who are adding to the complement of energy by providing solar and wind and other opportunities — summer is obviously easier for certain types of renewable energy than others. It's extremely important to make sure that, as we move forward with the suite of different options, we are cognizant of the need in those winter months and the importance of the Atlin project to

provide that winter power. The importance of the battery technology as well as Moon Lake are other parts of the conversation — not necessarily connected to IPP specifically. I know that the minister is reviewing the IPP currently to meet the observations of those who have fed into this policy now that it has been a few years into its application.

Mr. Kent: I know that there is legislation being developed with respect to geothermal energy. Just doing a little bit of research into the topic, publications like *The Wall Street Journal* and *Business Insider*, Golder engineering, and even the Canadian Geothermal Energy Association suggest that, in order for the effectiveness to be maximized, it may require hydraulic fracturing to develop that type of energy. I know that there is a moratorium on hydraulic fracturing, but I'm curious if the Premier can comment on what others are saying with respect to this — that hydraulic fracturing to develop geothermal energy makes it more effective.

Is that something that the government would consider — lifting that moratorium on hydraulic fracturing as it relates to geothermal energy development? Obviously, not on the oil and gas side — they have made it quite clear about their position on that — but just with respect to geothermal energy development?

Hon. Mr. Silver: As a commitment in *Our Clean Future*, we are looking at geothermal as a renewable energy source with the potential to reduce Yukon's greenhouse gas emissions and reliance on fossil fuels. This is something that has been of interest to me for a while now. I know that CanGEA has identified some areas of Yukon as being some of the best in North America for binary steam production. It is interesting to see that, with the geology that we do have, we could be considering this as an option as we look through the pages of *Our Clean Future*.

We are in the earliest stages of developing geothermal legislation, so we sought input on how those resources should be regulated in the territory in a public engagement that happened right through the summer until late September of this year. When implemented, that new legislation will establish a 10-year regulatory framework to manage geothermal resources in the territory.

So, research is on its way about fracturing in this pursuit — we are several years away from any type of geothermal resources in production in the territory — and considering that research.

Now, as the member opposite knows, I was a member of the Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing. There are a lot of differences between fracking for geothermal resources compared to fracking for energy in the fossil fuel world. The chemical combinations are different and the deep well injection options after the fact for those fluids. There are a few different things to consider, but I won't get too far down the road about the comparison. I personally have not done as much research on the geothermal side of things with fracturing as I have — being honoured with a seat on that select committee where we had an opportunity to go down to Alberta, work with Schlumberger, and actually witness a frack in occurrence — and worked with companies

there — let alone going all the way through all of the Yukon to all the communities and having conversations on the risks and the benefits there in the context of fossil fuel. No research by me personally on how that pertains to geothermal — but that research is underway and will provide information to better characterize the geothermal potential in the Yukon.

Mr. Kent: I guess just to sort of close off on that, at this point, can the Premier just confirm that it's too early in the development of legislation — that they are not ruling out, at this time, hydraulic fracturing to develop that legislation and be a permissible activity for geothermal development? When the Premier is on his feet, if he can just confirm that.

I have a question as well about the western Arctic offshore for oil and gas development. I know that we have been participating with our neighbours as well as the Government of Canada in those discussions. Is the work complete now on that development, or is it nearing completion with respect to oil and gas development in the western Arctic offshore?

Hon. Mr. Silver: Yes, as far as geothermal moving forward — I'm not going to comment too much on what we will decide once the research is done — not only looking at the differences between hydraulic fracturing in the two different pursuits, but also research to date on which regions have the higher geothermal resource potential, where it is compared to the surface, and what that geology looks like. These things will determine the methods and technologies that will be used at the time.

There was a pairing in 2021 with the Liard First Nation to complete some geophysical surveys to identify targets for graded temperature wells in Watson Lake. A report from this study will be released soon — hopefully before the end of this year, but definitely this winter. In the Teslin area, there were a couple of geophysical surveys that were done and completed that will allow us to assess the potential of geothermal resources in that area. So, once we get this data about the potential in the actual areas, then comes a conversation about tapping that potential.

When it comes to the western Arctic conversations, there are ongoing conversations right now with historical royalties and also moving forward with the federal government and the Government of Northwest Territories.

Mr. Kent: I thank the Premier for his time here today. There are a number of other topics — quite a few — that I could have touched on here today, but in the interest of moving into departmental debate — and I believe, from House Leaders this morning, Economic Development would be up next.

I am going to take my seat. I thank the Deputy Minister of Finance again for his time in supporting the Premier during general debate. I am prepared to clear general debate and move into one of the four departments that we have identified in this budget.

Chair (Ms. Blake): Is there any further general debate on Bill No. 206, entitled *Second Appropriation Act 2022-23*?

Seeing none, we will now proceed to clause 1.

The bill's schedules form part of clause 1. One of the schedules is Schedule A, containing the departmental votes.

The matter before the Committee is Vote 7, Department of Economic Development, in 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

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

Department of Economic Development

Chair: The matter now before the Committee is general debate on Vote 7, Department of Economic Development, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any general debate?

Hon. Mr. Pillai: I would like to start by thanking the officials from the Department of Economic Development who are joining us today — Deputy Minister of Economic Development, Justin Ferbey; and Director of Finance and Information Management, Beth Fricke — who are both here supporting today. I also would just like to make note that retired assistant deputy minister Steve Rose, as some may notice, has consistently supported us and continues to be passionate and interested in economic development. It is great to see him here with us as well today.

As the Minister of Economic Development, I rise today to introduce the *Supplementary Estimates No. 1* for the 2022-23 fiscal year. At the Department of Economic Development, our work is focused on assisting our partners in building a prosperous Yukon by creating and fostering economic opportunities and pursuing economic initiatives with the shared vision of prosperity, partnerships, and innovation and also forging, maintaining, and expanding partnerships with First Nation governments in the economic development of the Yukon.

The supplementary budget request includes additional funding to support the territory's media sector and labour market development. Concerning media development, the request is an increase in appropriation of \$250,000 to support our territory's performing artists. The budget for the new performing musicians fund has increased by \$300,000, of which \$50,000 will be covered by the remaining balance of the former sound recording fund.

The close of the previous fund and the implementation of an expanded performing musicians fund was informed by input from industry members and ensures that our programming meets their needs. This increase adds \$250,000 to the departmental budget. I am pleased to report that the first intake of the fund was on July 4, and nine emerging and two established musicians were awarded a total of \$85,663. The most recent intake for the fund was on September 15, 2022. Again, if funds are still available after the September intake, a third intake will be held later in the fiscal year.

Concerning labour market development, the request is for an increase of \$1,104,000. Additionally, we are asking for these funds for the Labour Market Unit, and this is related to carry-over funding from the 2021-22 fiscal year. This funding is fully recoverable from the Government of Canada and is part of two agreements: the labour market development agreement and the workforce market development agreement.

The Labour Market Unit supports workers and employers by providing funding for training and development and administering programs, which include Building UP. Projects under Building UP strengthen labour market participation of those not in the labour market, including foundational skills, skills for success, and vocational skills, disability supports, and employment assistance services. As well, there is Staffing UP, which provides funding support for employers seeking assistance to find, hire, and keep workers.

It is clear that the work of the labour market development unit is greatly needed to address the current labour shortage.

In closing, we are asking for a supplementary budget increase of \$1,354,000 for the Department of Economic Development. The work that the department undertakes using these funds will continue to build our local music industry and help to increase the strength of the territory's labour market.

Thank you, and we will stand down for questions.

Ms. Van Bibber: I would also like to thank the officials for joining us today to assist the minister.

I will start with a fairly simple question, I believe. I would like to ask the minister if he could please confirm what the 10 *Canadian Free Trade Agreement* procurement exceptions were for this year.

Hon. Mr. Pillai: I just wanted to identify — sorry, we are just pulling some information together — just to the fact that, although it's exceptions that are identified under the *Canadian Free Trade Agreement*, the Department of Economic Development tends to be the lead on all conversations. This particular exemption really is — the intervention on it — or, sorry, the work that's undertaken concerning this exemption is done through Highways and Public Works. I will do my best to provide some updated information.

The Yukon government is helping to boost economic development across the territory through the use of trade agreement exceptions. The exceptions allow us to restrict procurement competitions exclusively to qualified Yukon businesses 10 times per year in order to keep government dollars in the territory and to support local businesses.

Over the past five years, manufacturing, construction, and consulting contracts have been awarded for work in communities across the Yukon. Since 2018, Yukon businesses have competed for and secured 49 Yukon-exclusive government contracts worth \$24.6 million. For the 2022-23 fiscal year, government has awarded three projects to Yukon businesses, totalling \$2.17 million, with plans to use all 10 exceptions within the fiscal year.

The criteria for selecting regional economic development exceptions includes how much of the money spent on the project will create economic opportunities in the Yukon and

whether the project supports the territory's industries and suppliers.

At the close of a project, suppliers are now required to report on the total dollar value expended on Yukon labour and materials to quantify the direct positive impact these projects have on Yukoners. To date, 12 projects have submitted reporting on their completed contracts, with eight projects using 100-percent Yukon labour and Yukon materials. The reporting from the 12 projects shows that just over \$1 million was spent on Yukon employee labour.

Ms. Van Bibber: On the three projects equalling \$2.17 million — and the suppliers are required to report — could we find out what those three projects are?

Hon. Mr. Pillai: The three contracts that have been awarded so far within this fiscal year for 2022-23 — the first was for six direct current fast-chargers, and those were in the Yukon communities of Ross River, Faro, Burwash Landing, Beaver Creek, and Whitehorse. That was awarded to Solvest Inc., the green street paving project in the Whistle Bend subdivision of Whitehorse was awarded to Castle Rock Enterprises, and the community-scale composting program design and installation in Deep Creek, Tagish, Carcross, and Marsh Lake was awarded to Boreal Compost.

Again, these were totalling \$2.17 million, but it is also important to note that this work is still ongoing. There's still a number of opportunities that the Yukon government is looking to award through Highways and Public Works. Again, this is such a significant opportunity. The use of this was not always maximized, and I know that the department and the minister are doing their very best to ensure that we use these exceptions, understanding — with a mind to the best possible impact to the Yukon business sector and Yukoners in general.

Ms. Van Bibber: So, I'm assuming we are hoping that the other seven of the 10 projects will be awarded. That's a good thing.

So, the change in the supplementary estimates is for the performing musicians fund, which was an increase of \$300,000. From what I heard the minister say in his opening statement — the original sound recording fund was disbanded by its members? If this is so, why is it necessary to revamp the name and the program?

Hon. Mr. Pillai: I'll just make a small clarification. The original fund that was available for sound recording allotted \$50,000 per year. The comment I was making — and I might not have been clear enough in sharing that information — is that the new fund that is now in place — the development of it and the structure of it was the result of the consultation and advisement from industry. So, first of all, folks were looking for more funds available and then how the fund itself was structured. I'll share a little bit — for Yukoners who are listening — more background on what we have done there.

So, the Department of Economic Development released a comprehensive new funding program for Yukon musicians to foster continued growth in this vibrant, creative industry. It's important to note that the culture and creative strategies, which were shepherded in with the work of the previous minister and the now Minister of Education, was a really comprehensive

process. It really helped move forward our work in all of these areas.

So, what we're trying to ensure is that, when we look at the GDP contribution in the Yukon from the creative and cultural industries, we're looking at about two percent of our GDP. In Canada, if you look at that number, it's about 2.7 percent. So, we want to get to that number, and that means that it will increase by about — what it does, that percentage — that 2.7 is about \$21 million.

So, what we're trying to do is ensure, through whether it's music, traditional arts from First Nation artisans, any of these areas where we can help lift and support folks to increase their success. So, that's — going back to the sound recording, that's the idea.

So, we increase the annual budget of the program by \$250,000 from \$50,000 for a total of \$300,000 that's now available to support artists. The performing musicians fund was launched in June of 2022 and held its first intake on July 4. As I had touched on in my earlier comments, there were about 23 applications. It's also important to note that, when decisions are made, we have a jury of industry professionals from across Canada who make recommendations for the applications, and in this particular case, we had two established musicians and nine emerging musicians who received those funds.

What we heard from the industry was that there were a number of things that we had — the scope of what we could fund should expand. So, the range of activities eligible under the fund now includes music video content and sound recordings, marketing activities — such as touring and showcasing — and training and development of Yukon musicians.

So, what has become apparent and what we heard — in a previous iteration of this, a local musician would go, they would put their application in, and if they were successful through the process, they would then go — and if they were looking to record, they would go to a recording studio. So, we heard from industry professionals — like Daniel Ashley or Bob Hamilton, others whom we sat with who have a great global track record, as well as local — that, in the current state of the industry, even being able to put visual content together — some of us were in that time; you would be watching the video show with all the videos for half an hour on a Thursday afternoon at 5:30, if you made it home off the bus in time.

So, anyway, now they are shooting this content, and the content, of course, is on YouTube or it's on different platforms, and just being able to fund one of those to have that visual and work with a recording studio to ensure that they have that professional quality — that alone can be as important in many cases as being able to go in and record a complete number of tracks. When we think about it, we say a “record”, but inevitably, of course, the format has changed. Those are some of the changes that we heard and folks said that it was really important to make those changes. The new program increases the funding available to Yukon musicians, and it's up to \$10,000 for emerging musicians and up to \$30,000 for established musicians. Again, it is important to note that the music industry creates local jobs, builds capacity, supports

Yukon businesses and entrepreneurs, and contributes to our economic diversification.

For any creators who are listening, they can find information on programs online at yukon.ca or by contacting our media development team at Economic Development. It is also important to note that now we are seeing a cross-pollination between the sound recording industry and film, because in many cases, in the film industry, they also need to lean on tech digital creators for some of what they produce and, in some cases, when they get funding from entities at a national level in Canada, they also have requirements to do extra work. Some of that is digital content. They need to also lean on proper sound recording, and so now all of those industries are starting to really work closely together. That means that they will all have consistent business coming through the door. That means that they can invest in their businesses. That means that they can train and provide opportunities to build capacity. Then we can see that overall growth within that sector of our cultural industries.

I hope that gives a little bit of extra information as to why we have done what we have done. Of course, it is illustrated in the fact that the industry really drove the renaissance of this programming.

Ms. Van Bibber: I have a couple of items from your mandate letter that I would like to ask about. The letter indicates that you were directed to work with Yukon University to investigate the feasibility of a varsity sports program. As we know, it was announced that the Canada Games was cancelled this week. One of the things I noted in the bid was that none of the new sports infrastructure was slated to be developed at the university.

Given the department's mandate to help with the varsity sports program, that might have been an opportunity for leverage. In that regard, can the minister give us an update on the work of the varsity sports program, and were the department and the university ever considered as part of the bid or involved in the process?

Hon. Mr. Pillai: I will start with a little bit of information on this particular item. It is important to note that we have two departments working closely on this. The department is working on this project in collaboration with the Department of Education, inside of government, and that is, of course, because of the deep connection between the Department of Education and the university, but there are existing funding agreements in place between the Department of Economic Development and the university as well.

The department is working on this project in collaboration with the Department of Education, Yukon University, Sport Yukon, and the Aboriginal Sport Circle. Sidekick Consulting was the contractor that was selected to provide a feasibility study and road map of how Yukon University might develop a varsity sports program, including the estimated costs for each stage. The study was expected to be complete by mid-October. The deputy minister, again, has just mentioned to me that this work is coming to conclusion right away.

I will give a little bit more background that I have had the opportunity to hear from the Minister of Education. The

departments of Education and of Economic Development were working together on this. I will expand just a bit more on this feasibility study. Part of the work will be: the measurable and intangible benefits of varsity athletics for small- to medium-sized Canadian universities and colleges, as well as for the host communities; the process by which the university would gain and maintain admission to regional athletic associations; staffing requirements and O&M costs; viability of most likely entry sports — and what would that be? As an example, it could be curling, it could be futsal, or it could be badminton — along with cost of infrastructure and supports.

As well, requirements including cost to establish an athletics department at the university and a process by which the university could scale up a varsity sports program — and participation in regional athletic associations — and unique factors, opportunities, and challenges and opportunities for Yukon First Nation participation or partnership in varsity programs.

That, I think, gives a little bit of background. That work is just concluding. What I can share is that the university — I think that part of that question was: Was the university part of the bid for Canada Games? That might also be speaking about infrastructure, as well, or potential infrastructure. What I can say is that, in the early stages, I know that looking at housing and the potential of building housing on the site of the university was definitely something that was a live conversation. In my role as Minister responsible for the Yukon Housing Corporation, that was something that we were looking at — and supporting those conversations with the bid committee.

Concerning this mandate letter item, I would say that the early thoughts around varsity sports were to take into consideration a series of different options. One is: How do you feasibly undertake this understanding that some sports are more expensive to have in place than others? Then, looking at that study, what is the existing infrastructure that is in place and how do you use that? What I would share is that, of course, the university has always had a gymnasium and a fitness facility. The gymnasium has undergone a number of upgrades and is in great shape. I had an opportunity to play in a playoff game last year there, and it is as good as it has ever been, and you could host leagues there and you could likely host basketball or volleyball at a college or university level.

We know that when it comes to futsal — which is, of course, soccer but is done in a way where there are some adjustments to the game to be played indoors — it is something that there is a lot of interest in. Of course, we have existing facilities like the Canada Games facility and it has the proper revised turf and other infrastructure.

When we talk about curling, we have always had great facilities for that. Just to give you a snapshot, those are some of the things if you use an existing infrastructure.

Other things that I would just like to share with the Assembly is that part of the concept behind this was to enhance the interest in becoming a student at Yukon University. The element of sports programs can be a real catalyst to drive interest in the institution. One of the things, for instance, is that

there's a reciprocal tuition agreement between Alaska and the Yukon. If you are a student in Alaska, you can come and attend Yukon University, and you can do that in a way where that agreement makes it quite reasonable. There are a lot of amazing athletes in Alaska, and if they don't get a US scholarship to go and play NCAA Division 1 or Division 2 or even Division 3, sometimes they don't leave the state to go on to post-secondary, but they are really high quality athletes and they play a series of many sports. So, is there an opportunity to have those Alaska students become part of the student community at Yukon University? Is sport one of the things that can enhance their interest?

As well, some of the work that was undertaken here was to take a look at how many students are leaving. I think that a loan for just basketball last year — Tim Brady, a well-known community leader here, had mentioned to me that there are about 20, almost 25, young men and women leaving the Yukon to go off to colleges throughout western Canada and central Canada — but really wanting to stay here. Some of those individuals have grown up outside of Whitehorse and in some different communities in the Yukon. Of course, that's a really significant adjustment where they would like to have the support of their families here in the Yukon, they would like to be a student at Yukon University, and they still would like to pursue something they love. So, that's also something that they are really passionate about and they have spent a lot of time working on it.

The other opportunity that is really unique is: When you want to go and play, whether you're an amazing — as you know, the Yukon has an incredible number of cross-country skiers, whether they're from Old Crow or Whitehorse — if that's a sport that you have really been passionate about and you want to still compete at a national level or regional level, having the opportunity to attend at a university — but having a hybrid model is really unique. It's really difficult to be able to go and play varsity basketball or skiing while you're doing a trade, and that's the beauty — now you're in a position where you can actually — one of the many trades that are available at Yukon University and you're still playing varsity sports, which is not the norm. You know, being able to go and pursue a career — you know, whether it's in carpentry — and then being able to still play a sport is something really, really unique that they can also consider.

I'm looking forward to taking a look at the final work and study in the report. I know we have really good people at that table who have been part of this work. I think I would like to just — the one person I would like to point out and thank is Tracey Bilsky, because there is probably not a better person — in western Canada, at least — to undertake that type of work. I'm aware of that because some work was done on this about 10 years ago. And when it was done, I think there were some conversations between Yukon College at the time and the University of Northern British Columbia in Prince George. One of the comments made back then, when there was some exploratory work being done, was that, you know, the best person you could get in western Canada — you don't have to come to Prince George and have these conversations — to

speak with is Tracey Bilsky who, of course, was at Sport Yukon at the time.

So, a number of other folks and Ms. Bilsky have been a part of this, so I know that we have some very talented individuals providing us with the advice that's going to be needed for the university to inevitably make a decision on this undertaking.

Ms. Van Bibber: I thank the minister for that answer. The letter also directs the minister to create a mineral exploration fund to support junior mining companies that want to operate in the Yukon. Could the minister update the House on that work of the creation of the mineral exploration fund?

Hon. Mr. Pillai: The department has done a preliminary review for a number of fund models since the mandate commitment to create a new mineral exploration fund was announced. The department tendered a contract for fund design in February 2022. Three proponents submitted bids by April 2022, but only one bid met the technical requirement at the time. That work was subsequently stopped on that undertaking.

The history of this item before the 2021 election and the previous mandate was that there was interest in this concept of a fund. There were unsolicited proposals on at least one occasion that came into the Department of Economic Development and Energy, Mines and Resources around this concept. There were also industry leaders in the mining sector who felt this could be a real tool that could be used to enhance exploration. The Government of Québec probably has the most substantial model, where they have used internal funds to help move forward exploration activities in something that is similar.

I would just touch on and say, previous to 2021 when we received an unsolicited proposal, we ended up, as a government, going out and getting a legal analysis and some due diligence done around the proposal. In the end, simply put, we were advised that the proposal had some challenges. At that point, we decided to continue on doing our own due diligence on it.

Going out and trying to see if there are organizations that want to partner with government or undertake this, one of the recurring themes that we continued to hear was that building a fund, at the time, with a bunch of institutional investors was not of big interest because there needs to be enough investment opportunity. It's another way of saying "deal flow". There has to be enough deal flow in order for the fund to really be active enough and then, of course, present the returns that are required to bring investors into that area of investment.

We as a government had also reached out to the British Columbia government, because the Association for Mineral Exploration, which hosts Roundup every year, had requested that the BC government put a large amount of money aside to do the exact same thing.

Our Department of Economic Development reached out to the BC government, and we were also seeing if we couldn't partner, because there are so many synergies between British Columbia and the Yukon when it comes to mining. Many companies have offices in Whitehorse, but they also have

offices in Vancouver — or they have offices in Watson Lake, but they have offices in Vancouver. There is a reason that, when you go to these bigger conferences like Roundup, that even the awards that are given out by the host organizations have criteria as to whether you are a company in BC or in the Yukon. In many cases, you still qualify. It seemed like a natural partnership, if we could have both governments come together and share the costs.

Inevitably, what happened was the BC government, in their budget going into the last election, did not follow through on the request from the AME in British Columbia. So that left us in a position where we still wanted to undertake some due diligence; we still wanted to make sure we were taking that advice from the Yukon mineral industry and seeing if there was an opportunity to support it.

Where we stand at this point is that we have come to the conclusion that, in going out to institutional investors, there is a lack of interest, but we started early conversations from the department with First Nation development corporations to see if there's an interest in having the potential of First Nation development corporations potentially invest in early exploration. They're early conversations. As those conversations mature, I will bring that back to the House, but we're looking at that potential model if there's interest and if it looks like it could work properly and if the returns are there.

That's our update on that particular mandate item.

Ms. Van Bibber: It's noted in the letter that the Innovation Commission will help attract technology start-ups and grow the Yukon's digital ecosystem. The government announced the commission last summer. The press release noted that it would also develop a five-year innovation strategy to expand opportunities for local entrepreneurs.

Could the minister provide an update on the work with the Innovation Commission and perhaps outline how it will be attracting new tech start-ups, as well as have any already opened? Can the minister provide a timeline of when the strategy will be up and running fully?

Hon. Mr. Pillai: I'll start off on this question, and then we can maybe continue on in their next opportunity to discuss this Economic Development supplementary budget.

So, the Government of Yukon is committed to building a thriving innovation economy by supporting technological growth and entrepreneurship. We have completed, again, the public engagement on a five-year strategy, and we worked with the Innovation Commission and innovation experts to seek their professional and technical input. The strategy is under development, and it will outline the Yukon's unique strengths and identify actions that will foster the conditions for Yukoners to be able to create, grow, and mature their business ideas in the Yukon. By supporting innovation across sectors, we are creating jobs and building a strong, diverse Yukon economy.

Just a little bit of some data we can share — so, over the past five years, the Yukon's tech sector has continued to grow and now represents approximately 3.7 percent of the Yukon's GDP in 2020.

The strategy will seek to grow and attract technology start-ups and expand Yukon's digital ecosystem. Our strong

innovation and entrepreneurial culture in the Yukon will continue providing momentum to expand and diversify our economy. The innovation strategy, again, will encourage and support entrepreneurship and innovation in the Yukon.

Just in closing for today, I would state that we are in a position now where — hopefully, we will talk about this a little bit more later because there are some really exceptional individuals who helped on this commission. The work is just coming to a conclusion. We believe that in the first quarter of the next calendar year, we will be ready to roll it out. We wanted to add some things to the innovation strategy, just based on contemplating the geopolitical changes in the world over the last 12 months. They have been timely events that we have now taken into consideration and integrated.

I would also like to thank the officials for coming in today. I look forward to the rest of the questions concerning the Economic Development supplementary budget.

Madam Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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. 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 5:28 p.m.

The following legislative return was tabled November 16, 2022:

35-1-69

Response to oral question from Mr. Kent re: teacher staffing — Yukon Teachers Labour Relations Board adjudication of grievance (Streicker)

The following document was filed November 16, 2022:

35-1-112

Bill No. 20, *Animal Protection and Control Act*, letter re (dated November 16, 2022) from Mandy Johnson, Vice President, Yukon Dog Musers Association to Hon. Nils Clarke, Minister of Environment (Istchenko)



Yukon Legislative Assembly

Number 98

1st Session

35th Legislature

HANSARD

Thursday, November 17, 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

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Hansard Administrator	Deana Lemke

Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, November 17, 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 recognition of National Child Day

Speaker: I have a statement. National Child Day is on Sunday, November 20. We have in the gallery today Child and Youth Advocate staff: Annette King, Child and Youth Advocate; Anya Braeuner, advocacy caseworker; Shauna Kewin, advocacy caseworker; and Julia Milnes, deputy advocate.

In addition, they are joined by artists from *We Are Storytellers*: Grey Capot-Blanc; Justin Johnson; and Justin's mother, Tracy Kane.

On November 20, 1989 — 33 years ago — the United Nations *Convention on the Rights of the Child*, UNCRC, was adopted by the United Nations General Assembly.

Canada ratified the UNCRC two years later, in December 1991. The convention is the most widely ratified human rights treaty in history. National Child Day recognizes the historic commitment to the world's children. All governments carry the responsibility and obligations to uphold children's rights.

There are 42 rights outlined in the convention that focus on non-discrimination, survival, development, considerations of the best interests of children, and participation of children in the decisions that affect them. Every child has the right to be protected from harm, be provided with the provisions to develop to their full potential, and be given the opportunity to be active participants in, and agents of, their own lives. This day provides an opportunity to celebrate the power of youth voices and the actions of those who work to promote the realization of children's rights.

In 2009, the Yukon government passed the *Child and Youth Advocate Act*. Since that time, the advocate has addressed 1,400 advocacy issues for over 800 children and youth to ensure that the rights under the UNCRC are fully upheld. These youth have learned that they have a right, through the advocacy office, and that their views are important and matter. They are encouraged to use their voice and feel empowered and heard.

This year the Child and Youth Advocate Office published *We Are Storytellers*, a collection of stories and artworks from both established and emerging youth artists from across the territory. The goal of this project is to celebrate the incredible diversity of creative talent that we have here in the Yukon, and to give young people a space to share their stories in their own ways.

We Are Storytellers showcases work from 18 Yukon youth artists representing both Whitehorse and several communities.

These artists are: Billie-Janine Richard, from Whitehorse and a citizen of Kwanlin Dün First Nation; Samreen Ahmad, from Whitehorse; Stormy Bradley, from Dawson City and a citizen of Tr'ondëk Hwëch'in First Nation; Hakim, from Whitehorse; Grey Capot-Blanc, from Whitehorse; Robby Dick, from Ross River and a citizen of Kaska Dene First Nation; Jiah Dzentu, from Fort Simpson, NWT, now living in Whitehorse; Meriya Gmeiner-McPherson, from Whitehorse; Victoria Holmes, from Dawson City; Justin Johnson, from Haines Junction and a member of Champagne and Aishihik First Nations; Wilfred Johnston, from Teslin and a member of the Teslin Tlingit Council; Ali Khodakarami, from Whitehorse; Tiana Lucas, from Pelly Crossing and a member of Selkirk First Nation; Chantai Minet, from Whitehorse and a member of Teslin Tlingit Council; Cole Pauls, from Haines Junction and a member of Champagne and Aishihik First Nations; Sarina Primozic, from Haines Junction and a member of Champagne and Aishihik First Nations; Nika Silverfox-Young, from Carmacks and a member of Little Salmon Carmacks First Nation; and Carissa Waugh, from Whitehorse and a member of Kwanlin Dün First Nation.

The book was compiled and edited by the Child and Youth Advocate Office's Christopher Tse. The book has been supported by Douma Alwarid, who is a fierce champion for local talent and youth art throughout the Yukon and is stocking the book on her shelves at Unorthodox.

Today, we celebrate all of these young artists for their talent, creativity, stories, and resilience. As a Yukon community, we are all better off when our young people step into the space and share their voices through their unique gifts. The Child and Youth Advocate Office honours these young people today ahead of National Child Day, and remains dedicated to empowering children and youth to paint a world they wish to see for themselves in the future.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Could we please welcome several guests from the Energy branch here today. They are here for the ministerial statement. In the gallery with us are: Shravan Adiyodi, David Gonda, Aletta Leitch, Eoin Sheridan, Judy Booth, Heather Semotiuk, Cathy Cottrell, Shane Andre, and Natalie Pendergast. Two of our guests today, Mr. Speaker, are actually attending the geoscience mining 101 today — so, if we could welcome them all, please.

Applause

Hon. Mr. Pillai: I would also ask my colleagues in the Assembly to welcome some of our team from Tourism and Culture who are here for our tribute today. With us is Director Sophie Tremblay Morissette — busy week, completing her hat trick here this week with us; Tamika Knutson, who has also taken on a new role where she will be mentoring and guiding

indigenous artists in our pilot project with the Canada Council, and I want to thank her; and, as well, all of the communications people who have come together this week — Cameron “Dapper” Webber is with us as well today. I would like to welcome all of you.

Applause

Mr. Istchenko: I don’t think they have been introduced already, but I would like to welcome to the Legislative Assembly today Tracy Kane and her son Justin Johnson. I just wanted to add that he did a really neat art piece for Remembrance Day, so I want to thank him for that.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Geoscience Forum and Trade Show 50th anniversary

Hon. Mr. Streicker: Mr. Speaker, it is my pleasure to stand today to tribute the 50th annual Geoscience Forum and Trade Show. It’s both remarkable and yet somehow not surprising that Geoscience has been going for half a century. Starting this Saturday, November 19, we will have the chance to hear from leaders of the territory’s mineral exploration, from investors and industry experts, and we’ll hear the latest geoscience updates from our amazing Yukon Geological Survey.

The Geoscience Forum is organized as a partnership between the Chamber of Mines, industry, and the Yukon government. I would like to thank the organizers for all of their hard work. It’s great to be returning to an in-person event this year, as well as providing opportunities for people to follow along remotely.

It’s an exciting time for the territory’s mining industry. The transition to a clean-energy economy is creating demands for critical minerals that the Yukon possesses. Responsible mining of these minerals is a way for the territory to make a positive contribution to Canada’s clean-energy future while also creating well-paying jobs in our communities.

Right now, we are collaborating with First Nations to develop new mining legislation to better reflect our relationship with the land and foster a modern and sustainable mining industry. I also want to remind Yukoners that the Dawson Regional Planning Commission has now released their recommended Dawson land use plan. Tr’ondëk Hwëch’in and the Yukon government are soliciting your feedback on the plan, and your thoughts will help shape the overall vision for the region.

Thank you to the mineral exploration industry — Natural Resources Canada’s estimate of the Yukon’s exploration’s spending was up to \$158 million in 2022. In particular, the exploration industry leveraged the \$1.4 million Yukon mineral exploration program to generate \$4.4 million in exploration investment. So, congratulations to Yukon mining. In their annual report, the Fraser Institute ranked the Yukon in the top 10 for desirable mining jurisdictions globally — up from 18th

in 2020. Yukon mining continues to attract interest from investors, explorers, and miners due to our mineral potential, identified resources, stability, and track record.

Yukoners support a strong, sustainable and responsible mining industry. This year’s 50th annual Geoscience conference will provide many opportunities to learn more about the territory’s geology and industry. I hope to see you there.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to recognize the 50th anniversary of the Geoscience Forum and Trade Show. This year, Geoscience’s golden anniversary will be focused around the theme, “Resources, Resilience and Relationships”. Emphasis will be placed on the challenges faced by industry throughout its history in the Yukon and the resilience of all those who have helped to overcome those challenges. That resilience is shown in the organizers as we return to a large in-person gathering following the pandemic, and the agenda and trade show promise to be great again this year.

For 50 years, Geoscience has brought together mining industry players to connect and celebrate all of their accomplishments and contributions. It’s an opportunity to gather and network for miners, geologists, tradespeople, management, all levels of government, and all others who play a role in keeping our mining sector alive and well.

There’s an impressive list of speakers for this year’s event. We will hear updates on many Yukon projects, as well as information from the Yukon Geological Survey on quartz and placer mining activities. There are so much that individuals and organizations do in order to promote and advance the industry year after year.

Thank you for all your contributions to the Yukon. Thank you to all industry partners for making Geoscience successful, to the Yukon Chamber of Mines for the work they do to organize this important event, and to all contractors and sponsors who make it possible. I hope to see some familiar faces at events over the next week from my days as Watson Lake’s mining recorder.

Once again, congratulations to all on your golden anniversary, and thank you.

Applause

Ms. White: I rise on behalf of the Yukon NDP to celebrate the 50th anniversary of Yukon Geoscience Forum and Trade Show. The organizers of this year’s event have outdone themselves with a jam-packed agenda of discussions, panels, and more. From the pre-conference programming that starts today to the four days of events, this year’s anniversary conference promises to be memorable.

We have heard from my colleagues on just how much is happening in the on-the-ground preparation to the events themselves. It is fantastic news. Because, although it will appear seamless, events like these just don’t happen by themselves. Behind the scenes are the hard-working staff and volunteers from many different organizations, such as the hard-working folks at the Yukon Geological Survey who have put

together an exciting day-long program for the Yukon placer forum. Without the generous sponsorships of businesses near and far, events like these just wouldn't be possible.

People involved in all aspects of the mining community — from exploration geologists to expeditors, pilots, underground miners, equipment operators and junior mining companies, and all shades in between — can come from very different places, but they share a few common traits. They are a patient bunch, from waiting for planes or helicopters on socked-in days to doing in-field equipment repair. From minor to major problem solving, these folks know how to shake it off, and I bet they all play a pretty mean game of crib. They are problem-solvers, they are dreamers, and they love what they do.

The successes of others are celebrated from discoveries to advancements in the industry, and it will be hard to find a more appreciative audience. These forums' formal and informal gatherings are a chance to get together and tell stories. I can tell you that folks in these industries have some of the wildest stories to share.

Events like the Geoscience Forum are an opportunity for really busy, passionate people to get together to learn, discuss, plan, and celebrate. We wish them all an interesting, engaging and informative Geoscience Forum.

Applause

In recognition of Sobey Art Award finalist Krystle Silverfox

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to Krystle Silverfox for her short-listing at this year's Sobey Art Award.

A partnership between the Sobey Art Foundation and the National Gallery of Canada, the Sobey Art Award is one of the most prestigious contemporary visual arts awards in Canada. With a top prize of \$100,000 and over \$400,000 disbursed between the long- and short-listed nominees, the Sobey Art Award celebrates the country's most exciting young artists.

A long list of 25 artists is chosen by a panel of knowledgeable and influential art representatives from across Canada, from which a short list is later selected featuring one finalist from each of the country's five regions. With a distinct and powerful artistic perspective across an array of media, Krystle Silverfox's reputation continues to grow. A Wolf clan member of the Selkirk First Nation, Krystle's photography, sculpture, textile, and digital collage explores themes of social and environmental justice, colonial reckoning, and matriarchal power and tradition.

In addition to the exhibition at prominent galleries across Canada, Krystle was the 2021 Shakaat artist in residence at the Kwanlin Dün Cultural Centre and a finalist for last year's inaugural Yukon Prize. Krystle Silverfox's work is also held in the Yukon permanent art collection, with three pieces added to the collection earlier this year and now featured as part of the exhibition of the 2021-22 acquisitions that opened in the foyer of this very building earlier today.

Krystle's art is captivating to view in person and adds much to the evolving story of Yukon's visual art told by the collection. For Yukoners who find themselves in Ottawa in the

coming months, the works of all of the shortlisted nominees for this year's Sobey Art Award can be viewed at the National Gallery of Canada.

In paying tribute to Krystle today, I would be remiss if I didn't mention that she is the fifth Yukon artist in recent years to receive a nomination. This list includes: Yukon Prize winner Joseph Tisiga in 2020; Charles Stankieveh in 2016; Peter Morin in 2014; and Sonja Ahlers in 2011. The fact that these ranks continue to grow speaks to the level of artistic skill and passion possessed by Yukon artists and the importance of their respective voices to the national dialogue.

We have always known that Yukon's flourishing arts community is truly second to none. It is heartening to see the rest of Canada taking notice with recognition on platforms such as this.

Congratulations, Krystle, on your national recognition, shortlisting at this year's Sobey Art Award.

Applause

Ms. Van Bibber: I rise on behalf of the Yukon Party Official Opposition to recognize Yukon artist Krystle Silverfox, a finalist for the 2022 Sobey Art Award.

This national award is a prestigious award for young visual artists as it propels careers and provides a large money prize so that artists can continue their work.

For 20 years, this award, founded by businessman and art collector, Frank H. Sobey, champions young, contemporary artists from across Canada. It is quite a process, and I will tell you how she got there.

Broken into five regions of Canada — Atlantic, Québec, Ontario, prairies and the north, and west coast and Yukon — and then five artists are chosen from each region, and then, from those 25 semi-finalists, one from each of the five regions is chosen for the finals.

The west coast and Yukon finalist this year was Krystle Silverfox. Krystle was raised in Vancouver and is from the Wolf clan of the Selkirk First Nation. She is truly west coast-Yukon. Her visual art — painting, sculpture, and photography — raises awareness of her indigenous feminism and her experience in stories. Her exhibit "All That Glitters Is Not Gold" won Krystle her spot, and all the finalists' displays can be seen at the National Gallery of Canada in Ottawa from October 28 to March 12, 2023. The winner was announced last night, November 16, at the art gallery. It is Divya Mehra from Winnipeg — the prairies and north region.

Krystle has a long list of recognition: short-listed for the 2018 RBC painting competition, the 2018/2020 Lind prize, 2019 Salt Spring National Art Prize, and the 2021 Yukon Prize for Visual Arts.

Congratulations go out to the winner, Divya, and the other finalists, but a big, special shout-out to the west coast-Yukon Krystle Silverfox. We are proud of your accomplishments and we wish you continued success.

Applause

Ms. Blake: I rise on behalf of the NDP to congratulate Krystle Silverfox on being nominated for the National Gallery

of Canada Sobey Award. This is an immense honour and a real indication of the dedication, love, and hard work that Krystle has done to achieve this national level of recognition. The works of Krystle that I have looked at challenge us, as viewers, to consider reconciliation and loss of language, culture, history, and community. Other pieces are commentaries on land and resource extraction. I could spend a lot of time looking at these amazing works and the messages that they carry.

Our congratulations to Krystle. We will look forward to more of her works in the future and more recognition that you so deserve.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Streicker: I have for tabling today the Canadian energy efficiency scorecard for the Yukon, as published today by Efficiency Canada for 2022.

Hon. Mr. Pillai: I have for tabling today a news release from April 8, 2015, from the Yukon Party entitled, “Fifth and Rogers project moving ahead”.

I have another press release from January 11, 2016, from the Yukon Party, entitled “Fifth and Rogers planning contract awarded”.

I would also like to table a letter from December 16, 2021, from the Yukon Housing Corporation to the City of Whitehorse.

I also would like to table today the certificate of title for Safe at Home, from the Land Titles office.

Mr. Dixon: I have for tabling a memorandum of understanding between the City of Whitehorse and the Yukon government.

Speaker: Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to update the ISO 3166 country subdivision code for the Yukon with the Standards Council of Canada.

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

THAT this House urges the Government of Yukon to expand access to the cystic fibrosis treatment known as “Trikafta” to children aged six and up in the Yukon Drug Formulary.

Speaker: Is there statement by a minister?

MINISTERIAL STATEMENT

Energy policy

Hon. Mr. Streicker: In 2019, we declared a climate emergency in the Yukon and, in 2020, we released *Our Clean Future*, an ambitious Yukon-wide strategy to address our changing climate in a comprehensive and sustainable way. The strategy aims to reduce Yukon’s greenhouse gas emissions by 45 percent, generate 50 percent of our heating needs from renewable sources, reduce off-grid use in communities by 30 percent, and ensure 97 percent of electricity in the territory’s main electricity grid comes from renewable sources — even as the population and economy continue to grow, and they are growing. Between 2016 and 2021, the Yukon’s population grew over 12 percent — the fastest rate in the country and more than double the national average. The Yukon’s economy has also grown every year since 2016, and the Yukon currently has the strongest economy in the country, with GDP up 10 percent.

The need to address the territory’s future and energy needs in a sustainable way could not be clearer. That is why our Liberal government is taking a comprehensive approach and working with partners to increase efficiency and renewable energy capacity across the territory. We continue to make substantial investments toward the Yukon Energy Corporation’s 10-year renewable electricity plan, which complements and reinforces the goals of *Our Clean Future*. It represents a bold vision for our territory’s sustainability while reducing Yukon’s carbon emissions. This includes the new grid-scale battery project in Whitehorse in partnership with Kwanlin Dün First Nation and the Ta’an Kwäch’än Council. That will be the largest battery project in the north and one of the largest in Canada. The recently upgraded Mayo-McQuesten transmission line now has additional capacity and provides reliable, renewable energy to the region, including to the Eagle gold mine, reducing its greenhouse gas emissions by up to 53,000 tonnes annually.

We are investing \$50 million over the next three years toward the Atlin hydro expansion project in partnership with the Taku River Tlingit First Nation, the BC government, and the Government of Canada. We are also investing millions of dollars toward wind energy projects in Whitehorse and Kluane in partnership with the Kluane First Nation; solar energy in Dawson, Whitehorse, Beaver Creek, Watson Lake, and Old Crow. We are working with partners on the feasibility of geothermal, solar, wind, and energy storage in Carcross, Pelly Crossing, Carmacks, and across the Yukon. These are just some of the projects underway.

This year’s budget includes more than \$35 million for renewable energy projects and each project that we support helps us to transition off of fossil fuels.

This morning, Efficiency Canada released the 2022 Canadian energy efficiency scorecard, and for the first time, they were able to include the Yukon alongside provinces. Overall, the Yukon came sixth for jurisdictions in Canada, which is a strong start for us as a territory.

From the Yukon scorecard that I tabled today, Efficiency Canada said — and I quote: “The Yukon leads the country in several areas. The territory has the highest program spending

per capita in the country, and it has annual fossil fuel savings (as a percentage of demand) that are four times the level of Québec.”

As Yukon’s population and economic growth continue to lead the country, we will continue to build a sustainable, efficient, and renewable future for Yukoners.

Mr. Kent: Thank you, Mr. Speaker, for the opportunity to respond to this ministerial statement today regarding energy policy.

We were happy to see that the Yukon is included in Efficiency Canada’s 2022 provincial energy efficiency scorecard for the first time. Finishing sixth out of 11 jurisdictions is something that we should all be very proud of, and I would like to take the opportunity to congratulate the officials in government who have designed and implemented many successful programs under both Yukon Party and Liberal governments.

While the Yukon scores quite high in several areas, including the highest program spending per capita in the country, there is still much work to do. While we are doing well in program spending, our scores for buildings and transport are relatively low, and we scored a zero for industry, which I am hoping the minister will address in his response. One of the areas where improvement is needed is in evaluation of program savings, so I am hoping that the minister can tell us what the plans are for that.

We have had a substantial amount of debate this Sitting on various goals and initiatives regarding the implementation of *Our Clean Future*. Here are few of the concerns that we have from that debate. As we have been questioning over the past few weeks, the Atlin hydro expansion project is delayed, it is overbudget, and it has unsecured funding. There is also little information on the Moon Lake project and how it will be built and financed. We continue to have questions around renewable energy projects that have an unclear future.

We also have questions about other commitments. To meet the electric vehicle goal of 4,800 by 2030, there needs to be an average of 11 new electric vehicles per week on Yukon roads, starting January 1, 2023, until the deadline is reached. This seems ambitious, especially given that the minister told this House that he doesn’t expect the current incentive of \$5,000 per vehicle to last until 2030.

The Yukon Climate Leadership Council report suggested using a portion of carbon tax revenues for energy-efficiency projects to meet the 45-percent targets that are set out in the *Clean Energy Act*. However, the minister told us that they will reject this recommendation. We have yet to see the Liberal response to the YCLC report, so we are left to wonder what other recommendations they will be rejecting.

Another important overall question is with respect to recent signals of austerity by Minister Freeland in Canada. Will we see any downward adjustment of Yukon expenditures on any of these programs or projects as a result of those austerity measures?

Again, I want to conclude by congratulating all of those Yukon government officials who have been working on these

energy-efficiency initiatives, and I look forward to seeing how we do in next year’s report card.

Ms. White: In the recent energy efficiency scorecard, Efficiency Canada ranked Yukon sixth out of 11 ranked jurisdictions in the country, but it’s still in the bottom half. We are behind even Doug Ford’s Ontario. The report also highlights that we are the only jurisdiction to score a zero for reducing emissions in industrial settings like mining, forestry, and construction. I applaud the folks at the Energy branch for getting us this far. It’s due to their hard work on building retrofits and financing that we have been allowed to score as well as we did.

So, while there are some good policies in place to help Yukoners reduce their energy usage, we have a long way to go. I look to the minister to provide leadership and direction in helping us to continue to climb the ranks of this report. Thanks to the brilliant folks on the Climate Leadership Council, we know that there are some measures in Climate Shot 2030 that will help get us there. The Efficiency Canada report commends the Yukon for having the highest per capita spending, a regular feature for a jurisdiction with such a small population, but they also note that there is no independent audit of the amount of savings that this spending generates for Yukoners, which makes it difficult to accurately rank the territory’s savings compared to other jurisdictions.

Beyond the report, the minister needs to follow the approach of the Climate Leadership Council in all of its climate initiatives. Not only did they look at the greenhouse gas reductions of a particular policy, but they also looked at the other benefits of each policy. Does it increase social equity? Does it foster community health and vitality?

When we look at a lot of this government’s efficiency programs, they are often geared to people who can already afford to start these projects — loans that don’t cover the whole amount, and grants and rebates that still require a person to have a lot of cash on hand to get started. I encourage the minister to drive through a mobile home park or some of the older neighbourhoods in the territory. These homes are some of the most in need of retrofits, and the people who live in them are most in need of the cost-savings, and these are the people least able to afford them.

So, again, I applaud the work that has been done so far, and I hope that, because of the work of the Climate Leadership Council, the Yukon will climb the ranks and become an efficiency leader, but when we look for energy savings, we need to remember that we face twin crises — that of climate and affordability. We must remember those who need the help the most, and design programs and policies with them in mind.

Hon. Mr. Streicker: So, six out of 11 is right in the middle. It’s not at the bottom. It’s not at the top. It’s the middle, and I think that it is a good starting point. It is important that we have programs that are accessible for Yukoners.

For example, with this report, the better building program isn’t part of it yet, but it is about to be part of it, and I think the Minister of Community Services let me know that the City of

Whitehorse and the Town of Watson Lake have indicated that they are getting on board. That is great news. That will be another place where we get more access.

By the way, the better building program is terrific because it gives citizens a very low interest loan, and the payback then can be set by them over time where they get the energy savings against the payback of that loan. That's a way that is accessible.

I will also say that, when I reached out to Efficiency Canada, I thanked them. I reached out to them last year and suggested that they get the Yukon in there. I want to thank them for doing that. I reached back out to them this year, and they offered to connect with our Energy branch. I reached out to the deputy minister to say that this would be great. They explained to me some of the challenges of working with small jurisdictions and how data is difficult for us. We know that. We will work with them, and we will help to get more information to them as we are able.

I also will acknowledge that the folks in the gallery from the Energy branch are the ones who are working right now to do the modelling on the Yukon Climate Leadership Council's proposed actions to try to see which ones we can get good benefit from.

I think that this is all really strong stuff. We will get more on buildings. We will get more on transportation. The Member for Copperbelt South was saying that we are not doing well enough in transportation and we need to move faster. I am happy to move faster on that with the Minister of Highways and Public Works and the Minister of Environment. I think that's a good idea.

I will talk a little bit for a second about Atlin. We will continue to disagree with the Yukon Party. Their perspective is that Atlin costs too much. All infrastructure projects have been going up. It's just the cost of the infrastructure projects themselves. If the Yukon Party were in power, and they decided that what they wanted to do was build a liquefied natural gas plant — that's what they said they wanted to do — I bet you the cost for that would be going up too.

All right, so we should compare and take a look. The plan for Atlin just went through the Utilities Board. I thank the Utilities Board for their comments, but the price for running the liquefied natural gas plant — or what we call the “thermal benchmark price” — was set at 19 cents in that application, but actually it is over 20 cents now because the price of fossil fuels keeps going up.

So that's what it costs — 21 cents per kilowatt hour. That compares to winter energy, which we will buy from Atlin with this project at 13.5 cents per kilowatt hour. That drops to 9.7 cents per kilowatt hour in 10 years. That's a great price.

Do you know what else that compares to? The Yukon Party put in place a microgeneration program for buying solar from Yukoners at 21 cents per kilowatt hour. I think it's still a good program because it incentivizes Yukoners to move off of fossil fuels, but practically speaking, I would much rather buy 13.5 cents per kilowatt hour in the winter versus 21 cents per kilowatt hour in the summer for fossil fuels or for solar.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Canada Winter Games bid cancellation

Mr. Dixon: Following the announcement that the Yukon Liberals made this week that they were pulling their support for the bid to host the 2027 Canada Winter Games, several of the bid partners and supporting groups expressed surprise and shock about the announcement. I would like to ask the minister about the discussions and negotiations that led to that announcement.

First of all, the City of Whitehorse was formerly a co-host, and in the memorandum of understanding between the city and Government of Yukon that I tabled earlier, it states: “As co-hosts, the Parties are considered equal partners in media events, public communications, and engagement with representatives of the Canada Games Council.”

Was the City of Whitehorse involved in this decision as an equal partner? Did they participate in the decision to scrap the bid, or did the minister simply notify them of the decision at the final hour?

Hon. Mr. Mostyn: What we're talking about this afternoon is wrapped in the Canada Games, but it's really about fiscally responsible decision-making. We started working on the Canada Games bid following the last election. The bid committee worked on our submission for 18 months. They worked hard and I commend them for that incredible work. The City of Whitehorse, through that process, as one of the members of the bid committee, identified their needs in the arena to properly service its citizens. The city's minimum requirements were included in the bid proposal, which was submitted to the Canada Games committee in September. Also, in September, we formally asked the federal government for \$138 million in funding to support the bid. In the first week of November, the federal government responded and offered \$3 million.

Based on that, Cabinet met and decided we could not afford to host the Canada Games in 2027. We informed our partners of that decision immediately, because we knew the Canada Games would have to find a new host city, and that's what happened, Mr. Speaker. We made a very difficult decision. I think the federal government also made a difficult decision about whether or not they could support this bid, and that's how it went down.

Mr. Dixon: With all due respect, the minister didn't answer my question. My question was about the role of the City of Whitehorse in this decision. He has noted that the City of Whitehorse was on the bid committee, but they were more than that. They were also a formal co-host of this event, and there was a memorandum of understanding between the City of Whitehorse and the Government of Yukon about this, that says that they are to be considered equal partners in media events and public communications.

So, my question for the minister is simple: Did the City of Whitehorse participate in the decision to scrap the bid, or did the minister simply notify them at the final hour?

Hon. Mr. Mostyn: As I said, fiscal responsibility — I want to go back. This was always going to be a very expensive

undertaking. The 2007 Games was also very costly, and certainly not without its problems. The government spent \$43 million more than it planned to, for example. The athletes' village housing was late and ended up being a pre-fabricated building that was delivered from BC. The opening and closing ceremonies were held in a tent; they cost a fortune to heat. It wasn't all smooth sailing, and the Auditor General's report on the Games certainly highlights that. In 2008, the Auditor General reported that the government had not yet evaluated the results of its involvement in the Games. It spent about \$43 million more than the amount it estimated at the time that it accepted the City of Whitehorse's bid for the Games.

We worked with our partners to put together a bid for the Canada Games Council; we submitted that bid, alongside a request from the federal government to help support this bid. We have received a \$3-million commitment from the federal government. That was not enough for this Yukon government to go ahead. We have made a decision to not host the Games. We have communicated that to our partners. It was a fiscally prudent decision; it wasn't an easy decision, and we stand by it.

Mr. Dixon: Despite the minister's comments, it wasn't the decision for him to make alone. He had a memorandum of understanding with the City of Whitehorse that allowed them to be full partners in media events and public communications. This is probably the most important public communication that the minister could have made about this project. So, it stands to reason that the City of Whitehorse should have been involved per the memorandum of understanding that I tabled earlier today.

Now, I appreciate the history lesson about the 2007 Games from the minister, but my question is very simple. It is about the decision he made earlier this week: Did the minister include the City of Whitehorse in the decision as an equal partner, as he committed to, or were they simply notified at the final hour?

Hon. Mr. Mostyn: I am a bit confused here. Is the Leader of the Official Opposition suggesting this afternoon that we should have proceeded with a Games proposal that would have committed the Yukon government to \$160 million in funding, with no federal support? If the Yukon Party went forward like this process, like they did in 2007, we would either have had to cut spending, or saddle the territory with more than \$100 million in debt.

So, I would like to know this afternoon — which is it? Which way would the Yukon Party have gone? As I said in my answer earlier — and I don't know if the member opposite was listening — we made a decision as a Cabinet. We then communicated our decision to our partners. As I recall, the City of Whitehorse put out a statement that afternoon, supporting the decision we came to, as a government. It was a prudent, fiscal decision on behalf of this government. We worked very hard on this bid proposal with our partners, very closely over the last 18 months. In the end, the federal government made the very difficult decision that they could not support the bid with anything more than \$3 million. Faced with that, this government made a difficult decision, as well, and said that we are not going to proceed with the Games.

Question re: Canada Winter Games bid cancellation

Mr. Dixon: Unfortunately, the City of Whitehorse is not a member of the Liberal Cabinet, so, of course, they should have been involved in this decision, because the minister committed to them that he would allow them to be a part of the decision-making when they agreed to the memorandum of understanding.

However, another important group that expressed surprise at the Yukon Liberals announcement was the Canada Games Council itself. Canada Games Council president and CEO Kelly-Ann Paul told CBC Yukon this week that they are now behind the eight ball and will be scrambling to find a new host. She also expressed concern about the extravagance of the Yukon's bid, and here is what she said — quote: “The proposal was definitely, you know, a shinier version than what would have been required to host the Canada games...” When asked whether the territory could have hosted the Games at a lesser cost, she said yes.

So, can the minister tell us if either the Yukon government or the City of Whitehorse had considered a scaled-down version of the Games that considered other options — for instance, perhaps reconsidering the need for a new \$115-million hockey rink?

Hon. Mr. Mostyn: Well, the leopard is really revealing his spots this afternoon. I can say that I am very surprised — very, very surprised this afternoon to hear the Leader of the Official Opposition Yukon Party disparaging the bid committee. We did not go with the deluxe model; neither did the bid committee. Over 18 months, we worked closely together with the City of Whitehorse and the Canada Games Council, and submitted a bid that reflected the needs of the Canada Games Council and the City of Whitehorse.

The City of Whitehorse identified their needs in the arena to properly serve their citizens. As I have said many times in this Chamber, municipalities are responsible governments. They are elected to reflect the needs of their citizens. I fully expect that the City of Whitehorse did that in putting together the bid with our team. The city's minimum requirements were included in the bid proposal that we submitted to the Canada Games Committee. The committee did excellent work, and I commend them for that work. We spent significant time paring that proposal back, working it, honing it, and refining it to the barest minimum needs of the City of Whitehorse and the Games Committee.

If the Yukon Party is suggesting that we host it anyway with no legacy, then we disagree.

Mr. Dixon: Well, Mr. Speaker, we know that it wasn't the barest minimum needs of the Canada Games, because the president and CEO of the Canada Games Council came out and clearly stated that. She said, “The proposal was definitely, you know, a shinier version than what would have been required to host the Canada games...”

She also noted when asked whether the territory could have hosted the Games at a lesser cost, she said yes. So, it was very clear that these Games could have been scaled back if the

minister had gone back to the City of Whitehorse and talked to them about a scaled-back version.

Why did the minister not consider another option?

Hon. Mr. Mostyn: He can keep fishing, but he's not going to catch anything.

The fact is that we worked very, very closely with our partners at the City of Whitehorse and with the Canada Games committee to refine our proposal. The Games committee did excellent work, and I want to once again congratulate them for that work. I think that we spent significant time refining, honing, and making sure that bid was as tight as it could possibly be. Frankly, the committee did that work, and they did it in very, very close consultation with the City of Whitehorse. I don't know if the member opposite is criticizing the City of Whitehorse this afternoon, because they reflected the needs of their citizens in that bid, and we submitted that bid, which also met the needs of the Canada Games committee. They wanted housing; they said we needed four sheets of ice — we did what we were expected to.

Now, armchair quarterbacks are going to sit there and second-guess the decision, but the fact is that the committee did excellent work. We stand by that decision. I think that, if the Yukon Party suggests that we go ahead without any funding from the federal government, or with only \$3 million in funding from the federal government, and commit the government to \$160 million in facilities and infrastructure for a Games without a net — I know they have done that before. We looked at it, and in these times —

Speaker: Order, please.

Mr. Dixon: Another notable person expressing surprise and sadness with the Yukon Liberal's decision was our Member of Parliament. In a radio interview this week, the MP made it clear he was disappointed in how the minister has framed this decision, and from the federal government's perspective, funding discussions were still very much ongoing. In fact, he actually suggested that, while a firm commitment for the full amount of the shiny Cadillac version was unlikely, the federal government was very much committed to providing further financial support.

He said that federal officials, staff, and even ministers' offices were — and I quote: "... highly engaged in trying to work with the Yukon government to see, 'How can we figure this out? How can we get the funding?'"

It seems that pretty much every group out there was urging the Yukon to look at a scaled-down version of the Games. Can the minister tell us why the Yukon Liberals didn't look at any other options before unilaterally making this decision?

Hon. Mr. Mostyn: I will reiterate the last five answers, scale 'em down. We put in a bid. The bid was honed and refined in consultation and close work with our partners — both at the Canada Games Council and the City of Whitehorse. Once we got that bid together, we submitted it to the Canada Games Council. We also submitted, alongside of it, a request to the federal government for \$138 million to support that.

The federal government came back. They made a difficult decision, and said, "We are prepared to give \$3 million." The Yukon Cabinet met and decided that wasn't enough money to

proceed with the Games, so we decided, as a Cabinet, that we could not support the Games.

Now, the member opposite is talking about his approach, and we saw that in 2007 with the Yukon Party government. They went ahead without any money. The Auditor General of Canada came out after the fact and said that the government has not yet evaluated the results of its involvement in the Games. It spent about \$43 million more than the amount it had estimated at the time they accepted the City of Whitehorse's bid for the Games.

We are making a responsible decision on behalf of Yukoners. We stand by that decision.

Question re: Systemic abuse allegations at Jack Hulland Elementary School

Ms. White: On Monday, I asked the minister about systemic abuse at Jack Hulland Elementary School. While the minister read the same briefing note six times in a row, she failed to answer any of the actual questions, like why this Liberal government allowed a policy of systemically abusing children, which started under the Yukon Party 14 years ago, to continue under the Liberal watch for another four years.

Today I have another question. The Department of Education requires schools to file a report when disciplinary actions are taken. Department officials have shared that Jack Hulland Elementary School accounts for about a quarter of all disciplinary reports filed for the entire territory in the last five years. I'm sure the department has those numbers.

Will the minister tell Yukoners exactly how many students were put in solitary confinement at Jack Hulland Elementary School after the department built cells in 2008?

In 2007, he left.

Hon. Ms. McLean: I'll start by saying that these matters are of the most serious nature, and matters that we absolutely take very seriously. The safety, protection, and well-being of our children when they are in our care is absolutely paramount. It's the most important thing.

We know that, each and every day, parents entrust their children to the Department of Education and to teaching staff across this territory. Our priority is to support students, families, and staff through these matters. These are matters that are before the courts. There are ongoing investigations. These are very serious matters.

I talked earlier this week, during Question Period, about the fact that we hired a legal team to conduct a fact-finding investigation into allegations at Jack Hulland Elementary School. That investigation is ongoing. The initial findings were turned over to the RCMP and are now part of that investigation.

Again, Mr. Speaker, these matters are of the most serious nature.

Ms. White: So, I will remind the minister that, for four years under this government, solitary confinement was used as a form of punishment against children. I really appreciate all the hard work that is being done right now to right the wrongs of both the Liberal Party and the Yukon Party, but my concern is about those who have been left doing that work.

The minister's speaking notes talk extensively about supporting the Jack Hulland community, yet as far as they are concerned, the support is nowhere in sight. Individual employees at the school have been left trying, on their own, to obtain the counselling supports needed for students and teachers.

Will the minister tell Yukoners exactly what supports the Department of Education is offering to the victims of abuses, their parents, and the staff at Jack Hulland, and how are they communicating these support options to those who need them?

Hon. Ms. McLean: As I talked about earlier this week, we have communicated the serious nature of the investigation into the use of holds and restraints at the school from the onset of this investigation through direct communication with parents, guardians, and Jack Hulland Elementary School, and will continue to do so.

In May, our deputy minister made some public statements regarding that and also sent a very clear letter clarifying the employer's expectation of educators in respect to managing student behaviour. We had all of the teaching staff undergo very specific non-violent crisis intervention training.

The other points that I wanted to make is that students continue to receive quality education at Jack Hulland Elementary School and positive work is happening at the school to ensure student success in their learning. There is a new principal at the school, along with new vice-principals. I think that these are very important points to make.

I know that these are very difficult times. Post-incident communication guidelines are being used. These are a result of our *Safer Schools Action Plan*. There are other policies that are now in play as a result of that action plan, and I will continue to speak about those —

Speaker: Order, please.

Ms. White: So, parents and families are disagreeing with this minister's assertions about what the Department of Education is doing to support them. After Question Period on Monday, I heard from parents. Here is a sample of what they said to me: I learned that my child was abused from the Child and Youth Advocate's Office by chance — not by the Department of Education contacting us. Another said: I was offered zero services. In fact, I have to keep fighting for services even now. Another parent said: I haven't received a single update from the Department of Education, only suggestions of who to talk to in the future, should we wish to discuss the matters affecting our child. One parent even told us that, after a month of trying, the department continues to deny them access to important documents that would confirm if their child was a victim.

So, will the minister tell this House exactly how many families, both former and current, have been contacted by the Department of Education and offered support?

Hon. Ms. McLean: I have gone over some of the information regarding how communications have occurred with families and those who may be impacted by these serious matters. Again, we are conducting — and it is ongoing — an internal investigation into the risk assessments, as the member opposite has spoke about today. Information was also shared

with families, and a meeting was held in participation with Victim Services, Family and Children's Services, the family resources unit, and Mental Wellness and Substance Use Services.

We are focused on supporting families, and I really encourage the member opposite, if there is information that she thinks that I should have, please come forward. The RCMP have reached out as well. We have helped to communicate with families. They have also put out a public call for folks to come forward if they feel that they may have been impacted by these serious matters, and we will continue to work closely with the school community. Mr. Speaker, we have a strong administrative team in place. Children continue to be educated and —

Speaker: Order, please.

Question re: Resource Gateway project

Mr. Hassard: So, the Yukon Resource Gateway project is a massive infrastructure investment with an estimated total of almost \$458 million. Now, the Prime Minister came to the Yukon five years ago to announce this project, and according to the Government of Canada's website, the approval date for this project was July 24, 2019. So far, only the Carmacks bypass and the Nordenskiöld bridge have actually seen shovels in the ground. So, given that we are four construction seasons since approval, can the minister give us an updated budget and timeline for this project?

Hon. Mr. Clarke: The Yukon Resource Gateway program, as indicated, is valued at approximately \$468 million and includes infrastructure upgrades for up to 650 kilometres of existing roads and areas with high mineral potential and active mining in the Yukon. Improving infrastructure to Yukon's most mineral-rich areas will set us on course for a more prosperous future, moving the Yukon forward.

The Yukon Resource Gateway program has a number of infrastructure projects that are going through various stages of planning, design, assessment, and construction. The Yukon government is working in collaboration with Yukon First Nations to seek input and finalize project agreements for components of the Yukon Resource Gateway program within their traditional territories.

As I've said previously, six project agreements have been signed for seven components with Yukon First Nations to date. The program will provide opportunities to Yukon First Nations through short- and long-term employment options, training, and benefit agreements.

The Yukon government has worked hard to increase the flexibility of the gateway funding program with the Government of Canada. The funding program now includes additional flexibility to focus on projects that First Nations and communities have requested.

Mr. Hassard: Unfortunately, we didn't get an answer, so we will try again.

According to the minister's confidential briefing notes from the spring — and I quote: "In January 2020, a Project Agreement with Liard First Nation was approved for the first phase of the Nahanni Range Road component." This proposed

project includes two bridge replacements and one bridge rehabilitation. It also says that YESAA and other regulatory submissions would be done in spring 2022, with construction to begin 2023.

Can the minister confirm if these timelines are accurate? Will the construction start next year, and what is the budget for this project?

Hon. Mr. Clarke: The Yukon is, as we know, leading the country in economic growth. We are working to make sure that all Yukoners benefit from our territory's economic growth. We are moving the territory forward by working in partnership with First Nations to upgrade resource infrastructure while providing benefits to Yukon communities. Gateway projects provide economic employment and training opportunities for Yukon First Nations and communities.

As indicated by the member opposite, the Carmacks bypass project had significant work that was accomplished last year with respect to road-building and bridge-building. That work will continue next year. The total value of that project is approaching \$30 million. We continue to have discussions with Na-Cho Nyäk Dun with respect to possible work on the Silver Trail, with the Liard First Nation on parts of the Robert Campbell Highway and the road to Cantung, the Nahanni Range Road, as well as with the Ross River Dena Council with respect to the connector between Faro and Ross River. These are exciting times for the Yukon Resource Gateway program.

Mr. Hassard: They really should be exciting times but, unfortunately, the minister doesn't appear to know what's happening with any of the projects.

Another gateway project under the Liard First Nation agreement is the construction of the Campbell Highway from kilometre 354.9 to kilometre 414.4, which, of course, is between Ross River and Faro. According to the minister's spring briefing notes, procurement for a four-kilometre portion is scheduled for this year with construction to start next year.

Can the minister confirm if this project will meet those timelines, when will the remaining 56 kilometres be completed, and what is the budget for this project?

Hon. Mr. Clarke: In June 2020, the project agreement was signed for the Liard First Nation for this section of the Robert Campbell Highway. This project, which runs from kilometre 114 to kilometre 171, includes road construction sight-line improvements and has an estimated capital construction cost of \$50 million. Environmental baseline information will be collected in collaboration with Liard First Nation this fall, and I am advised, with respect to next year, there will be additional environmental assessment of that area, and also, brushing work on that highway will occur next year.

Mr. Speaker, let's see — the Yukon is moving forward in an unprecedented way this summer. We know that the Nisutlin Bay bridge project is now going, and the pilings are going into the water, almost as we speak. That is \$160 million in the Member for Pelly-Nisutlin's home riding. The Yukon Party was so close to getting the Nisutlin Bay bridge off the ground a number of years ago, but did not get it done. We have approximately \$250 million of improvements that will occur —

the Erik Nielsen Whitehorse International Airport in the next four or five years. We are moving the Yukon forward.

Question re: Wetlands protection

Mr. Istchenko: So, policy development research regarding wetlands continues to be a topic of concern for many Yukoners. Yesterday, the Minister of Energy, Mines and Resources tabled two documents on the subject — one from CPAWS, and one from the KPMA. In the CBC story earlier this week, he said — and I quote: "I appreciate the recommendations that CPAWS has come up with, but I still think we probably need to tighten up the science a little bit before we're sure how big of a problem it is or not." He also said the territorial government would cover the cost of joint research into the issue.

So, can the minister tell us how much he is willing to spend on this research, and if he will involve industry groups, as well as environmental NGOs?

Hon. Mr. Streicker: That is exactly what I said to the media, that's what I have said to industry, and that's what I have said to the environmental groups. Each time, it seems like there are competing perspectives on how much placer mining is affecting wetlands with respect to CO₂ emissions. So, what I have said, for a long time now with these groups, is let's stop doing this, where we put out these perspectives without doing it jointly.

What I have suggested is that we sit down as a group with industry, the environmental organizations, and us as a government, to define the research questions and to find a suitable researcher who can go off and do that work. Yes, of course, we want to work with all the groups.

I will acknowledge that, recently, on the successor mining legislation tables, that industry and environmental groups have been working together alongside each other — with different perspectives, of course, but working constructively to share their perspectives.

Mr. Istchenko: I had asked how much the minister was willing spend on this research, and he didn't answer that.

In a confidential briefing note from the Minister of Environment's spring binder, it states — and I quote: "We are committed to completing a Yukon wetlands stewardship policy by 2022."

Can the Minister of Environment tell us if this policy is complete, and where can we find a copy of it?

Hon. Mr. Streicker: We haven't engaged with academics yet about the project, so I don't have a price for the research work. I just don't know what the price is yet, so I can't share that with the House, but I have committed both to industry and environmental groups. In fact, before I tabled the documents yesterday, I reached out to both of them to say that I am tabling both of these on both sides, so that everyone knew. I have been trying to be completely transparent with all interested parties on this subject.

I know that, with respect to the wetlands policy, it is in the final stages. I know, for example, that the minister and I were discussing it just a couple of days ago. I think it has one more

round to do internally on our side, but I know it has been progressing.

Mr. Istchenko: In October 2020, the Yukon Water Board held a hearing on placer mining in wetlands. In another confidential note, it says — and I quote: “We thank the Yukon Water Board for holding its public interest hearing on ‘Placer Mining in Wetlands’. We are considering their recommendation to establish a technical advisory committee on wetlands.”

Can the minister update us on this? Has his department determined if they will establish a technical advisory committee on wetlands, based on the Yukon Water Board recommendations?

Hon. Mr. Streicker: The wetlands policy really came out from conversations with industry, conversations with environmental groups, and the Water Board. We just noted that we needed something more comprehensive across the board. So, we had roundtable discussions on the development of the policy for the stewardship of our wetlands, and we had over 60 organizations represented — federal groups, territorial and municipal governments, First Nation governments, boards, and industry — and, as I said, the environmental non-governmental organizations.

So, that is the work that is getting us to that policy. We are quite close now. That is our next step.

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

ORDERS OF THE DAY

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

Speaker: It has been moved by the 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.

Motion re appearance of witnesses

Committee of the Whole Motion No. 10

Hon. Mr. Streicker: I move:

THAT from 3:30 p.m. to 5:30 p.m. on Thursday, November 17, 2022, Mike Pemberton, Chair of the Yukon Development Corporation Board of Directors; Lesley Cabott, Chair of the Yukon Energy Corporation Board of Directors; Justin Ferbey, President and Chief Executive Officer of the Yukon Development Corporation; and Andrew Hall, President and Chief Executive Officer of the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to answer questions regarding the operations of the Yukon Development Corporation and the Yukon Energy Corporation.

I have many photocopied copies.

Chair: It has been moved by the Member for Mount Lorne-Southern Lakes:

THAT from 3:30 p.m. to 5:30 p.m. on Thursday, November 17, 2022, Mike Pemberton, Chair of the Yukon Development Corporation Board of Directors; Lesley Cabott, Chair of the Yukon Energy Corporation Board of Directors; Justin Ferbey, President and Chief Executive Officer of the Yukon Development Corporation; and Andrew Hall, President and Chief Executive Officer of the Yukon Energy Corporation, appear as witnesses before Committee of the Whole to answer questions regarding the operations of the Yukon Development Corporation and the Yukon Energy Corporation.

Is there any debate?

Hon. Mr. Streicker: I am going to make a few comments this afternoon about this motion. The reason is that, earlier this year, we proposed to bring in the Energy Corporation and the Development Corporation, and it was at the Spring Sitting. The opposition members voted against that.

Now, today — I went back after we got into debate, for example, on the Atlin hydro project, on battery, and on Moon Lake, and I have answered a lot of questions about that. I appreciate that ability to stand on my feet, but I also recognize that the Yukon Party, in particular, has questioned a lot of those projects. I said to myself, well, let’s bring the Yukon Energy Corporation back in. What we have done as a government since 2016 is that we have brought the Yukon Energy Corporation in every year. It has typically been the spring for us, but that changed because of the election last year, so we made sure to bring in the Yukon Energy Corporation in the fall. That led to the spring, and then the members opposite voted it down.

I would just like to say that I think that it is important that there be opportunities to have the Yukon Energy Corporation in here to answer those questions. I thought that this spring when we invited them here. Then it was voted down, and I believed that this fall as well. It will be our pattern to seek to bring in the corporation once a year. There are always things happening with the corporation, and I think that it would always be to the advantage of the opposition in this House to have the ability to ask those questions.

So, I am up today. I will not belabour the point too much, but I believe that one of the strange things for us is that we made the attempt to bring the corporations here for the opposition members to ask questions. They said no.

I am glad that they are coming back today. I hope that they will vote in favour of it today.

Committee of the Whole Motion No. 10 agreed to

Chair: The matter now before the Committee is general debate on Vote 51, Department of Community Services, in 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

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

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

Chair: The matter now before Committee is general debate on Vote 51, Department of Community Services, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Department of Community Services

Chair: Is there any general debate?

Hon. Mr. Mostyn: Before I begin, I want to welcome Phil MacDonald and Matt King to the Chamber this afternoon. They are going to be providing assistance to me as we go through a few items in Community Services. We have very few items in our supplementary estimates that we are talking about this afternoon. I am pleased to present them.

The supplementary estimates total \$20.152 million in operation and maintenance expenditures. We have had another challenging year in the realm of fire and flood. As a result, our request focuses on wildfires and floods.

This year's fire season was intense. Communities, contractors, and crews were challenged by an early season of flood response in communities across the territory, followed immediately by a hot start to July, with an unprecedented weather event that led to more than 21,000 lightning strikes, about 20 new fires per day, and 136 fire starts alone in late June and early July. Staff in every fire management region faced up to six weeks of flood response, wildfires of note, evacuation alerts, and critical infrastructure disruptions.

The season came in like a lion and, thankfully, moved toward more seasonal averages through the end of July and into the fall. We experienced more than twice as many fires as last year — 274 fires in all. They burned 75 percent more forest — 175,200 hectares in all. To put this in context, over the last 25 years, the Yukon experienced an average of 102 fires over the entire fire season. Once again, we had 274 fires last year.

The season was above average in terms of hectares burned, but not a record. It was, however, challenging, given the proximity of fires to major highways, communities, and infrastructure. With nearly 60 fires in critical and full suppression zones near our communities, highways, and infrastructure, the team worked hard to contain and extinguish the threats. Our budget request reflects the action taken to extinguish these priority fires.

Six major fires threatened communities, highways, or public utility infrastructure in Watson Lake, Ross River, Mayo, Beaver Creek, and Carmacks fire management districts. The north Klondike Highway was closed by fire between Stewart Crossing and Pelly Crossing for eight days. The Robert Campbell Highway was affected by fire near Finlayson Lake, Frances Lake, and Tuchitua Corner for 14 days.

Silver Trail itself was not directly affected by fire, but all residents were placed on an evacuation alert for seven days. This took many hands. We were very thankful for our Yukon

Wildland Fire team, our partners in Yukon First Nations Wildfire, First Nation governments, and the additional personnel and equipment from Alberta, BC, and Ontario. This was all provided under our mutual aid resource-sharing agreement through the Canadian Inter-agency Forest Fire Centre.

While the entire area between Stewart Crossing and Keno was under an evacuation alert, and the Klondike Highway was closed as a result of these fires, we are proud to say that nobody was injured. We thank our teams and can measure success based on a number of factors, including no loss of life, minimal loss of property, significant reduction in human-caused fires, and containment of fires within the priority action zones — which is a significant measure of performance.

In response to changing conditions and the impacts of climate change, over the past year, the branch has continued its plans to modernize and shift from primarily a response agency to an agency that leads a whole-of-government approach to forest fire management and the creation of wildfire-resistant Yukon communities.

I thank the hard-working people involved in managing this year's wildland fire season in our territory and for keeping our people and communities safe. I appreciate the work of First Nation governments, municipalities, contractors, community members, and agencies involved for their work to support a well-unified response. We are requesting \$15.96 million in this supplementary estimate for Wildland Fire Management's response this season.

During this year's wildfire season, the Yukon First Nations Wildfire crew conducted prevention and mitigation work around Whitehorse. The crew was deployed to flooding incidents in Teslin, Ross River, and Carmacks, and worked alongside Wildland Fire Management and imported crews on wildfires in Carmacks, Pelly Crossing, and Mayo. Wildland Fire Management and Yukon First Nations Wildfire have a three-year agreement to provide a 20-person unit crew. This agreement is a reflection of the positive working relationship between the Wildland Fire Management branch and their First Nation partners. It provides certainty for both the Yukon government and the Yukon First Nations Wildfire for guaranteed work, unit crew availability, structure around the services provided, and commitments for training and continuous improvement. This agreement provides guaranteed work each season, for which the Yukon First Nations Wildfire unit crew conducts community resiliency-type projects, FireSmart fuel breaks, thinning, and other projects.

I am requesting an increase of \$400,000 in the supplementary budget for First Nation FireSmart projects. This funding will come from the federal Emergency Management Assistance Program. It is 100-percent recoverable from Crown-Indigenous Relations and Northern Affairs Canada and Northern Affairs Canada's Emergency Management Assistance program. This funding is specifically for First Nations to use for wildfire hazard reduction projects.

I also want to talk about emergency measures organizations and flood costs. This supplementary budget includes \$3.8 million for our Emergency Measures

Organization team leading the 2022 flood recovery task force. This funding will provide for continued recovery costs for the remainder of this fiscal year. We are using this funding to address the emergency response and clean-up costs from 2021 and 2022 flooding events.

In 2022, the Yukon experienced record-setting snowpack across all watershed basins, creating a persistent and widespread high risk of freshet, summer lake flooding, and high groundwater tables. The Emergency Coordination Centre was activated from June 9 to July 15, 2022, in response to widespread flooding and critical infrastructure impacts across the territory. Unlike previous years, flooding happened in a number of areas in the territory. This provided additional challenges for a coordinated response and responders to support 13 communities. Two sand bag machines purchased by Yukon government were used non-stop across the territory through June and July. The machines were deployed in Upper Liard, Ross River, Teslin, Carmacks, Lake Laberge, and Tagish. In all, 113 government personnel, 286,000 sand bags, and 6,350 super bags were deployed to support communities and protect infrastructure during this year's flood response.

The Emergency Measures Organization continues to work on recovery efforts, with a focus on demobilization, financial recovery, community resilience, flood mapping, and long-term mitigation strategies. We are grateful for the support we receive from First Nation, federal, and municipal governments, local advisory councils and contractors, as well as from residents, their friends, and neighbours for their collective response to this challenging 2022 flood season.

I'll complete my remarks there and open it up for questions on these items from the opposition.

Mr. Dixon: I appreciate the opportunity to ask questions of the minister today in Committee of the Whole, and I appreciate the attendance of officials from the Department of Community Services as well. It probably will come as no surprise to the minister that we are particularly interested in the recent decision and announcement to pull out of hosting the Canada Winter Games in 2027. I was hoping that, now that we are out of the bright lights of Question Period, we can have a little bit more of an exchange and a little bit more information provided.

So, I would like to start by going back to when the bid evaluation committee visited Whitehorse. Can the minister tell us if he met with the bid evaluation committee when they visited Whitehorse, and what sort of feedback they provided to Yukon about our bid at that time?

Hon. Mr. Mostyn: Yes, the bid committee did come up. I did have conversations, both in the morning before coming into the Legislative Assembly offices, and in the evening shortly thereafter, for a few minutes, once we were out of the House that day, because, of course, we are sitting. I had brief conversations with members of the bid committee. They, of course, expressed their appreciation for us having them up here, and, of course, as well, said that they loved the territory and were looking forward to seeing the town.

The main concern they had, that was brought to my attention, was the ability for the territory to provide the athletes'

village, and we said that we were working on that, and we were more than happy to do housing. That was really the main focus of the bid committee, at the time.

Mr. Dixon: Did the bid evaluation committee provide any written feedback to either the department, the government, or the bid committee themselves?

Hon. Mr. Mostyn: I have not received any correspondence from the Canada Games committee. I am not aware of any that was sent to the bid committee itself — the department as well. I will look into that. I haven't personally had any correspondence from them. We submitted our bid, and they were in the process of assessing that bid. They actually extended the deadlines for that assessment, because they knew we were waiting for confirmation of support from Ottawa.

Mr. Dixon: I appreciate the minister's answer, but quite frankly, it seems unlikely that the bid evaluation committee would provide some verbal comments to the minister, and perhaps the big committee, and not provide written feedback to the Yukon about the bid.

Can the minister just confirm this: Did his department — perhaps the director of sports or the infrastructure branch — receive any formal correspondence from the bid evaluation committee about Yukon's bid?

Hon. Mr. Mostyn: We, of course, received correspondence from the Canada Games committee about their coming site visit. The Sport and Recreation branch, of course, is in contact with the Canada Games committee, I imagine, on a regular basis. I am not party to that correspondence from this office, but we have not received any formal response to our bid package from the Canada Games committee from this time, according to the department.

Mr. Dixon: So, I just want to be clear about this because the minister just made a fairly definitive point. He said that the department did not receive any formal response from the bid evaluation committee about the Yukon's bid following the visit to Yukon.

Hon. Mr. Mostyn: The bid committee had a deadline to provide a response to our bid package by December 8, and up to today's date, we had not heard anything formally from the Canada Games Council on the bid that we submitted to that council.

Mr. Dixon: I appreciate the response from the minister and I will take him at his word there.

So, we hosted the committee here. They evaluated our bid. Based on that bid, we put together some financial costs, and the minister has said publicly, earlier this week, that he wrote the federal government with a request for funding for this. Can the minister tell us on what date he sent that letter to the federal government requesting funding?

Hon. Mr. Mostyn: I am going to correct the member opposite. I don't think that his version of what has happened is correct. For 18 months — we struck a bid committee, led by Piers McDonald. It has people familiar with the Canada Games, it has representatives of the Yukon government, and it has representatives from the City of Whitehorse. For 18 months, they worked to pull together the bid for the Canada Games.

That committee took the criteria that the Canada Games Council places on jurisdictions that are hosting the games. They have stipulations about the facilities and the types of facilities that they need to host the games, so the bid committee looked at what we had. They then looked at what we needed. They went back and forth with the Canada Games Council. The Canada Games Council requires five ice sheets, for example, and we have three. The Canada Games Council said that we could have four — we needed four ice sheets. So, we then worked with our partner, co-sponsor of the games, the City of Whitehorse, on that facility — that ice rink. We looked at our options. We looked at the existing facilities and how they could be fixed. We eventually came up with a plan for that. We then got initial estimates and refined that plan further. We went back to the City of Whitehorse and worked with them. The bid committee worked with the City of Whitehorse and worked with the Canada Games criteria. They came up with the final bid package, which we submitted to the Canada Games Council in September.

Alongside that submission of the bid package that we had spent 18 months pulling together, we also submitted a request to the federal government for support for this package. At the time, we let the federal government know that, in these times, it was going to be very difficult for the Yukon government to support the bid for the Canada Games without federal support. We then communicated with the federal government to let them know how difficult it was and encouraged them to please come forward with some sort of commitment for the Yukon government because, given the scope of this project, all governments involved in this project — the federal government, the municipal government, and the Yukon government — really needed to come forward with solid funding for the project.

The City of Whitehorse came forward with \$8 million in capital funding. We waited for the federal government. They gave us a letter in the first week of November that said that they would be providing \$3 million. At that point, the Yukon government had a decision to make and we took our decision.

Mr. Dixon: I appreciate the response from the minister and him correcting the order of events. So, I just wanted to confirm: What was the date that he sent the letter to the federal government requesting funding?

Hon. Mr. Mostyn: I am currently having my officials look up to see when the actual bid package was sent to the Canada Games Council. The letter to Canada was sent to federal ministers on September 9.

Mr. Dixon: I believe that I heard the minister say “September 9”, but I will stand corrected if I misheard him.

On what day did the federal government respond, by way of letter?

Hon. Mr. Mostyn: I received an e-mail from the federal ministers, whom I had written to on September 9, in the first week of November.

Mr. Dixon: Would the minister be willing to share both the September 9 letter and the response from the first week of November with the Legislature?

Hon. Mr. Mostyn: As the member opposite knows, I am more than happy to provide the proper information to the House. I will check to see what is protected by Cabinet and confidences in both governments. Provided I can do so, I will.

Mr. Dixon: I appreciate the minister’s offer to share that information if he is able to do so.

I would like to pick up — in the first week of November, then, because the minister indicated that this is when the federal government notified the territorial government that they would only be providing the amount that he suggested, which was just over \$19 million total and \$3 million for capital. At any point in time, did the minister then go back to the bid committee and ask to look at another option — perhaps a cheaper option — an option that didn’t include the extensive capital infrastructure investment that would be needed for, well, at least \$115-million hockey rink and perhaps a \$60 million-plus athletes’ village?

Hon. Mr. Mostyn: I am sorry, Madam Chair. I would like the member opposite to please clarify the first part of his question. I didn’t hear the introduction to that question. I’m sorry.

Mr. Dixon: My question, put more simply, was: Once the minister learned that the federal government wasn’t going to provide the amount of money that he initially asked for, was there ever a consideration of looking at another option with the bid — a scaled-back option — an option that didn’t include such a remarkably high capital investment in infrastructure? Was there ever consideration of any sort of plan B or other options that could have been considered, rather than simply just cancelling the games altogether?

Hon. Mr. Mostyn: I thank the member opposite for clarifying that question — for repeating it. This old guy is a little bit hard of hearing.

It’s now November 17. I received a letter from Ottawa in the first week of November. We then, as a government, assessed the implications of this, and it has been basically a couple of weeks since we received that letter. I will remind the member opposite that we were co-hosting these games with a partner, and we have been working for 18 months to prepare the bid that we submitted to Ottawa, at a cost of several hundreds of thousands of dollars. It’s a very professional document. The team that put it together did a lot of work refining it and making sure that it was an appropriate bid that met the needs of the citizens of Whitehorse and the Canada Games Council, which has very explicit needs for any jurisdiction that is hosting the games.

So, we spent 18 months putting that bid together, refining and honing it, as I said in Question Period and again this afternoon. Then we made that submission in September. The bid committee has not yet formally responded to that bid package. They extended their deadline to December 8 to do that. In the meantime — as I said, we got the letter in the first week of November from the federal government saying, “We’re going to give you \$3 million.”

I’m sure, as I said before, that it wasn’t an easy decision for the federal government to make because they really have been amazing supporters of the north — certainly of the Yukon. They have made immense and historic investments in our

infrastructure in the north, and this was outside of that. This was another request.

I know that the federal government is a big civil service. I know they worked very, very hard, looking for ways they might be able to help our jurisdiction here with this request. So, I can't imagine it was an easy decision for the federal government, or an easy letter for the federal government to write to this jurisdiction. Since then, it has only been two weeks, and in between that, the Yukon government has been looking at its options and considering how to move forward.

The answer to the member opposite's questions are, no, I don't know what such a scaled-back version would look like, given the stringent controls — requirements — that the Games puts on jurisdictions. We are in a safe-sport era as well, where we have to look after the children who are coming to the territory in specific ways to make sure that they are not put at any risk. That was certainly a theme at our sport ministers' in Niagara recently. To put together a new bid, a plan B, would certainly take some work to assess with our partners — the City of Whitehorse and the Canada Games Council — what that would look like.

Then we, as a jurisdiction, would have to make a decision as to whether or not putting all the work into such a bid was actually worth it to the citizens of the territory, with no legacy infrastructure coming from such a Games. These were all big questions. There are a lot of things at play. It took us 18 months to get the first bid in. To do a scaled-back version that met the requirements of the Canada Games Council, I'm sure, would take quite some work. To be honest, we have not yet had that conversation in any detail with the City of Whitehorse, our co-sponsor.

Mr. Dixon: The minister just trailed off a little at the end, so I just want to make sure I heard him correctly. He said that the government has not had any discussions with the City of Whitehorse about any sort of scaled-back option or plan B. I believe that is what I heard, but I will just ask the minister to clarify.

Hon. Mr. Mostyn: I don't believe that the bid committee has had any substantial meetings on a scaled-back version of the Games with the City of Whitehorse. I certainly have had no formal meeting with mayor and council on the matter. I think that my officials are checking that right now, but the decision was made just recently.

I will say that the City of Whitehorse has been quite adamant about its need for infrastructure in the territory. Part of its co-sponsoring of the Games was that it required having the legacy infrastructure for citizens of Whitehorse. That legacy infrastructure had to go beyond housing, so that was the last official position I had heard from the City of Whitehorse.

Mr. Dixon: The minister mentioned that the Canada Games Council bid evaluation committee — he said something about extending the deadline to December 8. I am just asking if the minister could clarify when it was communicated to the Yukon government that they would extend the deadline. What did that correspondence look like, and did the Canada Games Council ever suggest that the Yukon government, or the Yukon,

in general, should look at another option, such as a plan B, or a scaled-back version?

Hon. Mr. Mostyn: The member opposite, as I recall, was asking about the extension of the deadline for the bid's consideration. Originally, the Canada Games committee would have reviewed and responded to our bid in early November, the first week in November — around November 8, I think it was. Shortly before that date came, the Canada Games Council said that, because your funding — that we haven't heard from the federal government on funding — they were going to extend it to December 8, in order to give us more time to come up with the funding.

When the Canada Games Council was up here, they did float with folks in the Department of Community Services a possible plan B — like you might look at a plan B, which would be something other than the bid you put in there, because they really wanted to support Whitehorse.

We went to the City of Whitehorse with that proposal, and at the time, the City of Whitehorse drew a hard line in the sand, and said that they would no longer be willing to support the co-hosting bid, if we didn't build a rink infrastructure for the City of Whitehorse. That wasn't part of the bid anymore. So, we basically shelved any smaller, scaled-back version at that time, because we weren't willing to host it all by ourselves. We need the support of an experienced institution, like the City of Whitehorse, to do the Games.

Now, I have just been told by my official that, last week, the administration of the City of Whitehorse approached and said that they might be more willing to look at a different option. That happened last week, as I said — like, late last week. We met as a Cabinet and announced the decision to our partners on Monday morning.

As I said, I have not yet explored any scaled-back version with my counterpart at the City of Whitehorse, but that's what went down there. Apparently, the City of Whitehorse is more amenable now to a scaled-back version. I don't know precisely what that looks like, what the costs would be involved with that, or really, what the City of Whitehorse's full plans or offers are on the table, but as I said, as far as the bid that we put before the Canada Games Council, which met the requirements laid out by Canada Games 18 months ago, that bid is still on the table with the Canada Games Council and does not have all three governments' funding support.

Mr. Dixon: So, the minister has said that the city reached out last week about a possible plan B, but despite this, Cabinet met on Monday, and the announcement was made Monday morning that they would be cancelling. Why wouldn't the minister go back to the city to find out more about what they were proposing before cancelling?

Hon. Mr. Mostyn: The bid that the City of Whitehorse, the Yukon government, and the other participants in the bid committee had pulled together was — as I said, it took 18 months to do. It was comprehensive, it met the needs of the community of Whitehorse and the citizens of the Yukon, and the Canada Games Council. That bid is currently still on the table. It requires the funding from the federal government, the territorial government, and the City of Whitehorse. The City of

Whitehorse has committed \$8 million to that project in capital costs. The Yukon government has committed to make up whatever amount the federal government did not provide, provided it was a reasonable offer. The federal government committed to contributing \$3 million, with a total commitment from our other two partner governments in this enterprise of \$11 million. The Yukon government made the fiscally responsible decision not to proceed with the bid that was before the Canada Games Council.

Mr. Dixon: Madam Chair, to allow witnesses to appear, 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

Chair: Pursuant to Committee of the Whole Motion No. 10 adopted earlier today, Committee of the Whole will receive witnesses from Yukon Development Corporation and Yukon Energy Corporation. In order to allow the witnesses to take their places in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

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

Appearance of witnesses

Chair: Pursuant to Committee of the Whole Motion No. 10 adopted on this day, Committee of the Whole will now receive witnesses from the Yukon Development Corporation and the Yukon Energy Corporation.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses, and I would also ask the witnesses to refer their answers through the Chair when they are responding to the members of the Committee.

Witnesses introduced

Hon. Mr. Streicker: It is my pleasure to welcome the witnesses from the Yukon Development Corporation and the Yukon Energy Corporation. From your left to right, Madam Chair, is Mike Pemberton, who is the chair of the Yukon Development Corporation. Next to him is Justin Ferbey, the president and chief executive officer of the Yukon Development Corporation; next is Andrew Hall, president and chief executive officer of the Yukon Energy Corporation; and then finally, on our right, is Lesley Cabott, the chair of the Yukon Energy Corporation.

I would also like to acknowledge some guests who we have in the gallery. We have with us today: Don Roberts, Dr. JP Pinard, Rick Griffiths, and Sally Wright. It is always a pleasure to have guests in the gallery.

Yukon Energy and Yukon Development Corporation — these two organizations, along with community and private sector partners, and also partners in government — municipal, First Nation, territorial, provincial, federal governments — are leading the development, funding, and implementation of renewable energy initiatives for the benefit of all Yukoners, and

I think, ultimately, all Canadians. They are doing this while also ensuring that Yukon residents, businesses, and industry have safe, reliable and cost-effective energy to meet their growing needs.

I am looking forward to the questions today from the members opposite, and I welcome the witnesses to this House.

Chair: Would the witnesses like to make brief opening remarks?

Mr. Pemberton: Before I do so, I would like to recognize that today we speak to you on the traditional territory of the Kwanlin Dün and the Ta'an Kwäch'än Council, and that we live, work, and play on all the territories of the First Nations of the Yukon Territory.

Thank you, minister, and thank you, Madam Chair, for the opportunity to provide for the members of the Legislature — with respect to the Yukon Development Corporation. The Yukon Development Corporation is charged with developing and promoting the development of innovative energy systems as well as the economically and environmentally sustainable generation, production, and transmission of energy.

Developing new, sustainable sources of electricity is a fundamental step in meeting the challenges and targets described in the *Our Clean Future* strategy. The Yukon Development Corporation and the Yukon Energy Corporation continue to work together to ensure that we have the electrical generation, distribution and storage systems in place to meet the needs of Yukon's growing population and economy and to achieve the territory's ambitious climate change commitments.

Through the independent power production policy, the innovative renewable energy initiative and the Arctic energy fund, we encourage the development of First Nation and community-led renewable energy projects to reduce the use of fossil fuels in generating electricity across the territory. This requires an inclusive, collaborative approach, and Yukon Development Corporation is actively working with all levels of government, as well as the utilities, to identify and support the renewable energy projects that best address the Yukon's unique energy context.

The Yukon Development Corporation also continues to monitor impacts on electrical ratepayers. We are pleased to be able to respond quickly to the recent impacts of inflation on Yukoners, working with the utilities to implement the inflation relief rebate.

Thank you again for the opportunity to speak on Yukon Development Corporation's behalf, and I will turn the floor over to the representatives from the Yukon Energy Corporation.

Ms. Cabott: Thank you for the opportunity to be here today to share information with Members of the Legislative Assembly about ways Yukon Energy is building the clean energy future that Yukoners have told us they want.

In January 2020, Yukon Energy released the biggest, boldest and most visionary plan that we have ever put together — our 10-year renewable electricity plan.

In it, we outlined our commitments: to help Yukoners and governments across the Yukon and Canada to combat climate change by focusing on the development of renewable and

dependable sources of electricity to meet the growing demands of power here in our territory; second, to work collaboratively and in a good way, in the right way, with First Nation governments across the Yukon and British Columbia to supply Yukoners with the same reliable and cost-effective electricity we have today, while also exploring and advancing new sources of clean energy that all Yukoners will need in the future; and lastly, to limit, to the best of our ability, the impact of the investments that we need to make in our electricity system on Yukoners by working fiercely with our project partners to obtain local and national grant funding for projects in the 10-year plan.

Just less than three years later, I am pleased to report that Yukon Energy has made noticeable progress in fulfilling these commitments. Whether it be the electricity purchase agreement that we have signed with Tlingit Homeland Energy Limited Partnership earlier this year or the agreements that we signed with five other independent power producers across the Yukon, we are finding new ways of increasing the supply. We are embracing new ways of working with the Yukon First Nations.

Yukon Energy Corporation recognizes and acknowledges and expresses our sincerest thanks to First Nation governments in the Yukon and British Columbia —

Chair: Order.

Mr. Dixon: It sounds like the witnesses may have some more opening remarks, so I will let them finish.

Ms. Cabott: Thank you. I just wanted to recognize that Yukon's electricity system is one of the cleanest in Canada. Over the last 25 years, an average of more than 95 percent of the electricity generated by Yukon Energy has come from renewable resources. All the while, electricity customers in Yukon continue to enjoy the lowest electricity rates across Canada's north. These advancements have been made possible by the hard work and dedication of the Yukon Energy staff and board members in recent years, as well as our collective collaboration with First Nation governments and the development corporations.

I want to thank you, Madam Chair, and that concludes my opening remarks today.

Mr. Dixon: I thank the witnesses for those opening remarks, and I appreciate their presence here today. We have a fairly short amount of time and a long list of items to get through, so I hope that the witnesses will appreciate my brevity. We will launch right into it. We will obviously be covering a range of projects that are before the corporation right now. Obviously, there has been a lot of recent interest in the Atlin project, the EPA, and YUB's response to that EPA. Of course, we're also interested in other renewable projects throughout the territory, including the battery project, Moon Lake, what the Energy Corporation has by way of DSM underway, and a range of other things. So, I will jump right into it, Madam Chair, and begin on the Atlin project.

I think it's probably most useful to start by establishing a baseline of facts so that we're all on the same page. I will start with the budget. The earliest budget estimate that I can find for the project is in the November 25, 2019, *Knight Piesold Hydro Options Report* from the *10-Year Renewable Electricity Plan*

Technical Report. It shows that the budget for the hydroelectric development only is estimated at \$79.7 million. Is that the earliest budget estimate that the witnesses are aware of as well?

Mr. Hall: Madam Chair, there are cost estimates that have been developed over time, both including and excluding transmission. I'm not familiar with the full list of estimates. Work went back to probably the early 2000s on the project. I think the reference point that we would work off would be what was disclosed in the 10-year renewable plan, and those are costs with vintages of 2016 and then 2019.

Mr. Dixon: I appreciate that answer. So, there were earlier cost estimates than the ones I referred to. The ones that I have mentioned are from November 2019, and that pegs the total project, which includes the 69 kV transmission line, at \$120.7 million. Since then, we have heard that project budget change. I believe that, in February 2021, the *Whitehorse Star* reported that it was around \$206 million. I recall that, in October of last year, the president of the YEC told the Legislature that it was approximately \$200 million.

There was an interview with David Carlson from THELP last week, I believe, or in the month of November at least, that the project was \$230 million in March of this year, and then now, where we're at today, the project appears — according to the minister, it's \$315 million, and according to Mr. Carlson, it's \$310 million. Can the witnesses give us a sense of where this project is at right now in terms of total capital cost?

Mr. Hall: The most recent numbers that we have from THELP would be \$310 million.

Mr. Dixon: So, we will use \$310 million as the current total project cost for the hydro project and the transmission line to Jakes Corner.

I will turn now to the sources of funding. As it stands right now, there is funding from the Yukon, BC, the federal government, and the Canada Infrastructure Bank. I will just read what I have, and I will allow the witnesses to correct me if I'm incorrect on any of these figures. My understanding is that: Yukon has contributed \$50 million; British Columbia has contributed \$20 million; the federal government, through three different funds, has contributed \$32.2 million; \$14.1 million from CanNor; \$50 million from the Smart Renewables and Electrification Pathways program; and THELP has borrowed \$80 million from the Canada Infrastructure Bank. Does that seem accurate to the witnesses? By all means, please correct me if I have any of those facts wrong.

Mr. Hall: The total of grants, debt, and equity would be \$254 million. That is the number that we have.

Mr. Dixon: The addition of the numbers that I just listed equals \$246 million, so maybe I will just go one by one to make sure that we are on the same page. Is Yukon's contribution \$50 million?

Mr. Hall: Yes. Correct.

Mr. Dixon: British Columbia's is \$20 million.

Mr. Hall: Correct.

Mr. Dixon: In the federal budget of 2022, by way of press release from the Yukon government, there was an announced contribution of \$32.2 million from the federal

government in our current budget cycle. Does that sound correct from the April 11, 2022, press release?

Mr. Hall: Yes, that is correct. Some of the contributions from the federal family total \$101.1 million.

Mr. Dixon: My understanding from that same press release was that CanNor's contribution was \$14.1 million. Does that sound correct?

Mr. Hall: Madam Chair, there are various ways, I guess, that you can slice and dice the numbers. I can go through them for completeness. The numbers we have are CanNor for \$6 million; NRCan for \$2.9; another fund of NRCan for \$50 million — that's the SREP fund; the appropriation in the federal budget, which is allocated to Environment and Climate Change Canada, is \$32.2 million; and then NRCan and CIRNAC — the off-grid hub diesel hub program — \$10 million; so that total is \$101.1 million.

Mr. Dixon: Can the witness repeat that last total? Sorry, I missed that.

Mr. Hall: The last line item that I referred to is the off-diesel hub program, which I believe is joint between NRCan and CIRNAC, which was \$10 million.

Mr. Dixon: After that, Mr. Hall gave a total of the federal contribution, I believe. Could he provide that again, please?

Mr. Hall: Madam Chair, the total from the federal family is \$101.1 million.

Mr. Dixon: So, \$50 million from Yukon, \$20 million from BC, and \$101.1 million from the feds, plus \$80 million from the Canada Infrastructure Bank brings us to \$251.1 million. Does that sound correct to the witnesses?

Mr. Hall: Yes, that is correct. Then the proponents' equity at \$3.2 million, for a total of \$254.3 million.

Mr. Dixon: With the total project cost of \$310 million, and total confirmed funding of \$254.3 million, that would bring our funding gap to \$55.7 million. Does that sound correct?

Mr. Hall: Correct. I will trust the member opposite with the numbers. Typically, we have rounded that up to \$60 million in the numbers that are being used right now, in terms of a gap to be addressed.

Mr. Dixon: I appreciate that some rounding is allowed here, given the changing scope of the project — or at least the changing budget of the project. So, somewhere between \$55 million and \$60 million is the funding gap.

Can the witnesses give us any indication as to the status of any sort of application to have that gap filled?

Mr. Hall: Yes, we are working actively with all the funding partners — so, that would be the Yukon government, the Government of British Columbia, and the federal government — to look at ways to address sources of funding for the \$60 million. I think there have been positive indications from British Columbia and an active conversation with the federal government — and most recently, as of yesterday, a call with all the funding partners online.

I think there is a real commitment to find those funds, whether it is through whatever program money might be available, or indeed, through additional appropriations in future budgets.

Mr. Dixon: I appreciate the answer there. Do the witnesses have a sense of the time frame within which we would learn whether or not that funding has been secured? "Future budget years" is a nebulous term, so I wonder if the witness could provide a bit more detail.

Mr. Hall: I think the first key milestone that we would be aiming for would be the federal budget of 2023, which would be the end of March or early April of 2023. That budget, obviously, starts getting locked in, in the new year, so that is why there is some urgency around that.

I think that actually works quite well from a timing perspective, because THELP's permitting application in British Columbia is still in process, being under review, and the timing of them getting their permitting would probably be early in the second quarter of 2023. So, getting some funding certainty around that time frame would work well for a start-of-construction date.

Mr. Dixon: I appreciate the witness jumping ahead to the permitting, but I will stick with the order here.

I will talk about the timeline now. The witness has alluded to some of this, but I will just confirm. On November 2, 2022, the minister said, "The information that I have is that the project is on track for 2024."

Does that time frame sound correct to the witnesses?

Mr. Hall: Based on — if they were able to kick off construction in the early second quarter of 2023, the in-service dates would be October 2025.

Mr. Dixon: I appreciate that. So, October 2025, is the current date that we are working with. The reason I ask that is because David Carlson, last week, said to the *Yukon Morning* CBC radio program that the current commercial operation date is 2025, but that if they don't secure the funding by January, that will slip until 2026. Can the witnesses respond to that comment from Mr. Carlson?

Mr. Hall: No, I don't really have a comment on that. I think, as of the call yesterday, they were talking about still the 2025 completion date, as long as they can get some certainty within the federal budget of 2023. It is a very evolving conversation because, for example, the latest word from British Columbia is that there may be a possibility for BC to advance funding quite soon, so it is an evolving issue, in terms of when monies might start flowing and, therefore, when some early construction work might start. Our understanding is that it would be in October 2025, as long as we can get a full funding package in the federal budget.

Mr. Dixon: So, yes, just the quote from November 8, at 8:15 a.m. on CBC's *Yukon Morning*, Mr. Carlson said — and I quote: "The current commercial operation date is 2025. We'll lose that if we don't get funding by, say, January and will slip to 2026." But I appreciate that the witness has a different perspective on that.

So, having established the budget, the funding, and the sense of the timeline, I will turn now to the EPA itself. The Minister of Justice wrote to the YUB, asking them to consider the EPA. Can the witnesses just quickly explain why it is that this particular EPA went to the YUB, and what they were seeking from the YUB?

Mr. Hall: There is an allowance under the *Public Utilities Act* for the Minister of Justice to request either projects, or transactions such as this — EPAs such as this — to be reviewed prior to the project coming into effect. I think, strategically, it's just an opportunity to get some early feedback from the Utilities Board as to what their view on the deal might be. So, I think it would be part of the due diligence process and good practice, when we're talking about a transaction of this materiality for the Yukon.

Mr. Dixon: I appreciate the response from the witness. So, turning now to the EPA itself, when we're considering this document — it's obviously an arrangement between THELP and the buyer of the power, which would be YEC. There are obviously implications for ATCO as well, but what sort of stands out as the key milestones are the conditions precedent and term. I note that the first condition precedent is the interconnection agreement, and that the EPA includes the specification that "... on or before January 31, 2022, the three parties (Seller, Buyer and AEY)..." — which is ATCO — "... will have entered into the Interconnection Agreement." Has the interconnection agreement been established between the three parties?

Mr. Hall: I would say we are 99 percent toward a signed interconnection agreement. There are just a few details to be ironed out.

Mr. Dixon: I appreciate that answer. That's excellent to hear. The next one is the funding plan — so, section 2.1(d)(iii) of the EPA conditions precedent specifies that: "On or before May 31, 2022, Seller will have provided Buyer a detailed funding plan..." — known as the "Funding Plan" — "... setting out Seller's sources of grant funding together with independent third party estimates of Seller's costs to develop Seller's Plant and Buyer-AEY System Upgrade Costs; and ... On or before June 14, 2022, Buyer..." — Yukon Energy — "... will have given Seller notice (based on the Funding Plan) that Buyer is satisfied, acting reasonably, as to the financial viability of Seller's Plant."

Have those two stipulations occurred?

Mr. Hall: Just listening to some of the dates that are being referred to here, there may be an update to the conditions precedent that hasn't been put before the Legislature, and I can certainly make that available, because those dates have all moved out to January 2023. So, I'm just concerned that perhaps the member doesn't have the most recent version of CPs.

Mr. Dixon: This is the copy that was reviewed by the YUB. It's available on Yukon Energy's website, which I printed off this morning. If it's out of date, it's because the copy on Yukon Energy's website is out of date.

I do have a question about the nature of the EPA, and whether it's going to change, and how it's going to change, so I will return to that. Perhaps we can move past the specific dates, and just note some questions about the various aspects.

The witness said, in the case of those two aspects of the conditions precedent, the dates have changed. I will move to the next one, which is the environmental authorizations. That says — and I quote: "Section 2.1(d)(iv) of the EPA Conditions Precedent specifies that, on or before May 31, 2022, Seller will

have received satisfactory terms and conditions for the Clean Energy Development Plan authorizations for Seller's Plant located in British Columbia and for the YESAA Decision Documents for Seller's Plant located in Yukon."

It sounds like that date may have changed as well, but can the witnesses explain the status of the clean energy development plan for the project? In looking at the BC website this morning, I noted that it says that it is delayed, and that there is no timeline for a resubmittal of that. Can we get a sense of where the project is at in terms of environmental authorizations?

Mr. Hall: It's our understanding that the application for the clean energy development plan has been made. We are not experts in the BC process at all, but I think it is a variable timeline. It doesn't have fixed timelines, so it's a bit hard to say exactly when that's going to be received. I think what we have been told is that it would be sort of at the end of Q1 or early Q2 of 2023, but I think there is a lot of active work that THELP is doing with the BC regulators to try to cut that timeline back.

In terms of the Yukon, the permitting for the transmission line — we understand that the next step would be a decision document, but I don't have any information on when that will be forthcoming.

Mr. Dixon: My understanding is that — if I heard correctly — the clean energy development plan authorizations from British Columbia should be available in 2023, and that there is an uncertainty about when the YESAA decision document would come.

I will move on to the TRTFN approval, section 2.1(d)(vi) of the EPA. "Section 2.1(d)(vi) of the EPA Conditions Precedent specifies that, on or before May 31, 2022, Seller will have obtained approval of the EPA by the TRTFN by way of Clan Directive or a Joint Clan Meeting Mandate."

I had seen a clan resolution on the TRTFN's website dated 2020. I am wondering if that is the most recent authorization, and if that authorization meets the conditions of section 2.1(d)(vi) of the conditions precedent.

Mr. Hall: There is a clan mandate No. 3, dated May 29, 2022, which supports, in principle, the project. That is the most recent joint clan mandate, or directive, that TRTFN, we understand, has issued as a government. There is an intent to secure an unconditional support. I would say that the May 29 would be conditional support. There is another step that is still outstanding.

Mr. Dixon: Do the witnesses have any sense of the timeline for that additional step that is still required with regard to the TRTFN's approval?

Mr. Hall: I don't have a specific sense of the timeline. I would note that, in the most recent letter and updates to the conditions precedent dates, the CP date is January 31 for that milestone.

Mr. Dixon: Thanks to the witness for that.

The last one is the Yukon government approval. What is the status of the Yukon government's approval under the conditions precedent?

Mr. Hall: I think that there is still a conversation to be had about whether, in fact, there are any remaining Yukon

government approvals required, but if there is a determination — that is still a future conversation. Just for reference, if we are worried about CP dates, all of the dates, except one, would be January 31. The only date that is beyond that is the CP 2.1(d)(iv), which is the clean energy development plan, and that is a March 31, 2023, CP date.

Mr. Dixon: So, that's a perfect segue to my next question: It's clear that the dates are changing here within the conditions precedent, so can the witnesses just explain how that works? The YUB has reviewed this with certain dates in place. There was obviously a negotiation around these dates, but now, following the YUB's consideration of this EPA, the dates are changing. What does it mean that the initial dates haven't been met, and what happens to the agreement, in terms of the changing that are set out in the conditions precedent?

Mr. Hall: Madam Chair, just to be clear, the agreement only — the whole point of a conditions precedent is that it is a condition that has to be met for the agreement to come into effect. It is completely possible and, in fact, we have done it a couple of times, to change the CP dates. That is legally done quite often. I think they reflect the fact that additional work — and the changes to these dates have reflected two things: the additional work required to secure funding — so, we just talked about work that, if the federal budget of 2023 was the means by which we secure more funding, that timing fits well with these most recent CP dates that I mentioned. The other thing is the British Columbia permitting — the timeline of that had slipped out, and so, it was appropriate to change that date for the clean energy development plan to March 31.

So, you know, if you look at agreements like this, changing CP dates to reflect changes in timelines is quite normal.

Mr. Dixon: I appreciate that the changing CP dates may be a normal course of business, but the one that, of course, stands out to most people is the funding plan, and the fact that the funding plan is required to be in place and approved by the purchaser of the power prior to the legal authority of this EPA taking effect. At present, we are aware that there is a \$55- to \$60-million funding gap, with an uncertain budgetary future, and where we find ourselves looking askance at the federal government's budget for next year to determine whether or not this agreement will take effect.

My next question is about what that means for the timing of the agreement and the term of the agreement. The dates of the term are set out pretty clearly. When this gets delayed, as it has over the last little while, does the 40-year term maintain and just go further, or does the termination date stay the same, and then this just becomes a shorter agreement?

Mr. Hall: I am just going to — I believe that it is 40 years from the in-service date, so any delays that are experienced prior to the in-service date don't affect the 40-year term — subject to check. I have the agreement here; I just can't find the term section.

Mr. Dixon: I appreciate that the witness may take some time to find that; it's not urgent, though.

My next question, though — it's referenced in the EPA — the possibility of cost overruns. Now, we have seen the cost of this project escalate dramatically in the last year. Even just

since last year, we have seen an increase from somewhere in the range of low \$200 million to low \$300 million — that's a fairly considerable increase, and, we know that there is a delay, yet, still, ahead of us with regards to the possible construction until what sounds like, possibly, the second quarter next year. So, we have the possibility of even further increases. THELP has been clear in the media, at least, that they aren't putting in any more money. They have said that — Mr. Carlson, at least, said — and I quote from that same media interview earlier: "Notionally, we've raised about \$254 million for the project. That's both debt and grant." He then notes that: "If it doesn't come in as grants, the project simply just can't proceed. We've taken the most debt we can, that I feel comfortable with. We've invested the most equity that I feel comfortable with... Everything else has to come from grants."

So, while we may receive \$55 million to \$60 million from the federal government in the next budget, I worry that the project cost could increase even more between now and then. So, can the witnesses either allay my fears, or perhaps explain or respond to those?

Mr. Hall: Sorry, I just got a bit distracted there. Just quickly, the key part of your question — if the member could repeat it.

Mr. Dixon: If there are cost overruns between now and the beginning of construction, who is going to pay for those cost overruns? Because right now, there is a request to the federal government for \$55 million to \$60 million. If the project increases from \$310 million to some other number, then we're looking for more money. Where do those cost overruns get calculated? Who pays for them? How is that going to work?

Mr. Hall: There is a bit of a trick to how to sequence all of these steps that need to occur before construction starts. I think there is a recognition that THELP needs to go out to the contractors and suppliers and get one more updated quotation — and then, to time that with the funding decisions, such that you have a firm cost estimate that is current to line up with funding availability. So, by doing that, you avoid this problem that the members are referring to.

There is definitely a plan, and it was an active topic for discussion with the federal family yesterday — around how and when to do that. We need some visibility on when the funding might be announced, and then THELP will go out and get one more quote, which will lock down the number. There is a bit of an art to getting that 100-percent right to eliminate the risk that has been referred to.

Mr. Dixon: Can the witness explain a bit of that art to me because I am not sure that I understand. Right now, we have put a request into the federal government for \$55 million to \$60 million, based on the \$310-million project cost. There are no shovels in the ground yet. There are not even any estimates, I believe. The witness has indicated that they need to go back to the private sector to seek further quotes.

Who will make up the gap if there is an increase between now and the beginning of construction in the second quarter of 2023?

Mr. Hall: Yes, as Mr. Carlson outlined in that interview, there is some uncertainty about what the funding gap is because

of this issue that has been referred to, so it's a conversation with the funding partners — British Columbia, Yukon, and the federal government. It is \$68 million based on what we know today, but there has to be some ability to flex that once they go to market and get an updated quote. This is all very transparent and an open matter for conversation. Nothing has been hidden from the funding partners that THELP would be looking to in order to meet the final number or secure that final amount of funding.

Mr. Dixon: I am certainly not suggesting that it has not been transparent. My point is just that THELP has made it clear that they are not putting in any more money, so then we go back to the funders looking for any additional increases. My concern is that the feds give us another \$60 million, but then, by the time construction begins, it's actually \$350 million, and now we need to come up with another \$40 million. That could then cause further delays in the project by way of either the conditions precedent or the funders and partners in this agreement facing challenges with that. That is my concern, but I think we have exercised it to the greatest degree possible now.

I will move on then — back to the EPA. I will use the EPA just as an opportunity to spring into some other areas because I found, on page 20, the graph that shows the forecast non-industrial peak and dependability capacity, under N-1 capacity planning criteria, particularly interesting.

That lays out what the Yukon Energy Corporation has submitted to the YUB for consideration of this EPA. It is notable for a number of reasons, and it is going to lead me eventually to the YUB report, which I will get to. In this graph, it essentially shows the capacity's shortfall, under N-1, going forward for the next number of years.

So, for the 2022-23 year, the graph shows that there is a capacity shortfall for 2022-23 of about 20,000 kW — let's call it 20 megawatts. That is assuming that, at the best, the battery is contributing 7.2 — assuming that DSM is contributing 4.4.

Before I get into those projects, let me just ask a general question. Either way, the capacity shortfall for the coming years is considerable. What is the plan to fill the capacity shortfall in the short to medium term?

Mr. Hall: I believe that the chart that the member is referring to is from Yukon Energy's application to the YUB for the EPA review, but it is essentially the same chart as figure 17 in the 10-year renewable plan, which shows the capacity gap. I think that the strategy — which is very clearly outlined in the 10-year renewable plan, and we have actioned on that every year — is to rent temporary diesel engines to fill that gap. So, we have rented, over the past couple of years, rental diesels, and last year and again this winter, we will be renting, effectively, 27 megawatts of capacity to fill that gap.

Mr. Dixon: So, according to the chart, the witness is correct. It is indeed the same chart from the 10-year plan, but the one that I am looking at right now is from the EPA on page 20. It shows a capacity shortfall going forward — a considerable shortfall — until 2028, and that is the point at which Moon Lake comes on. We can return to Moon Lake after, but for the next six years, is it correct to assume that we will be

renting somewhere in the neighbourhood of the number of rental diesels that we are using right now, or more?

Mr. Hall: It is correct that we will be renting until we are able to secure a significant new capacity source, which in the 10-year plan was identified as Moon Lake. The number of rentals that we require changes every year, depending on what resources are either retiring or coming onstream. It actually drops in the 2024-25 time frame and then starts growing again.

I would point out that on the load, at the peak forecast side, there is obviously uncertainty. This is based on certain assumptions of Yukoners adopting electrification to heat their homes and purchasing electric vehicles. We made assumptions based on both the electric vehicle targets that were articulated in *Our Clean Future*, and also some independent work that we did on electric vehicle adoption rates in markets.

The short answer is that the number of rentals changes through time, and you need flexibility. We do have flexibility through the rental approach to adjust the number that we rent every year accordingly.

Mr. Dixon: In the response before the one that the witness just gave, he used an important term and that was "temporary". The intent, of course, is that these rental diesels are temporary; however, I note that on page 11 of the Yukon Utilities Board's report, considering the EPA —

Well, throughout the report, the Yukon Utilities Board is quite critical of Yukon Energy Corporation's decision-making around the renting of diesels. The first section that I will point to is the quote on page 11, which reads — and I quote: "However, YEC has been renting diesels since 2016 and expects to be renting diesels past 2030. Renting for at least 14 years is not a short-term event or solution. YEC has not shown the rentals to be a least-cost solution on a short-term or long-term basis. Although these costs were accepted in the 2021 GRA, YEC will need to show the least cost thermal alternative of rentals versus permanent thermal at the time of its next GRA or risk finding that those diesel rental costs were imprudently incurred."

I would be interested to hear what the witness's response to that section of the Yukon Utilities Board report is.

Mr. Hall: I think, on this topic, we beg to differ with the Yukon Utilities Board's analysis. In our view, we have provided, on several occasions, pretty compelling economic evidence that shows that diesel rentals are indeed cheaper on a levelized cost of capacity basis than a permanent diesel plant.

The Yukon Utilities Board clearly has taken an alternate view, but we have done the math, and by our estimates, the levelized cost of capacity of rentals is \$210 per kilowatt year, and a permanent diesel plant would be \$253 per kilowatt year.

The numbers that we presented paint a compelling picture. We don't quite understand why the YUB chooses not to believe that analysis.

Mr. Dixon: I would note that the YUB doesn't just find the costs a concern; they also note that, in YEC's own submissions, the reliability of the rental diesels is in considerable question.

Can the witnesses comment on the relative reliability of the rentals that we are currently using?

Mr. Hall: Yes, from a reliability perspective, they are not as good as a permanent plant.

I'm searching for the reliability stats. I think, in terms of availability of the fleet through the last winter, it was above 90 percent. We rent two spares specifically to accommodate that availability number, so we built in contingency planning to accommodate what is lower reliability. We planned in the expectation that they wouldn't be quite as reliable as a permanent diesel plant.

Mr. Dixon: So, further in the YUB's report, they also note that they initially agreed with the idea of using rented diesels. In fact, on page 39 — and I will quote again: "Although the Board agreed with the rental of diesel-generation units on an urgent short-term basis for YEC's 2021 GRA, the evidence of YEC in this proceeding is that the diesel rentals are not a good solution and that the need for additional capacity is for more than the near term. The Board does not accept that YEC provided sufficient evaluation or investigated the permanent diesel-generating unit alternative."

Again, is this just another case of — does the YUB just have a fundamental disagreement with the YEC about this?

Mr. Hall: Madam Chair, yes, I would say that our view differs from the YUB's in this respect. I believe that our board of directors made a very specific decision in its commitment to delivering on the commitments in *Our Clean Future* not to pursue a permanent diesel plant because the investment in such would not be able to attract any federal funding of any form, and it just wasn't consistent in terms of a commitment of ultimately striving for 97-percent renewable on our grid. So, the decision to pursue temporary diesel rentals as an interim strategy was very deliberate on our part.

Mr. Dixon: I appreciate, then, that the YEC simply has a different view than the YUB, and that is fair enough.

Can the witnesses give us a sense of how much time, effort, money, and resources went into the YUB hearing — of the EPA? I know that these are very formal proceedings. There are lawyers, there is testimony — it is certainly a costly endeavour, I'm sure. Does the YEC have any sense of costs associated with the YUB hearing on this?

Mr. Hall: No, I don't have a number offhand. We can certainly return with that number.

Mr. Dixon: So, I guess that my next question is: If everything goes right, as planned, how long will we be renting diesels?

Mr. Hall: It is difficult to say, because to predict exactly how long a resource like Moon Lake would take to develop is not a certain process. It involves a number of steps and stages, and a lot of that is contingent on permitting and engagement with First Nations. I think that the 10-year renewable plan showed that they have been — I believe, 2028-29. It is possible that it slips out a year or two, given where we are today — but a bit hard to say in absolute terms.

Mr. Dixon: I think that it is certainly possible that the Moon Lake project slips out a few years, as the witness says. I would hazard to guess that it may even slip by more than one or two years, but I will return to that when we get to the Moon Lake project.

I would like to return to the debate between renting versus owning. In 2018, the YEC released some public consultation material about this very question. I would like to read from that. This is the "what we heard" summary report from 2019, which is, of course, when the Yukon Energy Corporation was considering a permanent facility and undertaking public consultation. The introduction of that document reads, in speaking about a permanent facility — and I quote: "It would also provide a dependable and affordable way to meet peak demands for power that intermittent renewables like wind and solar cannot. It would also serve as a more permanent solution to our current practice of renting additional diesel generators each winter." Has the view of the YEC changed since that, or does it still think that this is a valid comment to make?

Mr. Hall: I think that, in my prior response, I explained the rationale for why, as a corporation, led by a board, made a deliberate decision not to pursue a permanent diesel plant — and that was subsequent to that public engagement, I would point out.

Mr. Dixon: So, in that public engagement, the YEC received questions from the public and provided a formal response to each and every one of them. There are dozens, perhaps hundreds, of those. One of the common questions was about buying versus renting, or owning versus renting, and this was the response from the YEC at the time — and I'll quote YEC's formal response to that question: "Renting anything comes with risks. Think of it like renting a house vs buying one. Will there be enough rentals available when you need them? Will the cost to rent increase? What state will the rentals be in when you get them? And at what point does it make financial sense to invest the money you spend each year on a rental into an owned asset. By investing in an owned solution we can ensure that this additional power is always available when we need it. By owning the facility, we'll also be in a position to make sure that it is always maintained and ready for service."

Does the YEC find anything wrong or incorrect with that statement?

Ms. Cabott: I would like to respond on behalf of the Yukon Energy board. So, as Mr. Hall pointed out, we looked at a number of inputs into our decisions, including risks and opportunities — opportunities including federal financing or assistance for renewable projects. We looked at opportunities with partners and collaboration, and we also heard from Yukoners that Yukoners wanted and preferred renewable options. So, getting us to renewable options means we were not comfortable in investing millions of dollars into a permanent facility, and so that was the deliberate decision of the board.

Mr. Dixon: So, in the YUB's response to the EPA, they note that the investment in a permanent facility is not mutually exclusive with renewables; in fact, it's complementary, and, in order to allow for renewables to be invested in the way that the Energy Corporation plans, having a permanent backup — a permanent support of fossil fuels — would allow that investment to occur in a smooth way. But I think we'll probably just continue to disagree on that one, so I will move on, because my time is limited.

I would like to move on now to the battery project. Can the witnesses provide the status of the project? What is the current budget and what is the current timeline for coming online?

Mr. Hall: The current status of the project is that we've completed the initial sitework; the installation of the foundations was completed just this month. That will conclude the sitework for this year, and we will proceed, once the ground clears in the spring of next year. We've signed a contract with SunGrid energy systems — which is the chosen supplier. It's an EPC contract for the full scope — a fixed-price contract. So, the current estimate for in-service date would be September of 2023, and the budget is \$35 million.

Mr. Dixon: So, in a ministerial statement on November 24 of last year, the Minister of Energy, Mines and Resources noted that Canada was investing in this project through the Investing in Canada infrastructure program, the green infrastructure stream, and the total amount of federal investment was \$16.5 million. Does that remain the case? Is federal investment in this project \$16.5 million?

Mr. Hall: The amount of federal funding hasn't changed.

Mr. Dixon: Can the witnesses remind me of the total project cost, currently?

Mr. Hall: It's \$35 million.

Mr. Dixon: So, where is the balance coming from?

Mr. Hall: The balance will be funded through debt and equity, as Yukon Energy funds all of its capital expenditures that do not receive government grant funding.

Mr. Dixon: Can the witness be a little more specific about what is debt and what is equity in that amount?

Mr. Hall: So, as a regulated utility, one of the things that is regulated for us is our debts to equity, our capital structure of the business, which is 60 percent debt and 40 percent equity. So, any capital expenditures that we make are funded through debt and equity. That's the only way you can do it, other than getting grant funding from a government.

So, debt is money you borrow, and equity either comes from retained earnings net income, or it can only come from the shareholder.

Mr. Dixon: Has the Yukon government not contributed to this project at all?

Mr. Hall: The ICIP funds that we received — the \$16.5 million — I think I would have to go back and revert with an answer around if there was a 75-25 split between the feds and the Yukon government. I believe there was, but I would want to confirm that.

Mr. Dixon: In that same ministerial statement, the minister stated that — and I quote: "Currently, the battery project remains on target for completion by the end of 2022."

I believe that the witness noted a new timeline, but could he repeat the estimated timeline of completion?

Mr. Hall: The current estimated completion is September 2023. I would note that, on October 17, Minister Streicker said that the in-service date for the battery would be the fall of 2023, so there has been an update to the ministerial statement.

Mr. Dixon: I would like to ask about the diesel replacements that are currently planned. I note in the graph that I referred to earlier that the diesel replacements are going to bring on 12.5 megawatts of capacity. The graph I referred to is on page 20 of the EPA, but it's also the same chart from the 10-year energy plan. It suggests that those would be online and available in 2023-24. Can I have an update on that project, please?

Mr. Hall: We have contracted for the full 12.5 megawatts of replacement diesels. Just to be clear, these replace diesel generators that have either already retired or are due to retire. That would be five megawatts in Faro, five in Whitehorse, and 2.5 in Dawson.

The in-service dates are staggered, so Faro is scheduled for late 2023 — so, the fourth quarter of 2023 — and Whitehorse and Dawson, the summer of 2024.

Mr. Dixon: Can the witness explain why the decision was made to own these diesel assets, as opposed to renting them?

Mr. Hall: Because these replace existing capacity that we had already. One of the principles in the 10-year renewable plan is that we didn't want to take a step back, in terms of the existing diesel that we had in our fleet. I think that we were comfortable in investing to maintain the existing fleet, but to rent for incremental future growth.

Mr. Dixon: So, it's okay to own these diesels, but other diesels, probably not okay, even though we will be renting diesels, it looks like, well into the 2030s.

In the chart I referred to, as well, it accounts for significant gains as a result of DSM. Can the witnesses give us a sense of what we are anticipating for the efforts around DSM to account for with regard to our supply?

Mr. Hall: Yes, just to give an update on where we are on DSM, we're looking forward to next year launching an updated DSM suite of programs. They will be focused on solutions that help reduce the peak. In other words, they help address our capacity shortfall. So, programs like the Peak Smart program, which we ran on a trial basis over the last couple of winters, which allowed homeowners to essentially avoid their peak consumption by preheating their home or hot water tanks, would be the kind of program that we're referring to. That will be launched in 2023.

Madam Chair, I don't have the numbers with me offhand. I think that, over time, they contributed up to the five-megawatt range, in terms of avoided capacity, but I could be wrong by a megawatt or two there.

Mr. Dixon: Just for clarity, the chart that the Energy Corporation submitted contemplates 6.6 available through DSM, starting in 2023-24. Do we have a sense of the cost of that DSM program? Will there be a cost to the Energy Corporation as a result of it?

Mr. Hall: There are a couple of points on cost. It's an ongoing investment, so what we invest in is the cost to run the program to promote it, and then to offer whatever incentives we would to homeowners, either in terms of offering them an incentive on the hardware, or indeed, an ongoing rebate to participate.

So, if you participate in a future Peak Smart program, you get X dollars off your bill — I am just using that as an example of how our costs would accrue. Right now, our costs are roughly in the million dollars a year range, but I can't say what that looks like in the future, because it is driven by your uptake, in terms of number of customers, because it is a per-customer cost at the end of the day. Those costs would be included in future-generated applications, but I think that the principle here is that DSM is a cost-effective source of capacity and, therefore, subject to the order-in-council that has now been issued to the YUB around DSM, and our view would be that those economics would justify and provide evidence of prudence, in terms of the costs that would be incurred.

Mr. Dixon: So, the reason I asked about the amount of energy that it will provide is just because it is quite a jump from this year to 6.6 and more beyond. Can the witness give a little bit more sense of how — of what sort of measures we can expect — because, as it stands right now, it looks like we get about 2.2 from DSM and we are jumping to 6.6. That is a considerable jump, and I am just wondering what sort of measures we might anticipate to help make up that difference between the current amount, which is 2.2, and the anticipated amount for 2023-24, which is 6.6?

Mr. Hall: Yes, I mean, I think that the analysis that we are all focusing on — this capacity gap analysis — is something that we update every year, based on what we are seeing, and there is variability, both on the load side, in terms of what the peak is looking like, and also, on what exact resources we have available, including how much DSM is delivering. So, we update that analysis every year, and take it into account in determining the exact number of rentals that we need. For example, in doing our calculation for next year, we adjusted the contributions from DSM accordingly.

Obviously, given that we are only launching that program next year, I think that the ramp rate, in terms of uptake, would probably be slower than what we presented in 2019, and we will adjust accordingly, but I would point out that, in terms of the number of homeowners who we were able to sign up for the Peak Smart program — over 200 homes — it was very encouraging, in terms of Yukoners' appetite to sign up for these kinds of programs. I think that we can take great heart that, given the right incentives and folks' personal choices, that we will be successful in rolling these programs out.

Mr. Dixon: So, the witness has noted that 200 households had signed up. How many more households will we need to sign up to get to that amount they are forecasting?

Mr. Hall: Madam Chair, I don't have that number with me right now. There will be a range of programs, so a Peak Smart-style program will be just one. Another one that will be coming would be smart home charging for electric vehicles — so, looking at level 2 chargers that are able to communicate with our control room such that we can change when somebody, during the night, actually charges their vehicle, and there will be an incentive for folks to participate. So, you will have a number of programs that will layer on top of each other, and they will each have their own households that will sign up, and sometimes it won't be the same household. You have to

kind of look at how many subscribers there would be for each program, but I don't have those numbers with me today.

Mr. Dixon: I will move on to the next project, which is the Moon Lake project. Can the witnesses give us an update on the Moon Lake project? As I understand it, according to the chart that I referenced earlier, it's set to come online — providing what looks to be 35 megawatts coming online — in 2028-29. Can we get an update from the witnesses on the Moon Lake project?

Mr. Hall: Yes, the strategy that we have adopted overall is to work very closely in collaboration with the affected First Nations. So, that would be the Carcross/Tagish First Nation and the Taku River Tlingit First Nation. Moon Lake itself, we understand, is on overlapping traditional territory in British Columbia — though the definition of how overlaps are treated is somewhat different in BC than how they have been handled in Yukon.

I think that active participation by the First Nations, up to and including First Nation ownership along the lines of the Atlin project, is all open for conversation at this time. So, to set that project up for success requires a lot of work at the front end to make sure that we have a good framework in place with the First Nations around the project ownership and how to move forward. So, I would say that this is where we are now. Part of it involves Yukon government, in terms of, I would say, government-to-government engagement with the Carcross/Tagish First Nation, which there has been a lot of progress on, which we have seen reflected in really getting CTFN as a supporter for the Atlin project. That was through some great work and support by Yukon government — Aboriginal Relations and others.

So, right now, the work is focused — Moon Lake — on putting together, I would say, a project structure where we can apply for the grant funding, which we know is available. The federal government, in the 2021 budget, announced \$40 million for hydro planning in the north, and the Yukon's piece of that has been notionally earmarked to support Moon Lake, so that would be \$10 million. We are ready to make an application. We just need to make sure that we are on common ground with the First Nations in terms of ownership. So, that's where we are.

I would say overall that it's a little slower than we planned, but, to be honest, when you work with First Nations, it's very hard to forecast, sometimes, in terms of how long it takes. That's the reality that we live with, but I think, given some recent developments with the CTFN, we are in a better place with TRT to move forward and start the planning work in 2023.

Mr. Dixon: What's the current estimated project cost?

Mr. Hall: We have done no further work on project cost estimates. What I have just described didn't include any updated engineering work, so we just haven't done any work to update numbers that might have been produced in the 10-year plan.

Mr. Dixon: So, there is no estimate at all of a project cost for this?

Mr. Hall: The most recent estimate that we would have would be what's available in the 10-year renewable plan.

Mr. Dixon: Can the witness tell us what's available in the 10-year plan?

Mr. Hall: If the question is "What was the cost estimate in the 10-year plan?" — I will look in table 3. Cost estimates — I think that \$300 million would probably be the number that I would go to. It's quite possible that this number has increased, but we wouldn't have an updated number.

Mr. Dixon: So, based on the current estimate, it's cheaper than the Atlin project, which seems a bit unlikely.

I am approaching the end of my time, so I guess I will conclude with the broader question. We are, at present, relying on rented diesel generators to fill our capacity shortfall. The only path forward off of those is some combination of the Atlin project and Moon Lake. As we have seen and as we have noticed, there can be slippage in the times of these projects. With Moon Lake, the current projection in the YEC's documents is for 2028-29. I think that we're all aware that this is not going to happen. It's going to be at least 2030, or perhaps longer, before we can anticipate that.

My concern is that there really isn't any other option, other than renting for the foreseeable future. Am I incorrect in that? If there are any project delays with Moon Lake, do we have something else lined up that's going to allow us to get off rented diesels, or are we just going to be renting diesels indefinitely?

Mr. Hall: Madam Chair, I think what the member opposite is referring to is: What is plan B? I think that is a valid question. The 10-year renewable plan presented a proposed set of projects, which focused on the battery and focused on the thermal replacement. It is the projects we have talked about already — Atlin. Just to execute on those projects alone is a huge amount of work. It is stretching the utility dramatically in terms of the amount of work involved. It's hard work at times.

There are other projects in the plan that we looked at, but those would be greenfield projects that would start from absolutely ground zero. So, are we working on anything else actively today? No, but I would say that there is a conversation about — is it time to start looking at plan B? Is it time to update the resource plan and take a look at what other options there might be?

I would just point out that the idea of pursuing multiple projects in parallel, and then somehow dropping one later on, sounds great, but that would be extremely difficult to execute for the simple fact that you would be working with a First Nation somewhere on another project with the potential that, at some point, you go back to them and say, "Yes, sorry, we're not going to go ahead with your project." That would be a really tough proposition. To secure social licence on multiple projects, knowing full well that one of them isn't going to get chosen — I think that is something that the Yukon has never undertaken.

I think, to come back to the question, looking at plan B is a worthwhile activity and something that the utility would likely start next year in consultation with the shareholder, Yukon Development Corporation, et cetera.

Mr. Dixon: Did the witnesses say that it will start next year? Is that what he just said?

Mr. Hall: I think that it would be appropriate for us to start looking at it next year. We have an evolving environment in terms of what growth the mining sector is looking at. It's appropriate that we redo resource planning exercises from time to time. What that looks like, I can't really say. Will it be a full-blown resource plan that costs a million bucks? I don't know, because they are big exercises if you involve full, comprehensive, widespread consultation.

But I think that, in terms of re-looking at load forecasts and supply options would be an activity that we could certainly kick off next year, and it might well be appropriate timing.

Mr. Dixon: I certainly agree with that assessment from the witness.

The final few questions that I have — obviously, the witnesses are aware that there is new legislation in the territory with regard to climate change targets. Does the corporation feel that, given our current trajectory of the projects that we have in our plan, YEC and YDC will be able to contribute to meeting those targets?

Mr. Hall: Yes. The whole genesis of the 10-year renewable plan was to develop a plan that would deliver on the objectives and the goals in *Our Clean Future*, which, to be clear, are 93-percent, long-term average renewable on the grid, with an aspirational target of 97 percent. There is a chart in the 10-year plan — which I am struggling to find — that actually shows that, with the execution of those projects, the rolling average — it's actually figure 24 — is maintained above that 93-percent target.

Mr. Dixon: A review was recently completed of the IPP. I was wondering if the witness can comment on that review and whether any changes are in the works as a result of the review of the IPP.

Mr. Hall: Yes, there was a comprehensive review taken with full involvement from us, from ATCO, and from Yukon government's Energy branch. I think there was some — it involved interviews with both us, as the utilities, the customers, and with the proponents. I think that there were some good learnings on both sides, in terms of process improvements that we could look at to improve and streamline the process that we undertake. So, we have started to implement those improvements already. I think that there was also some good learning on the IPP side, in terms of what the requirements are to connect to an electrical system in a safe and reliable manner. So, I think that there was a set of recommendations, which I believe have been made public, in the final report that we are now actioning on.

Mr. Dixon: That is it for me. I will pass the floor on to my colleague from the NDP. I would just like to thank the witnesses for their time today. I appreciate the candour and the opportunity to ask these important questions, and I look forward to seeing them again.

Ms. White: Thank you, Madam Chair, and I welcome the witnesses.

It is interesting sitting here — I believe that we all come at these conversations with our own perceptions and our own biases, and our own experiences. I would say that, a number of years ago, when there was a different president of the Yukon

Energy Corporation, they were being grilled by my colleague — the Member for Mayo-Tatchun at the time — about the decision to move toward liquefied natural gas, and why that decision was made, and how come the future that the Yukon Energy Corporation, at the time, was focusing on was one of fossil fuels.

I actually would like to change the conversation right now, and I actually want to go back and talk about the important changes that we have had in our plans, in our directions, and how come — although, right now, sometimes the numbers may seem very high — the focus in changing toward renewables is really critical. I can say that I went to many of the public open houses, including one where I saw the president — where I was advocating that we should not purchase new diesel generators, because tying us to that asset for more than a generation meant that we were giving up. So, I want to say here — and say in support — that I firmly believe that any new thermal generation should only be rented, because I fundamentally believe that we can hit our target.

So, I just want to start the conversation with that, so that we know where I would like to go right now. I would like to change the tone, actually. I think that there is — I appreciate that, when we talk about the 10-year plan, there is that focus on what the Energy Corporation was looking toward, but I think that there are also other opportunities, and so, I know right now wind is being worked on, on Mount Sumanik, and I just wanted to have a bit of a conversation about that.

So, again, I'll just reference the back-in-the-day Energy Corporation, which is not the same Energy Corporation now, but at that time, it actually suppressed the wind study that said Mount Sumanik could actually generate a fair amount for us. So, I just wanted to know what kind of conversations, or what kind of relationship, is being built right now with the current project that is, I believe, underway up on Haeckel Hill?

Mr. Hall: Yes, I think what is being referred to here is the independent power producer project up on Haeckel Hill, which is — we're hopeful to sign an EPA, I would say, over the next quarter or so. I can't say exactly when they will be in a position to sign. I think that project is looking quite hopeful and, in fact, they have started construction. So, they have even started to put foundations in place ahead of actually signing the deal.

I understand that their funding — the package is fully secured. So, they are financed and ready to go. The line upgrades have already been made by ATCO. So, it's an ATCO line that goes up to the top of Haeckel Hill, and we're working on our system upgrades on the YEC side of the system to accommodate that project.

Ms. White: I thank the witness for that. Can he share with us what the expected capacity of that project is, and how many turbines — I feel really fortunate that, in the last decade, some of the learnings I have had is the difference, for example, wind — once you start, it can almost be like plug-and-play. You can add additional turbines. I think if we look toward another project, I would say the Bear Mountain wind farm is 103 megawatts, in the Peace River Valley, and that is, I would say, aspirational, the fact being that it was started by a group of

concerned citizens and then sold there. So, if the witness could share just what the capacity is — planned for — how many turbines that looks like, and we'll just start there.

Mr. Hall: I don't have the exact numbers with me. It's two projects — I believe four megawatts total. In terms of number of turbines, I don't have that number with me, I'm afraid.

Ms. White: That's okay, it was mostly out of interest. When I was in grade 8, I actually did a science fair project on wind, and I got to meet the good doctor at the time who put up the original wind turbine, so I felt really lucky about that.

That's an example of an asset that will be really great for winter. We know that we do have a lot of winter wind, as opposed to, for example, summer sun, and that actually ties in really well with a project that Yukon Conservation Society is doing right now with their electric thermal storage project. One of the reasons, over years, that I did some learning on electric thermal storage, or ETS systems, was their capacity to be direct batteries. Sometimes what we hear about wind is that wind is hard to manage, because you have to be able to use it or store it when it's generated.

Can the witness share with me maybe what kind of relationship exists with Yukon Conservation Society around their ETS pilot project?

Mr. Hall: Yes, we are certainly interested in the findings of that project. I think that there is an opportunity for ETS to be included in our DSM portfolio going forward. I think that smart heating devices may well be — I don't want to say for sure — part of the portfolio, and some kind of subsidy to support ETS adoption would certainly make sense, but I can't say for sure whether it's going to make the grade or not in terms of the benefit it may have on an avoided capacity basis, versus other solutions that exist.

Ms. White: I thank the witness for that. It's interesting, in recent times, I installed an air-source heat pump in 2016, long before we had the fantastic 30-percent rebate up to \$8,500, but over time, we've seen that they have proven to be a useful piece of technology, as far as using electricity direct for heat. The real beauty that I have been taught about ETS over time is that you can set the system so that it loads during the off-peak hours. So, looking at recent records and knowing that we are not hitting the fossil-fuel backup between, let's say, 11:00 p.m. and 3:00 a.m., it's a good time to load the ETS.

I hope that when we talk about demand-side management, or maybe when the witnesses are having conversations with the minister about what next subsidy or grant programs should exist for heating, that we do talk about ETS systems in a real and meaningful way, because I do think that is an opportunity.

The witness mentioned Peak Smart before, and the future. I do think it's important to mention that Peak Smart — the program initially went with home water heaters, and I read about baseboard heaters. I do think it was successful. It was just unfortunate timing at that aspect.

What I wanted to know, as well, is kind of when we look at the future, so not having that crystal ball, but when we look toward, for example, Sumanik coming online — if we get the peak program going, if the ETS proves to be useful — when

the witnesses look at that electricity mix, or that generation mix, where do they see there being some opportunity for growth? By “growth”, I don’t mean generation growth; I mean savings growth. When we look at all those combinations into the future, are there good things coming?

Mr. Hall: I think it is the early days of — I mean, we haven’t even started this new DSM program. It will be launched next year. I think it is a little bit about seeing how it goes. When we talk about building that avoided capacity benefit up to around the six-megawatt range, that’s uncharted territory for the Yukon. We have not done that before. So, I don’t want to get too optimistic about it until we see that demonstrated adoption. The Peak Smart was interesting, in terms of how quickly it filled up, with 200-plus homeowners, but we don’t know what adoption looks like beyond that.

Ultimately, we are going to need adoption beyond just 200 homes. There are lots of studies on what adoption curves look like for new technology, and you get your early adopters, then the job becomes a little harder, right?

Let’s just see in a few years how we are doing before we look to expand and roll out more and more. I think we know what those programs are, but it’s a lot about customer behaviour, so it’s a different kind of business for us. You are relying on the customer to be a willing partner. We have good indication of that, but we don’t know with certainty.

Ms. White: Although I appreciate the answer, I live in optimism. Again, seven years ago, I was having conversations about why we were moving toward LNG as opposed to renewable, and I have been through lots of plans, so I appreciate the witness being a little bit more cautious, but I am fully optimistic that, with the right education campaign, we can get people onside.

I wanted to ask a bit about — it is actually quite interesting. Social media is sometimes really handy, but there was a question that someone had put out, saying that if, like me, you have been wondering why Yukon Energy Corporation is using what seems like too little hydro and too much thermal generation these days — and they have a bit of an answer. But I thought I would actually ask directly right now. I was just online and I was looking at the usage in the last day, last seven days, last week. I agree that it seems that we are using — especially with the water so high right now — a lot more thermal than I would anticipate.

Is there a reason for that right now?

Mr. Hall: Yes, there is a reason. We have had some maintenance work on two of our hydro units that is still underway, through to November. So, that would be a 10-year overhaul of our Aishihik No. 2 turbine and a project to replace the head gates on Whitehorse No. 1, so those two hydro units have been out of service. That really is why we have had to run thermal — to make up that difference.

Also, we had that cold snap a couple of weeks back, which was unusual for November to get down to — I think that it was almost mid-minus 20s, which is certainly not typical at this time of year. That would have been the reason why we saw that thermal being burned. There was, if I might add, an outage in our Mayo hydro plant. It is back up and running now. So, two

maintenance projects and one unplanned outage account for the thermal.

Ms. White: I thank the witness for that.

Just seeing that maintenance expected to be done in November, when did the maintenance on both of those assets — Aishihik No. 2 and Whitehorse No. 1 — start?

Mr. Hall: They would have started in the summertime. They are fairly long projects — a 10-year overhaul. You take the whole turbine apart and send various components off to get re-machined and, in many cases, replaced. I don’t have the exact dates, but they would have started during the summer.

Ms. White: That is a fantastic answer because one of the speculations from social media was: Why didn’t it start in the summer if we are in the winter now? I think that clearly communicating with folks that it did start at the right time and that it’s on its way — and I think that’s good news.

So, last year, we saw a lot of flooding in the Southern Lakes and we have seen water levels that seem unseasonably high right now, so where do the witnesses anticipate that the water level will be in spring? I mean, at this point in time, they have lots of information, they have control of the M’Clintock dam — so where are we with the Southern Lakes?

Mr. Hall: Certainly, this year — if you go back to the root cause, we had higher snowpack from the past winter. It wasn’t as high as the prior year, but there were still way above average snowpack conditions. That snow all melts and hits the reservoir, and water levels increased — again, not as high as last year, but higher than would be normal, for sure. Then we had an unusual event in the fall here where we had a couple of rain events and then some pretty warm weather, which would have extended the period that the glaciers would have been melting. The lake did something that I don’t believe it has ever done — where it actually changed course and started increasing again.

Fortunately, toward the second week of October, it started dropping. So, right now, I’m just looking at the chart; it’s only sitting about 10 centimetres higher than it would have been at the same time last year. So it has come down quite nicely, and it’s to a point that it has reached that full supply level where we can start holding back water to conserve for the winter. I think we’re well set up.

The flip side of high water is that your gas tank is full — if I want to use a fossil fuel analogy. We have lots of water in the system to allow us to generate strongly through the winter. Our plan would be to pull it down to low supply again. That’s always the goal with the Whitehorse system — to use all the water that’s available and to pull it down so that, by the May time frame, we are down at low supply.

Ms. White: The Southern Lakes enhancement project has been a conversation that has been circulating since before my time of getting elected in 2011 and is still going on. I note that on the website, it talks about the Southern Lakes enhancement and it talks about how the corporation was going toward the YESAA process. Then it has a fall 2022 update, which said that the project is currently on hold while Yukon Energy Corporation engages Carcross/Tagish First Nation,

Kwanlin Dün First Nation, and Ta'an Kwäch'än Council on the re-licensing of the Whitehorse hydro facility.

Can the witnesses give us an update on where we are at in the Southern Lakes enhancement project and the next steps there?

Mr. Hall: As we enter the Whitehorse re-licensing project planning, it became obvious to us that to advance both the Southern Lakes enhanced storage project and the re-licensing as independent exercises really wasn't going to work. They were going to converge, if nothing else, in front of YESAA, and YESAA usually looks to combine projects when they look very similar.

So, we made a decision going into the re-licensing project to include enhanced storage as an option for discussion and consideration with the project partners, which would be the affected First Nations and Yukon government — also actively involved.

That has been a topic of active conversations with the First Nations over the last six months to nine months — whether to include the enhanced storage in the project scope of re-licensing. We are just about to go out to the public for some engagement on the re-licensing, so there will be an open house that we will be advertising quite shortly in early December. It came to a head where we need to be clear with the public about whether enhanced storage is included in the project or not. There has been a very recent decision by the project team — so that would be us and the First Nations, jointly — to actually remove enhanced storage from the re-licensing scope, so it won't be part of the project.

Ms. White: Just on that last bit, if the Southern Lakes enhancement project won't be part of that next licensing scope, does that mean that the Southern Lakes enhancement project is on pause for the time being?

Mr. Hall: Yes, so that's the second part of the decision. I'm still working through with our board what to do with the project costs for that.

I think it's clear that if it's not part of the licence, there may be some ability of a time to — through the monitoring and adaptive management plan — revisit elements of it, particularly the low-storage aspect, because low storage is one of the tools that we have applied for as emergency licences in flood years, as a mitigation. You pull the lake down that extra 10 centimetres, just to create more room for the meltwater that you know is coming.

But I would say that the agreement with First Nations is that we would only look at that in the context of a long-term monitoring plan that would be taking years to unfold. So, our decision is really a financial one at this point about: What do we do about those historic costs that we have invested in — in enhanced storage studies? Some of those studies are relevant to the re-licensing, so we may be able to include those costs as part of re-licensing, but there is a financial piece that has yet to be worked out.

Ms. White: I thank the witnesses for that. I'm just having conversations right now with folks in the Southern Lakes, especially in the M'Clintock area. They have had concerns about high water and how that affects groundwater,

and that treed areas have been flooded out for the first time ever and that, even currently, people are still pumping down water. So, it's an interesting one because I think what we saw last year — it was referred to as the "100-year flood" but, fortunately, the last one was in 2007, and then we saw the water again this year. So, people have concerns about what that means.

If I remember correctly — were the gates removed from the M'Clintock dam this summer?

Mr. Hall: I believe what is being referred to here is the Lewes control structure gates, which basically are a means by which — in the fall, we close the gates to start holding back water. Then, in the spring — actually, under our current water licence — between May 15 and August 15, all gates have to be opened. So, during that period, the system is basically uncontrolled. There are no gates altering flow. We actually opened gates two months earlier this year, similar to what we did the prior year. This year, it was as of March 21 that we opened gates, and that was because we knew that the water was coming. We knew the snowpack was high, so it's an early mitigation step. It's one of the levers that we have to try to mitigate water-level increases that we knew were coming.

Ms. White: I thank the witness for that clarification. Indeed, the Lewes dam is the one I was referring to, so I do appreciate that there were advanced steps taken there.

When we talk about communication and we talk about people's interest, I would say that the number of energy enthusiasts continues to grow, and I think that is actually a really important thing as people learn, for example, how to make energy retrofits to their homes, or they are learning about electric cars, or different things. Lots of those folks follow the work of the Yukon Energy Corporation with great interest. They have often remarked that the information provided on the Yukon Energy Corporation current consumption diagram does not really paint a complete picture of our production, so people have reached out and are saying that what they would really like is for YEC to be able to isolate each facility — for example, what Mayo B, Aishihik, diesel versus the LNG plant, is producing at any given time, as opposed to just having the renewable and thermal graph. Is it possible for the YEC to break down what each plant is generating at any given time?

Mr. Hall: Yes, it's certainly possible. We can look at adding some more granularity to those charts. There would be no hiding of information.

Ms. White: I do appreciate that. Again, this is coming from a base of people who are really keen on trying to do their part, and they are trying to figure out how to better manage their own energy use, and they are curious about what gets generated where and how. To be honest, based on the first hour and a half of today's conversation on the floor, I think it could be really beneficial also for those of us in these chairs to better understand. I hope that is something we can see in the future.

The last point I will make right now is, I'm just looking to the witnesses to — I don't know if there are any wrap-up comments that they would like to make, or any thoughts they would want to share, or questions they wish had been asked that weren't. I think this would be a great time to hear from them on those issues.

Mr. Hall: Madam Chair, I didn't have anything specifically prepared. I think I would say that there was a meeting of the world in Sharm el-Sheikh in Egypt over the last couple of weeks. The conclusion, I believe, is that we are not doing enough to try to keep the temperature increases from climate change to 1.5 degrees, which was the target.

So, if anything, the challenge is more acute than ever, and so, what YEC does is part of the puzzle in the Yukon — our GHG-emission profile goes beyond what we do — but I think that we are committed to supporting electrification efforts, which are a key part of the puzzle, in terms of space heating and transportation, and our plan supports that, in terms of, if we are able to execute the projects that are in the plan, we will meet the targets of *Our Clean Future*, in terms of renewable energy.

The reality is always challenging, so you know, inevitably, things take longer, and they can cost more. Those are just realities of the energy business, and we work diligently every day to try to avoid that, but inevitably, the world doesn't quite unfold the way you would like, but I think we have made great progress, and certainly, by this time next year, we are going to have one of the biggest batteries in Canada, and that is through the vision of a whole bunch of people to attract the federal money and identify what storage can do for us, in an isolated grid in the north. So, it is just an example of Yukoners coming together to really lead, in terms of the application of technology in our energy landscape.

The role of First Nations is critical — both as partners, owners, and supporters of what we do, but again, that road is never linear — it is full of lots of twists and turns, and it takes time, and so, that is part of the reason why getting grilled on project timelines — it is a complicated business, and sometimes more time is necessary to get the right deals with the right people.

Chair: Are there any further questions for the witnesses?

Hon. Mr. Streicker: Thank you, Madam Chair.

Earlier today, when the Member for Copperbelt North stood and talked about early prices for the Atlin project, he referenced a number — \$120.7 million. I just wonder if I could ask the witnesses to clarify, from the 10-year renewable plan, what the prices were for Atlin that are published there.

Mr. Hall: Yes, there are two places to look for that answer. One would be table 3 in the 10-year plan, which notes a cost of Atlin in 2019 dollars of \$131 million. But then, I would also refer to a comment on page 46 of the report, that said that further work has indicated that additional costs of the Atlin-to-Jakes Corner transmission must be considered as part of the Atlin expansion project, adding approximately \$50 million. By my math, \$131 million plus \$50 million is \$181 million, so I think that is the number we should look at in the 10-year plan, as the reference point as of 2019.

Hon. Mr. Streicker: Not to get into too fine a detail, but I know that the Member for Copperbelt North tabled something from the back end of the report. I had followed up with the Energy Corporation to ask about that number, which I think is the one that he is referring to. If the witnesses are able to comment on that and what that number is referring to, that would help.

Mr. Hall: Yes, it is all buried in the weeds of the appendices to the 10-year plan. The difference lies in the inclusion of engineering and contingency in the numbers, so it's explained further on in that appendix that, when you add engineering and contingency, that's where you get the \$131 million for the costs, excluding transmission.

Hon. Mr. Streicker: If I can just ask one more question about all of this: Part of what my recollection is, is that the scope of the project changed as well to be slightly larger, as it was moving along, and to provide more winter energy — if the witnesses could comment on that.

Mr. Hall: Yes, so, if you look at table 3 in the 10-year plan, the project contemplated at that time was six megawatts installed in Atlin. The current design is for nine megawatts in Atlin. So, you've had — what is that — a 30-percent increase in installed capacity, which would be one of the contributors to increased costs of the project.

Chair: Are there any further questions for the witnesses?

Chair's statement

Chair: I must note for the House that one of the witnesses, Ms. Cabott, has left, contrary to Committee of the Whole Motion No. 10.

Hon. Mr. Streicker: For Hansard and for Yukoners, we were lucky to get the chair of the board of the Yukon Energy Corporation, because she was intending to travel today, and she extended her travel as much as she could in order to get here for the first part, and it was meant as no disrespect to this Assembly.

I would just like to thank the witnesses for appearing here today. It is always good to hear from all political parties, their range of questions, and I thank the witnesses for their thorough responses. It is much appreciated. I am sure we will have more conversations when we get to the supplementary budget and the appropriation for the Yukon Development Corporation.

My thanks to the witnesses.

Witnesses excused

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: Committee of the Whole has considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

Also, pursuant to Committee of the Whole Motion No. 10 adopted earlier today, witnesses appeared before Committee of

the Whole to answer questions regarding the operations of the Yukon Development Corporation and the Yukon Energy Corporation.

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. on Monday.

The House adjourned at 5:25 p.m.

Written notice was given of the following motion respecting committee reports November 17, 2022:

Motion Respecting Committee Reports No. 4

Re: concurrence in the *Sixth Report of the Standing Committee on Rules, Elections and Privileges* (Mostyn)



Yukon Legislative Assembly

Number 99

1st Session

35th Legislature

HANSARD

Monday, November 21, 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, November 21, 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 Order Paper. The following motion was not placed on the Notice Paper as it is not in order because the action requested in the motion has already been decided upon by the Assembly during the current Session: Motion No. 540, standing in the name of the Member for Vuntut Gwitchin.

In addition, the following motion was removed from the Order Paper as it is outdated: Motion No. 454, standing in the name of the Member for Whitehorse West.

DAILY ROUTINE

Speaker: We will now proceed with the Order Paper.
Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Pillai: We have a number of individuals who are here with us today in the Assembly. First, we will be doing a tribute to a very special Yukoner, and a number of family members are here to attend with us today. From the Hougen family, I would like to welcome — and this is from the second to fifth generation of this family — here with us today: Rolf Hougen, Craig Hougen, Kelly Hougen, Heather Hougen, Karen Hougen-Bell, Jim Bell, Erik Hougen, Kim Hougen, Greta Gray, Bob Gray, Maureen Nielsen, Rick Nielsen, Tanner Hougen, Cody Hougen, Erik Gray, Maria Gray, Patrick Bell, Mason Gray, and Riel Gray. I am hoping that I didn't miss anybody. Thank you for attending today.

As well, we have a number of reports that we are tabling today. First, from the Yukon Housing Corporation, we have a number of individuals who are with us. So, with us today from our board, the Yukon Housing Corporation board, we have Anne Kennedy, as well as Chris Mahar — welcome to you both. As well, Mary Cameron, Lisa Oddy, Daniel Jirousek, Philippe Mollet, Marcel Holder Robinson, and Laura Lang — thank you as well for being here today.

We also have, from the Lottery Commission and the Liquor Corporation: first, our president, Mr. Dennis Berry — thank you for attending from the Liquor Corporation side — and Mr. James Price, as well — thank you for attending. On the lotteries side, our director, Mr. Matt Ordish, as well as Karine Potvin, and from our board at lotteries, our vice-president, Sara Skelton.

I thank everybody for being here today for the tabling of those important reports.

Applause

Hon. Mr. Streicker: I am going to be tabling the report from the Yukon Minerals Advisory Board and we have here today from the board: the chair, Heather Burrell; members Scott Donaldson, Brad Thrall, and Neil Loveless, as well as admin support for the board, Fraser Pearce.

We are doing a ministerial statement today on work ongoing with the French Language Services Directorate, so today we have Deputy Minister Manon Moreau, director, André Bourcier, and our policy manager, Nancy Power.

If we could welcome everybody here today, please.

Applause

Speaker: Tributes.

TRIBUTES

In remembrance of Margaret Hougen

Hon. Mr. Pillai: I rise on behalf of the Yukon Liberal government to mark the passing of a strong and lasting member of our community, Margaret Van Dyke Hougen.

Born in Edmonton to new immigrants from the Netherlands, Margaret was already well-travelled before she settled in the territory, regularly travelling across Alberta and flying by military aircraft into remote communities in the Yukon and the Northwest Territories in service of the Red Cross in their work of collecting blood.

In 1953, a move that shaped the Yukon forever occurred. Margaret moved to Whitehorse, and the rest was history. At the Queen's Coronation Ball in June 1953, she met her husband, Rolf Hougen. They got married in 1955 and had a loving relationship for almost 70 years.

As almost everyone in the territory knows, the Hougen family is the stuff of legends, but Margaret herself seemed to never slow down. She was a member of the Whitehorse Community Choir, the local curling club, and the matriarch of a remarkable, big, close family, but she was also critical to the business success of the Hougen Group. The accomplishments of the family and their businesses owe so much to the talents and work of Margaret.

Mr. Speaker, new Yukoners may not realize this, but it is hard to overstate just how innovative the Hougen family is to the history of the Yukon. They did so much — and do so much — to invest in and preserve the remarkable history of the territory. You can observe that clearly by either attending the Yukon Rendezvous festival, which Rolf famously had a critical hand in reinstating or by walking around downtown and taking in the bust statues of remarkable Yukoners of days gone by. The Hougens did that and so much more. This family has ensured that our history is front, centre, and accessible.

To Margaret and the Hougens, family was and is everything. It is incredible how close this family is. Anyone who spends any time with them can tell this. I cannot stress enough how strong the bonds between mother, father, children, siblings, grandchildren, and great-grandchildren are. That is a testament to the remarkable woman named Margaret.

What I remember most about Margaret was the kindness that she showed to each and every person. If she and her family were hosting a group of people in their home, you would not go

away that evening feeling like you had not been heard or not cared for.

Her warm and welcoming kindness was extended to everyone, and I am so grateful to have been a recipient of that kindness over the years.

Our deepest condolences to Rolf and the rest of the Hougen family. Thank you for sharing your remarkable great-grandmother, grandmother, mother, sibling, and wife with us for so many years.

I encourage all who can, in Margaret's memory, to support the Yukon Foundation's Hougen family fund, which provides funding related to the study, preservation, and enhancement of historical and cultural activities — another remarkable legacy of the Hougen family and of Margaret.

Also, Mr. Speaker, today is Margaret's birthday. So, happy birthday to Margaret and thank you for all you have done for the Yukon.

Applause

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to honour and pay tribute to Margaret Hougen, or Marg.

In 1949, Marg was introduced to the Yukon as a Red Cross nurse who was part of the national blood transfusion service team. She flew into Yellowknife and Whitehorse on the RCAF planes to hold clinics. In 1953, her sister Rosalyn, who was married and stationed in Whitehorse with her Air Force husband, was having her first child and asked Marg to come support her. She attended a local dance — and then the fairytale meeting between young Rolf Hougen and the beautiful blonde, Marg Van Dyke. A love story began. Rolf was smitten and they spent quite a bit of time together. However, she moved away when Rosalyn and her husband were reposted south.

Asked why she left, she stated that she had to play hard to get. Rolf found her address and wrote and found that she did miss the Yukon. So, he went to move her back north. Now, remember the times. Rolf was meeting her parents for the first time and asking to take their daughter on an Alaska Highway road trip — heavens. Thankfully, they approved of this young man and allowed her to come north.

This was 1954, and upon arrival, Marg stayed with Rolf's friend, Erik Nielsen, and his wife, PJ. Rolf proposed; she accepted. He wasn't going to let her leave again.

It was May 3, 1955 in Edmonton, and they took a four-month honeymoon to Europe — so began their passion for travel, love of wine, and history. The family started, and Marg was busy at home. Rolf's business was growing, and the Hougen department store, which us old-timers remember as having a bit of everything, opened along with the auto dealership. Marg was always supportive.

Craig, Kelly, Karen, Erik, Greta, and Maureen were raised knowing their lot in life was pretty darn good, but they were also not given everything they wanted. They had to work in the department store after school and on weekends for pocket money, filling shelves, sweeping up, and general duties. As they got older, they all had ties to the store, but were also encouraged to do whatever they decided was best for them.

She said that her greatest legacy is the children and family, but they were still a work in progress. She had much on her plate — the children, their activities, planning parties and dinners, and ensuring that Rolf was okay, as he travelled a lot with his business. She said it wasn't hard as the older kids helped with the younger ones.

It was said that Marg was the centre — the rock in the glue — that held everything together. To show what a wise woman she was, the kids were important, but she always had her time with Rolf. She was his sounding board and adviser, and I'm sure that many decisions were run by her before anything happened. As a couple, they made sure to cut out time for themselves, and Marg said, "Rolf always made me feel so loved." Now, that is special.

In this household, there is never a fear of empty nest. All of the 18 grandchildren and six great-grandchildren are cherished and loved, and to see the photos of them all is truly another upcoming chapter in their Yukon story. The pictorial history and family story records the story of their ancestors and their life in Yukon as the times changed.

Using the rock in the centre of the glue analogy, home should be your rock — a place to centre you with love that holds all together, like glue. This is Marg's legacy.

Our sincere condolences to Rolf and the family and, as of today, it's her 93rd birthday. Happy birthday, Marg.

Applause

Ms. White: Losing the matriarch of a family sends ripples far and wide. So, today, the Yukon NDP share our condolences with the Hougen family and all those who are feeling the heartache of loss. We can only imagine the stories that you will share about such a rich and well-lived life.

It sounds as though Margaret truly lived each and every day to its fullest, and for that, we celebrate her legacy and the impact she had on those around her — her family, her friends, and her community. We are sorry for your loss.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Pillai: Pursuant to section 23(2) of the Yukon *Housing Corporation Act*, I have for tabling the Yukon Housing Corporation 2021-22 annual report. Pursuant to section 16 of the *Liquor Act*, I have for tabling the Yukon Liquor Corporation 2021-22 annual report. I also have for tabling the Yukon Lottery Commission 2021-22 annual report.

Hon. Mr. Streicker: I have for tabling today the 2021 Yukon Minerals Advisory Board annual report.

Hon. Mr. Clarke: I have, pursuant to section 50(1) of the *Environment Act*, for tabling the 2022 Yukon state of the environment interim report.

Ms. Clarke: I have for tabling a report dated November 14 from the Yukon Bureau of Statistics on investment in building construction.

Speaker: Are there any committee reports 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 this House urges the Government of Yukon to establish a Finlayson caribou herd oversight committee with Kaska Nation representation by December 31, 2022 and clearly communicate the details of this committee to the Yukon public.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to develop legislation requiring each member of a government-appointed board or committee to receive training on fiduciary duties and conflict of interest within three months of being appointed.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to agree to and implement the recommendations made by the Yukon Information and Privacy Commissioner in the June 14, 2022 report on the use of video surveillance technology in Yukon schools.

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

THAT this House urges the Government of Yukon to provide in-centre hemodialysis to Yukoners requiring it.

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

THAT this House urges the Government of Yukon to request that the Yukon Utilities Board to investigate and review the affairs, earnings, and accounts of ATCO Electric Yukon for the 2022 year.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

French language services

Hon. Mr. Streicker: Today we are launching a public engagement to inform the next strategic framework for French language services and communications. Our Liberal government is dedicated to increasing the public's access to government services and information in French.

The new framework will help us prioritize our actions for the next two years. It will build on the successes of the previous framework and guide our investments to better serve the growing Yukon francophone community. Statistics Canada recently released census results showing that the proportion of Canadians who speak predominantly French at home decreased

in all provinces and territories except the Yukon. More than 14 percent of Yukoners speak French, up from 13 percent in 2011, maintaining the territory's ranking as the third most bilingual jurisdiction in Canada, after Québec and New Brunswick.

We are proud of our growing francophone community, and we want to ensure that our services keep pace with this demographic increase and keep current with the community's priorities so we can focus our efforts where they matter most. In the next few weeks, we will engage in a meaningful conversation with the francophone community to identify what is working well and what could be improved.

We will also discuss with Yukoners outside of the Whitehorse area to capture their valued perspective, knowing that accessing French language services in communities can sometimes be more challenging.

Our government's strategic response to COVID-19 accelerated some social trends, such as: the high standard we set for sharing timely emergency and public safety communications; the increasing mobility and distribution of our workforce; the growing number of e-services; the increasing impact of artificial intelligence in the language industry; and the tightening of the labour market, which impacts our capacity to recruit bilingual employees.

We want to openly discuss the best ways to answer these new challenges with the francophone community. The new strategic framework for French Language Services will be our third framework, and each one has renewed our commitment to better serve and inform the francophone community in French. Our \$28-million agreement on French language services with the Government of Canada for 2021-22 to 2024-25 has been instrumental in improving our services in the Yukon.

Over the last few years, we increased our bilingual emergency communications responsiveness by sharing information in French, including during flood and wildfire emergencies in near real time, even on weekends and evenings. We also improved the delivery of online and in-person services. For instance, we deployed a new live video interpretation service and started piloting designated points of service to provide immediate and consistent services in French.

The French Language Services Directorate supports some 15 designated bilingual positions in the Department of Health and Social Services and 11 in the Department of Justice. The directorate provides more than \$3 million annually to support French language services across the government and \$350,000 to support French language services in the three hospitals in the Yukon. Earlier this month, our government opened the Centre de Santé Constellation Health Centre, which also provides more access to health care services for our population.

I firmly believe that improving French language services benefits all Yukoners. I look forward to engaging in meaningful conversation with the public and the francophone stakeholders in the coming weeks.

Ms. Clarke: Merci to the minister for providing an update on French language services and communications. As we know, the francophone community is extensive in the

Yukon; however, we are wondering how the franco-yukonnaise will be able to provide their feedback to this public engagement. Can he clarify what he means by “meaningful conversation”? Perhaps he can outline the way the government will be collecting and reporting this feedback in his response. Also, can he expand on how rural Yukoners will be able to provide input?

We look forward to seeing the results of this engagement and to reviewing the new strategic framework for French language services and communication.

Ms. White: Merci Monsieur le Président. Nous sommes contents d'apprendre que 14% des Yukonaises et Yukonnais sont francophones. Nous restons donc fièrement la troisième juridiction la plus bilingue en anglais-français du Canada. Il va sans dire que le gouvernement devrait mener des conversations approfondies avec la communauté francophone du Yukon pour guider le développement du nouveau cadre stratégique pour les services et la communication en français. La reconnaissance du français et de la communauté francophone au Yukon est fermement due aux revendications et à la défense des droits de la communauté francophone, une communauté qui fait preuve de créativité, de résilience et d'adaptation afin de servir une population grandissante. Nous attendons avec impatience des nouvelles de ce nouveau cadre stratégique. Merci.

Hon. Mr. Streicker: Thank you to the members opposite for their kind words in support of the French community and also for the French Language Services Directorate for the work that they do. The Member for Porter Creek Centre asked how that engagement would happen. First of all, the French Language Services Directorate works very closely with l'Association franco-yukonnaise — l'AFY. In the past when this work was done, there were workshops; there were some very creative ways — I think there was even an improvisational opportunity where they used theatre and ways to engage the communities to draw out their various responses, so there were a lot of ways in which the engagement happened.

There are always ways in which we reach to the communities as well, so we are keen to work with l'AFY and engage with the community directly.

I think it's worth acknowledging the work that l'AFY has done — l'Association franco-yukonnaise. They have a tremendous organization with a range of folks, including artists, members of the media, volunteers, entrepreneurs, and just people in general who help the French community thrive and who really showcase the Yukon across Canada. I would really like to thank them for their support. We have an ongoing agreement with l'AFY in support of our delivery of French language services, so we will look to continue that and to keep that great collaboration going.

I can say as well that, when it comes to the priorities of the French community, one of the things that they have stressed to us is around health, especially for beginning of life and end of life. So, we have made a strong effort around that, including work with our Mental Wellness and Substance Use branch to help them transition into a designated point of service for

bilingual services, including our three hospitals, and including 50 positions across all government departments.

So, again, thanks to the French Language Services Directorate for their great work. Thanks to the francophone community, and looking forward to the strategic engagement for all Yukoners.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Whistle Bend development

Ms. Clarke: Thank you, Mr. Speaker. Last week, I again asked the Minister of Community Services about the continued delays in releasing building lots to Yukoners. The lack of land available for housing development continues to be a significant factor contributing to the Yukon's housing affordability crisis. In early July 2021, this minister cancelled the tender for phase 7, delaying the release of those lots by a building season, and we know developers were unable to access lots until late summer, months after they were supposed to start building. So, what we're talking about today is the minister's inability to deliver lots for Yukoners.

On November 10, the minister stated that he would release 200 lots this year. Can he confirm when these 200 lots will be released?

Hon. Mr. Mostyn: The issue of housing lots and housing in the territory is certainly very important to Yukoners, and I appreciate the opportunity to be able to address that today.

We've had a long discussion — the member opposite and I — about lot development in the territory. I have made every effort to talk about how much we have invested in lots over the last several years. That effort is certainly on the record. We've made historic investments indeed, Mr. Speaker, in lot development and housing — \$30 million in the budget for lot development and land development in the Yukon this year, and we're working to develop a thousand lots in the coming years. That has been our commitment; we're still working on that.

We continue to advance Whistle Bend as quickly as possible in phases. We see progress every year, releasing lots by way of lottery for private citizens and contractors before the spring start to the construction season.

Once Whistle Bend is completed, it will include 15 phases, over 2,000 lots, and \$300 million in investment and economic benefit for Yukon contractors and businesses. It provides a foundation for much-needed homes for our growing population.

The member opposite has asked about the 200 lots in Whistle Bend, and I fully expect that those lots will come on board before the spring building season.

Ms. Clarke: I think everyone listening knows we are talking about this government's delays in getting housing lots to market. The private sector is ready to build, but the stats are showing that the lack of lots is having a big impact. Last week, the Yukon Bureau of Statistics released the September investment in building construction stats. When adjusted for inflation, the amount spent on residential construction during the January-to-September building season decreased by

24.5 percent from 2021 to 2022. Builders were simply unable to spend money to build because they couldn't access lots.

So, will the minister confirm that we won't have further delays and that over 200 lots will be released this year?

Hon. Mr. Mostyn: I would like to see the statistics that the Yukon Party is referring to. They have proven to be unreliable when it comes to their information. We have seen that time and time again in the House.

What I can tell the members opposite, though, is that we have increased our budget to \$30 million this year — \$30 million. The members opposite, as we have talked about — in their last year in office, the Yukon Party actually invested \$7.7 million in lot development. Those are really the statistics to talk about this afternoon — the difference in the approach — as this Liberal government works very, very hard to ensure that Yukoners have a supply of lots.

Now, I will also say, Mr. Speaker, that this year's budget, as I said, includes more than \$30 million in lot development. In the last two years, municipalities across the territory issued almost 1,300 permits for residential construction — a significant increase over the historic average. Over the last four years, we have seen the addition of more than 1,000 new homes in Whitehorse, a 60-percent increase over the previous four-year period. Residential investment has reached record highs in the Yukon, with \$267 million in residential development construction in 2021. These are the stats we are standing by, Mr. Speaker. We are working for Yukoners; we are working to get those houses out the door.

Ms. Clarke: Well, these are the facts. The Bureau of Statistics confirms that, compared to last year, the amount spent on residential construction was down by a quarter. We know builders were unable to access lots this summer due to Liberal mismanagement. The stats showed that the average cost of a house had risen to \$701,000 by the end of September.

So, can this minister confirm for Yukoners if there will be further delays? Can the minister confirm if phase 6B was completed this summer, as planned, or has it been delayed?

Hon. Mr. Mostyn: That was a true goulash of information that came from the member opposite over there. Let me just try to talk about where we are trying to make this understandable to people.

The Yukon Liberal government has invested dramatically — I believe that the number is more than \$267 million in residential investment construction in 2021, shattering the 2020 record of nearly \$200 million. In the coming years, our goal is to develop a thousand new residential lots across the territory. We have been doing that. I read the stats into the record last week.

The land development process takes time. As I have said before, phase 4 was tendered in the summer of 2017 and released in three phases in the spring and fall of 2019-20. Phase 5 was tendered in 2018 and released in the fall of 2020. Phase 6 — 102 single-family lots, 65 town house lots, and four multi-family lots — was tendered in January 2020 and fell behind schedule. Phase 6A lots were released in the spring of 2022. More than 200 lots — phase 6B, 101 lots; phase 7A, 86 lots; and phase 8 with 16 lots — are under construction and targeted

for completion this year. They will be available before the building season next spring.

Question re: Finlayson caribou herd management

Mr. Istchenko: It has now been over four years since the Liberal government shut down all resident and outfitter harvest of the Finlayson caribou herd. That was a decision that was made outside of the normal Fish and Wildlife Management Board process, as is outlined in the *Umbrella Final Agreement*.

Since then, the Liberal government has committed to conducting more study of the population, so when I asked about this back on April 3 of this year, the minister told the Legislature that they were planning a population survey of the herd in 2022 and that it would be shared publicly. So, can the minister tell us if that population survey of the Finlayson herd was conducted and if it is available publicly?

Hon. Mr. Clarke: Thank you, Mr. Speaker, and thank you for the opportunity to speak about the great work that is being done with respect to caribou herd data collection. There are 29 different caribou herds located throughout the Yukon. To monitor our caribou herds, we deploy collars to track their seasonal movements, conduct multiple composition surveys each year, and typically one to three population censuses. We co-manage a number of herds with other governments, including First Nations, provincial and territorial agencies in British Columbia, Northwest Territories, Alaskan state, and federal agencies.

The primary tools we use to manage the caribou populations in the Yukon are population monitoring and harvest management. Harvest management for some herds is guided by herd management plans, such as the Porcupine, Southern Lakes, and Fortymile caribou herds. We also use the following regulatory tools to manage the harvest of caribou herds through permit-hunt authorizations, quotas through establishing hunting closures, and non-issuance of licences. The use of these tools is intended to allow a herd to recover.

For one such herd, which the member opposite has asked about, we have limited licensed harvest on, and that is the Finlayson caribou herd, which is in the traditional territory of Ross River Dena Council and the Liard First Nation. In order to address our shared concerns for this herd, no resident hunting permits have been issued for the Finlayson caribou herd since the 2018-19 hunting season, and I will continue —

Speaker: Order, please.

Mr. Istchenko: When the former minister made this controversial decision in 2018, she bypassed the Fish and Wildlife Management Board's process, which is outlined in the *Umbrella Final Agreement*. This left the Yukon Fish and Game Association and the outfitters looking for answers and a path forward. At that time, the minister said that she hoped to have a collective management plan within six months. That was in October of 2018.

Can the minister tell us if there is a collective management plan in place yet for the Finlayson herd?

Hon. Mr. Clarke: Just continuing on with respect to the Finlayson caribou herd, although our latest census estimates and composition survey of the Finlayson caribou suggests that

the herd may, in fact, be stabilizing, we need to continue to monitor it to ensure that this is a trend over time prior to having further harvest allocation discussions. Any further licensed harvest of this herd will require further discussion between the Government of Yukon, the Ross River Dena Council, and the Liard First Nation.

As we know, harvest management discussions across the territory can be challenging, but we will make informed and collaborative decisions by generating and sharing knowledge. With this knowledge, the Department of Environment employs adaptive measures to manage caribou more responsibly and, as needed, to adjust our actions and impacts. Composition surveys provide estimates of adult sex ratios and calf recruitment and allow us to monitor long-term population trends.

The department introduced, as indicated, a permit-hunt authorization for Finlayson caribou herd in 1998, issuing 30 permits annually until 2018. However, Mr. Speaker, no licensed hunting opportunities have been made available for the Finlayson caribou herd since 2018. We look forward to processing the data recently received and moving forward with a plan —

Speaker: Order, please.

Mr. Istchenko: It has now been over four years with zero hunting opportunities for licensed hunters or an outfitter harvest. So, can the minister please explain what information he does not have that he needs to make a decision about this issue, and will he agree to propose a regulation change through the Fish and Wildlife Management Board process — that's a great process — to allow some hunting opportunities for the Finlayson herd next year?

Hon. Mr. Clarke: Thank you for that question.

As indicated, we have continued to monitor the Finlayson caribou herd. The population estimates in 1996 were approximately 4,437 animals, which were estimated to have declined to 2,712 animals in 2017. Mr. Speaker, in March 2022, census results indicated 3,359 animals, which may indicate the herd is stabilizing, but we will continue to monitor population demographics to evaluate trends over time, and some of that data is being processed and evaluated now, over the course of the winter and into the spring.

Certainly, I am open to having discussions with the Ross River Dena Council. We will be having discussions with the Ross River Dena Council and the Liard First Nation and with other stakeholders with respect to the possibility of the consideration of providing opportunities, both in the Finlayson caribou hunt area and in other areas, where data supports a reconsideration of providing hunting opportunities, both in that area and across the Yukon.

Question re: Hemodialysis services in Yukon

Ms. Blake: The lack of in-centre hemodialysis care in the Yukon is once again in the news. Just this week, another story came out about a Yukoner who travels to Vancouver every single week to receive the medical care that keeps them alive. This is exhausting and unsustainable, even for a healthy person. This Yukoner is unable to receive this care at Whitehorse General Hospital. This government is willing to

cover their airfare, medical travel subsidy, and out-of-territory medical costs but is unwilling to provide a service that more than one Yukoner needs and deserves.

What work has this government done to address the lack of in-centre hemodialysis in the Yukon?

Hon. Ms. McPhee: This is a very important topic to Yukoners, and we certainly heard the media today and have much compassion for individuals who are affected by chronic kidney disease. Here in the Yukon, we currently have approximately 50 people who have chronic kidney disease. Nine of those individuals undergo dialysis treatment at home, through either peritoneal dialysis or home hemodialysis.

The BC Renal organization provides support to Yukoners who need dialysis or kidney transplant. Their guidelines, at this time, do not recommend developing a hemodialysis centre in the Yukon Territory. It's based on expertise availability and based on the territory's population and the number of Yukoners who would need such a service.

These guidelines recommend establishing a hemodialysis centre for a population of 85,000 with six to eight beds that can service approximately 24 patients. In order to protect the privacy of individuals, the statistic that I have at this time is that there are fewer than five individuals requiring this level of support in the Yukon.

Ms. Blake: Some Yukoners are able to care for themselves through in-home hemodialysis, but this is not an option for many. Just three years ago, a Yukoner returned to the territory to die rather than remain away from his home and family. His only other option was to remain in Vancouver for the rest of his life. After his death and the publicity surrounding it, we received many e-mails and letters from folks who were shocked by his needless death but also concerned for their own future health care needs. We heard then from this government that the numbers just weren't high enough to require in-centre hemodialysis.

How many Yukoners currently require hemodialysis?

Hon. Ms. McPhee: I think that it's critically important for Yukoners to know that we continue to work with all Yukoners to establish what they need and to assist them in whatever way we can. These are extremely difficult choices. Our medical travel program is available to provide support to eligible Yukoners who need to travel out-of-territory to access dialysis services.

I would note for Yukoners that the medical travel subsidy has been doubled by our government to \$150 daily and made available on the first day of travel, which is something that was never available before. We also approve escorts to assist individuals who need to travel to have this care. The medical travel program provides coverage for scheduled air travel for those who require access to inpatient dialysis services and can also provide a daily medical travel subsidy for those requiring it. We continue to work closely with BC Renal to monitor this important issue.

Ms. Blake: What an impossible choice: move permanently away from jobs, home, friends, and family to receive in-centre hemodialysis or remain here to die. In the Northwest Territories, there are two communities where in-

centre hemodialysis is available. One is located in Yellowknife and the other is in Hay River. Hay River has a population of just under 4,000 people, which is one-tenth of the population of Yukon. It now has four in-centre hemodialysis machines, and we have zero.

How does the minister explain that the Yukon cannot provide this same service that the Northwest Territories is able to provide?

Hon. Ms. McPhee: I think that it's incredibly important for us to receive assistance and have a strong partnership with BC Renal, which provides support to Yukoners who need dialysis or kidney transplant. This is, of course, a specialized service. The Canadian Agency for Drugs and Technologies in Health concluded that independent dialysis, such as peritoneal dialysis and home hemodialysis, are as effective as hemodialysis provided in a hospital setting.

The Yukon does not have the advanced health infrastructure to accommodate all dialysis patients. Some dialysis patients would still need to travel out-of-territory even if a hemodialysis centre were established in the Yukon. We continue to work with every single patient who comes to our attention to assist them in determining what they need. These are difficult choices.

As I noted earlier and in response to one of the questions, I want to protect the privacy of individuals, so the statistic that I have at this time is that there are fewer than five individuals requiring this level of support. That does not mean that this is not a very difficult situation for individuals who are affected by kidney disease. We certainly appreciate that.

Question re: Paid sick leave rebate program

Ms. Tredger: The government recently released its new plan for managing COVID-19. The chief medical officer of health recommends that people stay home as long as they have symptoms of any illness. Unfortunately for many people, it's not that simple. Many Yukoners face the choice between staying home from work or earning the wages they need to put food on the table and to cover their rent and mortgage.

I know the minister will mention their sick leave rebate, but that is a temporary program. This temporary program has been extended again until March 31, 2023, but Yukoners are not going to magically stop getting sick after that date. How long does the minister plan to continue the temporary paid sick leave rebate program?

Hon. Mr. Pillai: The COVID-19 paid sick leave rebate program has been in place since March 2020, and a fourth extension until March 31, 2023 has been approved. The paid sick leave rebate program helps employers and workers without a paid sick leave benefit to meet their financial needs while staying home with specific COVID-19 illness. As of October 27, 2022, we have seen 2,488 people from 448 businesses, and they have received \$3,447,157 in rebates through the paid sick leave rebate program. I have more to share on this, and I'm looking forward to getting a little deeper into the forward process, but I think that it's important just to show how effective this program has been. Again, in the interim, we

have extended it to the end of this fiscal year and look forward to question number 2 and number 3.

Ms. Tredger: The question that Yukoners are still waiting on for an answer is: What will happen after March? Will this program continue?

Yukoners want to do the right thing and stay home when they are sick. One problem is that the current rebate program is just for people who are sick with COVID-19. It's not just COVID that's the problem right now. There is also RSV, the seasonal flu, and more. People with non-COVID illnesses are not eligible for the minister's rebate program, and many can't afford to stay home to recover. We know that paid sick leave is a critical tool to combat the spread of illness. Will the minister commit to expanding his paid sick leave rebate beyond COVID-19 to include all illnesses?

Hon. Mr. Pillai: Certainly, through the early years of this program, it was really focused on COVID-19 — you are absolutely correct — and we have been aware of some of the other challenges that have been coming but also the fact that there has been ongoing public conversation around sick leave in general and the extension of sick leave.

I would say to the member opposite — I have to say, and I may not be informed properly, but I haven't heard of a lot of people coming to us asking: What is happening after March 31? What they are saying is: "Is there a program in place that I can use now?" I think, by the numbers, that you are seeing almost \$3.5 million that we have paid to Yukoners, and they do understand that there has been a safety net in place. I think that I would also like to identify the fact that this, of course, was leading in the country. We had many large provinces reach out to us afterward, such as Ontario and Manitoba, and ask for the framework of this. So, we think that it has been put together very well; we think that it has been very effective.

We know that there needs to be a plan going forward and that is what we are certainly working on, but we do need to have a conversation with the business sector, the private sector, as well as other stakeholders before we decide what happens after March 31.

Ms. Tredger: The Government of British Columbia implemented five days of paid sick leave nearly a year ago. The Government of Canada just implemented 10 days of paid sick leave for federally regulated private sector workers. We aren't the only ones asking for this. Experts and Yukoners alike are on board. To combat the emergency room crisis, the Canadian Medical Association, a non-partisan organization, said — and I quote: "... an enhanced form of paid sick leave is urgently required."

So, what about this government? Will they do the work to implement a permanent paid sick leave program for all Yukon workers?

Hon. Mr. Mostyn: Really, what we are talking about this afternoon is making sure that Yukoners are kept safe wherever they are working. Our strong leadership on this side of the House guided us through the pandemic and kept our economy going at the same time, as my colleague said just moments ago. The paid sick leave program that we put in place led the country. We put it in place first. We put in a program to

protect Yukoners to make sure that they could take the time they needed to get well, without impacting their bottom line, and also kept businesses going through that whole pandemic. This has been our focus throughout our mandate — certainly throughout this mandate with the pandemic coming into a new phase.

So, we worked together, my colleague and I — my colleague on the NDP benches — we worked on the Making Work Safe Panel. We came up with a lot of good recommendations. Those recommendations are currently being reviewed and worked on from a policy perspective within the Department of Community Services, and as my colleague said, we have to go out and talk to businesses to make sure that we adhere to that pillar inside that Making Work Safe Panel recommendation, which was to make sure that, when we implement this policy, we do not hurt businesses.

Question re: Mining legislation

Mr. Kent: So, the deadline for the consultation period on the Dawson regional land use plan is now extended into December. The recommended plan has prompted questions about existing mining claims within the planning region. When existing claims are located in areas where development is prohibited or limited, claims may be deemed to be alienated and/or expropriated, either directly or indirectly, through access restrictions.

So, can the Minister of Energy, Mines and Resources tell us what the government's policy is regarding compensation for mineral claims that are either expropriated outright or effectively expropriated in the land use planning process?

Hon. Mr. Streicker: Thank you for the opportunity to rise to talk about the Dawson regional land use plan. I was at the Geoscience Forum and trade show this weekend, and even this morning, I went to speak at the forum, and I spoke about the Dawson regional land use plan. The commission has given a recommended plan, and Tr'ondëk Hwëch'in and the Yukon government are out engaging with Yukoners on this. We are really keen to hear from all Yukoners, and that deadline has been extended to December 20.

With respect to claims, we have done a lot of work, for example, with the Peel watershed, or the Peel land use plan area. Under that area, what we have continued to do is to work with claim holders to help them to relinquish those claims by negotiating a settlement with them. That's the work we have had ongoing generally. I think roughly two-thirds of claim holders have been sorted out in the Peel area. Right now, we're not there with the Dawson plan, of course, because we don't have a plan yet. So, I think it's a little bit premature for Dawson, but it is, of course, a question that we discuss in the process, and we have seen good examples of how we're dealing with it in the Peel.

Mr. Kent: So, one of the topics I heard at the Geoscience Forum over the weekend that came up today, as well, is with respect to compensation for claims that are adversely affected by government decisions. So, in January this year, the Yukon government announced that some claims in the

Peel region were given up in exchange for relief from work requirements on claims held elsewhere in the Yukon.

So, can the minister tell us what policy framework was used to determine the value of these claims?

Hon. Mr. Streicker: I'm not sure if there's a specific policy framework, but what I did say was that it is negotiated. So, what happens is that our mineral branch works with claim holders to talk about the claim itself and to discuss and to negotiate a package that allows for some relief on assessment work that might be coming up.

What I will say is that, in those instances, the claim holders are agreeing to this package. That's great. Roughly two-thirds have happened. We are trying not to repeat the Yukon Party's performance on the Peel land use planning process. We don't want to end up in Supreme Court. We think that was the wrong approach, so we've taken a new approach with the Dawson regional land use plan. We're moving ahead with that. We anticipate that there will be some challenges again with claims, but I want to thank the Department of Energy, Mines and Resources for their good work with claim holders around relinquishing those claims.

Mr. Kent: So, while relinquishing claims in exchange for relief on work requirements for other claims may have worked for some claim holders, it is not a policy that will work in all situations.

So, will the government agree to engage industry to develop a claims compensation policy for mineral claim holders in areas of land use planning that become unable to be developed?

Hon. Mr. Streicker: Again, thank you very much for the question, Mr. Speaker.

I think I just stood and said that roughly two-thirds of those claim holders have been sorted out now. I think I've stood in this House and thanked them for the work that they've done with Energy, Mines and Resources so that the process continues to unfold. Of course, this time, under the Dawson regional land use plan, the Liberal government made the decision to work with Tr'ondëk Hwëch'in and the commission to withdraw areas from staking or to put protection in those areas that they were identifying as the areas that they believe should have that protection, and that would lead to fewer claims where we have to have these challenges. That was not the case under the Peel plan. We'll continue to work with mining companies. So, we have been engaged with them all along, Mr. Speaker. It's not about starting that work; it has been ongoing.

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 Respecting Committee Reports No. 4, the motion for concurrence in the sixth report of the Standing Committee on Rules, Elections and Privileges, presented to the House on November 17, 2022, shall be called as government-designated business.

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

ORDERS OF THE DAY

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

Speaker: It has been moved by the 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 now before the Committee is continuing general debate on Vote 51, Department of Community Services, in 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

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

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

Chair: The matter before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 206, entitled *Second Appropriation Act 2022-23*. Is there any further general debate?

Department of Community Services — *continued*

Mr. Dixon: Madam Chair, I appreciate the opportunity to return to this. Where we left off, we were discussing the aborted bid for the Canada Winter Games in 2027. In particular, we were exploring the idea of a scaled-back version of the bid. Since last Thursday when we spoke about this, we have learned a couple of things. The City of Whitehorse has come out to state that there was indeed a discussion about an alternative plan, which included a scaled-back version of the plans for Takhini Arena. I wanted to ask the minister a bit more about that. What other options were considered, other than the full bid that was submitted to Canada?

Hon. Mr. Mostyn: It is good to be here this afternoon. I want to recognize my two officials this afternoon. We have Matt King and we have Phil MacDonald. Once again, thank you very much to them for assisting with this discussion this afternoon.

The member opposite is talking about a scaled-back version. What I can say is that the Canada Games committee — the bid committee — worked for 18 months with the City of Whitehorse, the Yukon government, and experts in and around the field of the Canada Games to draft a bid that met the conditions of the Canada Games committee and that met the

conditions of the City of Whitehorse. In September, we submitted that bid for evaluation by the bid committee. In October, the bid committee came up to Whitehorse and met with us — met with officials here in Whitehorse — and they toured our facilities. At that time, they said that they would work with us and they were really excited about the opportunity to host the games in Whitehorse. At that point, they said that they would work with us to make sure that they could do what they can to host the games here. But as far as actually tabling or actually exploring a so-called “scaled-back” version of the games, to date, we haven’t really had a lot of meaningful conversations. I talked with the Mayor of Whitehorse last week when she brought the idea to me, but as far as actually exploring the options, it is at the very, very preliminary stage. I don’t even know what one would look like in its holistic view.

Mr. Dixon: I am just trying to understand, I guess, the comments that the minister has made in comparison to those made by the president and CEO of the Canada Games Council, because the president and CEO of the Canada Games Council, in the media last week, made it very clear that the bid that was presented by Yukon was — to borrow her term — the “shinier version” of what was needed and that it could certainly be done for less money and with less investment.

I am just trying to understand a little bit more about the contrast between what the minister has said about what the Canada Games Council had said and what the president and CEO of the Canada Games Council had said publicly last week.

Are there any discussions underway right now about presenting a scaled-back version that may be considered by the Canada Games Council?

Hon. Mr. Mostyn: The member opposite talks about all the swirl in the media after we made the fiscally responsible decision — after Ottawa made the very hard decision not to provide any funding beyond the very base amount that they provide to any jurisdiction. The very fiscally responsible decision that this government took — that it could not fund the games all on its own — we communicated that information to our colleagues federally and at the City of Whitehorse and to the Canada Games committee.

I will say that, for 18 months, the bid committee worked with — Community Services had representation — the Yukon government did. We also worked with other people with expertise in the Canada Games and who worked with the Canada Games Council. We worked with the City of Whitehorse to refine a bid that we submitted to the Canada Games Council that met the needs of the Canada Games Council as laid out — to what we had to provide to host the games here in Whitehorse. As it said, it was a fourth sheet of ice and we needed housing for the athletes’ village.

That’s the bid that we pulled together. The bid committee worked and refined that bid for 18 months to make sure that it met the needs of the City of Whitehorse and that it met the needs of the games committee, and we made that submission to the Canada Games Council. It’s currently on their desk.

I don’t know what sort of shiny bid the member opposite is referring to in the media. All I know is that our bid reflected the needs outlined by the Canada Games Council and met the

needs of the City of Whitehorse, which was looking out for its citizens, and we submitted that bid. That's the bid that's currently on the table. As far as any other plan B, I guess, at this point, I don't know what that would look like.

Mr. Dixon: So, the term "shiny" is not my own; it's the one that was used by the president and CEO of the Canada Games Council in the media last week. Last week when I asked questions about this in Question Period, I cited the CBC article itself. So, that's where that comment comes from.

I think that a lot of Yukoners, particularly those in the sport community, are wondering why there was no other consideration of anything in between a \$115-million replacement for Takhini Arena and the need for a fourth sheet of ice, because as we know, in 2007 we hosted the games just fine with Stan McCowan Arena representing the fourth sheet of ice. McCowan was essentially a sheet of ice in a tin can. I have very fond memories of that rink, but it wasn't, by any stretch of the imagination, a nice arena.

So, I guess the question is: Why wouldn't we look at something less fancy than a \$115-million replacement for Takhini Arena, which is an otherwise lovely arena and would serve Yukon, I believe, very well for quite a few years longer? So, the question is simply: Why not look at another option for a fourth sheet?

Hon. Mr. Mostyn: So, what I can say this afternoon is that the bid committee was clear all along about the need for a fourth sheet of ice in Whitehorse. That's where the conversation went with the bid committee. That's what they worked. So, they needed the fourth sheet of ice. They also needed — the other thing is a facility — a place where the opening and closing ceremonies can be hosted. So, they needed that as well, and that was somewhere between 3,000 and 5,000 who needed to be accommodated in the facility. So, those were two requirements of the bid from the bid committee.

The City of Whitehorse was clear, as well, as we worked with our partners on the bid committee, that there was no interest to host if not getting the criteria laid out in the arena complex. That was developed in close partnership with our City of Whitehorse partners. They had spoken about what they had needed to see in that facility, and we accommodated them. As a matter of fact, they wanted more. There was a lot more wanted, and we actually refined the ask to get that fourth sheet of ice down to the current specifications that we submitted to the bid committee in September.

There was no interest from the City of Whitehorse in proceeding with a bid without a legacy piece for the City of Whitehorse on its terms. That has shifted somewhat in the last week or so, but I don't know what that looks like at this time.

Mr. Dixon: I appreciate the answer from the minister. I take it, then, that it was the City of Whitehorse that insisted on the \$115-million replacement for Takhini, not the Yukon government; at least, that is what I infer from the minister's comments.

The next question I have is in relation to the funding that was made available by the federal government. The minister has said that this was all the federal government was willing to commit, but we got a different version of things from our

Member of Parliament, who commented that, in his view, there were significant other pots of funding available for infrastructure and for housing. He suggested that there were ongoing discussions, as high as the federal ministers' offices, with regard to finding further support.

I just want to understand a little bit more about the minister's announcement and explanation about the amount he has cited — the \$3 million for capital and the under-\$20-million total that the federal government had offered. How can the minister explain the inconsistency between what the MP has said and what he has said about the availability of federal funding?

Hon. Mr. Mostyn: There is no inconsistency between the events — where they have unfurled since the beginning of November and last week. We have worked very closely with our federal partners on this project for many months. I have been in touch with Minister LeBlanc, Minister St-Onge. We have been in touch with the Prime Minister's Office, with the Deputy Prime Minister's office, with a number of ministers at the federal level — as has the Yukon MP. We have been working on this file. I made a request to the federal government in writing — this was in September, as I've said — laying out the needs to proceed with the construction of the facility and that we needed some sort of concrete indication that the funding would be available to us. We got that response at the beginning of November saying that there is no funding — there is no new funding; there may be funds coming forward and you can apply on those. There are competitive processes up to \$25 million; nothing was guaranteed. So, at that time, facing the need to go ahead with the construction projects for the games — the arena at a \$115-million estimate plus the housing estimates — we decided that we couldn't take on that on a wing and a prayer. Fiscally, it was not the responsible decision to take without any concrete, guaranteed funding from the federal government. So, yes, I'm sure that we could keep talking, but there is no guaranteed funding. Nothing could be said that: "Yes, we will make you whole. Yes, we will contribute X amount of money." We had these conversations right up there. We even had conversations last week with, again, senior level — senior officials in the federal government — and again, still no commitment to the Yukon government for proceeding with the games or any funding. So, looking at that — from a fiscally responsible decision — either we go with \$160-million black hole — don't know where the money is coming from — and start with the projected project to start with the arena with nothing in place, or we actually say, "You know, it's not the right decision at this time without any support from the federal government." We made that very difficult decision.

I know that it was a difficult decision for Ottawa. We have heard about the austerity — Chrystia Freeland has signalled austerity at the federal level. We are coming into very, very strange times. There are all sorts of other — we have inflation happening and supply chain issues. We have seen contracts here coming up and being very expensive, and we have labour shortages. There are a lot of things happening in the market that really weren't there. They just started to materialize. That has all played out on this bid. Without any backstop from the

federal government identified in writing, we decided to take the very hard decision to not proceed with funding the games from our end.

Mr. Dixon: I thank the minister for that answer.

I would like to ask a little bit more about the decision that the minister just described. Can the minister explain why he didn't consult with the City of Whitehorse with regard to the decision and why the minister didn't live up to the memorandum of understanding that existed between the Yukon government and the City of Whitehorse with regard to communication and planning for the bid?

Hon. Mr. Mostyn: Really, we are getting into a forensic examination this afternoon on an item that, I will note, isn't in our budget submission for the supplementary, but I am happy to have this conversation anyway. I know that it's a matter of importance to Yukoners.

So, what the member opposite is talking about is delving into the financial considerations of the City of Whitehorse and the Yukon government. There is Management Board, and Management Board met on the Canada Games and made a decision and immediately our decision — which is about funding, and so that is the purview of our budgeting process and our Management Board and our procedures under Finance. As soon as Cabinet took that decision in Management Board, I communicated that decision with Management Board to the City of Whitehorse. The public communication was clear: that we are not prepared to go ahead and fund the games from within the Yukon government budget solely. We already honoured the City of Whitehorse's budgeting process in that they committed to an \$11-million figure maximum. So, we knew that was the maximum that they could commit to, outside of their budgeting process, and they weren't even committing to it. They sort of signalled to us that they would do that. We proceeded with that and we did the exact same thing back saying that, as far as the games were concerned, we were not willing, as a government, to proceed with a \$160-million investment, given what we learned from the federal government on their budgeting side and from the City of Whitehorse from their budgeting side. So, I did communicate that immediately to all of our partners, and that was the process we took.

The end result is that our decision not to front \$160 million on our own, with absolutely no guarantees from the federal government to make us whole, essentially doomed the bid that we had submitted to the Canada Games Council. But I suppose that if the city had decided to reach out and say, "Okay, now that we know what your financial decision is, let's see how we can go forward", then we would have to look at that. But in terms of us killing the games, what we did was that we made a decision and announced the decision that we were not willing to fund \$160 million without having any backstop from the federal government.

Mr. Dixon: So, the minister has explained some of the overtures that he has made to the federal government. He explained that he reached out to the federal minister's office. He also mentioned the Prime Minister's Office. So, I just really quickly wanted to ask: Is the minister aware whether or not the

Premier reached out to the Prime Minister specifically about this issue?

Hon. Mr. Mostyn: I'm sorry, Madam Chair; I missed the last part of that question. I heard that the Premier reached out to the Prime Minister's office, but I did miss the rest.

Mr. Dixon: Yes, I asked whether or not the Premier had reached out to the Prime Minister specifically about the Canada Games bid.

Hon. Mr. Mostyn: I will look into the specifics. I know that the Premier's office was in touch with the Prime Minister's Office. I'm not entirely sure whether they mentioned it directly. I do know that the MP did talk to the Prime Minister directly about financing the Canada Games bid.

Mr. Dixon: So, I guess the final question that I will ask about the Canada Games announcement is one that is certainly percolating out there among the sports community. I have heard a lot. Just a basic question is: Is this totally dead? Is this completely dead? Can we expect some sort of set of circumstances to change that may breathe new life into this, or was the announcement made last Monday by the minister the ending word on this? Is there any future possibility of reviving this bid, or is it completely DOA?

Hon. Mr. Mostyn: As I have said several times in this Chamber, we worked — not "we". The bid committee did an extraordinarily good job and worked for 18 months to pull together Yukon's bid for the 2027 Canada Games. A number of people worked very, very hard for many, many months to refine and hone, with our partners, to make this bid a reality. The bid reflected the needs identified by the City of Whitehorse for its citizens. The bid reflected the terms dictated by the Canada Games for a jurisdiction, such as ourselves, to host the games — a fourth sheet of ice, an athletes' village, and opening and closing ceremonies — and it met the conditions that the Canada Games Council laid out to us early in this process, and we worked very diligently on that.

In order to proceed with that bid, which was costed to meet the games' criteria, we would need federal support. As I said just last week, we've been in touch with the federal government to explore options to continue talking to see if there is any money. We heard that there might be other funding pots. We still have not secured any new funding. We have not secured any funding pertaining to this bid that we put together.

The federal government has been extraordinarily generous to the territory, in terms of its infrastructure funding over the last — we have seen historic investments in the territory in the north Klondike Highway, down in Teslin, in Ross River and Faro, in Watson Lake, Kluane, and Whitehorse. It has been an absolutely incredible investment in our territory to make sure that our critical infrastructure is upgraded and improved to meet both our needs and the needs of the changing climate that we see. That's not the issue. The issue is, in this case, recreation and where that fits in the agenda in an austerity budget. I know that the federal government made a very hard choice, I'm sure, in saying that they couldn't come up with a number for us by the time the deadline had been set by the Canada Games Council. So, here we are.

If the federal government were to come forward with a tangible offer of capital money to support the bid, then perhaps, if it came fast enough, we might be able to proceed with a bid, but time's wasting, and we have a very, very short build season. The infrastructure we have to cobble together for the bid has to be completed by 2026. The members opposite know full well how difficult it is to design, tender, and then build under very tight deadlines and what that does to the costs.

We are right up against very hard deadlines for the Canada Games committee. If we can't do this, then they are going to have to go somewhere else, and that's going to be difficult for the next jurisdiction as well.

So, if the federal government were to come forward with a tangible offer of financial help, then perhaps something could happen, but that's not shaking loose at the moment. At the moment, the Yukon government has made a very difficult, fiscally responsible decision to not commit to fund the infrastructure contained in the bid that was worked on diligently and very, very well by the bid committee over the last 18 months.

Mr. Dixon: So, the minister has indicated that we're up against — his words — a "hard deadline". I would just like to — but he has left the door open that, if the feds did show up with a cheque and with some — a guarantee of a certain amount of money — that the bid may be rejuvenated. Can he give us a sense of what the drop-dead date might be for the federal government to make that type of offer?

Hon. Mr. Mostyn: The bid committee was looking at — has given us a date of — I believe it's December 8; is it not? Is that the date? So, December 8 is the date that we've been working toward.

Mr. Dixon: So, if the federal government were to re-engage and offer some funding of some amount — an amount to be negotiated, I presume, between now and December 8 — there is still a hope that Yukon could host the games in 2027; is that correct?

Hon. Mr. Mostyn: Thank you very much, Madam Chair. The member opposite, I think, is correct. If the federal government were to provide clear guarantees that there would be funding from the federal government of sufficient value, we could continue with the bid, provided we got that information before December 8.

Mr. Dixon: So, have we asked the federal government for that ask? Has the federal government been made aware that they have until December 8 to make an offer of some amount of funding to make the games happen?

Hon. Mr. Mostyn: As I've said twice before this afternoon, Madam Chair, we are in touch with the federal government, have already been in touch with the federal government on several occasions, and we will continue to converse with the federal government, both with our contacts there and with the MP of the Yukon, who's working very, very hard on behalf of Yukoners to secure the resources they need to make this territory a good place to live.

Mr. Dixon: I appreciate the answer from the minister, because that is certainly — it would appear to me, at least, based on his comments, that there is a glimmer of hope still for

the Yukon to host these Games in 2027, if a reasonable amount of money can be secured from the federal government for some sort of, what I imagine would be, a scaled-back version of the bid that was submitted. I would anticipate that would be well-received and knowledge that will make people at least hopeful that there is still a chance that the games could be hosted here in 2027.

I know from hearing from the president and CEO of the games Council, in her public comments, that she noted that there is a great deal of challenge finding an alternative location for 2027. So, if they were unable to find another option, I believe — my understanding is — that the 2027 Games would simply be cancelled or perhaps delayed by a year or so, which, of course, nobody wants to see.

I think we have probably exorcised this particular issue. I have committed to passing the floor on to the Leader of the Third Party before the Member for Watson Lake takes over, but I do have a few other questions not related to the Canada Games, if I could sneak these in before my time elapses here.

I wanted to ask the minister about the Dawson rec centre. Obviously, there is an amount budgeted in the capital plan for the Dawson rec centre. The minister has indicated that there is funding applied for under ICIP for a Dawson rec centre. I am wondering if he can give us an updated sense of the budget for the Dawson rec centre and at what stage the federal funding is at, in terms of getting that secured.

Hon. Mr. Mostyn: I want to begin by correcting some of the assumptions that the member opposite made in his last remarks on the Canada Games. As I have said several times today, 18 months of work went into the design that has been submitted to the Canada Games committee formally under our bid process. That is the bid that we are supporting right now; there is no other bid; there is no plan B; there is no plan B scoped out; we don't know what plan B looks like, and we don't know what it is. The December 8 deadline applies to the bid that we submitted to the Canada Games Council. That Canada Games Council is assessing that bid. So, if the federal government were to come forward with a commitment to fund the components of the bid that has been submitted, then that bid could be resurrected. That is really what is on the table right now. Talk of hypothetical "other" plans that have yet to be scoped, discussed formally, and mapped out are just that: hypothetical.

So, at the moment, it is the plan that was scoped out with the City of Whitehorse and the bid committee — with our partners in the bid committee — that is on the table, and that is the one that we have received word from the federal government that they cannot support. That is the plan that we would seek funding for if the federal government were to have a change of heart and find some concrete investment that they could make in the territory to make that happen.

All right, Dawson recreation centre — yes, we have committed to the Dawson City recreation centre. Detail design is currently underway for that project. We have committed funds under ICIP.

So, we have funds under the existing Investing in Canada infrastructure program to apply to the Dawson City rec centre.

Once the detailed design work is completed, we then, as with all projects under this program, submit those detailed designs to Ottawa, and they then okay the funding. So, that's where we're at right now. But the money is under our existing ICIP program and has been allocated to the Dawson City rec centre, and the five-year capital plan does have that project in its pages.

Mr. Dixon: So, how much money has been allocated from ICIP for the Dawson rec centre?

Hon. Mr. Mostyn: At the moment, \$20 million of ICIP money has been allocated to the Dawson City rec centre.

Mr. Dixon: How much money has the Yukon government budgeted for this project?

Hon. Mr. Mostyn: At the moment, the territorial government has earmarked \$25 million — about \$26 million — for the Dawson City recreation centre. The ICIP funding is about \$20 million, as I said, and the total estimate at this time is in the neighbourhood of \$60 million. There is a lot of play there. We are doing the detailed design work and working on that, and we have the new spring budget underway right now, so we'll have to stay tuned to see how much we allocate. We have said that we would commit to building the Dawson City recreation centre, and we are committed to doing that for an estimate of about \$60 million. At the last count, the territorial government had committed \$25.5 million, but, of course, we are in the budgeting process.

Mr. Dixon: So, there is \$20 million from ICIP; there is \$25 million or \$26 million from the Yukon government. That is \$45 million or \$46 million, and the total project cost is about \$60 million. So, where will the gap of \$14 million to \$15 million come from?

Hon. Mr. Mostyn: Once we get the detailed design, we will know how much the Dawson City rec centre actually costs, and the Yukon government is committed to spending the money to make sure that the Dawson City rec centre is built.

Mr. Dixon: So, the Yukon government will come up with the balance, then.

Hon. Mr. Mostyn: Yes, we will.

Mr. Dixon: Can the minister indicate the best guess for timing right now for this project? When will we see construction begin?

Hon. Mr. Mostyn: The anticipated completion date for the Dawson City rec centre is 2027. So if you work back from there, we are hoping to get the detailed design done, submit all the paperwork to Ottawa, and then start the tendering process. We would like to get this built as soon as possible, but right now we are working toward the date of 2027.

Mr. Dixon: I would like to change gears again quickly before I cede the floor. I just want an update on a question that we have asked a few times in Question Period. What is the status of phase 6B of Whistle Bend?

Hon. Mr. Mostyn: Phase 6B — 101 lots in 6B. They are substantially completed. They will be put out to tender before the next building season. The only caveat that I can put on that is that we need one week of paving. We ran out of weather this year and we couldn't get the paving done. So, the paving for that 6B phase is going to be done. It's about a week's worth of work. It will be done first thing in the spring, but the lots will

be tendered — 101 lots will be tendered before the building season next year.

Mr. Dixon: The minister said that they will be tendered. Can I assume that he means that they will go out to lottery?

Hon. Mr. Mostyn: Yes, that's correct. This isn't the first time that this has happened in Yukon government history. We're following standard procedure. It's not perfect, but we have substantially completed 6B and we just have to get that little bit of paving work done. We will put the lots out to lottery — and then with the caveat that there will be paving done first thing next spring.

Mr. Dixon: Was the original contract cancelled and then subsequently awarded to a different contractor? We heard that it may have caused some delays. Is that correct?

Hon. Mr. Mostyn: I can say on the floor of the House this afternoon that the change in contactors had nothing to do with the inability to get the paving done in this season.

Mr. Dixon: The minister referenced a change in contractors. Was there a change in contractors, and if so, why and what happened?

Hon. Mr. Mostyn: What I will say this afternoon is that the work on phase 6B was not delivered by the contract end date. The department issued a notice of default on October 12, 2022. Alternative plans were taken to complete the work. The work was substantially completed by the time the weather turned, and we were not able to get that last week of paving done.

Mr. Dixon: How was this second contractor selected, then? Was there a competitive process, or was it sole-sourced?

Hon. Mr. Mostyn: Once the contract went into default, the Department of Community Services took over the work and subcontracted the work to get it done.

Mr. Dixon: My question was: Did the department use a competitive process to select the second contractor to get the work done, as the minister said?

Hon. Mr. Mostyn: I can assure the House, and I want to be very clear here, that we worked within the procurement rules to award the work — subcontract the work to get the work done on phase 6B.

Mr. Dixon: I sense a bit of reluctance to provide a clear answer, so I will move on.

Are there any cost implications as a result of this change in contractor?

Hon. Mr. Mostyn: The department went through its process assessing how much of the work had been completed and then assessing the cost to complete the work that had not yet been completed. At this point, we're not aware of any additional costs to complete the project.

Mr. Dixon: I'll have more questions to come, but at this point, I'm happy to cede the floor to my colleague, the Leader of the NDP.

Ms. White: I thank my colleague for sharing the time today. The first question I have is: How does the minister envision that the Better Buildings program will help folks who live in mobile home parks? So, someone who owns a mobile home but rents the land on — how will the Better Buildings program help them?

Hon. Mr. Mostyn: I welcome the Leader of the Third Party to this discussion on Community Services this afternoon. I will say that the program goal is to target deep retrofits that achieve a 20-percent modelled decrease in residential energy use with the best return on investment, including the cost of borrowing. So, based on that criteria, we are going to be targeting buildings that can demonstrate the ability to actually make those 20-percent modelled decreases in residential energy use. So, it would depend, I guess, on the mobile home itself. It also depends on the assessed value of the mobile home and the potential cost benefit to do the work. So, those are all the things that will go into the assessments under the Better Buildings program.

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

Is the Better Buildings program, though, not tied to the taxes that get paid to a municipality? We have had this conversation before, and the reason that I ask about it is that mobile homes are in a position where you may own the asset, but you rent a portion of land, and although you pay municipal taxes, I am not sure that 25 percent of less than \$1,000 will get people very far. I would speculate that, if one was to insulate a mobile home, and all its six sides — so, from the floor, the walls, the exterior walls to the roof — that you would easily gain a 20-percent increase in energy efficiency.

So, how can someone in a mobile home — living in a mobile home park — access something like the Better Buildings program for home retrofits?

Hon. Mr. Mostyn: I thank the member opposite for the question this afternoon. It does provide a point of clarity.

So, when we were talking about mobile homes just a minute ago, I assumed they were on titled property. There are places up in my riding in Arkell that are on titled property. So, that's where that comes in. The member opposite is totally correct. It is based on your property taxes — the assessed value of your home and your property tax.

So, mobile home — people who live, who have trailers in mobile home parks, who are paying pad rent in that situation, there are other programs that may be able to help with their energy efficiency and improving their homes. I encourage them to contact the Energy Solutions Centre to see what assistance they may be able to leverage to help their home — help improve their heating of their homes.

As far as the other mobile homes on titled property, of course, I have gone through the criteria for that. There are, in the initial stages of this program — I mean, it is in *Our Clean Future*. The goal is to reduce our overall greenhouse gas emissions. This is one of the tools that we've brought in place to do it. It is from the municipalities' point of view — they are signing up, entering agreements with us to actually start delivering the program within their municipalities. I'm really heartened to see that support from our Yukon communities. We have, in our initial estimates — and as I've said on the floor of the House before, we have more than enough properties — assessed properties, properties with enough tax assessment — to deliver the 1,000 homes that we guaranteed that we would do through the Better Buildings program at this time.

As I said before, as well, we're going to assess the program as we go forward and see how it can be refined and improved so we can hit more people, more homeowners.

Ms. White: I'm going to thank the minister for that answer. The reason why I'm asking is, last week in the ministerial statement, the Minister of Energy, Mines and Resources highlighted the Better Buildings program as something that would be good for people in maybe more impoverished situations to access because of long-time payout. The truth of the matter is that the Better Buildings program totally misses an entire section of people who, I would say, are probably in the most need of assistance to do home repairs. Interestingly enough — and maybe folks don't know this — but unless a mobile home has been mortgaged by a bank, it doesn't actually exist in paperwork. Once it's sold and purchased outright, it doesn't even have a transfer. They don't have a registration card, for example, like you would for a \$2,000 car. Nothing exists for a mobile home, which has led to complications.

The reason why I was asking the minister for clarification is that his colleague had said that the Better Buildings program would be accessible for people in mobile homes. I just want to clear up that, actually, if you rent the pad that your mobile home sits on — so if you are people who are in the Benchmark Trailer Park, in the Takhini Trailer Park, in the Northland Trailer Park, in Lobird — Lobird is Benchmark, so I mean the one that is behind the mall in Porter Creek — or Lobird, as well — you can't actually access this lending.

When we have conversations about affordability and conversations about making things easier for people to live and better heating systems, often folks in these units don't qualify for many of the rebate programs. So, it's just something to think about going forward — that when we talk about making sure that these programs are accessible, they look at all accessibility.

I just want to move on to community transfer stations. Johnsons Crossing, Keno, Silver City, and Braeburn are all slated to be shut down. I want to ask about the status of where we are in that process right now.

Hon. Mr. Mostyn: I thank the member opposite for the question. This is an issue that we have talked about a lot. It really cuts to the heart of a number of things, basically: responsible, sustainable waste management and reducing the amount of garbage that we produce in the territory. We produce a lot of garbage, and we really have to start getting that down. That is what this regionalization plan was. It was proposed by the Association of Yukon Communities. My predecessor certainly embraced it, and we have been working on it ever since.

We are close to getting regionalization agreements with the municipalities of the territory. Once we do that, some of these communities on the fringes — the satellite communities — near where the regionalization stations are will have their transfer stations closed, and the garbage will then go to the regional station and be transferred there.

Keno has been one of the communities that has talked about this a lot. They have really taken it on. We actually have a new arrangement with Hecla, the mining company in that

area. It has decided it will carry the waste from the Keno residents to the regional transfer station in Mayo. We are actually in the process of getting bear-proof garbage containers for Keno, and once those are in place, Hecla will start carrying the garbage to the regional transfer station for the residents of Keno.

The other areas that we were talking about — which included Johnsons Crossing, Silver City, and Braeburn — were necessary. As soon as we get those regionalization agreements in place, which is coming soon, then we will shut down those transfer stations, and the garbage will then go to the regional stations, which will help to minimize the amount of noxious chemicals, oils, and other garbage that we're seeing dumped without any oversight into some of these unsupervised sites.

Ms. White: I think that the minister and I have different ideas about what people in rural Yukon do to their landfill areas. Although I appreciate that the minister thinks that people are wild on the fringes of where they live and how they behave, I actually disagree. I would say that we see lots of dumping off roads in the City of Whitehorse, but here we are near a waste facility. So, it's good to know that there is an agreement being worked out between the Yukon government and Hecla for transferring the waste of the Keno City residents.

So, how does the minister imagine that, for example, senior citizens — or anyone, really, in the other communities, whether it be Johnsons Crossing — so knowing that they are more than 60 kilometres in either direction — so, 120 kilometres round trip to either Teslin or Whitehorse — or the smaller communities that would access the Silver City transfer facility. We understand the amount of traffic that Braeburn gets on average — not just the folks who live in the Braeburn area, but when we talk about the travelling public in the summertime.

So, how does the minister imagine that folks will get their waste to a regional facility?

Hon. Mr. Mostyn: I'm going to begin the answer to this question by disagreeing quite vehemently with the characterization that the Leader of the Official Opposition has just made about my supposed views about rural Yukon. I have been in rural Yukon and have travelled to all communities this year. I have met with mayors and councils. I have met with residents and I continue to meet with residents.

No, I'm not saying that they are, in any way, irresponsible, and that is not the point. The point is that we are working very hard to come up with a sustainable system that is really mirrored across the country and helps us to manage the colossal amount of waste that Yukoners are producing every year. This is important from a sustainability point of view. It's a responsible thing to do, it's good for our environment, and it is frankly a model that is used in most places in the continent. As a matter of fact, we are still very generous with the provisions that we put in place here to deal with garbage. I will say that it's part of this vision. We are modernizing facilities across the territory — that's what we're talking about — and we are investing in regional agreements with our municipal partners who ask for this and are investing in these facilities themselves. So, there will be fewer conduits for garbage, and when you take it there, you will have to pay to bring your garbage to these

regional transfer facilities. That's part of making people more aware of how much garbage they are producing and trying to get them to consume less and produce less garbage.

We're ensuring that waste disposal facilities have gates, adequate operating hours, similar tipping fees — so that there are not going to be other outliers, where you can get your garbage disposed of for cheaper, because we know that people will drive to those places where there are no tipping fees or places where they can dump their stuff without any cost or monitoring. We want to get rid of that system, and we want to have staff on-site at these regional transfer stations to monitor the waste streams and reduce the potential for environmental contamination. I was just talking to the Mayor of Mayo who just had an awful lot of waste — I believe it was oils — delivered — dumped — at their facility because it doesn't have a gate, it is not monitored yet, and they had a whole bunch of stuff dumped there, and they want that to end. I think we all should, here in this House, and that is really what we are talking about.

Places such as Keno, Johnsons Crossing, Silver City, and Braeburn — the investments — they are small places, and the investments — gates, adequate operating hours, tipping fees, and staff to monitor their waste streams — are just not viable in some of these very, very small communities. So, given the remote locations and small number of users, we are closing those transfer stations and adapting to a more sustainable solution — it was asked for by the Association of Yukon Communities — that we have been working on for years.

Now, we are, Madam Chair, just as we did in Keno, committed to working with residents at these locations to design reasonable solutions and to ensure a positive transition to the new service levels. This — in Keno's case, a mining company stepped up and said, We'll take your garbage to the regional transfer station for you. In other areas, we are going to talk with residents to see if we can provide bear-proof garbage bins — I have heard that up in Silver City — electric fencing to keep animal interactions down — again, I have heard that from some residents I spoke to in some of these smaller areas. Perhaps there is a trailer that we can provide that would make it easier for an individual to carry the small communities' garbage to the regional stations — and recycling bins, which will help reduce landfill waste.

We are continuing to work with these communities to come up with viable options that soften the blow of this transition to a sustainable and much more environmentally friendly approach to the enormous amounts of garbage that we are creating on an annual basis here in the territory.

Ms. White: I guess the minister and I might have a conversation about "reasonable".

It's interesting that the minister highlighted Mayo as having a problem, so Mayo is not one of the transfer facilities that's going to be shut down. The Mayo landfill — you drive in on the dirt road. There are signs with — toward the pits about where you throw things, but there is no gate right now. So, the minister's government has been talking about this for quite a while now, but there is no gate yet; it's definitely not people.

But if I was to look at Johnsons Crossing, I would tell you that there's an electric fence around a compound. There are garbage bins. There is cardboard recycling, and every time I drive past, I stop to go take a look, and I have yet to see the disorganization or the lack of regard that the minister has highlighted as being one of the problems.

So, when he says "reasonable" measures — so, right now, Johnsons Crossing, there are garbage bins. There is cardboard recycling. It's behind an electric fence. There's an electric fence. There's a cattle grate leading up to it. I know, in conversations with residents out in the Johnsons Crossing area, they've talked about, if it's gated, volunteering to be there and operating it when it's gated. I'm sure they would also collect fees. As it stands right now, the government pays to get it shipped. So, is the issue — is one of the issues that the minister has with it is that government right now is paying for the transfer of garbage, of waste, from these four areas to a closer facility? Because when we talk about Johnsons Crossing, it does have an electrified fence; it does have garbage; it does have recycling; it's well-maintained. Then I can look at the Mayo landfill, and they may have a fence, but certainly not in a way that I was able to see in the same way as Johnsons Crossing, and again, the garbage was thrown over the edge into a pit. So, can the minister help me understand, when he says "reasonable", what we're talking about when we talk about "reasonable" solutions?

Hon. Mr. Mostyn: Where to begin with that? First of all, we are working with all municipalities and with AYC to get the regional transfer stations up. I gave the example of Mayo not to shame them or to get them disparaged for their dump and everything else. The fact is that the municipality has the responsibility to manage an identified landfill site that is going to be a regional landfill station. When I have been up there with the mayor and officials from the Town of Mayo, they are proud of their facility. They work it very hard. It is a lot of work for them to do it, and they want to make sure that it's run efficiently.

They are fully engaged with the regional landfill system, and they want the gates, the gatehouse, the scales, the power, and the electric fences, which they have in place. They want it to be patrolled because they are running into problems. They fully support and really want to get on with the regional landfill system. The thing that is holding it up is trying to find some way to properly cost the existing environmental liability for these sites, which in some cases, I'm sure, is enormous. That is a huge process to do this. The municipality, in this sense, while we wait to get this thing going and the environmental liability assessed, is incurring greater liability and they are upset about it.

So, yes, I heard about it. I am not trying to shame Mayo. I know how much they like their landfill, how important it is for them, and how they want it run properly. They want this to happen, so we are working with them to make sure that they have the tools necessary. It is going to be hard. They have to hire staff to do it, and it's not easy for a small town to do that, but they are fully on board with it. Really, when I last spoke to the mayor, he wanted to fast-track this, and then, you know,

they got this dump at the site, which made them angry. Again, it underscored for them the need for these regional transfer stations.

The member opposite has talked about how some of these regional transfer stations are great. I will say that we are also getting complaints and pictures from people — the public — who are encouraging us to go out and clean up these sites — the very sites that the member opposite is talking about — on a fairly regular basis. They are asking us to do more to maintain some of these regional transfer stations because there is such a mess. There are two sides to this story. I'm sure that it sits firmly in the grey, but the system that has been floated by and endorsed by the Association of Yukon Communities — the one that we are working forward for — the vision — and have been for the last several years — the one that we are pushing very, very hard to get into place — I am grateful to the municipalities for their help on this because they are working very hard to get it in place, and we are hoping that we can make progress. It is the regional station, which means that these are places that are not supervised, that are generally very, very small community-run places where, on the way to X location, you can stop in and toss five barrels of oil or a bunch of paint or hazardous materials that you had sitting around in your basement for the last year, and you don't want to wait for hazardous waste day, so you go out, on your way to X location, and you dump it there. That's what we are trying to avoid.

Post-closure liability is an issue — as I mentioned, the environmental liability. We are incurring more liability — the more that we have places in the territory where you can dump stuff without seeing what it is.

We are a big place, but generally people do not dump where there is no garbage. If they see a place that is a little bit dirty, a little bit sullied, they don't feel quite as guilty tossing stuff there, because it looks like a place used for that. We want to get rid of those locations that are not supervised and start having supervised sites where people can actually discard their garbage in a controlled way that is supervised and managed — a system that is in place in most other places in the country and is proven to reduce our garbage and the amount of refuse that we create, that reduces our environmental liability going forward and makes the territory a better place to live and cleaner. That's the vision that we are following. I believe that is reasonable, and we are going to continue to follow that national model for garbage disposal here in the Yukon and start to bring some of those national standards to the territory.

Ms. White: Interesting take on the world — I guess we're both allowed to have our own opinions. What kind of support is the Department of Community Services offering municipalities that do not have the gates and stations at their regional landfills?

Hon. Mr. Mostyn: The simple answer is that we are funding it. We are putting in the scales, the fences, and the electrical, and that's really why we are negotiating with municipalities right now to come up with the costs involved with these things — and we are going to fund these regional landfills. That's what the Yukon government is doing.

Ms. White: That's fantastic news. So, when does the minister expect to do that work for the community of Mayo?

Hon. Mr. Mostyn: I can say that what we are doing is working with all municipalities — the Association of Yukon Communities. That is why these talks are going on, because we want to make sure that we don't have one-off deals with each municipality. We want to sit down together as municipalities as a whole and come up with a fair and equitable and consistent approach to funding these initiatives throughout the territory. So, we know this. We have done work up in Mayo already, and we are running hydro lines up there. I believe that we were talking about putting in a gatehouse up there. So, that work is underway.

In the larger scheme of things, we are working with AYC, with all municipalities, to come up with a consistent approach to municipalities across the territory so they know what to expect and how it is going to roll out. We don't want to do one-offs in each community.

Ms. White: So, I guess, with that answer, that there is no timeline — can't give me a date right now. It sounds like the minister is talking about trying not to have individual communities requiring different things. So, is the minister saying that when he is working with municipalities, there will be no recognition of the differences for those communities and the outlying areas that they serve?

Hon. Mr. Mostyn: The timeline is as soon as possible, and I will say that discussions are active right now. We want to get a system that works for all municipalities and that is relatively straightforward and that is fair and consistent. We are having these discussions with municipalities. As I said, the discussions are active. If there are regional differences — if there are regional accommodations in, say, Mayo or Watson Lake — that we have to deal with, then we will do so.

Those differences are being raised at the table when we are talking with municipalities on this issue, and we certainly recognize that there will be regional differences. We will accommodate them as those points come up at the discussions that we are having with municipalities that are currently underway.

Ms. White: I appreciate that the minister recognizes the differences between those municipalities. So, so far, the minister said that there has been a reasonable solution found for Keno City — that Hecla, the mining company, is going to take their waste. So, what reasonable solution has he come up with for Johnsons Crossing, Silver City, and Braeburn?

Hon. Mr. Mostyn: I did answer this or provided some of the solutions that we are suggesting in some of these smaller places: provision of bear-proof garbage bins for residents, like we are doing in Keno; electric fencing to keep animal interactions down; a trailer to make it easier to organize or haul waste; recycling bins to reduce landfill waste. I heard that from residents in Silver City and other places; they wanted the right recycling bins; they were worried about the bears; they wanted electric fencing and perhaps bear-proof garbage bins for residents to use.

So, we're looking at all those things, and we're starting to incorporate some of those ideas in there. There are other

solutions that would be amenable, like in Keno. There is a mining company there that is looking to help residents, and they stepped forward. Those solutions will also happen in other regions.

I know that there are ongoing discussions in Silver City with the research station there. I don't know what the status of those discussions are right now. They have started to see what sort of services or support they might be able to provide when it comes to the closure of these transfer stations. So, there will be regional solutions there.

In the immediate term, we are looking at bear-proof garbage bins, electric fencing, and a possible trailer, if somebody needs to compile all the garbage from these little communities and bring it into the regional transfer stations. We are having those discussions with the residents in those various locations.

Ms. White: When does the minister expect to have those reasonable solutions decided for Silver City, Braeburn, and Johnsons Crossing? The announcement was made quite a while ago that those facilities would be closing down, so when does he expect his reasonable solutions to be rolled out in those communities?

Hon. Mr. Mostyn: The goal would be to coordinate that with the implementation of the regional transfer stations. Those regional transfer stations will start to come online, depending on how much infrastructure is needed to bring them online. We have talked about Mayo. There are some things to do up there. Once those transfer stations are open, those smaller transfer stations will close, and residents will have to start adjusting to the new reality of the regional transfer stations with the new regional model that we have.

Right now, the regional model is not yet in play, but I believe that with Keno, as soon as we can get the bear-proof garbage bins installed and up to Mayo — once that happens — then that system will start working, even though the regional station isn't entirely open in Mayo. So, the goal will be to key it to the opening of the regional transfer stations.

Ms. White: I would like to move on to the minister's paid sick leave for COVID-19.

Right now, if one goes onto the website and looks at it, as I am just looking underneath the "employer" aspect — because I think that it is quite clear there — the question says: "Does the employee need proof of a positive COVID-19 test result?", and the answer is: "The employee must declare to the employer that they have received a positive COVID-19 test result." The reason why I ask this is that it is pretty clear right now that it says — that this program is specifically about COVID, but in *Charting the Course: Living with and managing COVID-19*, it talks about how it is important to stay home when you have symptoms of illness. So, I wanted to know if the minister has any intention of expanding the requirements for the paid sick leave rebate that the Yukon government has in place until March of next year.

Hon. Mr. Mostyn: I believe that the existing paid sick leave program that we have talked about in the House, that I have mentioned, led the country, actually, in its implementation and its scope and actually served as a model for other

jurisdictions — another way that the territory led the nation during COVID. It is, of course, under the Department of Economic Development, so I think that the question is better directed to the Minister of Economic Development.

I can say that the fact that it was targeted during COVID has been recognized by our Cabinet, and we are starting discussions on that matter, but I think that question is probably better directed toward the Minister of Economic Development, who holds that program in his portfolio.

Ms. White: Then I will move on to an October 6 press release that came from the Minister of Community Services about making the truth and reconciliation day a statutory holiday. Can he fill us in on where we are at in that process?

Hon. Mr. Mostyn: The federal government, as we know, declared September 30 to be the National Day for Truth and Reconciliation. It commemorates the harmful history and legacy of Canada's residential schools and honours those who were lost and the survivors, families, and communities who continue to grieve.

In 2021, federal employees and workers in federally regulated workplaces in the Yukon, such as banks and telecoms, observed the day. It was observed by employees of the Yukon government and many Yukon government public-facing services, including schools and courts. This spring, we did engage with First Nations and the public to determine how best to commemorate the day in the years ahead. The "what we heard" National Day for Truth and Reconciliation report was made public in September of this year, just a few months ago. We received a number of thoughtful suggestions on how to meaningfully recognize the day, and we're reviewing our options. One of the things we heard from the public and from First Nations was that they wanted the name of the day changed from "National Day for Truth and Reconciliation" to something else.

So, we are working on that right now. We also know that there are a number of legislative changes we have to make within the Yukon government to make this happen. I directed the department to start work on that bill. The work on that bill is expected to be completed this spring so that we can get it before the House so we can actually have this day recognized in time for the actual date in the fall.

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 Vote 51, Department of Community Services, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Hon. Mr. Mostyn: I just wanted to clarify my statements. I got a little bit garbled in my last remarks on the previous question.

I was speaking about our public consultation on truth and reconciliation day, and I referenced a name change. That was actually for National Aboriginal Day, which is June 21. People in our consultation process mentioned they would like it changed to "National Indigenous Peoples Day". That's the change that went on. It came out of that consultation we had.

Ms. White: I appreciate the clarification.

During the briefing, we were handed a map from the officials that said: "2022 fires of note in the Yukon Territory". I think it is really illustrative for folks to see the fires concentrated along assets — that being highways. At the time, I had asked if there was a willingness or a desire to share that publicly, and I just wanted to follow up with the minister to see if it is available on the website, and I say this only because I was not able to find it on the website.

Hon. Mr. Mostyn: There is no problem putting that map up on the website. The department is more than happy to do that. I am not sure exactly why it's not there, but we will try to get it up there so people can see it online.

Ms. White: It wasn't meant to be a criticism. I think the map is really helpful. The reason I think it is helpful is that it signals to folks how come the cost of wildland fire management was as high as it was this year, and I think it just helps us understand where we are and what the future looks like.

One of the questions I have around that is this: How many individual people did the Department of Community Services hire this year to be front-line wildland firefighters?

Hon. Mr. Mostyn: The Yukon has 75 initial-attack firefighters in regional bases across the Yukon and another 40 staff managing crews and aircraft, leading prevention programs, and providing logistical support. We also have a 20-person-unit crew from Yukon First Nations Wildfire.

Ms. White: How many folks came from out-of-territory to support this year's fire management efforts?

Hon. Mr. Mostyn: We had support from 297 folks from other jurisdictions.

Ms. White: That is a significant change from just the 75 and then the 20 from First Nations Wildfire. So, out of those nearly 400 people, how many hours does the minister expect that wildland firefighters spent on the front lines of fires this year?

Hon. Mr. Mostyn: At the moment, we don't have that statistic at hand.

Ms. White: Then I guess the next question would be: Did the fire season last for days or did it last for weeks? Can he give me a ballpark about how long the fires were burning and then fought on the ground?

Hon. Mr. Mostyn: We have a defined season in the territory for our wildland fire folks. They get paid whether there are fires or not. It begins April 1 and we start to let crews go at the end of August. There are some crew leaders who stay on a little bit longer to do the logistical support and wrap-up at the end, but generally it's April 1 to the end of August.

Ms. White: I thank the minister for that.

Knowing that Yukon employees — let's say 95 people — who would be on the front line of fighting fires but had to call in initial support of 297 — would the minister say that the fire season was severe this year, was it moderate, or was it low? How would he classify this year's fire season?

Hon. Mr. Mostyn: This season, the Yukon experienced about two and a half times the average number of wildfires. There were a total of 270 fires by mid-July. In my opening remarks to this discussion in Committee of the Whole, I believe I said that it came on like a lion, and then I didn't say that it went out like a lamb, but that's sort of what happened. It came on really hard and required some support from down south and then later on it petered out.

Ms. White: I thank that minister for that description. That it came in like a lion is probably pretty relevant. So, when folks were on the front line of those fires, would the minister describe that as like hanging around a campfire, or would it be something more severe than that?

Hon. Mr. Mostyn: I can see where this is going. There are a range of potential risks in responding to wildfires, and so creating and promoting a safe work environment and preventing workplace injury and occupational illness is a key component of Wildland Fire Management's mandate. The goal is to prevent injuries up front. We don't want people getting sick or injured, so that's where we put a lot of focus. That's certainly the approach taken by workers' compensation as well.

Wildland Fire Management designs and delivers a broad range of training specific to developing and maintaining employee expertise in fire response and fire management with an annual budget of approximately \$250,000. Many wildland fire managers and staff are specifically trained to deliver mental health training such as the Working Mind First Responders, which focuses on destigmatizing struggles with psychological health and well-being or challenges in response to traumatic events. The fire operations joint health and safety committee is made up of management and staff representatives with a mandate to monitor and improve workplace safety, including promoting a health and safety culture to prevent workplace injury and occupational illness.

Any workplace health and safety issue, hazard incident, or accident that may arise is reported and investigated, and corrective action is taken and applied consistently across Wildland Fire Management. Workplace safety officers are also trained to provide health and safety oversight on large wildfires, assessing potential risks to workers with daily situation reports, fire behaviour advisories, and weather bulletins to ensure that employees are informed of potential risks as they develop.

Employees are encouraged to access the employee family assistance program as well as other corporate training and personal development opportunities, such programs offered through YGLearn. We also make sure that our employees have the proper PPE to mitigate any potential exposures or risks that they might experience on the job.

Ms. White: I appreciate that the minister found the path that we are going down and it only took a couple of questions to get us there.

The next question that I have — since we made changes last year to the *Workers' Safety and Compensation Act* — at the time, I was trying to bring forward amendments to include wildland firefighters and presumptive cancer once the WCB appeared as witnesses last year. I had actually asked: Have they had a conversation with Wildland Fire Management? At the time, they said no, and then they came back and said yes. So, has the minister had conversations with his own employees within Wildland Fire Management around their thoughts about presumptive cancer coverage?

Hon. Mr. Mostyn: I want to repeat what the Workers' Safety and Compensation Board officials said at the very opening of their remarks here. If somebody gets sick or injured on the job, they are entitled to compensation — period, full stop.

We have had the discussion about presumptions here in the House. The legislation that we tabled in the House is among the top pieces of legislation in Canada, and perhaps even in North America, in terms of how far it goes to improve safety and coverage for workers who find themselves in the horrible position of being injured or falling victim to some sort of workplace illness as a result of their work on the job. But they are covered.

The member opposite and I have had these discussions now for a long time, and I know that we have a difference of opinion on this. At Community Services and the Wildland Fire Management team, we take safety very seriously.

We are doing all that we can to keep our workers safe and well-equipped to deal with the situations that they find themselves in on the ground in the territory every summer fighting fires. As I said — as my officials and I have said in this House many times — if there is evidence to support presumption going forward for Wildland Fire Management in the territory, we would look at that. Currently, there is no evidence to suggest that they are exposed to any pathogens that might cause the types of illness that the member opposite is alleging or fighting for, and were we to actually give them a presumption, there would be an obligation on the part of Community Services to start to equip them with the proper PPE to prevent that, and that would probably be very onerous on folks working in the territory every summer fighting wildfires to prevent illnesses that frankly there is no evidence to suggest that they are exposed to and if, in the future, they were actually unfortunately to succumb to something like that, they would be covered by workers' compensation.

Ms. White: So, my question was: Has the minister spoken to his staff within Wildland Fire Management around presumptive cancer coverage?

Hon. Mr. Mostyn: I have spoken to staff at Wildland Fire Management on many occasions. They have never brought this issue to my attention.

Ms. White: Has the minister asked?

Hon. Mr. Mostyn: I have spoken to staff at Wildland Fire Management on several occasions thanking them for the work that they have done. I have not had that question posed to me once. I have heard lots of things, but it is not an issue that

has come to my attention through the wildland fire folks I have spoken to.

Ms. White: I will just try one more time. Has the minister asked the question? That was the last two times I have asked the question. Has the minister asked the question of the people at Wildland Fire Management?

Hon. Mr. Mostyn: I will say once again that I have had many conversations with folks at Wildland Fire Management. I have had many conversations with folks at Yukon First Nations Wildfire as well. This issue has not been brought to my attention by any of the staff.

Ms. McLeod: I look forward to the conversation with the minister with the help of his officials, of course.

I wanted to start off by talking about one of our favourite topics, which is land development. I want to start off with talking about Whistle Bend. In early July of 2021, the minister cancelled the tender for phase 7 of the Whistle Bend development, which had serious impacts and delayed the release of building lots. Last year, the government was supposedly on track to tender phases 7 and 8 in December or January of this year. At the time, phase 9 was scheduled to be tendered by early summer of 2022 and phase 10 targeted for January of 2023.

For those four phases, can the minister provide the details of the new schedule of release for each of these phases?

Hon. Mr. Mostyn: I'm happy to continue the discussion about all that we're doing to get land developed for citizens of the Yukon. This is an issue that's important to Yukoners — I have said that, as well — and it's an issue that's going to require years of work and required years of work before 2016 — that didn't happen. So, we have fast-tracked and worked very, very hard to get money into lot development throughout the territory. I said in this House before and I'll say it again: As we move the territory forward, we are investing more than \$30 million this year in lot development. That compares to \$7.7 million in the Yukon Party's last year in office. It compares to \$6 million a year in lots.

The reality is that the territory did not do enough years ago to keep pace with demand, so we have had to work incredibly hard to overcome the deficit we inherited, and we have done that work. We have built strong, collaborative relationships with municipalities, with private landowners, developers, and First Nation partners across the territory to speed up the development of lots and homes in the Yukon. We have been working with First Nations — not against them — to make sure that we advance the territory's interests, and land is another one of those areas where we're working closely.

So, we are working hard to increase the supply of lots in Yukon communities for housing, as well as business and economic development opportunities. We have made the historic investments I spoke about in housing and lot development across the territory. This year's budget, as I said, includes more than \$30 million for land development across the Yukon.

In the last two years, municipalities across the territory have issued almost 1,300 permits for residential construction. That is a significant increase over the historic average —

significant increase. Over the last four years, we have seen the addition of more than 1,000 new homes in Whitehorse, which is a 60-percent increase over the previous four-year period. Residential investment has reached record highs in the Yukon, with \$267 million in residential investment construction in 2021, which shattered the 2020 record of \$200 million. In the coming years, our goal is to develop a thousand new residential lots across the territory. That was our commitment in our platform before the last election, and we are continuing through with that.

In Whistle Bend, there are more than 200 lots: phase 6B, 101 lots; phase 7A, 86 lots; and phase 8 has 16 lots. These have been completed this year and will be available to builders for the next building season. Now, I was questioned about this earlier this afternoon by the Leader of the Official Opposition — the Leader of the Yukon Party. I went into what happened with 6B. Really, all we are waiting for is to do one week of paving, so those lots are going to go out to lottery and will be available for people to buy later this summer.

We are also advancing design on multiple phases at once to have more phases tender-ready and to allow more flexibility with tender releases. We are targeting phase 9A and the lift station for this fall and phase 12 early in 2023 for target completion in the fall of 2023. Storm water work and various landscaping work will be tendered this fall and winter. Phase 9B and phase 13 will be tendered later in 2023 for target completion in the fall of 2024.

So, we are talking about phase 6B. This year, we will get 200 lots out to lottery, and that includes 6B — 101 lots. The one caveat on that is that we ran out of time this summer, this fall, to finish the paving work on 6B. That work will be finished first thing next spring to allow the builders to get onto the sites to start building those lots.

Ms. McLeod: First of all, I would like to clear up the budgeting amount that the minister referenced again today as being over \$30 million. Now, earlier this year, in spring, the minister — on several occasions — said that it was "\$26 million", and earlier today, in fact, the Minister of Energy, Mines and Resources said that it was "\$30 million". So, can we start by finding out what the real number is?

Hon. Mr. Mostyn: Let's just agree that it is five times what the Yukon Party spent on their land in their last year in office — so, five times what the Yukon Party spent in 2016. We can agree on that, perhaps.

In the mains, this year: Land Assessment/Planning — \$3.8 million; Rural Residential — \$13.6 million, if you're rounding; Whitehorse Residential — \$13.3 million — that is more than \$30 million.

Ms. McLeod: Of course, I wasn't adding that up, and I wonder if the minister has a total for us.

Hon. Mr. Mostyn: The three numbers that I just read to you — \$30.6 million.

Ms. McLeod: Now, earlier this spring, of course, \$26 million was the number being relayed to us here in the Chamber, and \$13 million of that was for Whitehorse development and \$13 million was for rural development. So,

will the minister confirm what the breakdown is with the new numbers?

Hon. Mr. Mostyn: So, unfortunately — and I mean no disrespect — the Yukon Party has been proven unreliable when it comes to numbers and what they say in the House so often. So, I don't know what happened before, but let me clarify it for the member opposite this afternoon: \$13.295 million for residential development in Whitehorse; \$13.562 million for residential development in rural Yukon; and \$3.82 million for land assessment and planning to make sure that all of this lot work gets done and put out to tender. So, that's the total — \$30.6 million, I believe, was the total that Bill just provided me. That's the number that we are talking about this afternoon. That's more than five times what the Yukon Party spent in their last year of office, and actually, it's a lot of money. We are working to make sure that we get lots out to the public, and this year, we have 200 lots that will be going before builders by the next construction season. That's on point to build the 1,000 lots that we promised to build in our platform. That's the work that we are doing to make sure that Yukoners have a place to live in the territory.

Ms. McLeod: Of course, if the minister brought correct figures to the House to begin with, we wouldn't have had this conversation. I just want remind the minister that if he wants to talk about information that is not quite correct, I'm sure we could do that all day long.

The minister said that he would have 200 lots out this year, and I am kind of wondering what he considers to be "this year", because clearly the 101 for phase 6B, the 86 for phase 7 — and I couldn't quite hear if it was 15 or 16 for phase 8 scheduled to be out in 2023, which is not this year; I presume that it is next year. In fact, the minister referenced "later this summer", so I presume that means later in the summer in 2023.

The minister also said — and this is where it might get a little confusing — that phase 9A was going to be tendered this fall. Phase 12 would be tendered in the fall of 2023. We presume that phase 9A has already been tendered if it was going to be tendered this fall. Then the minister went on to say that phases 9B to 13 — and I'm not sure where phase 12 comes in there because that's 2023 — were going to be in the fall of 2024. Maybe the minister can just confirm those dates that he gave me.

Hon. Mr. Mostyn: I will say again that we are targeting phase 9A and lift-station tenders for this fall and phase 12 early in 2023 for target completion in the fall of 2023. I think the takeaway here is that we are targeting phase 9A and phase 12 to be tendered for completion in the fall of 2023. That is really the number that you have to keep an eye on. We have two phases of construction that we are hoping to have tendered and completed by the fall of 2023.

Storm-water work and various landscaping work will be tendered this fall and winter. Phase 9B and phase 13 will be tendered later in 2023 for targeted completion in the fall of 2024.

So, following the completion of work for phases 9A and 12, which will be completed in the fall of 2023 — so that work will be done in 2023 and then the lots will be tendered. We will

go through a lottery system, and it will be available for building in the spring of 2024 — just to be clear — just like the lots that we did this summer in 2022 will be available to builders in the spring building season of 2023. Then phase 9B and phase 13 will be tendered in 2023. They will be completed in 2024. So, those lots, whenever they are tendered — the goal, though, is to get them done by 2024, and then they will be built in 2025, just like the lots that we built in 2022 are built in 2023.

I will say that the missing phases — that would be 10 and 11 — because of the situation — the way that the work is situated in Whistle Bend — it's easier for us to continue on the work to 9B and 13 because of their situation on the site, and the other two phases will be pushed off because they are in a different location. They are in a whole new area of Whistle Bend. To make it seamless and to make it easier for the construction companies to continue the work and get it all done for lots to be available in 2025, then we are going to continue and move on to the phases as I have laid them out, as opposed to going to 10 and 11, which are phases that are in a new area of Whistle Bend.

Ms. McLeod: So, phases 10 and 11 are pushed off to a future date. Does the minister have any kind of time frame on that?

Hon. Mr. Mostyn: Once Whistle Bend is completed, it will include 15 phases total and more than 2,000 lots, and it will represent more than \$300 million of investment and economic benefit for Yukon contractors and businesses. It is the foundation for the growth that we are going to see over the next few years.

The goal is to have the final phases of Whistle Bend in 2028-29, so that is when we are wrapping it up. That's when the lot releases for the last phases will come to fruition — in the year 2028-29.

Ms. McLeod: Is the minister or the department having any conversations with the City of Whitehorse as to next areas for development?

Hon. Mr. Mostyn: We are awaiting the finalization and passage of the official community plan, which identifies the next areas of development in the City of Whitehorse. That is important work, and I am waiting for the passage of that official community plan so that we can see in vivid detail where they are going to build the next subdivisions.

Ms. McLeod: The City of Whitehorse, along with the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council, are currently working together on the Valleyview south master plan within the area that we all know as the tank farm. What role does Community Services have in the planning of this land, if any?

Hon. Mr. Mostyn: The City of Whitehorse is an autonomous government in the territory. It is responsible for most of the activity within its borders. In this case, the planning work is being undertaken by the City of Whitehorse and its private developer. We are there, of course, to support in any way that we can, and if they call on us, we will certainly be there, but the whole planning process for the tank farm is really a City of Whitehorse initiative and they are carrying it out. They

are a responsible government and we are just there to support if we are called upon.

Ms. McLeod: Now, if the City of Whitehorse called upon Community Services for support, what does the minister anticipate that would look like?

Hon. Mr. Mostyn: That is a purely hypothetical question. They haven't called on us for support yet. They are doing their work. Normally in Whitehorse, the Government of Yukon usually acts as a developer for the City of Whitehorse. In this case, they have a private developer doing this work, and so we are not that involved in this project at this time.

Ms. McLeod: Back in the spring when we were having a discussion on rural lot development, the minister said that in fiscal year 2021-22, five lots were released in rural Yukon — two lots in Dawson and three in Mayo. The minister went on to say that in 2022-23, which would be the year that we are now in, 20 to 45 rural lots would be released. So, can the minister update us on that, please?

Hon. Mr. Mostyn: Rural — in the Whitehorse periphery, we have 12 to 14 lots; in Carmacks, we have three to five lots; in Dawson City, four to nine lots; in Haines Junction, seven lots; in Ross River, two industrial lots; in Mayo, two lots; in the Teslin area, 21 to 25 lots; in Watson Lake, six to seven lots; in Grizzly Valley, one lot; in Faro, one lot; and in Destruction Bay, one lot. That is a total of more than 50.

In Carcross, the environmental assessment work is wrapping up in early 2023 for a residential development area off Tagish Avenue in Carcross. The Land Development branch will initiate a planning process for this area and will engage with the Carcross/Tagish First Nation regarding a joint planning opportunity with their adjacent C-31FS parcel on Bennett Beach. In Carmacks, feasibility work for multiple sites and priority areas have been identified. We are working with the Village of Carmacks and Little Salmon Carmacks First Nation to advance joint planning of a country residential area. A six-lot, urban residential extension was tendered in July but received no bids. We are going to retender for 2023 completion and target three to five country residential in 2022 and six urban residential lots in 2023. In Dawson City, Dawson is leading the north end development, finalizing a hand-off of all project files to the city. The Moosehide slide monitoring system installation is underway and should be in operation soon. The Dome Road serviced residential development project master plan — council is awaiting a formal letter of position from Tr'ondëk Hwëch'in. I could go on. In Destruction Bay, there is a concept for Glacier Acres phase 2 complete and is holding for next steps. In Faro, we worked with the new CAO and council to confirm land development priorities. We're working on three to six lot service upgrades and lot completions in future planning areas through the official community plan process. In Grizzly Valley, we're advancing rezoning and configuration of phase 3 lots, targeting 12 completions in 2022-23.

In Haines Junction, we have identified areas of interest as part of the official community plan. Project planning for urban, country residential, and industrial sites is underway. We are advancing feasibility and service upgrades of seven urban residential lots for target completion this year. We are targeting

the plan, design, and tender of phase 1 service for residential subdivision for construction in 2023.

In Keno, feasibility work for two to four lots is complete. It's on hold because of contamination and regulatory issues. In Mayo, there is country residential as well under the First Nation of Na-Cho Nyäk Dun. In Ross River, there is a zoning amendment recently approved for two new industrial lots. Environmental cleanup work led by the Department of Environment is underway and could allow for release in 2022-23. In Teslin, we are partnering with First Nations on lot development with the Teslin Tlingit Council. The Lone Tree subdivision is supposed to be completed soon. There are identified residential and industrial priority areas with the Teslin Tlingit Council and the Village of Teslin, and we are advancing feasibility and planning work.

So, there is a lot going on in rural Yukon as far as lot development is concerned.

Ms. McLeod: That was a most awesome briefing note, but I have to chuckle.

The question was: When the minister says that 20 to 45 rural lots will be released for sale this year — this year — what happened? How many were?

Hon. Mr. Mostyn: It really was — and is — an amazing briefing note. It goes into all of the things that we are doing here. I hope the member opposite gleans some knowledge from it — all the good work that the Department of Community Services and so many municipalities have put in on this file.

As I said in my previous answer to the member opposite, the work is done now. Those lots are going to be released and tendered for the next building season. That's the goal of the Department of Community Services. We build the lots in one year, and then we release them and put them out for lottery or for sale over the desk for the coming building season.

Ms. McLeod: Well, here's the thing. We come here and we listen to the minister telling us the things that he is going to do and that he is going to get done. "Great", we say. The minister did say that 20 to 45 lots were going to be released in rural Yukon this year. Now, I think it is fabulous that, down the road, some lots are going to be released, but we can only rely on what the minister tells us.

So, I hear from what the minister said that there are great things in the works, but nothing happened this year. Can he confirm that?

Hon. Mr. Mostyn: You know, I have just gone on and identified a certain number — not even all — of all the lot development that we have done in rural Yukon. It's quite amazing. I really do want to laud the department, the communities, and the First Nations for all their work addressing this issue that we have been working on collectively together to solve since 2016 when we came into office and inherited a woeful shortage of lot development in the territory. So, yes, when the member opposite talks about years — when you table a budget in the spring, a year is a fiscal year. I don't know if I need to remind the members opposite of that, but that's what we're talking about and that's what we are doing. We are getting lots out to the people of the territory. We are doing extraordinary work building relationships, building lots, and

building homes. Building relationships, building lots, and building homes — that is what we are doing. We are doing that because that is what Yukoners elected us to do, and we take it seriously.

It's a lot of work. It's a lot of work for the department, for the contractors, for the municipalities, and for the First Nations. I'm not going to sit here in the Chamber and have it disparaged. That work is incredible.

It couldn't have happened without the relationships and the new approach to governing that we brought to the territory. I am not going to apologize for that. I am going to celebrate the work that has been done, and I look forward to seeing those lots being sold through lottery and across the desk of the lands branch of my fellow colleague at Energy, Mines and Resources in the coming months.

Ms. McLeod: I thank the minister for confirming my statement.

I am going to shift gears here a little bit. We have raised this before with the minister, and it has to do with the flooding situation and the residents of McConnell Lake. We had asked the minister previously if he would meet with the people at McConnell Lake to try to come up with some solutions for them. I wonder if he has done that.

Hon. Mr. Mostyn: I'm not going to go over my opening remarks to this, but I think that it's important to set the table here this afternoon. In 2022, the Yukon experienced a record-setting snowpack across all watershed basins creating persistent and widespread high risk of freshet summer lake flooding and high groundwater tables. The year 2021 made everybody stand up because it was so visible — the flooding that happened in Marsh Lake and Lake Laberge and the Southern Lakes. But 2022, in some ways, was worse. It was all over the territory, and a very small crew — we talked about 75 people in EMO, but it's a very small crew and they were dealing with substantial flooding across the entire territory this summer — unprecedented. In response to the widespread flooding and critical infrastructure impacts across the territory, the emergency coordination centre was activated from June 9 to July 15, 2022.

As I just intimated, different than other years, flooding was seen through a number of areas across the territory, and this provided additional challenges for a coordinated response and required responders to support 13 communities in total across the territory. Overall, 113 government personnel, 286,000 sandbags, and 6,350 superbags were deployed to support communities and protect infrastructure during this year's flood response.

Of course, I want to thank First Nation officials, municipal officials, local advisory councils, contractors, residents, friends, and neighbours for their collective response to the 2022 flood season. It was absolutely extraordinary and it continues to be because, just when we expected everything to go back to normal — to have low water in the Southern Lakes — we saw the water start to come up and up and up and up and up again to almost peak levels in October and November — never seen anything like it before — unprecedented.

Now, I could draw a hard line under *Our Clean Future*, the Yukon's nation-leading climate change action plan that we initiated with measurables and everything else to try to protect Yukoners, to take action against climate change, and to make sure that we had measurables for folks in the territory — work that was not done in the past — not like this. We took action on this because we saw these floods and fires, and we know how important it is to Yukoners. So, yes, it was an extraordinary flood season in 2022, just like 2021 was an extraordinary flood season, and 2022 continues to be an extraordinary flood season because we are seeing the numbers spike at the end of the season.

Now, the member opposite was asking about McConnell Lake, an issue that I did deal with on the floor of the Legislature not long ago, and frankly, nothing has really changed in the two weeks or so — three weeks — I don't know what it was; time sort of blends and warps in this Chamber — but we just dealt with that issue on the floor of the Legislative Assembly, and really, nothing has changed. We are waiting for an engineering report on the McConnell Lake flooding situation. We haven't received that report yet. It is challenging because of the terrain and the scope of the problem in that area affecting the 10 or so people living there. It is certainly dramatic, and I really empathize with those folks, because what they are seeing is challenging properties that they have sometimes had for a while, but we don't know why it is happening, and the scope — the terrain — the scope of the area at effect is really, really difficult.

So, we have hired an engineering firm and they are doing an assessment of that area. They are going to try to figure out what is going on, what can be done to fix the issue in that area, and EMO officials are keeping folks abreast about that report and when it is coming out, but once we get that report — as I said in the House before — I will meet with residents to sort of chart a way forward, but at this time, I don't have anything to say to the poor folks. I don't have a report in hand. I don't know what the problem is.

Once I know that, I am happy to sit down with them and discuss options going forward. Until that time comes, we have EMO officials dealing with the issues on the ground, which at this time, I would imagine, have sort of abated, unlike other places in the Southern Lakes where we are starting to see groundwater come up and threaten people's homes in October and November, which is really unheard of. I don't know what the effects of that will be in the coming months.

It was a challenging year — 13 communities. The team at CS worked very, very hard with municipalities and First Nations to deal with the logistics of supporting them in an absolutely unprecedented flood year across the territory, and yes, we are working with the 10 folks at McConnell Lake. Once we have the report from the engineering firm, we will certainly sit down with them and discuss options going forward.

Ms. McLeod: I want to thank the minister for his commitment to meet with those folks at McConnell Lake when the engineering report comes in.

I am going to move along and have a little conversation, I hope, regarding EMS. We, of course, have had many

conversations about EMS. And I was reading through the Blues from our last discussion on EMS, and I thought maybe the minister might want to confirm with the Member for Takhini-Kopper King, because this spring, on two occasions during debate with her, he said that there were eight paid staff in Watson Lake. Perhaps the minister just erred, because I know that, a few days before that, we had a much lengthier conversation and settled on the fact that there were 3.2 employees in Watson Lake. I just wanted to flag that for the minister.

There was a conversation at that time regarding the number of volunteers for EMS in the communities. This is what the minister said at the time: that in Watson Lake there were two; in Faro, eight; in Mayo, eight; and in Ross River, two. Now, we further talked about the hiring of a clinical educator who was supposed to improve the volunteer numbers, so I wonder if the minister can give us an update on how that's going. Have the volunteer numbers improved in our rural communities?

Hon. Mr. Mostyn: Again, I'm going to try to — because the Yukon Party has proven unreliable with numbers and facts that they are putting before Yukoners, so there is a lot of confusion. There is a whole bunch of confusion here, so let's try to clear this up for the member opposite.

Yes, indeed, the new staffing model provides funding equivalent to 3.2 full-time positions of additional employee-based coverage and funding to cover standby costs when volunteers are unavailable in Watson Lake. That's the 3.2. These positions — which can be broken out into full-time, part-time, or auxiliary on-call positions — provide paid coverage in Watson Lake for more than 10 hours per day, seven days a week.

What I said, and what I will continue to say, is that the resources aim to provide paid coverage in Watson Lake for 10.75 hours per day, seven days a week. Currently, this schedule utilizes four full-time positions, three AOC positions, and one casual position. Now, that's: Four plus three plus one is eight. So, eight positions in Watson Lake, but the funding allocation was for 3.2 full time — just so that the confusion is clarified there and the member opposite — so that's where we're at with that. That's where the numbers came from.

Now, volunteer recruitment and retention is key for sustainability of rural emergency medical service and fire service across the territory, and we have taken action to bolster our training programs aimed to attract new talent and develop the talent we have. This includes clinical educators with a community focus and improvements aimed to reduce administrative hurdles. We invest in training to ensure success; we work with our partners in communities to help us recognize, recruit, and retain community volunteer emergency responders, who have been working very hard to create those community connections — working together, as opposed to working at cross-purposes. That's one of the hallmarks of our government, and that's what we have been doing.

Contingency plans are in place for communities when volunteer levels are low. This includes drawing upon community members, allied response agencies, additional medevac capability, repositioning staff for coverage, and

utilizing local health care providers and the RCMP to help with local capacity needs. So, that's it.

We have put this in place because it wasn't there before, and we want to make sure that we provide that support to our Yukon communities. So, we put this in place, and I think it will bear fruit. Is it bearing fruit right now? It is, but it's going to get better and better. So, just so you know, Watson Lake has, as of July 27, 2022, six active EMS volunteers; Teslin has five; Tagish has five; Ross River has three; Pelly Crossing has three; Mayo has nine; Marsh Lake has 10; Haines Junction has 11; Faro has eight; Eagle Plains has two; Destruction Bay has six; Dawson has eight; Carcross has nine; Carmacks has five; Beaver Creek has five, and that's as of July 22, 2022.

Madam Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

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. 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: 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 sessional papers were tabled November 21, 2022:

35-1-78

Annual Report Yukon Housing Corporation — For the year ended March 31, 2022 (Pillai)

35-1-79

Annual report April 1, 2021 to March 31, 2022 — Yukon Liquor Corporation (Pillai)

35-1-80

Yukon state of the environment interim report 2022 (Clarke, N.)

The following documents were filed November 21, 2022:

35-1-113

Yukon Lottery Commission Annual Report 2021-22 (Pillai)

35-1-114

2021 Yukon Minerals Advisory Board Annual Report (Streicker)



Yukon Legislative Assembly

Number 100

1st Session

35th Legislature

HANSARD

Tuesday, November 22, 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, November 22, 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 a change made to the Order Paper.

The following motion has been removed from the Order Paper as the action requested has been completed in whole or in part: Motion No. 529, standing in the name of the Member for Copperbelt South.

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Mr. Speaker, it is great to have so many guests in the gallery today. I am going to ask us to welcome quite a few who are here for the tributes that we are going to give for the 50th anniversary of the Geoscience Forum, and in particular for the Leckie Awards.

We have, to begin with, Kwanlin Dün councillor, Jessie Dawson, and Whitehorse city councillor, Mellisa Murray.

We have two of the award winners today. We have Mr. Brad Thrall and Shane Carlos. From the Yukon Minerals Advisory Board, Wendy Tayler; from the Yukon Chamber of Mines, we have Stuart Murray, Anne Lewis, Brandon Macdonald, Pam O'Hara, Mike Burke, president Lorelee Johnstone, Andrew Carne, and the executive director, Brianne Warner.

From the Yukon Prospectors Association, we have Grant Allan and Carl Schulze. From the Klondike Placer Miners' Association, we have president Will Fellers and executive director Brooke Rudolph. From Energy, Mines and Resources, we have Meghan Michael, Hillary Corley, Jennifer Russell, and Alissa Sampson.

Could we welcome them all, please?

Applause

Hon. Ms. McLean: Mr. Speaker, I would ask my colleagues help me welcome some guests who are here for the tabling of the Yukon Child Care Board: the chair, Laurie Parker; board members Jen Bugg and Kristen Kennedy, and Sophie Partridge, the board's secretary.

Applause

Hon. Mr. Pillai: Mr. Speaker, we have a large group of folks with us today for the National Housing Day tribute. As I go through, I will try to make sure I identify the organizations

that everyone works with, but if not, I can say that everybody here is extremely passionate about housing.

To start, I want to ask my colleagues to welcome: Kristina Craig, executive director for the Yukon Anti-Poverty Coalition; Carol Legace, Yukon Anti-Poverty Coalition; Charlotte Hrenchuk, as well, with the Yukon Anti-Poverty Coalition; Kathy Walker, as well, with the Yukon Anti-Poverty Coalition; Helen Slama, Yukon Anti-Poverty Coalition; Caitlin Beaulieu, as well, I believe, with the same organization; Kabiri Ngeta, Deserine Grimes, as well, with the Yukon Anti-Poverty Coalition; and Joanne Doyle.

As well, from the Safe at Home Society, we have: Kate Mechan, executive director; Ahmed Jama, supervisor; Sam Smith, housing stability worker; Anthony Boisvert, referral and outreach; Eugenia Dadson, Yukon housing stability worker; Elske de Visch Eybergen, and Rachel Finn, administrative assistant with the organization.

Thank you all for attending today.

Applause

Ms. White: Thank you, Mr. Speaker — just to make sure that we acknowledge that Kristy Kennedy is here from the Yukon Geological Survey. Nice to see you, as well, Kristy.

Applause

Speaker: Tributes.

TRIBUTES

Unanimous consent re extending time limit allotted for tributes, pursuant to Standing Order 14.3 and notwithstanding Standing Order 11(6)

Hon. Mr. Streicker: Mr. Speaker, I request the unanimous consent of the House, pursuant to Standing Order 14.3 and notwithstanding Standing Order 11(6), that the time allotted for Tributes today may exceed the 20-minute time limit.

Speaker: The Government House Leader has requested the unanimous consent of the House, pursuant to Standing Order 14.3 and notwithstanding Standing Order 11(6), that the time allotted for Tributes today may exceed the 20-minute time limit.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

Are there any tributes?

In recognition of National Housing Day

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government to pay tribute to National Housing Day. In 1948, the *Universal Declaration of Human Rights* first documented the right to adequate housing, and in 1998, homelessness was first declared a national disaster. National Housing Day was established two years later. November 22 is a day to reflect on why housing is a cornerstone for people's wellness, while identifying the housing challenges that we face and the ways we can improve.

A home is the sanctuary that provides safety, comfort, and a sense of community — all things that we need to thrive.

I reflect upon over the 200 Yukoners who are actively homeless or precariously housed, the people whose homes are unaffordable or require major repairs. We know that there is no single organization that can address the housing prices alone.

I acknowledge those who have joined us in the Assembly, advocating for this human right and thank you for your efforts. It is through our collaboration, commitment, and hard work of our partners that we will work to end homelessness in the territory. This is not something to politicize, Mr. Speaker. I would like to recognize the efforts of several partners who continue to help Yukoners: Yukon Anti-Poverty Coalition for your work raising awareness and promoting actions to end poverty and homelessness by organizing a successful Poverty and Homelessness Action Week in October; the Safe at Home Society for advocating for those who are experiencing homelessness or are at risk of being homeless; I want to say a very special thank you to Voices influencing Change for their bravery and, again, the advice that they provide; and the NGO's housing navigators for your tireless work in supporting vulnerable Yukoners with advocacy and real front-line solutions; and the various levels of government, including First Nations, governments, municipalities, and the Canadian Mortgage and Housing Corporation for their work. Finally, I would like to express my sincere gratitude to all the other organizations, businesses, and individuals in our community who are working to ensure that everyone has a roof over their head.

The need for housing solutions is immediate. Together, we are working together on building a future that provides all Yukoners with the opportunity to have a home that is adequate, affordable, and suitable.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to recognize National Housing Day, which has taken place across Canada each November 22 since 2000.

Housing has been an important topic among Yukoners over the last number of years as prices have surged in housing — along with many other necessities becoming harder to find for so many Yukoners. We have seen a sharp incline to the population over the last number of years here in the territory. With that increase in people, we require an increase, as well, to a variety of housing stock in order to house them.

Many people still hold out hope to make their way into the housing market — to purchase their first homes, to move from their rental housing into their own investment. It's not so easy anymore. For some, it is becoming a more unattainable goal as years go on and rates and prices soar.

Increases to housing prices have put massive strain on the rental market in recent years. Housing has become all but affordable and the trickle-down effect of pricing has reached all levels of rental housing as well. There are over 500 people on the Yukon Housing Corporation's wait-list. This number has grown so much in recent years and there is no indication that it will slow down soon.

Growing up, I learned Maslow's hierarchy of needs. A roof over your head is a basic physical need, like food and water.

Without looking after our basic need, one cannot participate fully in society. The basic need of housing plays a central role in our lives as it affects who we become and what we contribute to our community. I know what I'm talking about as I came very close to being homeless as a single parent with three children. Until today, I'm very thankful for the two-bedroom rental unit in the basement of a building in Whitehorse. Living in that unit for five years helped me raise children who now contribute to society and allowed me to become who I am today.

So, yes, housing is an important topic for me. I will celebrate when the over 500 people on the wait-list are housed. Today, let this be a reminder that the need for affordable housing is as urgent as ever.

Applause

Ms. Blake: I rise on behalf of the Yukon NDP to pay tribute to National Housing Day. Today is a reminder to all of us here of everyone who struggles due to housing that is unaffordable, unsafe, inadequate, or non-existent.

I don't think we need reminders. The housing crisis is right in front of us. We know that, right here in our territory, there are individuals who are homeless. There are those who are couch-surfing — relying on friends or family for a place to stay. There are those staying at the emergency shelter, packing up their belongings every morning to return every night. There are women and children staying in unsafe and violent situations because they can't find a different place to live. There are people living in cars or, maybe if they are lucky, a trailer. To all those who do not have adequate, affordable, and safe housing, we see you. We will not stop fighting for you.

To all those working to make sure that all Yukoners have access to housing that is affordable and meets their needs, thank you. We appreciate you and the hard work that you do.

Housing is safety; housing is stability; housing is health care; and housing is a human right.

Mahsi'.

Applause

In recognition of the Robert E. Leckie Awards recipients

Hon. Mr. Streicker: I rise to pay tribute to the Yukon Geoscience 2022 Robert E. Leckie Award winners for exemplary performance in environmental stewardship. I had the honour of presenting the Leckie Awards at the 50th annual Geoscience ceremony yesterday evening. This year's Leckie Awards went to placer miners, miners who have gone above and beyond when it comes to reclamation.

Historically, placer mining left tailings piles with organics buried beneath larger cobbles, thwarting regrowth. Today's award winners are at the forefront, using techniques beyond what's required to encourage the regrowth of vegetation and the return of biodiversity.

Parker Schnabel and the Little Flake placer mine won the Leckie Award for excellence in environmental stewardship. This large-scale placer operation is wrapping up after 11 years of operation and stands as an excellent example of progressive

reclamation. Little Flake uses rock trucks and dozers to spread stockpiled organics over old tailings and stripping piles, providing a foundation for new vegetation. They also leave ponds in irregular shapes and varying slopes to better resemble the area's natural state. Little Flake reclaimed legacy placer impacts in surrounding wetlands. They also started a program to provide Dawson City youth with the chance to be placer miners for a day.

Guy and Lisa Favron, from Favron Enterprises, won the Leckie Award this year for responsible and innovative exploration and mining practices. They have also been hailed as leaders when it comes to progressive reclamation. They have been stockpiling organic material to not just reclaim their site, but also to clean up some of the area's historic workings. The Favrons pay attention to the details when it comes to reclamation, like keeping the stockpiled organics lumpy to help trap water and encourage regrowth. They were also the first placer miners to seek a forestry permit to allow them to use wood on their claim to heat their operations.

By the way, last night, Neil Loveless and the Favrons let me know that they were very proud to have been nominated for this award by Deputy Chief Simon Nagano of the Tr'ondëk Hwëch'in.

Mr. Speaker, I would like to briefly acknowledge the other Geoscience award winners. Prospectors of the Year went to brothers Shane and Luke Carlos; the Yukon Chamber of Mines member award went to Brad Thrall and Clynt Nauman from Alexco; First Kaska, led by CEO Jasper Lamouelle, received the First Nations in mining award; and Marty and Maryann Knutson of Tatra Ventures won the community award for that sweet swimming hole for Dawsonites.

Thank you to all of the nominees and winners for their fine work, and to all mine operators in the Yukon who respect and care for our land and our environment. Their contributions to responsible mining practices will inspire the Yukon's mining industry for generations.

Applause

Mr. Kent: On behalf of the Yukon Party Official Opposition, I want to offer our sincere congratulations to the award winners for the 2022 Geoscience Forum. As the minister mentioned, the annual Leckie Awards went to two placer operations near Dawson City. Parker Schnabel won the award for the reclamation work at the Little Flake placer mine and legacy areas mined by previous generations. Recognized worldwide for his role on *Gold Rush*, Parker has become a valued member of the placer mining community, and this award is a testament to his hard work and dedication.

Guy and Lisa Favron of Favron Enterprises received a Leckie Award for their ongoing reclamation work on their property at Sulphur Creek. Guy and Lisa and their team are tremendous people who give so much to the community. Whether it is their involvement with the Klondike Placer Miners' Association or serving on the Robert Service School Council, they truly make a difference for the people of Dawson City and the Yukon.

The Yukon Prospectors Association awarded the annual Prospector of the Year Award to brothers Shane and Luke Carlos, second-generation prospectors learning from their dad, Al, who won the same honour in the early 1990s. They are making a difference in the industry with their hard work and perseverance.

Now for the Chamber of Mines awards. Tatra Ventures has been awarded the community award for the reclamation work that has resulted in the new swimming hole south of Dawson City. The Knutson family has been recognized in the past for their outstanding reclamation work and are well-deserving of this honour. I want to thank them for their dedication to the community and to the environment. Congratulations on this award.

First Kaska and CEO Jasper Lamouelle received the First Nation award for their leadership in First Nation and industry partnerships. On top of developing a solar energy project to power Watson Lake, they are proving to be a reliable partner for many service and supply companies in the mining sector, and we look forward to seeing their continued growth.

Last but certainly not least, Brad Thrall and Clynt Nauman have been recognized with the member award from the Yukon Chamber of Mines, which honours mineral exploration or development activities in the Yukon. Brad and Clynt both arrived in the Yukon in the late 1990s to develop the Brewery Creek mine near Dawson City. Later, they started Alexco Resource Corp. and took over reclamation and development work at Keno Hill, which recently sold to Hecla Mining. Both have served with distinction on many volunteer boards to advance mining in the Yukon.

The Yukon Chamber of Mines, Yukon Mining Alliance, Yukon Minerals Advisory Board, the Centre for Northern Innovation in Mining at Yukon University, and I'm sure, more than one minister responsible for mines and Premier have all benefited from their experience and guidance. So, congratulations to all of the award winners and thank you for all of your contributions, and congratulations to the Yukon Chamber of Mines on a successful 50th anniversary Geoscience Forum.

Applause

Ms. White: The Yukon NDP add our voices in congratulations to the folks who are on the ground working and making a positive difference in the mining world in Yukon. The Robert E. Leckie Award was created in recognition of a true Yukon visionary and innovator in his field, a person who believed that planned reclamation, research, and cooperation would benefit government, industry, and future Yukoners alike. This award continues to be presented to those individuals and companies who share his values; those who believe their industry should excel in environmental stewardship, outstanding social responsibility, leadership, and innovation; and this year it is well-represented in the Klondike.

So, congratulations to the dynamic trio out of the Klondike — Lisa and Guy Favron, and Parker Schnabel, as we have heard — and anyone who has had a dip in recent years at the Knutson swimming hole near Dawson City understands how much this

family placer business has done, and continues to do, for their community. So, congratulations to this year's community award winner, Tatra Ventures, and thanks to the Knutson family for all that they do.

The First Nations award, honouring the contribution made by a Yukon First Nation individual, business, development corporation, or government for the advancement of a sustainable and responsible Yukon mining industry, of course, as we heard, goes to First Kaska and CEO Jasper Lamouelle. Congratulations to Brad Thrall and Clynt Nauman from Alexco for being nominated by your peers for exemplifying modern development practices and making a positive impact; and last, but certainly not least, instead of the Prospector of the Year, we could call them the Prospectors of the Year, are brothers Shane and Luke Carlos.

So, thank you to everyone who nominated your peers, and congratulations to the winners and all those who were nominated.

Applause

In recognition of Transgender Day of Remembrance

Hon. Ms. McLean: I am honoured to rise on behalf of our Liberal government in tribute to Transgender Day of Remembrance. Twenty-five years ago, Rita Hester, a black, transgender woman, was murdered in her own apartment in Boston, a tragedy that, at the time, received little to no recognition. In response to this injustice, November 20 was marked as a day to honour, mourn, and remember trans and gender-diverse individuals who have been lost to anti-trans violence.

Thank you to Queer Yukon for holding a vigil here in Whitehorse just this past Sunday. Transgender Day of Remembrance still exists because of Rita's story, and it's not unique — neither then or now. Transgender, two-spirit, and non-binary people continue to face significantly higher risks of violence and abuse, especially trans-feminine people of colour. There is no question that homophobia and transphobia continue to maliciously target individuals, as shown by the deadly shooting in Colorado just this last weekend.

It should not take the loss of lives for us to take action. During her lifetime, Rita Hester was not seen or valued by society. Today, I ask you to think about the transgender people we are still neglecting, to see value and protect right now. Transgender people deserve to be seen as valuable members of our society, because they are. I am so inspired by those who are making a difference and working to improve the well-being of trans people in our community, like Queer Yukon, All Genders Yukon, and the gender and sexuality alliances that exist in our schools.

However, we need more than just the LGBT community putting in the work. I encourage all members to reflect today on how we can each uplift and advocate on behalf of the trans community members who we so dearly love, because if anything has been made clear in these past couple of years, it is that the work is far from over.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to recognize Transgender Day of Remembrance, a national day of mourning that takes place each year on November 20 in memory of transgender and two-spirit people who have lost their lives to transphobic violence. Transgender Awareness Week takes place annually from November 13 to 19 in the leadup to Transgender Day of Remembrance.

Transgender people continue to face a disproportionate amount of stigma and discrimination based on their gender identity or sexual orientation. It happens here in our community, at schools, in the work place, and on the sidewalks. Sometimes that discrimination elevates to violence — physical or sexual — and has, unfortunately, resulted in fatalities. This is unacceptable as a community, as a country, as human beings — we are better than this. So, people have the right to feel safe and secure in their bodies, to live their lives without discrimination or risk of harm.

We will continue to work toward becoming a more inclusive community. This means a better quality of life for all those within it. Without dealing with the discrimination at all levels, transgender individuals remain at risk for higher rates of violence, mental health issues, and other complex challenges.

So, as a society, we must continue to work toward change. This change must come from the home, the classroom, our public spaces, and in our Legislature.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to recognize Transgender Day of Remembrance, which was on Sunday. It is a hard day every year. It was a particularly hard day this year, as we woke up to the news that there had been a mass shooting — a mass shooting in Club Q, a queer bar in Colorado — five people dead and 18 more injured. We remember those who died Saturday night: Daniel Aston, Derrick Rump, Kelly Loving, Ashley Paugh, and Raymond Green Vance.

We remember all the trans people who were killed last year — those who died at the hands of their partners, families, strangers, and police. We remember the trans people who died by suicide last year. I think of Alice Litman, who died after waiting so long for gender-affirming care that she gave up all hope. It has been a year of public attacks on trans people. The physical attacks at Club Q, and all through the year, were the predictable consequences of the political, legal, and social attacks. It has also been a year of fierce, determined community. I think of the bar patrons in Club Q, who fought back the gunman and prevented the deaths of many more people. I think of the gatherings across the world on Sunday, of people coming together in grief and rage, providing each other support and comfort and safety.

Today, we celebrate the trans community, and we remember those who have been lost. May they rest in power.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McPhee: I have for tabling the *Crime Prevention & Victim Services Trust Fund Annual Report 2021-22*, which is tabled pursuant to section 8 of the *Crime Prevention and Victim Services Trust Act*.

Hon. Ms. McLean: Today, I have for tabling the 2021-22 Yukon Child Care Board annual report.

Hon. Mr. Streicker: I have for tabling today a decision document from the Yukon Utilities Board, dated November 7, 2022.

Mr. Istchenko: I have a letter for tabling 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?

INTRODUCTION OF BILLS

Bill No. 305: *National Day for Truth and Reconciliation Act — English and French text*

Ms. Blake: I have for tabling a bill that contains what I believe to be true translation into French of the English text of Bill No. 305, entitled *National Day for Truth and Reconciliation Act*.

Speaker: Are there any further bills to be introduced?
Are there any notices of motions?

NOTICES OF MOTIONS

Ms. Blake: I rise to give notice of the following motion:
THAT this House urges the Government of Yukon to ensure that citizens in Yukon communities have access to social workers and mental health support staff.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to provide heavy-duty mechanic support to Old Crow to ensure ongoing water and sewer services.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Yukon gross domestic product growth

Hon. Mr. Pillai: I am pleased to rise today to discuss how Yukon led the country in GDP growth in 2021. Our territory's real gross domestic product growth increased from \$2.6 billion in 2020 to \$2.9 billion in 2021. That is a 10-percent increase. We have the fastest economic growth in the country, double Canada's overall rate of five percent.

For the most part, the country rebounded in 2021 after the widespread slowdown in economic activity in the early stages of the COVID-19 pandemic. While the rest of the country has improved, the Yukon's economy has recovered from the COVID-19 economic shock faster than any other Canadian

jurisdiction and continues to perform well as we move firmly into the recovery phase.

Government responded to the economic impacts of COVID-19 quickly, and those efforts have paid off. Our funding programs kept businesses open and supported sick employees to stay home. The Yukon continues to have the lowest unemployment rate in Canada — 3.3 percent in October 2022. There are many available jobs — 1,715 in August 2022, for an 8.2-percent job vacancy rate. The average wage offered for these jobs is nearly \$24 per hour. The population continues to grow, average weekly earnings are up, and retail sales are still strong and rising. The industries driving the Yukon's GDP growth in 2021 were mining at 34.4-percent growth; construction at 19-percent growth; and accommodation and food services at 13.5-percent growth.

The mining industry continues to be a critical driver of the Yukon's economy. We just had the 50th anniversary of the Yukon Geoscience Forum, highlighting the excitement and activity in the territory's mining sector, which has attracted the largest players in the world. The future looks bright for mining jobs in the Yukon, spinoffs for local businesses, and more partnerships that bring jobs and training to our communities. Additionally, the growing importance of critical minerals will continue to drive interest in the Yukon and be a unique opportunity for Canada's transition to a green economy.

Residential construction remains strong. In 2020, permits were issued for 657 new or converted dwelling units, up by more than 70 percent over 2019.

Tourism in the Yukon, as in the rest of Canada, has been rebounding strongly. For the January through August 2022 period, Yukon's Canada Customs crossings were over 100,000 — 134,965 — up 600 percent from the same period in 2021.

In closing, Yukon has the fastest growing economy in Canada, and the rest of the world is focused on the potential of Canada's north, now more than ever. We will continue to support initiatives that grow our economy for the benefit of all Yukoners and communities.

Mr. Hassard: The minister has decided to rise today in this House and talk about Yukon's gross domestic product and how it's leading the way in growth in the country. However, what he doesn't share is that, under the Liberals, government growth has led the way. Since 2016, there have been some 2,600 jobs created in the Yukon, but 2,400 of them are in the public sector, and only a couple hundred in the private sector. That's the real cause of growth happening under this government.

It's a testament to the resilience of the mining industry that they experienced so much growth from 2020 to 2021, and we would like to thank all of those involved in the mining sector for their perseverance.

However, we have raised the concerns of the mining industry in this House many times, which continue to be dismissed by this Liberal government. That's why we are very concerned to hear at Geoscience that we are not seeing very many new early-stage projects. The government reported that the number of companies and prospectors active in the Yukon

could drop to a 57-year low — a 57-year low, Mr. Speaker — of exploration projects in the territory, so the reality on the ground doesn't align with what the minister is selling.

Really, GDP and economic growth is all fine and dandy; however, Yukoners are talking about their growing grocery and heating bills. They are not talking about GDP. Once again, this shows how out of touch this minister and this government is with the needs of Yukoners. The people I talk to are concerned about the price of groceries and fuel, or the supply chain issues that mean they can't get children's medicine at the store. They are worried about the costs of basics for raising a family and keeping a home, the rising price of gasoline and diesel that they need to drive to work to help pay for the rising costs of raising a family and keeping a home, and the price of home heating fuel and firewood to keep those homes warm.

While the minister touts GDP growth, it doesn't match up to the reality that so many Yukoners are experiencing on the ground. It is, again, disappointing that this minister has lost touch with regular Yukoners. We can only hope that other actions will help Yukon's inflation crisis, since the government continues to swing and miss when it comes to everyday Yukoners and the cost of living.

Ms. White: Gross domestic product was not designed to assess the welfare or the well-being of citizens. The modern conception of GDP was a product of war. It goes all the way back to 1940, one year into the war with Germany, when a British economist was complaining about the inadequacy of economic statistics to calculate what the British economy could produce with available resources. It was designed to measure production capacity and economic growth during times of war. Still, here we are continuing to treat GDP as an all-encompassing unit to signify a nation's — or in our case, a territory's — development, combining its economic prosperity and societal well-being.

There is no denying that economic growth has raised living standards around the world; however, modern economies have lost sight of the fact that the standard metric of growth — that of GDP — merely measures the size of a nation's economy and doesn't reflect a nation's welfare. GDP takes a positive count on the number of cars that we sell, but does not account for the emissions that they generate. It adds the value of the alcoholic beverages sold, but fails to account for the health problems that they cause. It adds the value of the amount of stuff that Yukoners purchase, but doesn't take into account the waste that we are left dealing with. It celebrates the high prices of houses, but doesn't take into account sky-rocketing rents. GDP also fails to capture the distribution of income across society, meaning that it is becoming more relevant with the rising inequality levels.

Many large economic regions are looking toward alternative metrics to complement GDP in order to get a more comprehensive view of development and ensure informed policy-making that doesn't exclusively prioritize economic growth, because we all know that solely focusing on economic growth leaves many behind. In such an economy, GDP, which is rarely connected with the lives of average citizens, will cease

to take the centre stage. The focus would instead shift towards more desirable and actual determinants of welfare.

Instead of solely focusing on growth for the sake of growth, we think the end goal should be to have a more just and equitable society that is economically thriving and offers Yukon citizens a meaningful quality of life.

Hon. Mr. Pillai: I will do my best to respond to some of the comments from my colleagues from the opposition benches. First, it's important to state that, although I spoke today about GDP — I think if we go through a number of statistical data on the economy, you are probably going to find something within there where we're not in a leading situation. But I also think it's important just for Yukoners to be commended on this. The government can set some conditions, but, inevitably, it is being driven by private sector, it's being driven by investment — it's being driven by a number of different factors. We can sit and debate. I heard the comment from the Member for Pelly-Nisutlin — the 2022 figures concerning GDP and public administration — and the comment that it's all being driven by government growth. That's inaccurate. It's 23.1 percent for public administration — that's a fact. We have gone through the numbers. I've touched upon where mining is.

I appreciate the political back and forth and rhetoric around being out of touch, but, saying that there are no new projects in the pipeline in the mining sector and not understanding the notoriety around the Banyan company's projects — or Snowline — would lead me to believe that the member opposite is completely out of touch, because in conferences within Canada or conferences within North America this year, those pieces were — the Yukon was a leading part of the conversation. That was with global investors as well as investors here in Canada.

I also would say that, no, of course we're aware that it's just one measure. That's all we're saying. We can celebrate as a territory the fact that we're leading in all of these different categories.

We also know that they lead to pressures, and we have to take that into consideration. One thing that was led under the Premier — and to speak to the Third Party's comments — was the Canadian Index of Wellbeing. It is something that was launched. It is another measurement, and so it is not just about GDP. Again, there is a growing movement across the world to use "well-being" as a lens for decision-making, and the Government of Yukon is proud to support this approach.

In 2020, we launched the Yukon community well-being survey in partnership with the Canadian Index of Wellbeing and the chief medical officer of health. The survey received over 5,000 responses. The survey confirmed that Yukoners feel highly engaged in their respective communities; they feel connected and proud of where they live; and they can depend on their neighbours and community members to help in times of need. Yukoners have confidence in their institutions, such as police and health services, and they feel informed about what governments are doing to empower and effect change. This data also revealed some of the pandemic-related challenges being

experienced by residents, like growing rates and challenges around economic insecurities. But, again, that is also why we talk about the fact that there are over 1,700 jobs available right now for Yukoners in a variety of sectors — if they want to change what they are doing, or they want to pivot to something else to improve their quality of life.

With that being said, I want to commend our retailers. The numbers just came out again today in the retail sector, and we are seeing very significant growth in the retail sector. I want to thank those who are building and continuing to see an 18-percent increase in the construction industry from January to October — something that was sort of missed yesterday by the opposition comments. We will continue to invest in construction. We have deficits in affordable housing and infrastructure, and we have to make those strategic investments.

With that being said, just thank you to all who are leading — helping us to build an economy that is leading this country.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Mining legislation

Mr. Kent: I have some questions regarding licensing and permitting for mining projects here in the territory. So, the Minister of Energy, Mines and Resources has been boasting about the overall ranking of the Yukon in the most recent Fraser Institute report on mining. So, we sit ninth out of 84 ranked jurisdictions for overall attractiveness, which is better than the 23rd overall ranking that the previous minister achieved a couple of years ago. However, the report suggests that the high ranking is due to our geologic attractiveness. When it comes to policy perception, we rank 23rd — so that is dragging us down.

What work is underway to improve the policy perception by companies active in the Yukon?

Hon. Mr. Streicker: This past weekend, and ending today, is the 50th anniversary of the Geoscience Forum. I want to start by thanking the Chamber of Mines for its tremendous work in putting on this forum. It has been super well attended. The Department of Energy, Mines and Resources had a lot of meetings all day Saturday and all day Sunday with a suite of mines, with the Prospectors Association, with the Klondike Placer Miners' Association, with the Chamber of Mines, with the Minerals Advisory Board — with all sorts of folks — talking about the industry, including where we can do better.

Overall, I am happy to report that the feedback I got was that the Yukon is doing really, really well. We will, at all times, work to make sure that our regulatory regime is working as well as possible. We had our director of minerals branch there, who acts as the regulator, talking with the mining companies to assist. There was a lot of good dialogue.

Again, I will give a shout-out to the Chamber of Mines for a great Geoscience Forum and 50th anniversary.

Mr. Kent: I was kind of hoping for some concrete actions that the minister has undertaken to improve the policy perception that companies active in the Yukon have.

During the 2016 election when the Liberals released their platform, the Premier said that he wanted to get away from

making commitments that can't actually be accomplished. We would like to follow up on some important commitments that were made.

When it comes to mining, the Liberals committed to: "Examining the current mining assessment process to find ways to harmonize the Yukon Water Board processes within the *Yukon Environment and Socio-economic Assessment Act* framework". Can the minister provide an update on what work has been done to harmonize these two processes?

Hon. Mr. Streicker: The Yukon Party wanted some examples, and those are great examples. Thank you.

First of all, we have a *Yukon Environmental and Socio-economic Assessment Act* oversight group that has been working with First Nations. We are working to approach Ottawa with suggested amendments to the *Yukon Environmental and Socio-economic Assessment Act*. That is one of the ways in which we are working.

Successor legislation — that's another way in which we are working to modernize the mining regime here in the Yukon.

I just want to acknowledge the 22 First Nations — because we have transboundary First Nations at the table with us. We are about to move into the next phase, and I want to let Yukoners know that we are going to be coming out to talk to Yukoners around the successor legislation for quartz and placer mining acts, and this is an important piece.

Land use planning — there is quite a long list of the things that we are doing around mining to improve the situation.

But what I said in my first response — and maybe the member opposite missed it — was that we sat down directly with the regulator to talk through how that work is going and how we can assist those companies. I will continue to build on the answer.

Mr. Kent: I would like to share a quote that stood out to us that comes directly from the Fraser Institute report, and that quote is: "Sub-regional land use planning and new permit requirements have been recent impediments to exploration." That was taken from an exploration company president active in the Yukon.

This is obviously in reference to the Beaver River sub-regional land use plan, and the fact that it is coming on three years late, with no clear work plan to finish it.

So, is the minister planning any other sub-regional land use plans to deal with YESAB assessments of mining projects?

Hon. Mr. Streicker: The Member for Copperbelt South talked about the Fraser Institute. They do this work to try to judge jurisdictions across the world, to rank them, and, overall, the Yukon ranked in the top 10. By the way, the member suggested that the previous minister was at 23 — no, incorrect, unreliable again. It was number 18. These are good measures.

Yes, there is room for improvement — absolutely — but, overall, the Yukon is doing very well at mining. Do you know what I saw last night, Mr. Speaker? What I saw was First Nations there, at the awards gala, up presenting awards to mining companies, saying how well those companies are doing. That's a step forward.

Question re: Mining legislation

Mr. Hassard: Last year, the Legislature debated and passed Bill No. 5, entitled *Act to Amend the Territorial Lands (Yukon) Act (2021)*. It was essentially enabling legislation for the development of a regulation around resource access roads. At the time, the minister said — and I quote: “As I have already stated, we are in ongoing dialogue with First Nations and industry around it.”

We were under the impression that this regulation would be ready this past spring; however, it wasn't. Can the minister give us an update on the status of this regulation and when it will be ready?

Hon. Mr. Streicker: We had our first meeting with mining companies this morning at 7:15 a.m. This was one of the topics of conversation. The department, again, said to me that the resource road regulations are on track for next year. The spring of 2023 is the planned timeline.

I will say that, when it comes to amendments to the lands act, we have been moving along with that. Then the First Nations approached us just recently to say that they really appreciated the process that we had developed around the placer and quartz mining acts, and they have asked us to reset and use that process, where it's more direct engagement and direct involvement. We are happy to do that.

The resource road regulations are important regulations. I agree that they are important, and they are due out next year.

Mr. Hassard: The uncertainty of this has had impacts on the industry. In April, a junior mining company withdrew their application for class 4 work, citing the lack of this regulation as the reason, so there is some urgency to get this done. The minister said last year that there was ongoing dialogue with industry on this.

Can the minister tell us when public consultation will take place on this regulation?

Hon. Mr. Streicker: I agree, again, that this is an important regulation, as I stated just in my previous answer. I met just this morning with industry representatives to talk to them about this regulation and to talk about what it will look like. There comes a period, of course, when that work goes inside of government for a period of time, but we have been engaging — certainly informally all along. I am trying to think whether I mentioned it at every one of my 20 or so meetings with industry over the past weekend. It might not have been every one, but it was probably pretty close. We have continued to talk to industry about it, because we recognize that this is an important regulation. It will, I think, actually be a game changer, as I stood and said in the House when we passed the act last year.

Mr. Hassard: The question I asked was when public consultation would take place on this regulation.

Last year, my colleague asked the minister if he would consider referring this regulation to the Standing Committee on Statutory Instruments, or some other all-party committee, for a review. This would allow all parties to review it and ask questions.

We didn't get an answer from the minister back then, so can the minister tell us today, now, if the Liberal government would consider input from other parties on this regulation?

Hon. Mr. Streicker: I am happy to take the feedback from the members opposite — for example, from when we debated this bill, through Question Period, or through letters. I am happy to take that feedback, but they're talking about a standing committee that they never once brought to meet. So, it seems a little bit unreliable from them to now say, “Hey, let's use this committee”, which they never used.

Question re: Child and Family Services Act implementation

Ms. White: When the new *Child and Family Services Act* passed last spring, Yukon families and children were hopeful. This could have created real changes on the ground, but right now, it seems like things are at a standstill. In the eight months since this system was supposed to be overhauled, families have continued to suffer at the hands of the same system. We have heard from young moms who haven't been able to see their babies in months; from grandparents who are injured and still have no support to care for their grandchildren; and from children in care whose day-to-day lives haven't changed much at all.

Can the minister tell Yukon families and children when this act will be fully implemented?

Hon. Ms. McPhee: I think I have to challenge the preamble and the information put forward in this question — happy to hear from individuals who are having difficulty, should that be the case.

But the “genius” — can I say — the forward-looking, the initiation of the Yukon *Child and Family Services Act*, was the way in which it was drafted, and the way in which it came to this Legislative Assembly, and the way in which it was collaboratively done with Yukon First Nations — all Yukon First Nations, 14 of them at the table — and supported by them going forward.

As was noted during the debate with respect to this bill, there was already much of the work with respect to transition and new approaches being rolled out at the Department of Health and Social Services and with Yukon First Nations. So, I'm very concerned and would be very pleased to hear if there are individuals who are not having that experience.

The *Child and Family Services Act* is a leader in this country about how we will reconcile family and children's services issues.

Speaker: Order, please.

Ms. White: Often when we ask questions that have examples, we get told by ministers that people should reach out to them. Well, unfortunately, people only call the folks that they trust, so I'm not going to direct the people over that way.

So, the new *Child and Family Services Act* could have been a huge step forward. It should still be a huge step forward — one that families have been waiting for, for a long time, and as they wait, some of them are becoming collateral damage.

Some children have already been waiting for years for support after having been harmed in the system, and some

families have been separated for a long time and are hoping that this act may change something for them.

During debate last spring, my colleague spoke about the importance of not leaving people behind while the important changes this legislation will bring forward are being worked on. Many children will age out of this system without ever seeing the benefit of this new act. This limbo period is denying so many children the care and support that they deserve.

So, does the minister have a transition plan in place to cover the time until the new act is fully implemented, and will she make it public?

Hon. Ms. McPhee: In the event that there is someone who is collateral damage, and the member opposite is aware of that, I think the responsibility lies in them bringing it to our attention. That is absolutely unacceptable.

After Bill No. 11 was passed in this Legislative Assembly, the CFSA — the *Child and Family Services Act* — implementation working group was created to carry out the work of the *Child and Family Services Act* Steering Committee. This working group is providing policy direction and guidance on how to implement the *Child and Family Services Act* amendments. All 14 Yukon First Nations, the Child and Youth Advocate, and the Information and Privacy Commissioner's office have all been invited to join this working group.

We have been meeting with the working group monthly since May of 2022. The department is working to complete operational program policies to fully implement legislative changes to the *Child and Family Services Act* in preparation for the coming into force date in November of this year, which I recently signed.

Ms. White: It will be good for Yukoners to know that, when we write letters to the ministers on their behalf, it can take up to two months for a response to come.

For many children, this act came too late. Children and families have been harmed, sometimes more when in care than when they were at home with their families. Some of them have aged out of the system years ago with no support from the Yukon government. From abuse in group homes to poorly funded extended family care agreements, indigenous children especially have been told repeatedly that they are not worth being cared for, and none of them will benefit from the new act.

Will the minister offer financial and mental health supports to Yukoners who have already been harmed by this system as children, but have since aged out?

Hon. Ms. McPhee: What has been described by the member opposite in this question is exactly why two years of dedication and effort by 14 Yukon First Nations, the Department of Health and Social Services — as well as advice from others: as I have noted, the Child and Youth Advocate, the Information and Privacy Commissioner, and experts in the field — worked so diligently to get a new *Child and Family Services Act*.

The legislative amendments made to the *Child and Family Services Act* create a path forward that will work to reduce the number of indigenous children in care and improve outcomes for all children and families involved in the child welfare system.

There has been incredible dedication and support by the committee that worked on this new legislation, the working group on this legislative work, the drafters, and now the implementation committee. The collaborative work continues and has not gone unnoticed.

We have a *Child and Family Services Act* and the implementation of a new way of doing this work, collaboratively, with communities and with other governments, which will improve outcomes for our Yukon children.

Question re: Rural solid-waste transfer stations

Mr. Istchenko: Yukoners living in many rural communities have noticed a considerable reduction in services since the Liberal government took office. There is no better example of that than the reduction in solid-waste services and the closure of several waste transfer stations in unincorporated communities.

Since we have been asking this, the minister has consistently stated that consultation wasn't needed with these communities, because the Liberal government has consulted with AYC; but as these communities and AYC has pointed out, AYC does not represent them.

So, before the minister continues his plans to close transfer stations in unincorporated communities, will he agree to host public meetings in these communities to discuss other options?

Hon. Mr. Mostyn: What we are talking about this afternoon is how we can improve the way we handle all the garbage we create in this society. That's what we are talking about at its heart. Society creates an awful lot of garbage. Frankly, the territory has not dealt with this issue for far too long. The Association of Yukon Communities came to our government and asked us to please help them fix the way we deal with landfills in the territory. My predecessor, the Minister of Energy, Mines and Resources, took on that task, and I have inherited it, and it is very important.

Waste management is part of environmental stewardship, and the Yukon Party doesn't care about waste management — that's clear.

We have been working with partners to make waste management sustainable — to incorporate in the territory a model that is currently in use across Canada. We are not reinventing the wheel here.

What we're doing is putting the wheels on the car that hasn't had them for a very long time. Our government believes in responsible and sustainable waste management, and we know that responsible waste management will help protect our territory's environment for future generations of Yukoners.

Mr. Istchenko: What we're really talking about is reduction in services for rural Yukon. Under the Liberal government's plan, the communities of Johnsons Crossing, Silver City, Keno, and Braeburn will all see their transfer stations closed. That means that the residents in these areas will now need to drive their waste to regional centres — and, in some cases, hundreds of kilometres. For many in rural Yukon, this is just the most recent in a series of actions that the Liberal government has taken that have led to an overall reduction in services for rural Yukon. It has become clear to those folks

living in rural Yukon that the Liberal government's only concern is what happens in Whitehorse.

So, will the Minister of Community Services reverse course and start putting services back into rural Yukon?

Hon. Mr. Mostyn: Watson Lake, Teslin, Mayo, Haines Junction — these are the communities that came to us and said, “Please, please help us fix the way we’re dealing with regional waste.” We listened and we started down that path, and that path continues today.

The Yukon solid-waste management system was not sustainable under the Yukon Party, and it was necessary to take action. We heard that from the members of these communities, and we have taken action. Promising to keep these transfer stations open, as the Yukon Party has done, shows a lack of leadership in an era where waste per person is going up and our environment is paying the price. Waste per person is going up and our environment is paying the price. The Yukon Party does not support responsible sustainable waste management. They would have us go backwards and continue to allow illegal dumping across the territory. The Yukon Party would take us backwards. The Yukon can't afford to go backwards. Yukon municipalities from Watson Lake to Beaver Creek to Dawson to Mayo have asked us to please step up and change the way we handle our regional transfer stations. This Yukon government has done that.

Question re: 2 Lodgepole Lane concerns

Ms. Van Bibber: A continuing issue that is negatively impacting residents in my riding of Porter Creek North is the issue of 2 Lodgepole Lane. The property has become an environmental liability for the neighbourhood. It is, at times, used for criminal activity and it is a fire and safety hazard for the community. Despite the fact that the property is in the city limits, both the Department of Health and Social Services and the Department of Environment, as well as the RCMP, hold significant jurisdiction over the issues of this property due to the impacts on environment, health, and crime. I first raised this issue with the government in 2018, and, unfortunately, we have seen little progress.

What is the government doing to help resolve the issues at 2 Lodgepole Lane?

Hon. Mr. Clarke: There was a cross-jurisdictional meeting a number of months ago with the City of Whitehorse, the Department of Environment, representatives from the Department of Health and Social Services, the RCMP, and there may well have been other people meeting as well. This is a file where the City of Whitehorse has the lead. We have advised the city that, at this time, as far as the Department of Environment is concerned, it does not rise to the level of a contaminated site, but I certainly telegraphed to mayor and council that YG resources will be brought to bear, as necessary, and we will be a willing partner on this file. We recognize that it has been an irritant for the city for quite a while, but we are there to assist and the city is the lead on this file.

Ms. Van Bibber: Neighbouring residents have been raising these issues for years. Instead of answers or solutions, they are being bounced around from department to department,

and government to government. All they want is to feel safe when they come home at night. The Government of Yukon met with the city and the RCMP on August 4 to discuss responsibilities and obligations regarding 2 Lodgepole Lane.

What has the Government of Yukon done to resolve this issue since that meeting took place, and when can residents finally expect this issue to be dealt with?

Hon. Mr. Clarke: As I indicated, my officials and I were at that meeting and we are certainly open to a multi-jurisdictional response on this file. I have not had any requests from the City of Whitehorse coming across to my office in the last few weeks, recognizing, of course, that this is a property that has been an issue for quite a while and there probably should be some sort of enforcement occurring.

But, as I indicated in my previous response, there were representatives from the RCMP, the City of Whitehorse, the Department of Environment, the Department of Health and Social Services, and various officials, and there may have been other departments as well. So, we're on this, and we're prepared to assist; however, as I indicated, the assessment that I have received from my officials at the Department of Environment indicates that this does not rise to the level of it being a contaminated site. It is certainly, I understand, unsightly, but I certainly look forward to continuing conversations with the City of Whitehorse, with the mayor and council.

Question re: Wildlife harvest allocations

Mr. Istchenko: Since the Liberals formed government, the relationship between the hunting community and the Yukon government has never been worse. We have seen actions taken by the Liberal government that have reduced hunting opportunities for licensed and resident hunters in the Yukon, as well as new quotas for outfitters, all of which have had significant, adverse effects.

In the case of outfitters, we have seen businesses that have taken decades to build now being told that unattainable quotas are being put in place without adequate engagement by the department. These are businesses that make strong contributions to our economy and donate thousands of pounds of wild meat to communities, hospitals, and First Nation food programs every year.

So, will the minister agree to change course and ensure that wildlife management decisions are data-driven and are done through the established processes set out in the *Umbrella Final Agreement*?

Hon. Mr. Clarke: I think I can actually answer yes to the final question that the member opposite asked or put forward with respect to how I will be dealing with this matter, which is data-driven and in consultation with all stakeholders, including First Nation governments.

Outfitting is a valued industry in the Yukon that benefits communities by creating jobs, purchasing goods, and, in many cases, donating fresh meat. A few days ago, the member opposite asked a question about the outfitter guidelines to establish outfitter quotas. I can advise, Mr. Speaker, that the 1996 guidelines to establish outfitter quotas in Yukon set out

the process to establish moose, caribou, and sheep harvest quotas for outfitters.

Mr. Speaker, these guidelines are outdated, having been written prior to the ratification of numerous First Nation final agreements and do not — I said “do not” — reflect the very realities of Yukon’s land claims status or recent case law. Legal analysis of these guidelines indicate that they contain numerous recommendations that do not conform with the *Wildlife Act*, including the establishment of outfitter quota appeal committees. As it does not have legal authority to mediate quota disagreements, this matter rests with the Concession and Compensation Review Board as established in the *Wildlife Act*.

Speaker: Order, please.

Mr. Istchenko: I did ask the minister about quotas last week, and given the fact that some outfitters were assigned quotas for the first time, we received an unprecedented number of appeals, which created delays in the appeal process. That is what the minister said — responded to me. So, until recently, quota appeals and appeals to the Concession and Compensation Review Board were typically quite rare. But now, the new process that this minister has created is causing havoc in this industry. The surge in appeals and challenges has — in his own words — “been unprecedented”.

So, does this surge in appeals from the local outfitters raise any concern with the minister about what impact his flawed approach is having on this historic industry?

Hon. Mr. Clarke: I think that Yukoners generally would be interested to know that, of the Yukon concessions, there are four concessions that have never had any quotas whatsoever, and our position is that those concessions ought to have quotas that are consistent with a data-driven review of either abundance or conservation issues that exist in those concession areas. But, Mr. Speaker, just to be clear, those concessions have never — according to recent memory — had quotas. That is why there is a process. The outfitters have the appeal rights and we are going through that process, as one might expect when, as I indicated, these four concessions have never had quotas before. We think that it is fair, in keeping with the other 18 or so concessions in the territory, that all concessions have reasonable quota levels, based on our data-driven aerial surveys and other historical surveys, to maintain the abundance of wildlife for which the Yukon is famous.

Mr. Istchenko: So, as far as anyone who we have spoken to can remember, there have only been a handful of quota appeals, or appeals to the Concession and Compensation Review Board.

Now, in the short time this minister has been in the position, we have seen the number of appeals and reviews surge. By his own admission, this surge has been unprecedented, but it should come as no surprise. The changes he is making are threatening the ongoing viability of this industry. It’s not the least bit surprising that the industry would be pushing back however they can.

So, does the minister acknowledge that, in the short time he has been the Minister of Environment, he has created unprecedented havoc in one of Yukon’s oldest industries?

Hon. Mr. Clarke: Well, there is a significant geographic area in the Yukon — these four concessions that have no regulations whatsoever. I think Yukoners would be interested to know that there are four —

Some Hon. Members: (Inaudible)

Point of order

Speaker: Government House Leader, on a point of order.

Hon. Mr. Streicker: I think when members opposite say words like, “You don’t know what you are talking about”, while we are trying to listen to a response, it indicates disrespect for that response.

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

Mr. Cathers: The Government House Leader didn’t cite any of our Standing Orders. In fact, none apply in this instance. He can’t just invent Standing Orders.

Speaker’s ruling

Speaker: This is a dispute between members. Tempers are getting high here. Please civilize your comments.

Hon. Mr. Clarke: I think the overarching theme is that we all want sustainable harvest levels. Obviously, if there are no harvest levels, outfitters will not have a viable business model, either. That is the overarching principle that I am governed by.

As part of the review of the quota allocation process, the Department of Environment worked with outfitters to place all outfitters on quotas this year. Quotas are set to ensure that the wildlife harvest remains at sustainable levels, considering wildlife conservation, indigenous subsistence harvest rights, and resident and non-resident hunter issues.

Establishing outfitter quotas, in some instances, for the first time, is a complex process that requires balancing the rights and interests of outfitters, Yukon First Nations, and renewable resources councils. We will do this hard work, and we will get it done.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members’ business

Ms. Tredger: Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Third Party to be called on Wednesday, November 23, 2022. It is: 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 items standing in the name of the Official Opposition to be called on Wednesday, November 23, 2022. They are: Motion No. 519, standing in the name of the Member for Kluane; and 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

Speaker: Motions respecting committee reports.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion respecting Committee Reports No. 4

Clerk: Motion respecting Committee Reports No. 4, 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 Standing Committee on Rules, Elections and Privileges' Sixth Report, presented to the House on November 15, 2022, be concurred in; and

THAT the amendment to Standing Order 42 of the Standing Orders of the Yukon Legislative Assembly recommended by the committee, regarding the length of speeches in Committee of the Whole, be adopted.

Hon. Mr. Mostyn: My remarks this afternoon will be relatively brief. The Standing Committee on Rules, Elections and Privileges met to discuss this issue as an issue on our work plan. We are working to make the House more efficient and to actually focus debate during Committee of the Whole. We, of course, want to make sure that the House runs efficiently and that the people's House actually debates and discusses the matters of import to Yukon people with more efficiency. That is the spirit in which the Standing Committee on Rules, Elections and Privileges has drafted this alteration to our rules here in the House. I look forward to hearing other people's comments on this issue this afternoon.

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 yeas, nil nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion respecting Committee Reports No. 4 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.

Motion re appearance of witnesses

Committee of the Whole Motion No. 11

Hon. Mr. Streicker: I move:

THAT from 3:30 p.m. until 5:30 p.m. on Tuesday, November 22, 2022, Al Lucier, chair of the Yukon Hospital Corporation Board of Trustees, and Jason Bilsky, chief executive officer of the Yukon Hospital Corporation, appear as witnesses before Committee of the Whole to answer questions related to the operations of the Yukon Hospital Corporation.

Chair: It has been moved by the Member for Mount Lorne-Southern Lakes:

THAT from 3:30 p.m. until 5:30 p.m. on Tuesday, November 22, 2022, Al Lucier, chair of the Yukon Hospital Corporation Board of Trustees, and Jason Bilsky, chief executive officer of the Yukon Hospital Corporation, appear as witnesses before Committee of the Whole to answer questions related to the operations of the Yukon Hospital Corporation.

Motion agreed to

Chair: The matter now before the Committee is continuing general debate on Vote 7, Department of Economic Development, in 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

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

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

Chair: The matter now before the Committee is continuing general debate on Vote 7, Department of Economic Development, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Department of Economic Development — continued

Chair: Is there any further general debate?

Hon. Mr. Pillai: I just want to thank our officials who are with us here today, Justin Ferbey, our Deputy Minister of Economic Development, and I am also welcoming Michael Prochazka, our assistant deputy minister. I will make note of Mr. Steve Rose, retired assistant deputy minister — so, a full team here again today, which is great.

I think we have a few minutes left, just in the response, but I think, to make the best use of the time, I will just hand it over to the opposition and continue to provide information and answers to their inquiries.

Ms. Van Bibber: I also welcome the officials to the House this afternoon. I will jump in really quickly because we are limited and I would like to give the Third Party a chance to answer a couple of questions. I am sure that they are anxious.

So, during several Question Periods, we raised the issue of the dollar amounts spent on the Port of Skagway and Yukon's involvement. So, I would like to follow up with that now. We were told that the Department of Economic Development was spending approximately \$250,000 on a study in regard to the port.

Can the minister tell us a bit more about this investment? Why this is good for Yukon? Also, is this American or Canadian dollars? Is this going to be converted somehow? Has this ever been done before, where we have invested in an American community — outside of Yukon?

Hon. Mr. Pillai: The Government of Yukon recognizes the Skagway ore terminal as a valuable export option for the Yukon mining industry, facilitating access to international markets. We have had very productive conversations with the Municipality of Skagway in recent weeks. I will make note that the Mayor of Skagway travelled to Whitehorse. He was with us yesterday. He sat with us last night at the Geoscience banquet, and one of his technical team members was also here and sat with the team and the Minister of Energy, Mines and Resources. He was one of the individuals who was actually doing a presentation this morning on the rebuilding, I guess I would say, or the modernization of the Skagway harbour and waterfront.

Again, we are currently in talks with the community. This has been ongoing over the last number of years. We have been engaging with the community and engaging with the municipal representatives. It is an extremely important piece of infrastructure. There was a lease in place for a very long period of time. I want to say that it was — and I may be off a little bit on this number, but I think almost 40 years. That responsibility and control for the ore terminal was then going back to the municipality in March 2023.

As folks know, there has been significant growth in the cruise ship industry in Skagway. Because of that, there has been interest in more opportunities for cruise ships to berth. That has put more pressure on that particular area and on the existing infrastructure. So, as of last week, we were in a position where the municipality had a vote. It was really about if they were going to go forward with some very — I guess we could call it — “emergency” infrastructure work that they wanted to do. There was a vote where that occurred, and now what we see is that the current configuration will stay as-is until the fall of 2023.

Why is this important? Well, it's important because — and I appreciate that question — it's the access to tidewater for all of the critical minerals that are here in the Yukon. There are other options, but they are more expensive. They are more expensive for the supply chain. There is access and some capacity available in Stewart, BC, and there have been some upgrades to that port, but, overall, we are in a position where I think it is not only of significance to the Yukon, but also of national significance to this country that we have access to tidewater in Skagway.

As I have noted, there is a long history of the partnership between the community of Skagway and the Yukon, but there are also historical liabilities that exist there and impacts that have not been reconciled. Yukoners are aware that there is a very substantial remediation program going on in Faro. It's one of the biggest in the country. Over a billion dollars is being spent in the area to remediate the mine site and to ensure that the contamination is contained and cleaned up, which is really a process that will go on for a very long time.

But there also has been a conversation in Skagway about the contamination that they believe is in the harbour, and that contamination also connects back to the Faro mine. So, there has been a dialogue in Skagway between White Pass — White Pass, of course, a well-known corporate name in the Yukon and in Skagway and the southeast. But they, as I understand it, have also been in dialogue with the municipality on some of that contamination and the liability around that contamination, and how that gets cleaned up.

So, you have a community that has a long history around mining. Of course, when we go back 125 years ago or longer, we are all aware that, as people came to the Yukon to seek opportunities in mining, they, in many cases, started their journey here in this part of North America through the community of Skagway and then into the Yukon. So, there is that long, shared history. One of the technical team members from Skagway last night, in introductions, shared with me that her grandmother had grown up in the Yukon, but her dad was the road master in the Carcross area and then was moved to Skagway, and so her grandmother ended up being brought up in Skagway and then the family has been there. There is a long, multigenerational connection and then, of course, there is a long, long history between our First Nations in that whole area of the Southern Lakes and the Tlingit nation. The history is there, but what we have to remember is that the economy in Skagway is changing, and there is a very significant focus on tourism.

Chair: One minute.

Hon. Mr. Pillai: As well, there is still a large opportunity with mining.

I will take my seat, and if the member opposite could give me a little more flexibility, I can get into some of the numbers and share a little bit more, based on that fairly broad question.

Ms. Van Bibber: Thank you, Madam Chair, and I am glad that I got the question on the record. I will now turn it over to the Third Party so that she can get a few questions in before 3:15 p.m.

Ms. White: I thank my colleague from Porter Creek North. I am happy to be here today to speak on the Economic Development supplementary budget.

I am not going to ask about the deep-water port in Skagway. I'm moving on.

I would like to have a bit of a conversation about the nominee program. How many nominees can Yukon get at a time? When will we hit the limit of nominees we could have this year? And when does the department let businesses know when they come to make the application for nominees? Are they informed that the program is fully utilized for this year? Are they given timelines for when they should come back? I just want to know about the nominee program.

Hon. Mr. Pillai: We are ready to talk about the nominee program. The Government of Yukon provides economic immigration programs to help businesses across the territory meet their labour needs. The Department of Economic Development administers two immigration programs in partnership with Immigration, Refugees and Citizenship Canada — the IRCC — the Yukon business nominee program and the Yukon nominee program.

In 2020, the department launched a new stream, the Yukon community program. It is specifically designed to support employers and nominees in rural communities. Our government uses these immigration programs to help businesses across the territory meet their labour needs.

Getting right to the heart of that question, the Yukon nominee program allocation for 2022, as set by IRCC, is 300 people. That's 270 for a base, and then 30 more enhanced. It's an annual allocation from IRCC. It's important to note that.

In 2021, the Yukon nominee program utilized its entire allocation of 300 spaces for the first time since the inception of the program, which started in 2007. For the third consecutive year, we utilized the entire base allocation of 220 nominees — again, showing our demand for folks.

I will share a few more data points. Between January 1 and November 3, 2022, we have had 358 new candidates approved: 269 critical-impact workers, 64 skilled workers, and 25 express entry workers. This represents a 100-percent increase, compared to 2019.

For the member opposite, when you do some quick math, you will say that is more than 300. That is because our allocations come on an annual basis, but sometimes the permitting processes at the federal level, because they are delayed — I think that there has been a dialogue back and forth between myself and the Leader of the Third Party on this —

some of our folks, when they actually arrive, could have been part of our previous allocations.

Again, IRCC has provided the Yukon, as stated, with 50 additional base nomination spaces in 2022, representing a 20-percent, year-over-year, increase from 220 in 2021 to 270 in 2022.

I am going to touch a little bit on application processing times. The typical processing time by the Government of Yukon from receipt of a complete application is eight to nine weeks. Processing times vary with the volume of applications received and the complexity of the application. Following the Yukon nominee program approval, a nominee may need to apply to the IRCC for a work permit.

As of November 3, 2022, overseas nominees are subject to the processing times of the local visa office, which varies greatly by location. Pressing capacity or priorities go from as little as two weeks to 40 weeks. Work permit applications from inside Canada are about 170 days. Permanent residence applications, reviewed by IRCC for provincial and territorial nominees, is 23 months.

I appreciate this line of questions, because now I can share a bit more concerning this. What I would like to share is that we have a lot of folks and business owners who have applied and gone through our process. We have a very fast time. I think it is on average at about 60 days. So, we can go through the process and get the application in place. I think that the challenge becomes that I have business owners who are reaching out to me directly and saying that they need their nominee. Our challenge is that there is a bottleneck happening at the federal level. That is happening in many areas of IRCC that we are aware of. That has really been holding us. I will look for the number, but I believe that it was just under 190 people who, at one point, we were waiting to get the federal green light for those folks.

Those are individuals who have a job waiting in the Yukon. As you can imagine, after stating today that we have over 1,700 jobs available, we want those folks. In many cases, they have made arrangements with family members or with the employer, so they are coming in and have a place to live, and they can start contributing to our community at that time.

Again, it has been a real challenge trying to push — so, this is happening across the country. The Yukon, I think, did a strong intervention when we were at Immigration ministers this summer, and we really pushed to ensure that we know what our allocations will be early in 2023, in the first quarter.

We received a letter, I think, about a week or two ago — I don't have the exact date, but let's say within the last couple of weeks. It was from the federal government, and it was identifying — they do a recalculation. So, that's part of the conversation we have. There is a recalculation, and then they will allot more spots. So, that's why we continue to move through our intakes, because we're waiting to see if another province or territory hasn't used allocations, and then our hope is that it comes to us.

I will state to the House that we were displeased with the allocation that we were — the additional numbers that we were about to get. Since then, I have signed off on a very direct

communication back to the federal government and back to the minister in charge and responsible, stating that we believe, based on what's happening within the economy and what's happening within the labour force, that we need additional spots allocated to the Yukon for this year, as well as ensuring that they see the trending growth and that we're going to need more spots for last year. I'll stop —

Chair: One minute.

Hon. Mr. Pillai: — with that, and we have some very detailed information on sector-by-sector, as well as from which country that could be discussed later. I want to open it up to make sure I get to all of your questions.

Ms. White: I do thank the minister for that. So, understanding that it's a complicated situation — so, I don't actually want to break into the numbers right now, understanding that the House adjourns on Thursday afternoon, and the likelihood of me getting seven and a half more minutes between now and then is very slim. So, I'm going to get it all out right now.

So, I appreciate the conversation about the nominee program. I want to shift over to the paid sick leave right now. The reason why I want to shift over that way is — the COVID sick leave program that the government put in place was leading in the country. It was fantastic; it did really important things. The minister has told us that it was so utilized — I think it was \$3.5 million — and that's all fantastic.

The one concern that I have right now is that — so, with the nature of the directions from changing the course — so, for example, the COVID testing centre is shutting down, and the nature of how Yukon reacts to COVID is different, but one thing that the CMOH said, when he appeared here as a witness, he talked about the other respiratory diseases that were becoming a lot more visible — so, whether it was RSV, or the flu, but he was really encouraging people to stay home when they had symptoms of illness.

So, one of the questions that we asked in Question Period, which is much easier to ask now is: Is the department looking at expanding its current program to cover illness — just as a blanket, as opposed to COVID-19 symptoms? I am looking to see if the minister is having conversations with his colleagues about expanding that program to cover illness.

Hon. Mr. Pillai: Yes, there was a fairly robust conversation concerning this topic yesterday with the media after Question Period. The information that I have shared had really — first and foremost was about what we have learned from the program that we are delivering right now, and what is the state of the program. So, we have provided about \$3,450,000 approximately since the inception of the program back in 2020. It has been strong. We have learned some items, and I think that, in my collaboration with the Leader of the Third Party, going back and forth when — in the early years of the program, I had stated that some employers were hesitant to sign on, and so we tried to urge and educate them, so that their employees had the opportunity to use that program and to ensure that they had that benefit and could take the time they needed — or, while they took the time they were required to take, that there was a bit of a safety net there.

Moving forward, there was the commitment between the confidence and supply bill between the Liberal caucus and the NDP caucus, and a lot of this falls under Community Services. So, I want to be very respectful, but I can speak to a number of pieces to this, and I have sat with my colleague and discussed it.

One of the panel's outputs was that there should be up to 10 days of paid sick leave and that should be applied broadly for individuals who may be suffering from many different types of sickness, not just respiratory or RSV or COVID-19, but really expanding it.

That's the first thing — taking into consideration the time frame.

Secondly, it's that the program would be implemented in the future but not adversely affect the business. That has to be contemplated.

The third thing is: What is the scope of the program? There are a lot of moving pieces right now because you have the federal government, which is now rolling out, I believe, up to 10 days. I don't want to misspeak, but I believe it is about 10 days in their program. To review quickly, that program is going to support self-governing First Nations; it's going to support, basically, areas of the economy where the federal government has jurisdiction or has a regulatory role that, really, they are responsible for. We also have to take into consideration the scope of our existing program and not to duplicate services.

The next thing is that, once you understand who is caught within that federal program — and people who are already through their own benefits at work — we also have to come and identify exactly who the other individuals are who are left out of this. One of our challenges is that we have a significant knowledge-based economy in the Yukon, and so when someone is in the gig economy, what does that mean? Are they in the gig economy? How many hours do they work in the gig economy? All of that definition has to be very clear so that we have integrity in the process of allocating this benefit and also understanding the policy framework in building out the scope of the program.

That is work that is being done in Community Services now. It's underway. There is also an obligation for consultation with the private sector concerning what the 2.0 version of this program would be.

To confirm, yes, up to 10 days for the federally regulated private sector employees — and that is going live now, basically, very quickly.

That is what we are looking at, but I also want to be respectful of that question, which is: What about now?

We have about four months left in the existing program. Our sense is that the employer provides the application — and back for the funding — on behalf of the employee. I would say that we have been very flexible in that.

It's important to note that, when the chief medical officer of health made that statement, I had some discussions with some of the senior folks around health. The key to this, too, is — you are right. The statement was that, if you feel like you have these symptoms, it's important to stay home, whether it's COVID-19 or not — and then, of course, there are some other

respiratory illnesses that have been quite prevalent across the country.

I also think it's true to say, as well, that this is not a change in how folks approach trying to keep their colleagues healthy when people have significant symptoms, whether it's from flu or other things. They make that decision. So, we don't see it as a big change. I'm cognizant of the fact that we still have folks in our community who don't have the benefit compared to others. Under labour standards, I believe — up to one day, it's a ratio of time worked. That doesn't mean that you are compensated for that, but you can take that time.

So, as we go to the end of March, we are not looking at an expansion of the program. I want to put that on the record — we are not looking at an expansion — but we are looking, because it's going to be very broad and there are still a number of things that have to be done — if you're just going to say that it's for sick leave and it's going to be for everybody. Based on the trending and what we spent on the existing program, it started as apples and oranges because it was dealing with COVID and some mandatory time off, and we're trying to understand — the applications right now, to be open, are trickling in. We're not seeing an uptake.

Chair: One minute.

Hon. Mr. Pillai: But, at this time, we need to stand ground on that.

I would also say, coming out of the workplace panel, that there were some great observations and some great advice. What didn't exist was a way to pay for this. So, that's part of being in this level of responsibility — you have to be prudent when you build policy that you can figure out how you're going to fund it. So, that's the other piece — trying to understand, once we see the complete scope of the program, then we can do some modelling and trending and see what this may cost the funders.

Ms. White: Although I appreciate the answer from the minister, I'm speaking very specifically about the government's paid sick leave rebate for employers and self-employed. In it, it talks about all those who are eligible, so it clearly says that folks who are eligible for sick days under other places — this isn't for them, this is for people who aren't covered.

It talks about applicants who are eligible. It is not available to the Government of Yukon and its corporations, the Government of Canada and its corporations, Yukon First Nation governments, municipalities, or commission-based employees. So, it's very clear about that. Then it says what it does cover.

The one question, really, is — it says that the employee must declare to the employer that they have received a positive COVID-19 test result. Maybe "expansion of the program" would be the wrong wording, but illness — when someone has illness that can be transmitted to others is what I am looking for.

As the minister mentioned, this program has been extended to the end of March, which is still four months away. Is there a discussion internally about extending this paid sick leave, which was supposed to be for highly transmissible disease, like

COVID, RSV, or the flu, one could suggest? Have there been discussions about extending this for people who qualify currently for the COVID-19 sick leave rebate?

Hon. Mr. Pillai: This program, as stated by the member opposite, is exactly that. It is built for individuals, taking into consideration infection from COVID-19. The program has been modelled and funded with that in mind — right from the direction from Management Board through to the conception of the program and how we are delivering it.

At this time — what I was trying to share and illustrate is that we are not looking at expanding this between now and March as it's funded. We funded it based on COVID-19. I appreciate that there is RSV, for instance. Maybe because I am not as close to it, but 90 days ago, we weren't even bringing up RSV in the Legislative Assembly.

I am also stating the fact that there are a lot of other illnesses that can cause people to miss work or to stay home. I appreciate the fact that there are other respiratory illnesses that are quite prevalent in our country, but I am stating the fact that this was built and funded for COVID-19.

Also, I want to be sensitive to the fact that we have learned lots from the delivery of this program, and the work is underway to look at a new program in the future that can support individuals with a broad range of potential illnesses like RSV or others.

Within that work, the federal government has just launched a new program, and some of our focus is, as well, to figure out what employees they're covering.

So, I think that the Leader of the Third Party is wondering, are we going to go in now, in the last three or four months of this program, and change it and then broaden it out for a list of other illnesses, based on how we funded it? But no, that is not what we are looking at doing at this point, but we are trying to ensure that there is a long-term view on a program such as this, and that's the work we're doing.

So, I guess, bluntly speaking, in the next 120 days, or even 90 days, or 60 days, are we going to pivot and broaden this program for anything that's respiratory or any of the other existing illnesses, and then apply that to our scope of employees who we're looking at providing this benefit to? We are not. But we are doing substantial work, which is quite complex, which takes into consideration at least one, if not more than one, pieces of legislation that exist and amendments that may have to be done in order to have a longer term program similar to, hopefully, what you've seen in British Columbia, which came into place on January 1, which is five days. There's a bit of a model and hybrid, I believe, in Québec, and then it's also important to state for the Assembly that Saskatchewan, Ontario, and Nova Scotia have all tabled a bill to put a benefit such as this in place in 2022, and they were all voted down in their assemblies.

So, there is a definite mix across the country. We've been working with the Third Party around the panel. I think we had a good representation from both the private sector and the public sector in those discussions, and we see that we have some work to do before we can have a program built, funded, and to go live, but at this particular time, we are going to

continue to keep things as they are within our scope of this particular program.

Madam Chair, seeing the time, I move that you report progress.

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

Motion agreed to

Chair: Pursuant to Committee of the Whole Motion No. 11 adopted earlier today, Committee of the Whole will receive witnesses from Yukon Hospital Corporation. In order to allow the witnesses to take their places in the Chamber, the Committee will now recess and reconvene at 3:30 p.m.

Recess

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

Appearance of witnesses

Deputy Chair: Pursuant to Committee of the Whole Motion No. 11, adopted on this day, Committee of the Whole will now receive witnesses from the Yukon Hospital Corporation.

I would ask all members to remember to refer their remarks through the Chair when addressing the witnesses, and I would also ask the witnesses to refer their answers through the Chair when they are responding to members of the Committee.

I believe the Member for Riverdale South will introduce the witnesses.

Witnesses introduced

Hon. Ms. McPhee: The witnesses appearing before Committee of the Whole today — and it's my pleasure to introduce — are Al Lucier, chair of the Yukon Hospital Corporation Board of Trustees, and Jason Bilsky, chief executive officer of the Yukon Hospital Corporation. I am very pleased to have them join us today in the Legislative Assembly and very pleased to have them answer questions from Members of the opposition, and maybe even government questions. I certainly welcome them here today and thank them for their attendance.

Deputy Chair: Would the witnesses like to make brief opening remarks?

Mr. Lucier: I would like to thank Minister McPhee and everyone here for the opportunity to speak to you today about the Yukon Hospital Corporation and the services we provide. As was indicated, my name is Allan Lucier, and I am the chair of the Yukon Hospital Corporation Board of Trustees. I am joined here with Jason Bilsky, who was previously introduced. He is the chief executive officer of the hospital.

I represent our board of trustees, which is comprised of representatives from across the territory. We support and oversee the hospital's skilled and diverse team of nearly 700 employees, a medical team of approximately 100 physicians, and dozens of volunteers. All of our staff and physicians are proud of the work that we do. Every one of us who works in the

hospitals does our best to ensure that all Yukoners can safely access the quality care that they need when they need it. We also acknowledge the ongoing support and collaboration of many different partners in the health system and the broader community. Yukon government, Yukon First Nations, and other community agencies are critical in our ability to provide hospital care to Yukoners.

There are real challenges in our health care system and our hospitals. We continue to feel the impact of COVID-19. Throughout these unprecedented times, our hospital services have remained accessible. We thank all Yukoners for their patience and support, and acknowledge our entire team's dedication and commitment to delivering safe and excellent patient care. The past year has seen our hospitals quickly move toward, and in some cases, exceed, pre-pandemic levels. We anticipate this continued increase will continue as the territory's population and health needs grow.

Across Canada, health human resource constraints are felt by every hospital and health care provider. Yukon is not immune. Staffing remote hospitals in this environment is increasingly complex. We are fortunate that, today, we have avoided widespread interruptions of services, as seen in many other parts of the country. That said, we are not, and cannot be, complacent. Maintaining continuity of services and the recruitment and retention of health care professionals is our top priority. This effort requires short-term strategies, long-term planning, and collaboration with partners. For example, we have started laying the groundwork for the future by facilitating nurse mentorships, supporting entry to practice for new registered nurses, and creating pathways for employment in our hospitals for Yukon First Nations.

Despite the challenges of 2022, there are several highlights that I would like to share. We have expanded knee and hip replacement surgery in the territory, launched several initiatives to ensure that Yukon hospitals are building a skilled and representative workforce, started working with a new radiology service provider, developed and enhanced maternity care, and finally, we have advanced planning for a new mental health unit at the Whitehorse General Hospital, which will support more positive outcomes for patients and their families. We are doing this through new spaces and enhancing services and program delivery. Significant focus of this project to date has been working with Yukon First Nation partners to ensure that indigenous ways of knowing and doing are being integrated into all parts.

We look forward to the future. In the coming weeks, we will be excited to roll out our new strategic plan for 2022-27. The plan provides strategic direction in four key commitments — first and foremost, recognizing truth and reconciliation, decolonization, and indigenization as a central commitment. Our commitment to people and our teams is another central focus, and finally, the plan lays out our commitment to people we care for and our communities.

At its heart, health care and our organization are grounded in the understanding that everyone has the right to the best possible care, in a respectful way, free of discrimination, and culturally safe.

To close, I want to thank our dedicated staff, physicians, volunteers, and everyone who supports our hospitals and the territory's health system. These are the people who support health and well-being and make it very fortunate for Yukoners.

With that, Madam Chair, I would like to thank you and we welcome questions.

Mr. Cathers: I would like to, first of all, begin by thanking Mr. Lucier and Mr. Bilsky for appearing here today. As well, thank you for the work that you do on behalf of Yukoners, and please pass on our thanks to the hospital's board of trustees, to the management team, employees, medical staff, and volunteers for the work that all of you do to provide high-quality health care services to Yukoners. The Yukon's health care system depends on the Yukon Hospital Corporation and, as you know, the work you do is vitally important to the Yukon. Meeting the health care needs of our territory is a challenge at the best of times, and the events in the last 32-plus months have placed substantial, additional strain on our health care system and on our medical professionals.

The chair made reference to the impact of health human resource constraints and the ability to avoid widespread service interruptions that have been a problem in other areas. However, as he knows, of course, this summer, Whitehorse General Hospital was unfortunately in the situation of having to cancel a number of scheduled surgeries. As reported by the *Yukon News* on August 18 — and I quote: "... staffing shortages due to illness and recruitment are being experienced in the surgical services area, which is affecting minor procedures, surgery and instrument and device sterilization at the Whitehorse hospital."

So, I have three questions for the witnesses about that. The first is: How many surgeries were cancelled or delayed due to that problem? The second is: How many of those surgeries have now been completed? The third question is: What is the ongoing impact to surgical wait times from that interruption in service this summer?

Mr. Bilsky: Thanks for the question. First off, I would like to say that YHC takes patient safety and provision of high-quality care very seriously. In particular, cancelling surgeries is an issue that we consider very carefully with each and every case, and it's always made in the best interest of safety for the patient as well as the interest of safety for all patients. Yes, deferrals can be caused due to things, such as staffing shortages, unexpected patient illness, or equipment availability. I don't know the exact number of cases that were deferred this summer because of that issue, but what I can tell you is that all of those deferrals were rescheduled almost immediately, and there are no long-lasting effects or backlog from that particular period of deferrals. I believe that period of deferrals was approximately one week.

Mr. Cathers: I thank the witness for that answer.

Following the Yukon Medical Association meeting earlier this month, CBC reported — and I quote: "Those wait times were brought up at the YMA meeting during time allotted for questions with..." — and then it gave the name of the Minister of Health and Social Services. Then, it went on to quote one surgeon who said, "We're currently struggling to keep up with

giving Yukoners the surgical services that they need..." That was a quote from Dr. Alexander Poole.

I would just note, as an aside for Hansard, that I will provide links to the articles I am referencing.

Can the witnesses please tell us how wait times for surgery compare to last year, and are surgical wait times, overall, growing, or growing for certain procedures?

Mr. Bilsky: To answer the direct question, surgical wait times vary per procedure — whether that happens to be elective or orthopaedic. I can tell you that we have had a significant effort in the orthopaedics area for joint replacements. We spent a significant amount of time planning to bring a resident orthopaedic program into the territory, and this has gone a significant way to reduce the time for total knee replacements as well as total hip replacements. They are almost down to the target that we expect, which is less than approximately one year from time of referral to time of surgery, so we are very close to that.

We have also had the ability to repatriate many emergency procedures, keeping those in the territory rather than people having to fly out of the territory for emergency procedures. I believe, since the time of inception over the past four years, we have performed over 700 procedures for orthopaedics.

On the general surgery side — on the elective surgery side — there is essentially no wait time that is tracked. I would say that, essentially, from the time of assessment to the time of booking a procedure, there is a very minimal wait time for other elective general surgeries.

I can't remember the last part of the member's question.

Mr. Cathers: I do appreciate that answer and would seek some clarification. I am pleased to hear, first of all, that there is a reduction in the wait times for hip and knee procedures, but just to confirm that, for a number of other surgeries — do I understand correctly that it is not tracked for other elective procedures — what the wait time would be, or are the witnesses able to provide some information about wait times for certain procedures, or is that something for which they don't have the information available?

Mr. Bilsky: Due to the fact that there are such a vast variety of different procedures through surgical services, I can't cite wait times for each and every type. What I can tell you is that, for general surgery, there is nominal, if any, wait time. Other speciality procedures such as ENT, that would depend on the visiting specialists and when they are available, but I believe that it is always the next available visit that those procedures are being performed.

Mr. Cathers: Thank you to the witness for that answer.

Last fall, the witnesses indicated that the urgent wait-time standards for MRI were being met, but indicated that semi-urgent MRI wait times were about 54 days instead of 30 days or less, which was indicated to be the target, and the wait times for non-urgent MRI were around 18 months, which was a year longer than they indicated that they would like those timelines to be. They also told us that they have a plan to improve MRI wait times.

So, could they please tell us the current wait times for urgent, semi-urgent, and non-urgent MRI services and, as well,

indicate whether they have been able to successfully implement the plan that they talked about last year for reducing MRI wait times?

Mr. Bilsky: Thank you for the question. First, I would like to say that having the MRI in Yukon, I believe, has been a significant success since its inception, and it is important to say that having a local MRI program has improved the standard of care and avoids a significant amount of medical travel for Yukoners.

To answer the direct question about the wait times, priority wait times — a target of seven days is now down to less than two days. Semi-urgent, priority 2, is a 30-day target and it is at 30 days. Priority 3, which is non-urgent — we have a target of 90 days and we are very close to that at 105 days. This was accomplished through — I would like to thank, actually, the medical imaging team for bringing in and allowing a program of a significant amount of resources to run extended hours to allow for more Yukoners to be seen here in the territory through the MRI program. It has brought the wait times down significantly over the last, I would say, eight months — to be able to be very close to within the target that we expect.

Mr. Cathers: I appreciate the answer. Congratulations on the success of reducing those MRI wait times.

In 2020, when witnesses appeared, we heard that the wait time to see a cardiologist was about five months, with 74 people on the list at the time. Last year, witnesses indicated that the current wait time for a cardiologist had increased to six months. Can they please tell us what the current wait time is and how many people are currently on the list?

Mr. Bilsky: The current wait time for the visiting cardiologist that we see here — and I will have to explain a little bit about how specialists are accessed in the territory. But to answer the direct question, it is just over five months to see a cardiologist. I believe that the total list is about 298 patients in total, so it really depends on how often the specialist is in the territory and visited. Having said that, YHC itself is part of a broader health system that supports access to specialty care overall. Specialty services are provided to Yukoners through a number of different means. Parts of it are resident specialists, such as an orthopaedic surgeon or an OB/GYN, and parts of it are visiting specialists, which I am referring to here, or virtual access or potentially medical travel — medevac. Coordination between all of these four methods is important so that access is provided on a timely basis. So, while I cite those wait times, it may not be necessarily that length of wait time for any particular person because any particular person is triaged according to their urgency and may access a specialist in all forms through any of those four mediums that I spoke about.

Mr. Cathers: I appreciate the answer. I would just ask, in that area, since the number of people on the list has grown — although it does sound like the wait time is down a little bit from last year — do the witnesses have any — I guess the question that I am asking is: What can be done in this area to reduce these wait times? What additional resources might be necessary or appropriate to help reduce wait times to see a cardiologist?

Mr. Bilsky: As I have already mentioned, access to specialty care is basically through those four pieces. Right now, in the territory, it's overseen by a tripartite committee of members, which includes us, the Yukon Hospital Corporation, the Yukon government through Health and Social Services, as well as YMA and physician leadership. Its purpose is to assess programs, identify parties, and recommend actions for assessing issues relating to specialty care — so any issues or concerns that are raised. So, in general, I think that the committee has responsibly continued to identify those parties and worked to increase the volume of visits and the efficiencies within access to specialists and continues to work on virtual or remote access, where possible. As I said, urgent cases are triaged to be able to access, but it is a multi-faceted solution that allows people to continue to increase their access on a timely basis.

Mr. Cathers: I appreciate the answer. The shortage of family physicians forces many Yukoners without a family doctor to rely on the emergency room when they need care that would otherwise be provided by a doctor. Last year in November when the witnesses appeared, there were over 2,000 Yukoners on the government's wait-list for a doctor. As of a few weeks ago, that wait-list had grown to over 3,300 people, according to the government's official numbers.

When we discussed this last November, we heard from witnesses — and I will quote from Hansard on page 899: "... roughly between five and 10 percent of emergency department visits could be supported in another care model." So, my question, Deputy Chair, is: Could the witnesses please tell us what the current situation is, and, of visits to the emergency room, how many of those visits, or what percentage of those visits, could be avoided if the patient had a family physician?

Mr. Lucier: I think it's important that the Hospital Corporation takes the view that, if the hospital is the best place or the only place to get care, then that's our purpose, and that's the reason that the emergency department is there, and that we want it to continue to be that.

So, the issue around availability of doctors and what have you, while it may have an impact in some respect on our emergency department, we want to be sure that if people need care — and they deserve care — the hospital is a place where they can get care. Mr. Bilsky will be able to provide maybe more up-to-date numbers on that, but I just want to make that statement.

If I may, I just also want to mention that Mr. Ron Veale is in the gallery. Mr. Veale is a member of the board of trustees as well, and present here today.

Mr. Bilsky: Just to reiterate that, I would like to say that any person who is feeling unwell and wishes to be seen for medical care is able to seek care in our EDs 24/7, 365 days a year, and that's an important note to make. If you need care, you should seek care.

Our ED volumes over the past five years have been, I would say, steadily growing, with the exception of a period of time through the pandemic where, I think, people avoided seeking care, and so we had seen a dip. But we have seen an

increasing number of people visiting our EDs — a function, I think, of a growing population, aging demographics, and potentially a function of not having access to other forms of care.

Having said that, I would also like to say that the average total length of stay in the emergency department is exceptionally low compared to those in Canada. On average, the emergency department sees about 1,000 visits per month that register without a family care provider, but this doesn't necessarily mean that they shouldn't be seeking care in the emergency department. It really depends on what they are presenting for. And, yes, I do agree that the ED visits that could appropriately be seen elsewhere is somewhere between five and 10 percent on average. It fluctuates, but its approximately that amount.

Mr. Cathers: I do appreciate that information from both witnesses and, of course, we do agree — and I wouldn't want it to be misunderstood — of course, people who need care should be able to access the emergency room. The crux of the question, as the witnesses, I'm sure, appreciate is that we're just trying to understand, if there were an increase to the number of family physicians, what the potential impact would be in reducing emergency department visits. So I do appreciate that information.

I want to move on to the issue of the funding for the Hospital Corporation. The adequacy of funding for the Yukon Hospital Corporation has been an ongoing challenge and subject of debate in recent years. As witnesses will recall, I've been raising this concern for years and asking questions about it.

Last November when I raised concerns about the adequacy of funding from government, one of the witnesses said this — and I quote: "I think it is something that we will have to continue to work on with government to address. What I can confirm is that the annual budget for fiscal year 2021-22 is \$98.2 million prior to factoring in COVID-19 impacts. This includes a three-percent increase in core funding, plus incremental funding for other increases in services and projects underway." So, my question is: Can the witnesses please tell us what the annual operational budget for the current fiscal year is, prior to factoring in COVID-19 impacts? And has there been an increase this year in core funding, and if so, what would that be, both in percentage terms and dollar terms?

Mr. Bilsky: YG's annual O&M budget for the fiscal 2022-23 is \$103.5 million. It is expected that is a core increase of approximately 3.3 percent, as well as additional funding for other — I will call them "one-time expenses" — and that does not include any additional funding for pandemic-related impacts.

Mr. Cathers: Thank you, I appreciate that information — so, \$103.5 million. Is there additional funding that is included anywhere for pandemic-related impacts? That has been something throughout the last couple of fiscal years that was available. What would be the amount of pandemic-specific funding that the Hospital Corporation is receiving?

Mr. Bilsky: That is something that we are working with government on. We don't know what has been committed yet

for pandemic funding. In the last two years, though, I can say that it has been fairly significant — in the range of probably almost \$6 million of additional funding in each of the last two years, I believe, for pandemic-related funding, but I can't comment on yet this year, because we haven't reached the conclusion of our commitment.

Mr. Cathers: I appreciate that information. So, just to follow up on that, if there has typically been about \$6 million in funding for the hospital related to COVID expenses, and the Hospital Corporation doesn't have clarification on the amount for this year yet, how are the expenses looking for the current fiscal year in that area? What dollar amounts would we be looking at in that area, related to ongoing expenses related to the pandemic?

Mr. Bilsky: I don't have those figures with me today — pandemic-related expenses. I can say that it is less than the last few years, because obviously, as we move through different phases of the pandemic, we have ramped down certain of the elements, protocols, and processes. There are some pandemic-related expenses, but I can't comment on what that is here.

Mr. Cathers: I appreciate the answer. Is the witness able to provide any estimate of this? If the additional costs were roughly in the neighbourhood of \$6 million, and correct me if I am misunderstanding, that was the amount in funding that he made reference to. If the additional expenses were in the neighbourhood of \$6 million, would they have dropped by a large amount from previous years, or a minor amount?

Mr. Bilsky: At this point in time, I wouldn't hazard to try to guess what that is. I don't think that would be appropriate here. I don't have that information. I can tell you that it is less than previous years, but to what extent, I wouldn't want to estimate that here.

Mr. Cathers: I would appreciate, if possible, being provided that information later. I would certainly appreciate receiving more information about that.

I would like to just ask about cost pressures, generally speaking. We know that, in the past, some of the major cost pressures have related to areas, such as employee costs, changing medical standards, keeping pace with new technology and practices, volume increases, equipment replacement, new capital expenses, and so on. Could the witnesses please talk about what the notable cost drivers are that they are currently seeing or anticipating?

Mr. Lucier: The most significant pressure — whether this is related to COVID or related to the general condition of health services in Canada — one that has been the topic of many a news broadcast, and part of my opening remarks, is HR. The largest driver for us currently is filling vacancies primarily in the nursing profession.

When we have exhausted the opportunity to be flexible in HR deployment in calling for casuals to fill shifts, to seek other individuals to take on additional shifts, the only way to continue to maintain service is to go to agency services that provide nursing. We currently have four or five contracts with agencies that provide these services, but they come at an increased cost. In many cases, it is twice the price or more of a collective agreement employee. That doesn't mean that the individual is

getting paid that, but it's a finder fee for the agencies to provide those services. So, when we are forced to seek those additional resources, there is a cost, and that cost is the greatest pressure currently — about 66 or so percent of our current pressure that exists within our fiscal environment currently.

What do we do about that? Well, as I mentioned, we have short-term strategies where we call upon people and we try to fill those, and we strategically be flexible with human resources, but the long-term answer is to become full of full-time employees, so that requires ingenuity. That requires us to be a good employer. It requires us to be a competitive employer, and it requires us to be an innovative employer to provide opportunities, and to create opportunities, like the one we are embarking on to do mentorship with RNs, or through the university, to increase the number of RNs who are available for our hire, should they choose to work for the corporation. That is the number one pressure.

We are seeing other pressures that are like every household in the country, which are inflationary. When we budgeted last year, we didn't budget for the cost of fuel. We didn't budget for the cost of other consumables within the service that we provide that have seen increases, such as food and medical supplies. There has been an increase in certain imaging, simply because we are getting better at it, and getting better sometimes costs more. There are a number of those pressures.

We are seeing greater revenues than we saw during the pandemic. You may ask: How does the corporation generate revenues? Out-of-province or out-of-territory individuals who end up needing our health care are charged at a fee for service. We bring those revenues in.

So, when we have more tourists in the territory, more people passing through to Alaska, et cetera, then we have a greater opportunity to offset some of the pressure with revenues.

So, those are general comments. I will turn it to Jason to see if he has more specifics that he can add to that.

Mr. Bilsky: I think that our chair of our board of trustees has commented well on the health human resource challenges and the associated costs with that — commented well on inflationary pressures that everybody is seeing, obviously including our hospital system.

The last one that I will probably comment on is increases due to volume and complexity of service — volume primarily predicated on things such as a growing population and an aging population, and complexity of service and standards of care that continuously increase. We spoke earlier about meeting wait times of MRI, as an example. To be able to do that, it means that the throughput of the number of procedures that we are doing has increased substantially year over year. Every image and every procedure has a cost attached to it, so that is the volume pressure that we are seeing overall. So, it is coming at us in the current year — just like every business and every household, it is coming at us in various ways.

Mr. Cathers: I appreciate the answer and the information. Moving, again, to the fiscal picture, which, of course, government revenue is the largest part of that, and looking at the hospital's report — the patient revenue piece,

which the chair made reference to, appears to — at least last year — comprise about four percent of the revenue picture. Mr. Bilsky, I believe, made reference to \$103.5 million in the core funding for this year as the amount. Looking at the hospital's year in review for the last fiscal year, I note that, on page 12, it states the operating revenues for the year of \$109,798,000; operating expenses, excluding the pension adjustment, coming in just slightly under that, at \$109,678,000, for a total surplus of revenues over expenses, before the pension adjustment, of just \$120,000, which, of course, is a fairly slim margin for an entity the size of the Hospital Corporation.

So, my question on that, in looking at the numbers that we see from last year, and the numbers that Mr. Bilsky indicated earlier, and then at the financial commitment in the budget from the spring, on the line item Yukon Hospital Services, the total estimate — according to the budget summary we were given by Health and Social Services, which also does tracks with what's in the budget itself — indicated \$88.295 million in O&M. My question for the witnesses is this: Is the portion of the budget they are relying on government for fully committed and fully funded at this point in time, or are they hoping to receive additional funding before the end of the fiscal year?

Mr. Bilsky: Thanks for the question. I would say that the vast majority — 99 percent — is fully committed. There are some pieces yet that we are still working through, and they are incremental pieces that we are collaborating on to make sure that we are satisfying a certain piece.

An example would be if we have decided to increase a certain number of procedures for the year, that's incremental funding. That's not included yet in the core, and that is something that has to be determined between us and government.

Mr. Cathers: I appreciate the information.

Moving back to inflation that the chair made reference to. Inflation, of course, is impacting people across Canada, and those rising costs, as noted, are also causing financial challenges for the hospitals. Statistics Canada reports that, in both September and October, the consumer price index rose 6.9 percent year over year. When the Yukon Hospital Corporation budget for the current fiscal year was submitted to government, they would not have been anticipating an inflation spike of this magnitude. Despite that, we see no new funding for the hospital in the supplementary budget. My question is this: Has the government committed to providing additional funding to Yukon hospitals to compensate for the negative impact of inflation?

Mr. Bilsky: As with any year, unforeseen pressures can impact our hospital system, and I think that we would agree that this is an extraordinary year, when it comes to inflation. So, where we started the year, and what we have agreed to with government, is yet something that we will have to continue working with government about as we go through the year, and as these pressures continue to evolve, and look for additional support to try to maintain the services that are necessary for Yukoners.

Mr. Cathers: I appreciate that information. It is a concern, of course, and just looking at the rough impact, using

the Statistics Canada number for inflation — which I recognize is a national number and would not apply to the hospital here or within the territory — but the rough impact from the 6.9 percent rate of inflation would be that it's effectively the same — the inflationary impact on the hospital's budget is effectively the same as if they lost over \$7 million of funding, because the real value of those dollars has declined. That, coupled with the fact that, as the witnesses noted earlier, in the last couple of years, they have received roughly \$6 million annually in funding related to COVID, appears to be the potential of an effective reduction of roughly \$13 million in what the corporation has in terms of its resources, just recognizing, of course, that this is a calculation based on what that inflation translates into in real dollar terms.

So, as I'm sure that this is a concern for the witnesses — I guess they are not going to be able to provide any additional information on that specific question at this point in time, but will understand, I am sure, why I'm concerned about the impact of those two items.

I want to move specifically to the question of employee cost, which the chair made reference to being approximately 66 percent of their cost pressure. Last year, the Minister of Health and Social Services tabled a legislative return stating that employee costs at the Yukon Hospital Corporation had grown by 21.8 percent over a five-year period. That dollar amount, as of last year, was over \$9 million, or an average annual increase of over four percent per year. Last November, when we discussed this, the witnesses indicated that, in the area of employee cost, they would be increasing 2.9 percent in that fiscal year over the previous year's costs, or about 4.5 percent.

Can the witnesses please tell us how much the increase in employee cost is expected to be this fiscal year, in comparison to the previous fiscal?

Mr. Bilsky: I don't have the actual increase in employee cost year-over-year. I can tell you that it is increasing, obviously, year over year. That is something that I have to undertake to respond to at a later date.

Mr. Cathers: I look forward to receiving that information. In light of the growing challenge in recruiting and retaining health care professionals, has the government provided the hospital with any new resources for recruitment and retention initiatives, or have they committed to do so?

Mr. Bilsky: I'm sorry; if I could, can I ask for that question to be repeated?

Mr. Cathers: Absolutely. So, in light of the growing challenge in recruiting and retaining health care professionals, which was made reference to earlier, has the government, this year, provided the hospital any new resources for employee recruitment and retention initiatives? If they haven't already done so, has there been any commitment to do so?

Mr. Bilsky: I would like to start by saying that Yukon hospitals are committed to maintaining a safe quality of care, with minimal service disruption, in an environment with health human resource constraints. I would like to say, very importantly, we want to acknowledge our entire team's dedication and commitment to delivering safe and excellent patient care, particularly during these unprecedented times, and

their effort is the primary reason we have been able to maintain accessible hospital services throughout.

I think it's no secret to anybody that Canada is in the midst of an unprecedented health human resource challenge — in the Yukon, our hospitals are not immune. Hospital staffing is becoming increasingly complex. There were pre-existing challenges prior to COVID, and those have continued, possibly exacerbated by the pandemic.

I would like to say that there is no single strategy that's going to solve this for YHC, or from a national perspective on recruitment and retention, and a multi-faceted approach is required, in collaboration with government, to maintain our current service and retain our employees. We're working on implementing a broad health human resource strategy for the organization, and we are working with partners on this — our partners, Health and Social Services, as well as Yukon University.

The work streams underway are intended to advance the following objectives in three main areas: recruitment, retention, and workforce development. For us, this means working with our partners — as I said, Health and Social Services, YRNA, and the Yukon University — to develop strategies to support not only Yukon Hospital Corporation but also the territory in general, including supporting local nurse education and potential recruitment of international nurses, implementing strategies to recruit new specialty staff to YHC, including the use of financial incentives to attract short-term contract and permanent staff, and proactive marketing recruitment and outreach. Again, we have collaborated with government to do this.

We have instituted indigenous workforce initiatives to increase the pool to generate more diversity in our workforce — offering opportunities for clinical skill and specialty areas of development; ensuring infrastructure exists to support academic programs, student placements, new grad initiatives, exploring wellness initiatives, supporting learning opportunities as ways to improve morale and provide career growth, developing and growing leaders within the organization, developing service continuity plans to ensure that critical services are supported and people feel safe and supported in doing so, and improving processes for onboarding and orientation. These are all the multi-faceted ways that we are collaborating on with government to try to ensure that we maintain safe continuity of service.

Mr. Cathers: I appreciate the information and do look forward to hearing more about this important area in the future.

The new secure medical unit, which has been, as I understand it, renamed the "short-stay psychiatric unit", is an important project and one that requires the support of government to advance.

Last fall, witnesses said this about timelines for construction — and I quote: "Construction is expected from essentially early in the new year of 2022 until February 2023, and we are expecting the first patient day in the spring of 2023." That's from Hansard, page 904.

Could the witnesses please tell us the current status of this project, including what the revised timelines are for

construction and opening, and what the capital cost of this facility is expected to be now?

Mr. Lucier: Firstly, the mental health unit that will be developed is going to be a real move forward for patient care and for families of those patients. It is going to provide much better service than we have now — not just in the services. We have great services within the hospital now — but the space that is being created and the partnerships that are being developed in doing so.

So, the work with Yukon First Nations to ensure that the way that we're doing it, the knowledge that we're doing it with, the culture that we're bringing to it, even the space in itself, is all being incorporated into that. The development of the plans had a setback. We had plans on where it was going to be, and we thought that it was pretty straightforward until we found that there were certain seismic requirements that we no longer met, even though it was in the newest part of our hospital. So, we had to re-jig and go back and say, "How do we do this where our space that we had planned needs to be different?" We're still going to use the significant portion of the space above the emergency department with an opportunity to reduce the seismic impact by cantilevering the building beyond its current envelope.

So, we are at a different timeline. I would say that it's a properly adjusted timeline, and I will turn it to Jason to give the exactness of that.

Mr. Bilsky: As the chair of our board of trustees just stated accurately, we had to go through a bit of a redesign phase that, packaged with cost escalation and inflation over the period of time through this period, was presented to government. The government has supported this package going forward, and we are now at the stage where we have finalized a design for the project. We are in the tendering phase, which will continue. We expect to be into civil work and construction in the spring of 2023, and we are expecting to have the project operational and the first patient day in mid-2024.

Mr. Cathers: I appreciate the information. One question that I don't think I heard the answer to is: What is the current revised estimated capital cost for this facility?

Mr. Bilsky: The total revised estimated capital cost of the project is \$24.7 million, and I will comment that the Yukon Hospital Foundation has established a multi-year campaign to support a portion of this, and so I must thank them for their generosity and support.

Mr. Cathers: I appreciate that information. My next question is about the surgical services area and the development of a new operating room. Improvements to the surgical services area is an issue that the Yukon Medical Association has identified as a high priority. OR planning and the development of a new space is an issue that the witnesses will recall talking about here last fall. At the time, the indication was that it is about meeting the needs of Yukoners going forward, including aging demographics, care standards within surgical services, and bringing our operating rooms up to today's quality of standards and projected future service demands.

Can the witnesses please tell us more about this matter, including steps since we last discussed this project on moving it forward?

Mr. Bilsky: I will start by saying that the primary limitation of our current state is basically the physical environment. Standards for operating rooms have changed since the current operating rooms were built. Modern operating rooms are big and allow for better separation between, for example, clean and dirty items to prevent patients from acquiring any surgical site infections. The types of equipment that are used require higher ceilings to meet standards today. In general, to meet current standards, renovations or a newly built operating room would be required.

In 2019, we conducted some long-term planning for the future needs of surgical services here in Whitehorse. I must state that this is a large and very complex project. It is a long-term planning initiative with a five- to seven-year time horizon. A needs assessment and a high-level functional service program were completed with the engagement of everybody, including surgeons, physicians, surgical nurses, and support staff. It included consideration of the current and rapidly changing quality standards and projected future service standards based on demographics going into the future. I would say that a detailed solution has not yet been determined, nor has a commitment been made to proceed. Having said that, as I said, it would be a long-term plan.

In the short term and medium term, improvements have been made within the existing surgical services to mitigate challenges. They include: modifications to better support patients and staff, such as creating a flexible OR suite to decant some of the day procedures that can be moved out of the main ORs; a scope reprocessing unit has been developed adjacent to the flexible OR suite, which is for efficiencies; and the introduction of a post-anesthetic care unit, which did not exist before, with trained post-anesthesia staff to improve the quality of patient care. We have also improved patient access and flow through patient registration, preoperative clinic areas, and outpatient clinics like cast clinic and minor procedures, and we have also improved sterile storage in certain areas. This is just to improve the efficiency of locating key supply items, medical device reprocessing areas, and being able to remove extraneous items from OR corridors. This is a long-term project and it will take more effort and time to essentially derive what the future looks like for surgical services.

Mr. Cathers: Thank you, I appreciate the information.

In some provinces, a spike in respiratory illnesses this fall is causing bed shortages, including in intensive care units. This, of course, is being driven largely by influenza, RSV, and COVID and is causing impacts to the availability of other important health care services. Has the Hospital Corporation seen an increase in people in the Yukon requiring hospitalization due to respiratory illnesses this fall? And could they talk briefly about what plans are in place to deal with potential increases in respiratory illnesses this fall and winter?

Mr. Bilsky: I would say that, in each and every flu season, there is an increase in the number of respiratory illnesses that are seen through ED, and some of those patients

are admitted. I can't comment on whether this is an abnormal year from a respiratory illness perspective. I can tell you that there is continuous, I would say, upward pressure on bed occupancy and those being seen in the ED, and we are expecting, probably, a higher average number of respiratory illnesses, including COVID, as we move forward.

Having said that, we undertake activities on a daily basis to ensure that appropriate patient flow occurs within the system, not just within the hospital system, but the health system in general. So, on a daily basis, our staff and system partners within government, such as Continuing Care, work together to aggressively manage hospital utilization and, yes, there are times when the hospital is at overcapacity. During these times, we put an extraordinary effort to make sure that patient flow is occurring and that people are in the appropriate settings at the appropriate time. I don't believe that this is different from anywhere across the country that is experiencing extreme pressures throughout.

By and large, there is, I would say, great efforts to make sure that, as I said, patients are identified and moved within the system and are receiving the appropriate care, at the appropriate time, to allow for the bed capacity in the hospital to be managed.

Mr. Cathers: Thank you. I appreciate the information. Occupancy levels and challenges associated with being overcapacity have been an issue for the hospital, as the CEO just made reference to. According to the Hospital Corporation website, as of yesterday, it says this about overcapacity, under the heading "Managing Overcapacity — How Yukon's Hospitals Maintain Access to Care when Volume Exceeds Capacity" — and I quote: "Last year, average occupancy at WGH was 96 per cent. This means that half the time we did not have a bed to meet the need."

Can the witnesses please talk about what happens when that occurs and what the secondary impacts are that may be associated with overcapacity?

Mr. Bilsky: Yes, there are times when our hospital system can fluctuate to a place where we are essentially full or at overcapacity. The impacts of that are people waiting for beds, and essentially waiting potentially in the ED for admission, so things back up within our system and/or we can have deferred surgeries, due to bed occupancy. Those are probably the two main implications of having a very full hospital.

Having said that, over the past several years, this has improved significantly where, in approximately 2018, our bed capacity would have been 50 percent of the days we were at 100 percent. Today, very few of the days we're at 100 percent; although, we do have spike and fluctuation, and there is upward pressure on that.

Several years ago, we would have seen multiple surgeries being deferred in any given period of time, as well as patients being held in ED overnight. I'm pleased to say that, over the past several years, including this year, we infrequently hold patients in ED overnight, and to date, I don't think that we have had any surgeries deferred due to bed occupancy issues. Yes, surgery is deferred for other reasons, but not due to bed occupancy issues.

I don't want to sound complacent, in saying any of this. It is a constant effort by all involved, including our system partners, to make sure, as I mentioned earlier, to ensure that patient flow is effective and efficient — that patients who are in hospital, or should be in hospital, and patients who should be moved to other care settings, whether at home or in continuing care, that they are receiving the appropriate care there. Teams do this on a daily basis to manage this through discharge planning, appropriate therapies, reablement, and so on, to make sure that patient flow is effective and efficient.

Mr. Cathers: I appreciate the information. The CEO made reference to continuing care, and, of course, as the witnesses know, in previous years, at one point, a major source of bed pressure was ALC patients who were waiting for beds in continuing care.

Can the witnesses please talk about that part of it, and whether there has been an issue in the past year with beds being occupied due to wait-lists to enter continuing care, or due to any delays in being accommodated in existing spaces there?

Mr. Bilsky: As I had mentioned previously, it is an extraordinary effort to ensure that patients are cared for in the right place at the right time. We target a benchmark of approximately 10 percent or less ALCs in our system at any given time, and I am pleased to say that, over the past year, and several years, we have essentially been less than that, but again, as I have said, each and every individual patient deserves the attention to ensure that they are not languishing in a hospital bed when they should be cared for somewhere else. So, our team puts a significant amount of effort to assess each and every patient and work on discharge planning to the appropriate setting when necessary.

Mr. Cathers: I want to move on the question of IHealth. We know that this is a very important system, and certainly, it is a project that we were pleased to see proceed, and had called for, but I understand that there have been some bumps in getting it implemented, as can be expected with computer systems.

Can the witnesses please talk about what the status is of this project, and what is currently operational and what is expected to be done in the area of IHealth within the next number of months or a year?

Mr. Lucier: Thank you for the question. IHealth is one of those things. The member mentioned that it is a computer system, so it is a multi-dimensional information system that is going to provide much greater access to records, much greater consistency of record-keeping, and provides the Yukon Hospital Corporation with data that helps us to ensure that safe and relevant care is being provided and that safeguards are being put in place, but like many technologies, there are difficulties in finding optimization. I would say that we are at a point now where, as matters have arisen and been looked at, triaged, and addressed, we are coming into a place where IHealth will see its optimization. While it sounds like it is one item, it is a number of different systems that interact with the system at various levels, so what a doctor will see is going to be different from what a nurse on the ward will see. The transfers between surgery and recovery, including things like pharmacy, are all integrated into that.

So, it's working through those things; it's listening to those who interact with it on a daily basis; it's working with our partners at Health and Social Services, as well as the service providers. In some cases, it's leaning on those who have provided the service to ensure that it is working to the level that they had indicated and promised. I must admit that the team that was put together at the corporation and has continued to lead this has never let that drop. You know, when the challenges were greater than the resources, the resources were put behind it to ensure that the program could come up to step and be optimized.

I think that there will be growing over a period of time yet to be seen to ensure that we find that ideal optimization, working with the groups who work with the system to help us get there. It has been something that has been very, very prevalent in the board discussions about how the decisions were made to get to there, what it's supposed to deliver, how it's delivering it, and who is involved. We continue to see progress by the corporation to find the ideal optimization of that system.

I will just turn it to Jason to see if he has any comments on the day to day.

Mr. Bilsky: I can really only speak from a hospital perspective, because this is a much broader project than obviously just the hospital, but I will say that it is what I would call a tripartite project between government, YMA and the Yukon Hospital Corporation.

As the chair alluded to, the vision is a seamless care journey enabled by IHealth information system for all Yukoners. That's why it is a much broader project than obviously just the hospital component. The hospital component was the first to move forward, and that was as of June 2021, believing that it is a foundational element of an integrated health system, and it falls in line with the recommendations from *Putting People First*.

Currently, as our chair has commented, we are in a stabilization phase, making sure that all the elements are working as intended and moving into an optimization phase. The optimization phase would be, we're working as intended, and now it's time to look at all the improvements that we can make going forward.

The challenges we have seen within our hospital system are mostly about identifying the workflows and improving those workflows for clinicians. Keep in mind that this information system is not only a clinical information system, it is — stem to stern — our enterprise resource system that handles everything from accounts receivable, accounts payable, HR matters, right through to clinical matters. It is very multi-faceted and very complex, and it will require continuous maintenance to achieve the goal, but the goal is worth it.

Mr. Cathers: I do appreciate that. I just want to ask a question regarding IHealth, but also other parts of the electronic and computerized portions of the hospital's system, about the issue of cyber security. In recognizing what has happened in other jurisdictions, including Newfoundland, my question is, and I would ask them to answer it without, of course, sharing any details that would actually compromise security: What steps are in place, as far as protecting the

security of the system? What is in place regarding backup of the system — redundancy — or that type of thing, if the system itself were to be compromised`

Mr. Bilsky: Cyber security is a very important issue in health care. Health care data is increasingly a target for cyber attacks. As we all know, cyber-related losses are a growing area for all health care organizations. It is important that YHC's systems and processes are in place to prevent, as best as possible, a cyber attack.

If one were to occur, we need to have policy and processes in place to respond and recover quickly. At YHC, we have adopted a National Institute of Standards and Technology framework as a model to assess and compare to other systems of processes and procedures against best practice in cyber security. In short, this is a model to help us identify the capabilities and risks that are inherent in our systems, find ways to protect from those risks, detect if and when anything was to happen, and be able to respond and then potentially recover.

So, along with Yukon government's ICT and external vendors working together, we are continuously identifying security vulnerabilities by testing our system constantly, and inventorying the current state of our IT assets with the goal to ensure that all systems are up to date. Anything outdated, anything that needs to be patched, or any current vulnerabilities are identified. We also ensure that policies are in place and we have clear roles and responsibilities. We developed plans and training to address any high-risk vulnerabilities, and then provide education and training to staff on cyber security attack and techniques. I would have to say — absolutely not foolproof. I don't think any organization is immune to cyber security attacks. Having said that, it's an effort of constant vigilance on our part to try to prevent — again, with the goal of system continuity.

Mr. Cathers: I appreciate the information.

My next question is about the government's plans to develop a new health authority, and I would just ask the witnesses whether, in the past year, they have been involved and informed about the government's work on this? Can they talk about any of that work or how they have been involved in it?

Mr. Lucier: From our perspective, the health authority really means a fully integrated health services system, and that is ideal in the Hospital Corporation's views. What that exactly looks like — we can only talk about the parts that we're involved in currently. So, when we look — the CEO references that when we optimize beds in the hospital, that is done through the partnership of ensuring that ALC patients are provided the earliest opportunity to find their care somewhere else, if they need continued care. That's done through a partnership. That speaks to the integration of the services provided.

Integrations go across the breadth of the system so that we are maximizing the totality of health resources to deliver the services to Yukoners. So, Yukon Hospital Corporation continues at the board level, for sure, in discussions with the executive and the corporation where opportunities exist — which opportunities make sense for us currently and in the

future, and, for the most part, support those efforts going forward.

In terms of the ongoing conversation with government, the document *Putting People First* certainly puts health integration and a health authority out there. It is in the ether of ongoing discussions, and we are — and should be, I believe — part of those. So, we continue to support that, and I'll turn to Jason to make any specific comments on that.

Mr. Bilsky: I really can't add much to that, other than that we do support the recommendations in *Putting People First* — that being a coordinated and integrated health care delivery system for people and patient-centred care. We will continue to work with government in planning that, knowing that it's a long journey.

Mr. Cathers: I do want to thank the witnesses for the answers that they provided this afternoon. I'm just going to ask one final question before turning it over to the Third Party critic, in the interest of sharing time this afternoon. The typical practice is around that split.

So, the last question that I would ask is about the issue of potential shortages of medication and other essentials. We know that there has been an issue in pharmacies across the country of a shortage of children's medication, as well as announcements recently by the federal government about steps being taken to address that through sourcing it from areas where they don't typically receive it from.

I would just ask about the issue of children's medication and other pharmaceuticals. Has the hospital experienced shortages in this area? If so, are they anticipating that some of the supply referenced by the federal government will be provided to them?

Also, are there other areas, whether pharmaceuticals or medical equipment, where they are facing challenges or have concerns with right now regarding their ability to get a reliable supply of essential items for hospitals? Again, after this, I would just turn it over to the Third Party and thank the witnesses for their answers this afternoon.

Mr. Bilsky: On the specific question about children's medication, we have not had significant impacts due to that national shortage. We also support some of the community elements within the Yukon from a pharmaceutical perspective, and we have not heard anything in particular from our partners in the community about children's medication.

In general, when it comes to pharmaceutical supplies or medical supplies, we have committees in place for procurement efforts to ensure that we have primary and secondary supplies for various pharmaceutical and medical supplies. We ensure that this committee has oversight over when and how to use those. If and when we run into shortages of anything — and these things do happen periodically, and it could be something for surgical services or the pharmacy areas — we make sure that we are engaged territorially and nationally to find out how we can mitigate those issues and move forward with service continuity.

Ms. Blake: I thank the witnesses for being here today.

I guess I will start by asking about the staffing levels at the hospital. I will just kind of ask a few questions at once here

because of the shortage of time. How many registered nurses are currently working as full-time equivalents for the Yukon Hospital Corporation? How many nursing positions are currently vacant or filled by a temporary worker? With regard to the First Nation health program staff, how many staff do they have within the First Nation health programs at the hospital? Are the First Nation health workers located in all hospitals?

Mr. Bilsky: I may have to ask to repeat several pieces of that question because there were several components. Maybe I will start with the most recent because those are the ones I remember and then I will go back, if you don't mind.

The First Nation health program, in Whitehorse anyway, consists of approximately 11 full-time equivalent employees — I believe that all are staffed at the moment — plus there are two First Nation support workers who work in each of the two communities — one in Watson Lake and one in Dawson City, and those are currently staffed. My memory is short, so I am going to have to ask for the next component of the question.

Ms. Blake: I am glad to hear that there are First Nation health workers in both Dawson City and Watson Lake because of the important work that they do to connect people to resources.

The other questions I had were: How many registered nurses are currently working as full-time equivalents for Yukon hospitals? How many nursing positions are currently vacant or filled by a temporary worker?

Mr. Bilsky: Registered nurses, in particular — the number of FTEs that we currently have — are 135.5. The number of people who fill those positions are 220. It is because it is a mix of potentially part-time positions. The number of current vacancies is a total of — when it comes to the RNs, the number of vacant positions is 17.75, and that is a vacancy rate of 8.6 percent. That is specific to registered nurses.

Ms. Blake: I thank the witnesses for the response.

When my colleague was asking questions about agency nurses, it was indicated that there were four or five agency nurses who are contracted. I was just wondering: Do we have agency nurses presently working within Dawson City and Watson Lake hospitals? And if so, how much is this costing the hospitals?

Mr. Bilsky: Just to clarify and to make sure that there is an understanding — when we talk about four or five, we are talking about contracts for agencies. So, these are organizations that provide the locum or the itinerant nurses who are there.

The two community hospitals — I think that the question was specific to Dawson and Watson, but they are essentially mirrors of each other.

They both do use agency nurses, and probably to — and it could fluctuate at any point in time. I don't know the cost of the agency nurses, in particular, but I can tell you it ranges around 40 percent of the current staffing levels are maintained with agency staff. I will say that we have made significant improvements in the ability to have agency nurses in the two communities — improvements such as orientation of nurses, and ensuring that the accommodations that they are being brought into are adequate. What this has allowed us to do in their living and work environments is to actually have repeat

agency nurses come and cycle through on a regular basis, which makes, I think, the standard of care and the environment for patients and staff there significantly better than always having new people cycle through.

Ms. Blake: My next question is in regard to the four or five contracts with the agencies. I'm wondering how many agency nurses we currently have working.

Mr. Bilsky: Thank you for the question. Unfortunately, I can't answer with the exact number of agency nurses, because it fluctuates almost day-to-day and week-to-week, and it fills various roles, from specialty to, you know, known vacancies that we're going to have, to unknown or unanticipated vacancies that we might have. So, I'm unable to answer exactly how many today.

Ms. Blake: I thank the witness for their response. My next question is also in regard to staffing. I'm wondering how many LPNs are currently working for the hospital, how many nurse practitioners, and how many communications people.

Mr. Bilsky: The number of LPN FTEs is 23, which is filled by 51 personnel. Currently, the hospital, to my knowledge, does not employ any practitioners in any elements. We have had nurse practitioners as employees, although nurse practitioners are privileged care providers within the hospital system, meaning they can come in and attend to patients within the system. So, while not employees, they are care providers within the system.

Then, the last question with respect to communications personnel, we have one dedicated communications person.

Ms. Blake: My next question was in regard to staffing for the social work positions within the hospitals. How many social workers do we currently have working to provide support to patients at the Whitehorse General Hospital? Do we have social workers working also in the Dawson City hospital and Watson Lake?

Mr. Bilsky: Today, we have four social workers within our system, working primarily from Whitehorse. We don't employ dedicated social work folks in either Dawson or Watson; however, we do support those two hospitals with our programs out of Whitehorse.

Ms. Blake: I thank the witness for the answer. In terms of the number of staffing who are working for the hospitals at present and the challenges we have seen throughout the COVID pandemic, I am wondering what type of mental supports are available for the staff who presently work for the hospital, and how accessible is it for staff to access mental health support when they need it?

Mr. Bilsky: I think it goes without saying that hospital staff across the country are facing challenges and demands, and it has put an extreme stress on people who work within health care systems. Contributing factors are things such as staff recruitment and retention challenges, increases in temporary resources, and the effects of the COVID-19 pandemic, which I think the member mentioned specifically.

The Yukon hospitals are very conscious of all these factors. We do our best to ensure that all employees are supported and cared for. This is one of our top priorities. Our people are at the centre of what we do. We use a number of

metrics to try to monitor our workforce, including staff retention, through turnover rates, recruitment efforts, and vacancy rates, and assessing our wellness through metrics like sick time, overtime, and vacation time used. Our leaders continuously assess the morale, qualitatively, through check-ins with their staff and staff meetings.

Ensuring that employees have balance in their work is important to promoting wellness and preventing burnout. This means balancing the amount of overtime that staff are asked to work and ensuring staff have access to taking time off. A key strategy of this balance is using temporary workers, such as agencies, so it can be a double-edged sword.

We provide a number of wellness supports to employees, including a full suite of employee family assistance programs and a comprehensive benefits package with, for example, access to an on-site fitness facility. In addition to that, we have a working on wellness committee, a volunteer group of staff who coordinate social events — things like staff barbecues, group exercise, and annual Christmas events.

Recently, we have reviewed our employee family assistance program. It's a contracted-out service available to all employees and ensures that there is a full suite of supports to all individuals — the employees and families of employees — and access to all these services is anonymous. I just want to say that I believe that the full suite of employee benefits programs that we are able to provide helps promote wellness. It includes things such as counselling, massage therapy, acupuncture, chiropractor — as I said, a full suite of benefits.

The last thing I will say is that we offer a comprehensive abilities management program that actively supports disabilities or workplace accommodations and helps support each individual in being able to achieve their best at work.

Ms. Blake: My next question is in regard to medical imaging. My colleague may have asked this question. What are the current wait times for a CT scan and an MRI in the territory? I am also wondering if there are patients who have to be referred out of the territory to access MRIs sooner.

Mr. Bilsky: Thank you for the question. I don't have the full picture of all the wait times for all the different diagnostic imaging with me. I can say that, as I mentioned earlier with regard to MRIs, we are essentially meeting our targets when it comes to MRIs, in that urgent, semi-urgent, and non-urgent are all within targets with respect to these, so those would be seven days, 30 days, and I believe, 90 days. The only one that is slightly out of target there would be the MRI waiting for 105 days, whereas the target is 90 days.

With regard to CTs, I do believe that we are within target of CTs, except for potentially non-urgent CTs. There is always a potential, too, that at certain periods of time, that patients, if necessary and triaged accordingly, could be moved south to ensure that they receive a timely imaging — and that includes any type of imaging — but essentially, those would be more urgent cases and urgent modalities.

Ms. Blake: My next question is: Are there staffing vacancies within the imaging department that are impacting the wait times?

Mr. Bilsky: Thank you for the question. I think we've covered staffing quite substantially through this discussion, and staffing has an impact in all parts of our organization, and we do our best to mitigate each and every component. Specifically, within medical imaging, probably the two areas that I'll comment on, one would be the area of MRI, and up until recently, probably within the last year, we were reliant on one MRI technician. We've changed that model, so that we have several MRI technicians, and not all of them full-time, but we have access to several MRI technicians, and what that allows us to do is maintain service continuity, as well as increase the throughput of the volume of patients going through. So, one might consider that to be, I guess, a vacancy, if that position is not filled full-time, but it just means that we're using a different model to make sure that we're able to provide the service.

Similarly, in other areas, such as mammography, we have a fantastic mammography technician and one other support technician, but again, when you're down to one person, any vacancy of any kind — planned, unplanned — can cause some disruption to the service, so that would be an example. We are always recruiting and developing and putting strategies in place to ensure that we're meeting the demands of Yukoners, especially in areas of diagnostics, such as medical imaging.

Ms. Blake: I thank the witness for their response. My next question is in regard to turnaround times for lab work. With travel to communities, I've heard from folks who are waiting on lab work, and they don't know how long they have to wait or when they would get the information, so I'm just wondering what the turnaround times are for lab work that gets sent to the hospital.

Mr. Bilsky: What I can say about lab work — I can't comment on specific cases, and I would encourage anybody who has specific issues or concerns to definitely contact our hospital, and there is a multitude of different ways to do that — through our website, call directly, or talk to your care provider. Those are specific instances, because I would not want to see anybody having a delay in care. Specific to lab work, though, we are meeting all of our turnaround times. We don't have any disruption in service at the current moment, and I would say that the processing and procedures that are in place are working effectively at the moment.

Ms. Blake: My next question is in regard to the secure medical unit. We see that there is a 50-50 fundraiser for a 12-bed mental health unit. I am wondering, is this the same as the short-stay psychiatric unit?

Mr. Bilsky: Previously, this was referred to as the "secure medical unit". Now we are referring to it as the "mental wellness unit". We proposed this some time ago. Government has approved the project moving forward, and the project elements that we are expecting to achieve include the implementation of three key areas: one is indigenization of the program and spaces; two is program planning that is expanded from the current secure medical unit; and lastly, the design and construction of this unit. To answer the member's question, it is an evolution, I would say — transformation of the current secure medical unit into the mental wellness unit that has probably expanded — not probably — it will have expanded

programming and a much better, culturally safe environment for clients.

Ms. Blake: I thank the witnesses for their response.

There was money in the 2022-23 budget for the short-stay unit of nearly \$11 million, and nearly \$6 million in the 2021-22 budget. I was wondering, were these amounts of dollars not enough to complete the project?

Mr. Bilsky: I think, as our chair had mentioned earlier, that we had to go through a process of redesign, as well as a process of cost assurance, based on refined costing estimates, and that has delayed the project by approximately a year. We have seen a cost escalation in the project, I think, not uncommon to any large project, so for the amounts that were budgeted and allocated, we had to seek further support for those. Yes, it has escalated from approximately a total capital cost of \$19.5 million to \$24.7 million. That is now the refined cost estimate.

Ms. Blake: I thank the witnesses for that response.

My next question is in regard to psychiatrists. I am wondering how many psychiatrists are under contract with the hospital, and how many psychiatric nurses work at the hospital. Are psychiatrists or psychiatric nurses associated with either the Dawson City or the Watson Lake hospitals?

Mr. Bilsky: The YHC mental wellness team is comprised of three psychiatrists, who work with an interdisciplinary team, as well as a paediatric specialist.

Just to clarify, these are not employees of the hospital. They work, essentially, as contractor fee-for-service for the government, so they are not employed by the hospital. Psychiatric support provided to the community hospitals is generally either through the emergency department of Whitehorse General and/or through consult services between the primary care provider and potentially the psychiatrists themselves. That's essentially how psychiatric services are gained through the community hospitals.

I'm sorry, I think I missed part of the question, so I may have to ask for clarification, if I have missed anything.

Ms. Blake: I am going to move on to the Dawson and Watson Lake hospitals, because we are running out of time.

I continue to hear from folks in communities, both in the north and south, who need services like physio, dental, or eye care, because some of these specialty services don't travel to the communities. I am wondering if any of these services are available through the Dawson City or Watson Lake hospitals, and if they are not available, are there any plans to provide these services in the near or far future? There is a month-long shortage of nurses at the Dawson hospital.

Mr. Bilsky: One of the goals of our health system, I think, and, in particular, the Yukon Hospital Corporation, is always to bring care closer to home for individuals, avoiding travel wherever possible. Knowing that we do have constraints within the system, that may not always be possible, but we're always looking for ways to do that, whether it's through virtual care, or through resident care, or through itinerant care that may be available.

I can give you examples of where we have tried to stretch some of that within the last couple of years. So, an example of

that would be ultrasound in the communities. Ultrasound was not available prior to approximately two years ago. Within the two communities, we have set up a rotating basis where an ultrasound technician plus portable equipment visits the two communities for several weeks out of every year. It fails me — however many weeks. We are providing about 400 ultrasounds in each one of the two communities, and that's 400 visits that people don't have to travel from at least those catchment areas into Whitehorse.

Other things that we have worked on to bring services closer to those two communities — things like liver function testing, which would normally have been a trip from the community into Whitehorse; we have now provided that technology to the communities and have it up-and-running, so that's available to them, and again, it avoids travel.

We have worked with virtual means, providing different specialty services — like therapies and whatnot — and we're always willing to, you know, innovate and change the way that service is provided, so that people have to travel less, understanding it's not always possible with every different specialty. In particular, dentistry in Dawson City — several years ago, we provided space available for dentistry in Dawson City. We don't provide that service; that's provided through, I believe, a government contract, but the space is available, and my understanding is that there is an itinerant who frequents Dawson City to provide dental services in Dawson City.

So, just to summarize, I think it's always an effort on our part, and the health system's part in general, to make sure that services are as close to home as possible and that people don't have to travel.

Ms. Blake: I'm going to move on to midwifery. I'm wondering: Have any midwives provided care in the hospital or been given hospital privileges? When will we see midwives able to provide support within the Watson Lake and Dawson City hospitals?

Mr. Bilsky: This is an important topic. The introduction of the midwifery program in the Yukon provides patients the opportunity to choose their health care provider and have that support prenatal, antenatal, and postnatal. Midwives are now a part of our hospital team. In the hospital environment, midwives are able to order outpatient tests and diagnostics to support and inform prenatal care, support outpatient assessments, lead the birth team, and provide post-partum care. Similar to general practitioners, there are situations where midwives will need to consult with other specialty physicians to support care. This can include consults with OB/GYN, anaesthesia, or pediatrics.

The entire care team of nurses, physicians, and midwives are committed to working in partnership to support the needs of patients and families. They have been working very hard over the past year to accomplish this. The team has been meeting regularly and undertaking joint education and simulations so that everyone is clear about their roles. In fact, I am pleased to say that the first birth of a patient supported by a midwife has recently occurred within the last several weeks. Midwives are privileged within our hospital system and considered part of the medical staff.

We have also been working with the Department of Health and Social Services to plan and implement the midwifery program outside of Whitehorse but within the scope of regulations, so that may not mean planned birthing in the two communities. That is for other reasons — other than midwives. But we are working with government to make sure that we are supporting midwifery care outside of the hospital, but within the scope of regulations.

Ms. Blake: I thank the witness for the response to my question on midwifery.

I am going to move on to discharge planning for medevac patients from the communities. We have heard from a few individuals that, when they were discharged, they possibly were discharged after hours or didn't have access to support for discharge planning. I am wondering what the hospital is doing for patients who are medevaced after hours and potentially discharged quickly afterwards if they don't have access to the discharge planning support from the First Nation health programs or if it's super busy in emergency. How can patients be better supported within the hospital when it comes to discharge planning to ensure that they have a place of safety to stay and also arrange to make it back to their home communities?

Mr. Bilsky: I believe that YHC and our government partners, in particular, are committed to ensuring that all Yukoners have person-centred care, and this includes adequate after-hospital care supports. That is especially for those who receive medevac services. As part of this commitment, we have a number of policies and processes in place at Yukon hospitals to promote the safety and well-being of patients. That is not to say that we get it perfect, but we are always willing to improve. I will say that if there are any particular instances, again, I would suggest that individuals or their families please raise those concerns directly with us. We like to learn from those opportunities to improve.

The discharge process does differ between inpatient discharge and emergency department discharge. In general, with inpatient discharge, there is an interdisciplinary team made up of health professionals, and they ensure that all patients have the appropriate level of discharge plan to ensure that patients can leave the hospital in a safe manner, and this includes people having to return to communities outside of Whitehorse. As a standard of practice, we do not discharge inpatients during the night.

However, we cannot prevent an individual from leaving the hospital against advice, outside of daytime hours, and that has happened. There are a number of supports for individuals who may require assistance when preparing to leave the hospital, and we make every effort to connect with the services available either in Whitehorse or in the communities to support the discharge plan. These can include things such as travel and accommodations. In particular, in our hospitals we are equipped with a number of sleep and family rooms, which are available to provide on-site, temporary accommodation.

As the member already mentioned, the Yukon Hospital Corporation has a First Nation health program and it is available 24/7 to provide culturally safe assistance to patients

who identify as First Nation, Inuit, or Métis. It connects clients to accommodation, transportation, and potentially navigating other hospital services.

The emergency department is a more challenging environment when it comes to patient releases. Once their care is complete, unfortunately, it is a very short window of time when patients are being released, and this can happen at any hour of the day. But, again, we do make efforts within that short span of time to put plans in place to support ongoing care needs of any patient. During daytime hours, there are obviously more services available, but even during evening hours and off-hours during the short notice, we do our best to make sure that any services that we can connect with are available.

Again, the First Nations health program is available to assist patients on a 24-hour basis and do all they can to support that release planning from the emergency department.

Ms. Blake: I thank the witnesses for their response to my question. The next question I have is in regard to hospital capacity. In the last year, how many times has the hospital been at a red or yellow level, and has this ever happened due to staffing shortages?

Mr. Bilsky: As I mentioned earlier, hospital capacity and the potential for overcapacity is ever present, and it is something that we manage constantly. We are very rarely overcapacity, although it may spike at certain points of time in the day, and that's when we employ extraordinary efforts to continue to move patients on.

The information I have is that bed census at a point in time and day — for me, there are no points in time when we were overcapacity — meaning over 100 percent — over the past year. I would say that we have not been in red or yellow status due to staffing issues, except in extremely limited circumstances, where we may have the potential of limited ICU capacity, which, to my knowledge, I don't remember anything over the past year.

Ms. Blake: The last question I have is: What current cultural competency training is available to Yukon hospital staff, and how often is that delivered to current staff and new hires?

Mr. Lucier: Cultural competency, I guess, if that is the term — I think we are moving to a recognition in the corporation that the importance of indigenization, of understanding and accepting truths first — that is a real learning piece for us — accepting truths before we can make steps of reconciliation. I say “steps of reconciliation” because, for the corporation, for the board that provides guidance to the corporation, this is key. This is an element that is going to be a game-changer — or, changing the game, I guess, for us, because it's so important.

It's one of the reasons that, in our new 2022-27 strategic plan, it isn't an item that is sort of cast loosely among the other priorities, but established as a single and very visual priority. We carry that through by developing educational opportunities, training opportunities, and learning opportunities, and from those, changing practice — changing the way that health care is delivered, including cultural elements in that. The development of the new mental wellness unit is a prime and

probably our most leading example of this. From the onset, we are doing this.

To sort of speak specifically to the question, the corporation has metrics — requirements of all current employees, all new employees, all employees who are attending on an itinerant basis, including those who aren't employees, such as physicians, to have training in First Nations 101, which is a basic standard, and I will admit that. When we see the opportunities to have itinerant nurses, for example, return to a community like Watson Lake, to understand the traditions there and the impacts of colonial practice in medical situations that has taken place within the Liard First Nation, that's when we start to see differences.

So, the training is just but a very, very small piece of how we begin to make this change. It's a quantifiable, but it's also a quantitative measure — but what we have to get down to is changing the corporate culture — a practice culture — that is rid of racism, that acknowledges the wrongs, and understands the truth, and begins, in partnership, to move ahead with reconciliation. That's the direction that our corporation wants to take. That's the direction that is spoken of almost first and foremost at every board meeting — about how we move this forward, how we make this part of true integration, bringing the First Nations and the importance of that in the delivery of health services to the fore.

Jason is probably going to be able to give you the exact statistics of the people who have taken 101, but I think it's really important that this House knows how important it is, such a priority that our board has put on moving this forward and really holding Jason and the corporation at task to realize some of those goals, to make those partnerships work, to forge those partnerships where they haven't been before, because the trust hasn't existed for them to be built. That's where we're going; that's what the intention is; so, I'll quickly turn it over to Jason, because I know we're closing up. He can give you the numbers.

Mr. Bilsky: I hate to follow up that actual statement, because I think it's an extremely important statement, and I don't want to take anything away from it, and our chair has put quite a stamp on our commitment to truth and reconciliation and how we'll move forward with indigenization, and it is a path forward for our organization and how we integrate it with safe patient care.

Specific to the question about training, which is training education, cultural safety awareness, which is a component of part of the path forward of indigenization, as our chair has mentioned, we have some very foundational elements that are mandatory to all people within our organization, such as First Nations 101 as one component, but then there is very specific training that is brought forward for different elements, such as nursing. We've been supported through CYFN and some of the anti-racism training that happens in the communities. Specific to that would be things like making sure that every nurse who travels through the community is aware and provided with certain elements of training so that they feel supported and then provided adequate training. Other examples I can give you are specific training for health safety officers, and trauma-informed care, and de-escalation measures that are very specific to those

lines of work, so each and every component of the hospital now has specifics that they would use to ensure that they are following up with the commitment to indigenization.

Deputy Chair: Are there any further questions for the witnesses?

Hon. Ms. McPhee: Seeing no more questions for the witnesses, I would like to take this opportunity to thank them for being here, thank them for their dedication to the Yukon Hospital Corporation, to thank Mr. Veale for being here as a member on probably the most uncomfortable seats in the House for the few hours today, and I appreciate all the questions brought forward by the members of the opposition and the information that has been elicited.

Deputy Chair: The witnesses are now excused.
Witnesses excused

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

Deputy Chair: It has been moved by the 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. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

Also, pursuant to Committee of the Whole Motion No. 11, adopted earlier today, witnesses appeared before Committee of the Whole to answer questions regarding the operations of the Yukon Hospital Corporation.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Mr. Streicker: 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 5:30 p.m.

The following sessional papers were tabled November 22, 2022:

35-1-81

Crime Prevention & Victim Services Trust Fund Annual report 2021-22 (McPhee)

35-1-82

Yukon Child Care Board Annual Report 2021-2022 (McLean)

35-1-83

Bill No. 305, National Day for Truth and Reconciliation Act, English and French text (Blake)



Yukon Legislative Assembly

Number 101

1st Session

35th Legislature

HANSARD

Wednesday, November 23, 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

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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
Wednesday, November 23, 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: Under introduction of visitors, I would like to introduce two individuals from the Yukon Child and Youth Advocate Office: Julia Milnes, Deputy Child and Youth Advocate, and Christopher Tse, systemic analyst.

Applause

Hon. Ms. McLean: I would like my colleagues to help me recognize a few guests here today from Yukon University for the tabling of the university's annual general report and for a tribute on Innovation Week as well: Dr. Lesley Brown, president and vice-chancellor; Blake Buckle, associate vice-president of advancement; and vice-president of finance and administration, Peter Deegan. Thank you for being here.

Applause

Hon. Mr. Pillai: I would also like to welcome to the Assembly today and ask my colleagues to welcome a number of individuals who are here for our tribute to Innovation Week. I would like to welcome Lauren Manekin Beille, who is the department head for innovation entrepreneurship for Yukon University; Kelly Proudfoot, who is working with the team at YuKonstruct this week and helping us to support the work around Innovation Week; Lana Selbee, executive director of YuKonstruct; Cat Kelly, director of entrepreneur programming, is here with us; and Jason Rayner from the Department of Economic Development in support of all of these folks. Also, I would like to welcome Kelly Lu from TechYukon to the Assembly here today.

Applause

Speaker: I would also like to introduce former page Audrey Provan.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Yukon Innovation Week

Hon. Mr. Pillai: I rise today on behalf of the Yukon Liberal government and the Third Party to pay tribute to Yukon Innovation Week. Yukon Innovation Week runs this year from

November 21 to 26 and centres around the theme of "Inspiring transformation".

Hosted by NorthLight, TechYukon, YuKonstruct, IRP, and Yukon University, Innovation Week provides attendees with an expansive and thought-provoking calendar full of events and workshops for all Yukoners to take part in. These events aim to serve our communities by introducing the innovation ecosystem — community supports that are available — and the idea that all Yukoners are capable of producing innovative solutions to real-world problems.

Attendees at these events can also expect to develop capacity, skills, knowledge, and a mindset for innovation and entrepreneurship. Whether you want to learn a new skill, discuss diverse topics of interest, or attend a screening of films created within a 48-hour time limit, Innovation Week is a prime opportunity for Yukoners to get inspired.

The Yukon is home to many innovators, entrepreneurs, and out-of-the-box thinkers who make this territory the perfect place to live, work, and follow your dreams. Innovation can open doors, break down barriers, and create limitless opportunities for our communities. For example, Yukon innovators are at the forefront of renewable energy, which is assisting our territory in the transition toward a greener, more sustainable, and economically prosperous future.

Additionally, supporting innovative ventures assists in the ongoing advancement of increased local employment, cultural and artistic opportunities, diversification of our economy, and developments in the technology and northern food sectors.

I strongly believe that it is important to support and celebrate the Yukon's innovative thinkers. On Thursday, November 24, the Yukon Transportation Museum will host the third annual Hall of Innovators Awards ceremony. These awards recognize the impressive accomplishments of innovators across the territory. This year, the Hall of Innovators will celebrate recipient awards for notable innovators and the youth innovators in our territory. In addition to this, two amazing Yukoners will receive the lifetime achievement award for their outstanding dedication, vision, and leadership in the innovation community.

I look forward to celebrating all of the honorees who are making a powerful impact on the lives of Yukoners everywhere. I would like to thank all of the sponsors, guest speakers, volunteers, and organizations participating in this year's Yukon Innovation Week. I invite all Yukoners to get involved by participating in any of the incredible events taking place this week, and I ask that you please join me in this opportunity to come together — create, share, empower, and inspire transformation.

Applause

Ms. Van Bibber: Mr. Speaker, I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Yukon Innovation Week.

This is a week that gives local innovators, entrepreneurs, community organizations, and citizens a chance to effect positive change. The theme is: "Inspiring transformation."

There were, and are still, so many exciting events that have happened and continue to happen as we go through this week. Let me mention just a few. Joella Hogan and the Yukon Soaps Company held an event on Monday, a paper soap workshop with youth. It was fun activity that was well-received by many in the heart of the Yukon — Mayo. And an event tonight at the Yukon Theatre at 6:00 p.m. showcasing the 48-hour film festival: films done by creative Yukoners within a 48-hour period to be shown on the big screen and then judged. A \$500 award will be presented by sponsor YuKonstruct, and the audience will also get to vote on their favourite.

Tomorrow, November 24, there will be a Soupbox Session for young people from 12:00 p.m. to 1:00 p.m. Each table will have a list of topics to discuss about how you can make a big or a small change in your life. One can register or drop in at YuKonstruct. Oh, and there's free soup.

There is a big event at the Yukon Transportation Museum from 6:00 p.m. to 9:00 p.m. tomorrow night, the third annual Hall of Innovators Awards Ceremony: local music, a bar sponsored by Yukon Brewing, and catering by La Petite Maison. This is a free, pre-registered event, and I understand it's a full house.

I love the title of this workshop: Failing Sucks and Rocks — stories about face plants and the art of getting back up. This is self-explanatory, I think, and there are some amazing speakers who will share their experiences. I think this event is also full, but there is a sign-up for a wait-list.

I would have loved to share every event, as they are all worthy, but take the time to visit the webpage for Yukon Innovation Week, and perhaps you will find something that interests you and there's still space to attend.

To connect, to create, and to collaborate with like-minded people is the goal, and we congratulate all the organizers, the sponsors, the venues, and all the attendees. Well done, because you are all winners.

Applause

In recognition of Holodomor Memorial Day

Hon. Mr. Clarke:

I rise today to pay tribute to Holodomor Memorial Day. The fourth Saturday in November is designated Holodomor Memorial Day in recognition of the millions of Ukrainian men, women, and children who perished and suffered during the Great Famine of 1932 and 1933, which Canada recognized as a genocide in 2008.

The famine began when the Soviet regime of Joseph Stalin ordered the collectivization of farms. Many Ukrainians resisted, had their land and animals confiscated, and were forced to work on government collective farms. Impossibly high grain quotas were set, leading authorities to confiscate all grain, seed, and food from the Ukrainian people. Mr. Speaker, the Soviet government forced starving Ukrainians to remain in their country. For many, stealing grain was a matter of survival, but it also became an act punishable by death.

The famine resulted in widespread death. At the height of the famine, in June of 1933, Ukrainians were dying at an estimated rate of 28,000 people per day. Nearly four million

Ukrainians died because they were deliberately deprived of food by the Soviet state. Many others were imprisoned, deported, or executed. For decades, the truth of what happened was avoided or denied in Soviet countries and elsewhere around the world.

Mr. Speaker, it is difficult to comprehend the level of suffering and death that was knowingly inflicted upon innocent people. The echoes of this horrific period in history, and the use of these brutal tactics, are tragically seen again today, as the senseless, unjust, and illegal invasion of Ukraine presses on. Ukrainian communities endured then, just as they do now.

The survival of Ukrainian tradition and culture is a testament to the strength, resilience, and perseverance of their people. Canada is home to the world's second largest Ukrainian diaspora descendant community of approximately 1.4 million people. Since the Russian invasion of Ukraine earlier this year, the Yukon has welcomed at least 20 Ukrainians seeking refuge. This is in no small part due to the great efforts of local volunteers, sponsors, and organizations.

Mr. Speaker, I reaffirm the Government of Yukon's position of solidarity with Ukrainians during this time of crisis and to honour those who have fought, and continue to fight, for Ukrainian freedom.

Applause

Mr. Istchenko: On this 90th anniversary of Holodomor, I rise on behalf of the Yukon Party Official Opposition to recognize and pay tribute to those who lost their lives during the enforced famine in Ukraine by the deliberate actions of Stalin's communist government and the Union of Soviet Socialist Republics. It was the direct actions of the USSR in the 1920s that worsened the conditions in Ukraine and forced many Ukrainians to flee to countries, such as Canada, which welcomed them with open arms. Throughout the 1920s, Ukrainians found refuge in the Canadian west and the fertile land it offered. It reminded them of home, and they worked the land like they did in Ukraine. They were the lucky ones, as the situation back home turned to genocide in the early 1930s. The law of five stacks of grain passed in 1932 stated that anyone caught taking minuscule amounts of grain from a collective farm would be shot.

The Ukrainian Holodomor commemorates the lives of millions of Ukrainians who starved to death because of the policy imposed by Joseph Stalin's dictatorial regime between 1932 and 1933 alone. This act was aimed at destroying the national, cultural, and democratic aspirations of the Ukrainian people — ideals that their descendants must still fight for today. Historians estimate that close to seven million people died during this period — one-third of whom were children. It is said that the Ukrainian people died at a rate of 24,000 people a day at the height of the famine. This famine was a result of the Ukrainian crops being confiscated and people isolated by the army, unable to receive aid or food from neighbouring nations. The Soviet regime commenced a campaign against nationalists — “deviations”, as they were called. Much of the Ukrainian culture's elite were repressed or perished in the course of the

1930s. Arrests followed by imprisonment, exile, or execution decimated the ranks of the intellectuals who opposed.

My family, trying to flee, lost all male members to execution, with the youngest being 16 years old. Moving across Europe, family members were born in different countries. My father was born in Austria. They eventually immigrated to Canada because they had family here who had come earlier. So, today, we honour those who lost their lives during Holodomor and stand with the survivors and family members of those who experienced this torture. It is a scary time for Ukraine right now, as its people are suffering still, this time at the hands of Vladimir Putin's regime.

So, Slava Ukraini.

Applause

Ms. White: Today, the Yukon NDP stands in solidarity with Ukrainian people around the world in memory of Holodomor, the Great Famine.

Holodomor has been recognized by Ukraine and many other countries as a genocide carried out by the Soviet regime against the Ukrainian people. This man-made famine in the former Soviet Union caused the death of millions of men, women, and children who fell victim to the cruel actions and policies of the totalitarian regime.

The Great Famine took the innocent lives of many millions of people and became a national tragedy for the Ukrainian people. We also honour the memory of millions of Russians, Kazakhs, and those of other nationalities who died of starvation in the Volga River region, northern Caucasus, Kazakhstan, and other parts of the former Soviet Union as a result of civil war and forced collectivization. It changed the face of a country and a people forever. The horrific actions left deep scars, and those scars have been reopened since Russia again declared war against Ukraine.

Today, we see the actions from 90 years ago repeated with the Russian Federation's use of food as a weapon. This action threatens the world's stability by once again taking the grain from the breadbasket of Europe and keeping it from those who need it. The actions of the past must not be forgotten or allowed to be repeated.

Slava Ukraini.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. McLean: Pursuant to section 53(3) of the *Yukon University Act*, I have for tabling the university's 2021-22 annual report and their audited financial statement for the year ending March 31, 2022.

Mr. Speaker, I also have for tabling the Yukon government's response to the recent report from the Yukon Child and Youth Advocate, which is dated November 22, 2022.

Hon. Mr. Clarke: I have for tabling two legislative returns.

Hon. Mr. Streicker: I have for tabling three legislative returns in my role as Minister responsible for the Public Service Commission and three legislative returns in my role as Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation.

Mr. Dixon: I have for tabling the most recent annual report of the Child Development Centre.

Ms. Blake: I have for tabling a letter of support from the Kwanlin Dün First Nation in support of Bill No. 305.

Speaker: Are there any reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Yukon government to ensure that our hospitals have the financial resources they need by taking action including:

(1) providing the Yukon Hospital Corporation additional funding this fiscal year to compensate for the impact of inflation; and

(2) providing the Yukon Hospital Corporation additional funding this fiscal year to address increased costs associated with the pandemic.

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

THAT this House urges the Government of Yukon to direct parents and families of current and former Jack Hulland Elementary School students to where they can find information on whether or not their child was subject to holds and seclusion.

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

THAT this House urges the Government of Yukon to work with the contractor responsible for clearing the right-of-way on the Takhini River Road to ensure the safety of drivers and residents by:

(1) harvesting firewood and stacking it in a safe manner for use by Takhini River Road residents;

(2) clearing brush and debris from roadways and trails; and

(3) chipping organic matter left by this work in such a way as to be compostable.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Internet connectivity

Hon. Mr. Clarke: Our government continues to work hard to ensure all Yukoners are able to stay connected. Many people in our country take Internet access for granted. We Yukoners know that disruptions in Internet access can and do

occur. These severances in connection have a significant impact on our work, our families and friends, our health, and our overall way of life in modern times. This connection for those deep in the bush with no neighbours in sight or those far down the river from Dawson with only boat or snowmobile access to their secluded residences are absolutely vital. In an emergency, this might be the only line to help available.

I was pleased to see that Xplore, formerly Xplornet, recently announced that they would be extending their satellite Internet services to Yukoners until September 2023. While the responsibility of managing and regulating satellite services ultimately rests with the Government of Canada, our government understands the importance of connectivity across the Yukon. This is why we advocate for Yukoners, as best we can, at every opportunity. When we were first alerted to Xplore's plans to end service in the Yukon, I immediately began working with my federal counterpart at Innovation, Science, and Economic Development. Our initial work with the federal government and Xplornet a number of years ago led to an extension to December 31 of this year.

During that time, Starlink, a new type of satellite Internet service, announced their intention to provide service to the Yukon. Starlink's announcement provided some comfort to rural Yukoners. However, Starlink did not initially believe that they would be able to provide service until the first quarter of 2023. This left us with a possible gap of service. As Yukoners, we are no strangers to going without phone or Internet coverage and we often do so by choice. However, there is a difference between wanting to have no network and not having a choice in the matter.

Our government is committed to providing modern infrastructure that allows Yukoners to be connected in our rapidly advancing world. This means that we can pay our bills and do our banking online. We can video-call our relatives around the world, and if our jobs allow, we can work remotely from the comfort of our homes. None of these things can be done without access to the Internet. That is why, when rural Yukoners were facing this gap in Internet service, we continued to express concerns with the president and CEO of Xplore. I also sent a joint letter with the Northwest Territories Minister of Finance requesting that the federal government find a solution, given their role in regulating and funding broadband initiatives in Canada.

The announcement from Xplore to extend satellite service until September 2023 was indeed welcome news. Mr. Speaker, through our efforts, we have helped to ensure that rural Yukoners will have uninterrupted satellite Internet services. I am proud that our government played a part in making this happen.

Mr. Hassard: Thank you, Mr. Speaker, and I thank Xplore for listening to the needs of Yukoners and extending their service until next September as well. We welcome the Starlink system, which will fill the gap and offer Yukoners another option for accessing the Internet.

However, I am quite confused by this "pat on the back" ministerial statement from the member opposite, especially the

line — and I'll quote: "When we were first alerted to Xplore's plans to end service in the Yukon, I immediately began working with my federal counterpart at Innovation, Science, and Economic Development."

So, Mr. Speaker, the government first found out about this plan to end service back in August 2020. Now, the current minister was, of course, sitting in the Speaker's chair at the time. I seem to recall a social media post from the former minister in October 2020 which showed him leaning back in his chair while on the phone with Telesat's president discussing the situation. So, I'm curious: How can the minister say that he immediately began working with his federal counterpart when he was sitting in the Speaker's chair at the time the Yukon government found out about the shutdown? It seems, Mr. Speaker, that this is just some more unreliable information coming from the government benches.

Ms. Tredger: I can speak quite personally to this issue because my parents are entirely dependent on Xplornet for communications at their home on the Pelly River, far from cell service or radio signals. They used to have options for communicating such as the radio-phone network to make phone calls or AM radio to get critical news. All of those have been replaced by Internet and no longer exist.

The importance of Internet, their only method of communication, was highlighted last summer when lightning struck near their home and a forest fire began burning. Their neighbours used the Internet to call in the fire. My parents checked fire maps, connected with fire services, and waited for updates on whether they should be evacuating. They called me, my siblings, and their friends, who volunteered to help prepare for the fire. Without Internet, they would have been entirely cut off from the world with an active forest fire burning less than a kilometre away.

My parents are hardly the only ones in this situation. Across the Yukon, people outside of municipalities are dependent on satellite Internet to keep them connected and safe or operate their businesses. Internet is critical infrastructure. It is the responsibility of this government to make sure Yukoners have access to that critical infrastructure.

So, we are very happy to hear that Xplornet has been extended. We hope that the Yukon government will consider it to be its responsibility to ensure that satellite Internet solutions continue to exist for everyone who needs them.

Hon. Mr. Clarke: Thank you for the comments from the members opposite. Just a brief response to the Member for Pelly-Nisutlin — hopefully, I was clear in my initial statement that, when I came to this role, I was tasked with seeking an extension of the service into next year, but I certainly do commend the former Minister of Highways and Public Works for his yeoman work on the file previously.

Internet access is crucial for the health and safety of all Yukoners, especially those who are living in isolated situations where help for emergencies is not close by. We know that Yukoners' quality of life depends on reliable connectivity, whether they are in a city or in a rural community. This is the

reason that, among other services, we are building the Dempster fibre line to ensure Internet redundancy.

Of course, the Yukon Party talked about this project for years but never took action. Under our Liberal government, this project is under construction. Work continues to advance on this project to extend 800 kilometres along the Dempster Highway from Dawson to Inuvik in the Northwest Territories.

Mr. Speaker, Yukoners deserve access to infrastructure that works and that meets their needs. This project also supports economic diversification and will help grow the Yukon's digital ecosystem. This type of investment was long overdue. When we took office in 2016, the Yukon was in an infrastructure deficit. I am proud of our government in its steadfastness of commitment to building up resilient communities across the territory. Investing in infrastructure like telecommunications is investing in the Yukon's future.

While this work is important, we must remember that some of our more remotely located Yukoners still rely on satellite to stay connected. While the extension of Xplore services into 2023 is welcome, positive news, it is still necessary that Yukoners who rely on satellite services look to a new satellite service — that of Starlink. Starlink satellites will significantly improve Internet speeds, allowing rural Yukoners to have access to more reliable Internet services and better quality video and phone calls.

On Monday of this week, Starlink announced that its service is now available across all of Canada and Alaska. According to my officials in Highways and Public Works, with this announcement, Starlink has indicated that it has started processing orders for the Yukon and is arranging to ship satellite terminals to customers here in the territory. This is indeed an exciting announcement ahead of what Starlink initially expected for its operations.

At this time as well, Mr. Speaker, I would like to thank our Member of Parliament, Dr. Brendan Hanley, for all his hard work advocating for Yukoners' connectivity as well. I know I speak for many when I say that our MP's dialogue with the federal government, as well as the president and CEO of Xplore, went a long way toward ensuring that any gaps in Internet services would be covered. That makes all the difference for Yukoners in remote regions.

I am honoured to do this kind of advocacy work on behalf of Yukoners, and I will continue to work toward a connected, modern Yukon.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

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

Mr. Cathers: It has been several weeks since the Child and Youth Advocate released her scathing report about the Liberal government's handling of sexualized abuse in a Yukon school.

One of the key areas of concern identified in the report was the untimely and disorganized way that students, staff, and the school community as a whole were offered therapeutic

supports. According to the report, this resulted in delays and gaps in service. The report found that the YCAO — and I quote: "... heard from numerous families and educators that access to services was not timely, sufficient, or developmentally appropriate."

Can the minister tell us what changes she has implemented since receiving this report that outlines the failings of her and her department's handling of this issue?

Hon. Ms. McLean: I want to first thank the Child and Youth Advocate — and I know that we have members of her office here today in the Legislative Assembly — for the work that she did on the report regarding Hidden Valley Elementary School and the issues that have happened there and the unfortunate actions of a former employee of the Department of Education. We appreciate that work that the Child and Youth Advocate did. I was able to table our response today in the Legislative Assembly to the report that we received in October 2022. Government of Yukon is grateful again for the thorough and careful work of the Child and Youth Advocate in conducting her review.

We have accepted all of the recommendations in principle in the October 2022 review and are committed to continuing system-wide corrective action. The report's recommendations have helped us to re-examine, refine, and enhance our existing commitments to ensure a strengthened student- and child-centred approach. Again, I thank the Child and Youth Advocate for her thorough work.

Mr. Cathers: I asked the minister what changes she had implemented and she didn't answer the question.

Another area of considerable concern identified by the advocate in her scathing report of the minister and her department's handling of this was in relation to lack of communication with parents, families, and the school community. Here is what the Child and Youth Advocate's report said — and I quote: Education's "... lack of action and poor communication with affected parties and with the public have called into question whether their policies and systems are adequate to prevent similar situations in the future."

Even worse, the report goes on to say: "The Advocate has heard from the affected families that the inadequacy of response has added to the trauma..."

Can the Minister of Education update the Legislature on what communication policy changes, if any, she has implemented since receiving this scathing report?

Hon. Ms. McLean: We will continue to ensure that the well-being of Yukon children remains the centre of our decision-making and actions. There is nothing more important than that. I take my role very seriously, as Minister of Education. We have taken significant action and will continue to address the issues that have been identified in this report and others.

I remind folks that I launched a review into the Hidden Valley matters that unfolded over the last year and a bit, and we received and had a thorough review of the actions and work of our departments. We received a report from Amanda Rogers. We actioned that right away, and it has resulted in a safer schools action plan that is very thorough. There are 23 actions

arising from seven recommendations of that report; 13 of them are complete. Much of that work is ongoing and is targeted at being completed by spring of 2023.

Mr. Cathers: Again, the minister and her department have continued to fail families. The Child and Youth Advocate found it unacceptable that communications following the 2019 criminal 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 Child and Youth Advocate highlighted the decision not to send a letter drafted by the then-principal to the school committee in December 2019, calling this — and I quote — a “gross oversight”.

Will the minister now acknowledge what the Child and Youth Advocate called a “gross oversight” in the Department of Education’s handling of communications following this criminal incident?

Hon. Ms. McLean: I guess I’ll go back a little bit and just talk again about the work of the Department of Education, which has absolutely been focused on continuing to uphold the dedicated staff at Hidden Valley and continues to work with providing a range of supports, including access to counselling, which will continue to be available. No family will be left behind.

We increased staffing support in 2021 at Hidden Valley and have again in 2022-23. I know that you are speaking directly about the communications, Mr. Speaker. Part of the safer schools action plan includes new protocol and policy around communication, which has been enacted in all of our schools. We’ve had very specific training with administrators.

I thank the administrators from across the territory who came together early, prior to the school year starting, to be trained in the safer schools new policy and to become very familiar with post-incident communication and guidance, which is being followed.

Question re: Child Development Centre services wait-list

Mr. Dixon: The Child Development Centre is a not-for-profit organization that provides essential therapeutic services and support for all Yukon children from birth to kindergarten. In their most recent annual report, the Child Development Centre raised the alarm bell about the growing issue of wait times to access those essential services. According to that report, there’s a wait-list for all therapy services in Whitehorse and there were 145 children waiting for 174 services in Whitehorse. According to the report — and I quote: “This is the equivalent to 8 kindergarten classes.” Let me repeat that, Mr. Speaker: There’s a wait-list for these essential therapeutic services to support Yukon children equivalent to eight kindergarten classes.

Can the Liberal government tell us what they have done since these stats were released to help the CDC reduce this wait-list?

Hon. Ms. McLean: Education and Health and Social Services work collaboratively with partners, including the

Child Development Centre, to improve ways to provide the best services and supports to Yukon children and families.

We acknowledge and very much appreciate the Child Development Centre’s important work helping families and children to access inclusive early learning and therapeutic services. The Child Development Centre also provides supports to educators working with children with diverse developmental needs and licensed early learning and childcare centres.

I have had opportunity to sit with the Child Development Centre board and staff to talk about the important work that they are doing and to hear some of the challenges that they have. In 2021-22, the department funded the CDC to undertake a review of services, and they have since shared two reports — the Child Development Centre strategic planning and the structural renewal report and a summary of funding requests, structural renewal, and collective bargaining as well.

Again, Child Development Centre is a really important service that we will continue to support and work with.

Mr. Dixon: While I appreciate the minister’s acknowledgment that the work of the CDC is important, my question was specifically: What work has been done to reduce the wait times? An equivalent of eight kindergarten classes is a considerable wait-list. The CDC relies on government funding, and the minister has referenced this already. If the government doesn’t increase their funding, then it will be extremely difficult for them to address the massive wait-list of children waiting for supports. According to the minister’s briefing notes, the 2022-23 budget for the CDC is approximately \$3.3 million. It also notes that the CDC is seeking an increase to their budget to help address these growing wait times for children and families.

So, will the minister agree to increase the funding to CDC to help address wait times for the important services that they provide?

Hon. Ms. McLean: Again, we very much value the work of the CDC. We are providing approximately \$3.4 million in operational funding for the CDC, which includes funding to cover the collective agreement increases. We’re working closely with them to also support the work of ensuring that they are able to be in a space together. So, there are significant commitments from our government to support the renovation, the outfitting, and furnishings of the new building that they will hopefully be occupying very soon.

So, again, we’re working very closely. We also funded the work that I had just mentioned around strategic planning. In terms of assessment, we’re working to develop localized criteria around prioritizing assessments and ensuring student learning needs are being addressed. The length of time to perform an assessment is dependant on the complexity of the student’s needs, the nature of the assessment needed, and the schedule of the professional administering the assessments.

When we met with CDC, we talked about how we can work together to ensure that children are assessed in a timely manner.

Mr. Dixon: While I appreciate the information the minister provided, it’s not what I asked. My question was

specifically about the wait times that so many Yukon families are facing in accessing the services of the CDC.

I want to stress for the minister that the size of the wait-list for the Child Development Centre is a major issue to a lot of Yukon families. The most recent annual report shows that not only are there 145 children waiting on 174 services in Whitehorse, but the number of children who have been waiting more than six months for services was at 41. It is incumbent upon the government to provide the CDC with adequate resources to eliminate this wait-list.

Now, I know that the CDC has met with the minister; she has acknowledged that. So, my question is very simple: Will the government provide the CDC with sufficient resources to eliminate this wait-list?

Hon. Ms. McLean: Again, yes, we will continue to work with our partners at the Child Development Centre. They provide very important services. When I met with them, we talked about earlier interventions so that children coming into the school system are able to begin addressing issues that may be there and to be able to start kindergarten better prepared to learn. Our government is making a lot of investments in this area. Reimagining inclusive and special education is very much tied to this work.

I am really happy to see that the Leader of the Official Opposition is now interested in these types of services and I think, also, just being interested in solutions for early learning and childcare and our K to 12 system, because I certainly know that there was a lack of that for the 14 years that they were in government and paid very little attention to these issues that our government is taking very seriously, and we are addressing them.

Question re: Wetlands protection

Ms. Tredger: This government talks a lot about carbon emissions from burning fuel, but that is not the only way that carbon is released into the atmosphere; disturbing wetlands is another. Wetlands store huge amounts of carbon, and every time that we build a mine or another development in a wetland, this carbon is released, contributing to climate change. In the past, the minister has said that, before they can do anything, they have to figure out exactly how much carbon is being released when our wetlands are disturbed.

Well, while he was making excuses, other people did the work. Last week, CPAWS released their report, which provides estimates of carbon released from wetlands in the Indian River region. They estimate that, in that region alone, yearly carbon released from wetland disturbances could cancel out all the reductions from YG's plans to improve public and active transportation.

So, now that the minister knows — for sure — that significant amounts of carbon really are being released when we disturb wetlands, will he act?

Hon. Mr. Streicker: I meet very often with the folks at the Canadian Parks and Wilderness Society Yukon. I was just there recently, actually, when they were saying a fond farewell to their executive director.

The last several times that I have met with CPAWS Yukon, we discussed the issue of wetlands. I talked to him about getting some real science research behind this; I appreciate that they did an investigation. I wouldn't call that, sort of, authoritative science. They say so right at the beginning of the report. I have tabled the report right here in the Legislative Assembly, and right at the beginning, they say, Look, we aren't scientists; this isn't our field of research — but they made some estimates.

Again, whenever we look at this issue, we also need to acknowledge that placer miners are doing reclamation work, and we should assess whether that is changing the amount of carbon that is stored over time. It is an important topic to investigate, and I have offered to work with industry, with the environmental organizations, and to fund research that we all agree on that will help us to understand what the scope of this problem is and to get a better understanding on it.

Ms. Tredger: I am shocked but not surprised to hear the minister say it is not real science, since last week he insulted CPAWS in the media by saying they need to — quote: "... tighten up the science..."

So, let's look at the government's own attempts at a wetlands policy. The last draft of the wetlands policy made no mention of tracking carbon emissions from the destruction of peatlands. That policy has been in the works for years, and in the meantime, the minister has continued to allow the destruction of wetlands with no consideration for greenhouse gas emissions. The report from CPAWS states: "Not knowing the magnitude of these emissions is a massive blind spot for the Government of Yukon."

The wetlands policy is supposed to be out by the end of the year. If we really are weeks away from the release of the wetlands policy, as promised, surely the minister knows if it will include tracking of carbon emissions — so, will it?

Will the government finally start tracking carbon emissions from the destruction of wetlands?

Hon. Mr. Streicker: What I will say is that, whenever I made those comments publicly, I certainly have made them directly with CPAWS Yukon. In fact, I think I have a meeting coming up with them again in short order. We have a very respectful relationship, and I have talked with them about the importance of getting science on this. You know, I also happened to table a response to that report from the Klondike Placer Miners' Association.

Look, I don't want to get into an argument back and forth about this. What I would like to do is to get some good science on it. The purpose of the original work on the wetlands strategy wasn't around greenhouse gas emissions, but the good thing is, we are getting that framework in place, and it will provide us a place that, if and when we do find that there are issues around wetlands, first what we'll do is work with placer miners to get their reclamation working so that they decrease any emissions and possibly even enhance the store of carbon. That's important. Then we can always adjust the wetlands strategy.

Ms. Tredger: It's an old, old story we are hearing. When the government doesn't want to act, they say they have to wait for more information. When a group like CPAWS brings them the data, they say it is not good enough. As they continue to

stall, wetlands are being irreversibly destroyed, carbon is being released, and our hopes of slowing climate change are slipping away.

This government says they don't have enough information to take climate action, but somehow, they do have enough information to approve mines and the destruction of wetlands. If the members opposite disagree with me, I would love to be proven wrong.

So, will the minister halt development in undisturbed wetlands until he has all the data he thinks he needs to protect them?

Hon. Mr. Streicker: The report that CPAWS Yukon put out, the emissions that they estimated could be there was about one percent of our overall emissions. All right. And still, I think that's significant. We do need to look at it. In fact, from the very first meeting that I have had with CPAWS Yukon — and I meet with them, I believe, four times a year in person, sitting down, respectfully talking through these issues — we have said that we will work with them to get better science. I would be ever so happy to share that science here with the Legislative Assembly for all of us to see.

I have said all along that what we want to do is make sure that the way in which we have mining — whether that be placer mining, whether that be hardrock mining — that we work to reduce our emissions.

I have said to the industry that we are working to net zero by 2050, and we will continue that path. Now, that's on a whole bunch of fronts; it's not just on wetlands. It's on the use of emissions; it's on the fact that we need mining. Mining is critical to move off fossil fuels, and at the same time, it's critically important that we get mining right. I want to say, in working with the industry, they have always been open to doing that work, and I want to thank them for that hard work.

Question re: Carbon tax exemptions for home heating fuel

Mr. Istchenko: Later today, we will vote on a motion that I tabled calling on the federal government to remove the carbon tax from home heating fuel. This has been an issue that provinces across the country have raised with the federal government, as citizens in all regions are facing the extreme challenges of inflation and rising home heating fuel costs.

So, will the Yukon Liberals support my motion and send a message to Ottawa that now is not the time to increase the cost of home heating for Yukoners?

Hon. Mr. Silver: Mr. Speaker, we have seen, right across Canada, the federal government putting new requirements into their federal carbon pricing mechanisms. What we have seen is home fuel being taken off of those rebate programs that existed in the Maritimes and also in the Northwest Territories, and we have seen the rationale from the federal government as to why these are being taken out, as far as the price signal. We have also, in Yukon, been able to, with all-party support here in the Legislative Assembly, keep our rebates intact so that we have more determination now than other jurisdictions, including the Maritime provinces, that are losing their rebates.

So, I want, on the one hand, to thank the members opposite for supporting our rebates for carbon pricing here locally — and also, hopefully they recognize as well the parameters that the federal government is setting when it comes to what is kept in region-specific carbon-pricing mechanisms and rebates.

Mr. Istchenko: So, the October fuel price survey published by the Yukon Bureau of Statistics paints a clear picture of the incredible burden that home heating fuel costs will put on Yukoners this winter. Here in Whitehorse, furnace oil is almost 60 percent higher than it was last year. In my community of Haines Junction, the price of fuel oil is just under 67 percent higher than it was last year. I have heard from constituents who struggled last year, so I know that the 67-percent increase will be too much to bear for them this year.

An easy way to reduce that increase would be to remove the carbon tax from home heating fuel. The Yukon Liberals are one of the few governments left in the country that support keeping the carbon tax on home heating fuel. So, if they speak up, we are sure that the Trudeau Liberals will listen, so will they vote in favour of my motion later today?

Hon. Mr. Streicker: Here are the ways that we are working to try to support Yukoners: We raised minimum wage; we have cut the small business tax rate; we have introduced universal, affordable childcare; we have provided an inflation relief rebate on electrical bills; and we have provided a firewood rebate.

The thing that the member opposite is asking about is the price on carbon and how that is rebated. The thing is that we take a look at all the money that individual Yukoners pay into this. We rebate more than that to Yukoners. I asked the Department of Finance recently what that means for low-income Yukoners, and on average, 85 percent of Yukoners will get back more money than they are paying in.

So, that's the way in which we are supporting Yukoners. It's important that we work through programs like the Better Buildings program to find ways to break the dependency on fossil fuels, because we need to transition Yukoners off of fossil fuels and we need to put that support out there. We don't want to continue the dependency that the Yukon Party is interested in through LNG plants.

Question re: Fuel and carbon taxes

Ms. McLeod: Another huge issue facing Yukoners is the soaring price of food. In October, the CBC reported that food prices were increasing 11.4 percent, which is the fastest pace of increases in grocery bills since 1981. Here in the Yukon, with so much of our food transported into the Yukon by truck, the fuel price is the main driver of food prices. The most impactful way the Yukon government can influence the fuel price is with the fuel tax.

Will the Yukon government help address food prices by cutting the fuel tax?

Hon. Mr. Silver: I see a theme here on the Yukon Party trying their best to remain dependent on fossil fuels in all of what they would do for rebates for Yukoners.

We do have one of the lowest gas taxes in the country. The Yukon Party's plan is to invest in fossil fuels by building a

diesel plant. Our approach is different. We want to invest in renewables. We want to invest in affordable energy. We are investing in things like public transport with the City of Whitehorse, and we have introduced a suite of initiatives, actually, for people to transition toward electric bikes and vehicles.

The Yukon Party opposed carbon pricing, and now we're hearing them talk about how they would maybe re-jig the system for fossil fuels. But again, Mr. Speaker, we see the opposition continuing to take a look at how we can do our best to subsidize fossil fuels when the Liberal Party has invested in getting off of fossil fuels, making lives affordable for Yukoners. It's a different approach than the Yukon Party, but I think it's more sustainable in the long run.

Question re: Inclusive and special education

Mr. Kent: Last fall, several parents of children who require additional learning supports went to the media to raise concerns about the long wait times for psychoeducational assessments — some as long as two or three years. These assessments are done by specially trained psychologists who look at how a child learns, as well as barriers to learning that the child may face. In many cases, such an assessment is necessary for parents to access particular educational supports.

So, can the minister tell us what actions she has taken on this important issue since last year and if wait times are still as long as two to three years?

Hon. Ms. McLean: I guess I'll start here. The 2019 audit and the final report of the review of inclusive and special education tell us that we have to rethink how we're supporting students and delivering timely, effective supports for their learning needs. We're working to develop localized criteria around prioritizing assessment and ensuring that student learning needs are being addressed. The length of time to perform an assessment is really dependent on the complexity of the student's needs and the nature of the assessment needed and the schedule of the professional administering the assessment.

If a student needs a formal assessment, school staff may still implement many strategies, supports, and accommodations recommended through school-based teams and informal assessments to address the learning need of the student so that they can be successful at school.

There are many supports that are in place in schools such as speech and language pathologists, educational psychologists, school community consultants, physiotherapists, occupational therapists, and others that I'll continue to build on.

Mr. Kent: So, the parents who spoke out in the media said that the two- to three-year wait time for those assessments was unacceptably long. The executive director of the Learning Disabilities Association of Yukon agreed with parents and said that an up to three-year wait in the public system was absolutely not an appropriate length of time.

So, can the minister tell us if she has increased funding to this area to reduce the wait times, and if so, by how much?

Hon. Ms. McLean: Again, very important topic that we're talking about today — the needs of children as they enter into our educational system and even prior to entering into our

educational system. I think that this is definitely part of this discussion — that as we reimagine inclusive and special education, we're looking at our whole system. Our government has made significant changes, Mr. Speaker, in terms of moving early learning and childcare under the Department of Education and really working as a whole system approach in terms of working toward early intervention with children. We just talked about the Child Development Centre and the work that they do and that so many of our other partners are doing.

Our Department of Education continues to look at ways to reduce those wait times. I want to be clear to Yukoners that we are not waiting for assessments to happen. As those wait-lists continue to decrease, we are providing services to students. We work with our school-based teams to ensure that there are supports in place for students as they await those formal assessments.

Mr. Kent: So, my question was whether or not the minister had increased funding to reduce these wait times, and I don't believe I received a response.

So, these psychoeducational assessments are important because not only can they help identify specialized learning approaches for both parents and educators, but they can also result in the child receiving an official diagnosis. An official diagnosis is often required for students to be eligible for certain funding and supports from various levels of government. Some parents are seeking private assessments, given the long wait times, and many have noted that there is a significant cost when they are forced to seek a private assessment as opposed to one offered through the Department of Education.

So, are there financial supports available to parents who are required to pay out of pocket for psychoeducational assessments as a result of the two to three year wait time for the publicly funded option?

Hon. Ms. McLean: Again, we're talking about important services for children and families in our educational system. We're working very hard to reimagine our education system.

I think it's really great that the Yukon Party opposition are interested now in education. I know they don't like it when we say this, but they were in charge of our education system for 14 years. All of these issues that we are dealing with have taken some time to get to where we are. These are systems and approaches that really othered children in so many ways and that is what the Yukon Party led. We are working our way out of that. The Auditor General report points us in new directions in terms of really embracing our children and not othering them, not pushing them into other spaces. They have a right to be in classrooms with other children, and so many of our issues that we are dealing with are a result of neglect of our system for a long time.

Speaker: The time for the 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. 305: *National Day for Truth and Reconciliation Act* — Second Reading

Clerk: Second reading, Bill No. 305, standing in the name of Ms. Blake.

Ms. Blake: Mr. Speaker, I move that Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, be now read a second time.

Speaker: It has been moved by the Member for Vuntut Gwitchin that Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, be now read a second time.

Ms. Blake: I am honoured today to introduce Bill No. 305, an act to establish the National Day for Truth and Reconciliation as a general holiday to take place on September 30 annually. When I was preparing for this bill, I was reminded of when my predecessor, the late Darius Elias, the then-MLA for Vuntut Gwitchin, spoke about truth and reconciliation in this House. Seven years ago, he stood in this House and spoke truth to power on the legacy of colonial governments and the harm they caused to indigenous people. I am honoured that I have been able to call on his wisdom and his past words when thinking about what I would say today.

This bill, if adopted, would ensure that every Yukoner has the space and time to reflect and honour the people and families impacted by the legacy of the residential school system and a space to remember all of the children who did not get to come home.

I will begin by providing context as to why this bill is so important to the action we take as leaders who represent our communities. If we are truly committed to reconciliation, this bill is a very important step toward to this goal.

For generations, colonial governments — both federal and territorial — used the residential school system, the health care system, the justice system, the child welfare system, and many more as tools to harm and kill indigenous people. These systems worked exactly as leaders at the time had planned: They destroyed entire societies of indigenous people.

Colonization stripped us of our culture, our language, our practices, our social bonds, the bonds with our children and our ancestors, our lands, our traditional knowledge, our traditional items, and our way to see the world around us. Today, so many indigenous people are not fluent in their own language or their own culture. My own community, the Dagudh Gwich'in, have ceased to exist as a recognized group of people because of this genocide.

You'll note that the preamble of this bill uses the word "genocide". When I drafted this bill, the use of that word was intentional. The legacy of colonization and violence against indigenous people in Canada fits directly under the United Nations' definition in the genocide convention, which states — and I quote: "... genocide means any of the following acts

committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

"(a) Killing members of the group;

"(b) Causing serious bodily or mental harm to members of the group;

"(c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;

"(d) Imposing measures intended to prevent births within the group;

"(e) Forcibly transferring children of the group to another group."

Each of these examples of genocide have been committed against indigenous people all across Canada, including here in the Yukon Territory. For points (a), (b), and (c), children and adults have died at the hands of colonial governments. Colonization has caused both physical harm and mental distress by way of discrimination, seizure of children, wrongful imprisonment, forced relocation of entire communities, destruction of our means of subsistence and ways of life, loss of culture, the destruction of our social fabric and political systems, and the death or disappearance of thousands of children in the residential school system.

Point (c) is also illustrated by the chronic underfunding of public services for indigenous children, as proven by the Canadian Human Rights Tribunal 2016 decision on First Nation child welfare, which found the Government of Canada's flawed and inequitable provision of First Nation child welfare services to be discriminatory on the prohibited grounds of race and national or ethnic origin.

Point (d) can be illustrated by the report of the Standing Senate Committee on Human Rights of Canada, dated June 2021 — and I quote: "The committee's preliminary hearings on forced and coerced sterilization confirmed its concerns that this horrific practice is not confined to the past but clearly is continuing today. Its prevalence in underreported and underestimated. The committee is deeply concerned that along with Indigenous women, other vulnerable and marginalized groups in Canada are affected, including women with disabilities, racialized women, intersex children and institutionalized persons."

Of course, point (e) clearly describes the residential school system, which forcibly removed indigenous children from their homes and communities to schools that further systemically harmed them. It also can be illustrated by the Sixties Scoop. It is also highlighted in the Canadian human rights decision I just mentioned, which tied lack of funding to the number of First Nation children in care — and I quote: "... acknowledging] the suffering of those First Nations children and families who are or have been denied an equitable opportunity to remain together or to be reunited in a timely manner."

There are so many examples.

I want to take a moment to speak specifically about residential schools. These schools were a systemic and explicit part of genocide. For generations, the official policy of Canada was to kill the Indian in the child. For over 100 years, these schools stole children from their homes, their families, and their

communities. This didn't just harm and traumatize the children who were taken; entire communities were left without any children in them. I've heard stories of entire villages that fell silent once the residential school system took the children. There were no children to run, laugh, and play; there were no children to learn knowledge passed down from our elders, aunts, and uncles.

The federal government legislated this genocide through all of the systems that they created and forced us into, as indigenous people across Canada. There is no greater power over people than the threat of incarceration or being in violation of the law. I have learned, through oral history in my own community, how the federal government used these threats against parents to force them to give up their children to be sent to residential schools and the child welfare system.

We, as indigenous people, are still bearing the consequences of residential schools today. Every community in the Yukon has, and continues to be, directly impacted by this system. Let us remember that the last residential school in Canada only closed in 1996 in Saskatchewan. All of us in this House were either teenagers or adults in 1996. I know that, in the fall of 1996, I was leaving my family, my community, and support system and moving farther away from my culture to go to high school in Whitehorse. It is hard to believe that there was a residential school system closing at that time.

As we build our communities back up, unmarked graves are still being uncovered on residential school sites. In spite of all of this, we have fought so hard to not let our culture die. Over seven years ago, in 2015, the Truth and Reconciliation Commission of Canada released 94 calls to action after the important and difficult work of collecting the stories of residential school survivors, loved ones, and community members.

Call to action 80 calls on governments to establish a statutory holiday, a national day for truth and reconciliation, to honour children who never returned home, survivors, their families, and communities. The federal government has fulfilled this call to action, but the Yukon government has not. This is just one of the many calls to action that Yukoners are waiting for this government to commit to.

A statutory holiday is a vital step in moving from reconciliation to "reconciliation". If there are concerns from businesses about the number of stat holidays, we are in full support of removing an existing colonial stat holiday to add national truth and reconciliation day. It is so important to acknowledge that Yukoners are impacted by the residential school system in many unique ways and find healing in different ways, too.

By providing a statutory holiday, Yukoners will have the space and time they need to heal in a way that is best for them. Some people may spend time in solitude to quietly reflect on the resilience of their families to get here today. Others might participate in cultural activities like sacred ceremonies, dancing, and drumming with their community. Others still might take their children to educational events to share the history of Yukon First Nations with a future generation.

This year, I was able to spend September 30 healing in my own way while acknowledging my own family and my home community's history with residential schools. On truth and reconciliation day this year, I was grateful to join the Northern Nations Alliance — Warriors Walk for Healing Nations. I was able to connect with the powerful organizers of this walk and many other walkers, young and old. We started at the Choooutla residential school site in Carcross on the Carcross/Tagish First Nation traditional territory and began walking all the way to the Kwanlin Dün Cultural Centre in downtown Whitehorse.

It was important for me to acknowledge all former students of Choooutla residential school, as many citizens from Old Crow also attended that school. I attended this walk on behalf of the community of Vuntut Gwitchin and the children who never made it home and all those who attended residential schools across Yukon and Canada. There were children from Old Crow who never came home, and to this day, families still do not know why they disappeared or where those children are. At the school site, I reflected on my own position in the legacy of residential schools. As a Vuntut Gwitchin citizen and a daughter of a residential school survivor, I feel the weight of this legacy in all of the work that I do and in my daily life as I raise my own children and connect with the many youth across our territory.

We walked together dressed in orange along the south Klondike Highway. Cars honked in support as we walked by drumming and singing in Yukon First Nation languages. On my eighth kilometre, one car slowed to a stop and a young man got out of his car to approach me. He asked me with curiosity and kindness what our walk meant. I shared with him what I have shared today in this House, and he thanked me and told me that he had no idea that September 30 was National Truth and Reconciliation Day. He told me how thankful and excited he was to see us walking and bringing awareness to this day. He also shared with me how much more he still has to learn and how much he looks forward to doing that learning.

This is a shining example of why we need to establish this day as a territorial statutory holiday. Every Yukoner should be supported to learn, like that kind man who approached me, what this day means for Yukoners. To support Yukoners to learn and heal in the ways that they need, this government must also devote real funding and resources to Yukoners on top of establishing this day as a holiday. From programming to educational tools, these supports are a critical part of reconciliation.

I remember when attending school in Old Crow in the early grades, elders came into the school on a regular basis to share with us their experiences of being taken away from their family and community to attend residential school. They taught us at that young age to appreciate our privilege of being able to stay and attend school in our very own community close to our families and connected to our culture. Even today, we continue to work at how to share these stories to help our children understand where our people have come from, what they have been through, and the strengths and pride we have gained from those experiences.

Historically, funding to communities and Yukon First Nations has been conditional, with government dictating when and how money is spent. Government must work with and listen to communities and Yukon First Nations so that they are able to lead what they want to use these resources for. The support will look different for each respective community, as every community is at a different place in grappling with and talking about the residential school system. Each community has been impacted differently by this legacy and will have their own way of honouring this day as a community.

I hope that every member of this House votes in favour of this bill in honour of past and future children. We have a collective responsibility toward reconciliation. This is especially true as representatives of our communities.

I would like to close by sharing a moment from September 30 of this year. As we gathered at the Choooutla residential school site, young children ran with freedom, playing and laughing on the hills around us. This is the future I imagine for all Yukon children: a future where the past is known, acknowledged, and passed down; a future where our children are included in the conversation of healing, where they are encouraged to learn about their families and the legacy of colonization; a future where children feel safe to play and grow freely while surrounded by family and community; and most importantly, a future where every child matters and the rights of all children will be upheld by all levels of government.

Mahsi' cho.

Mr. Dixon: I am pleased to rise at second reading of this bill and thank the Member for Vuntut Gwitchin for bringing it forward. We support the calls to action identified by the Truth and Reconciliation Commission. That includes recommendation 80, which calls for the establishment of a statutory holiday for a national day for truth and reconciliation to honour the survivors, their families, and communities and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.

That being said, we do have concerns about the imposition of yet another statutory holiday, as we know that it strongly impacts small- and medium-sized businesses. It also creates significant costs for government as well. As such, while we support the creation of a stat holiday as per the call to action from the TRC, our position is that another stat holiday should be removed to ensure that there is no undue impact on the business community. This removal should be done after public consultation with Yukoners.

I would like to thank the MLA for Vuntut Gwitchin for bringing this forward. We will support the bill at second reading and look forward to hearing more about the possibility of further consultation at debate during Committee.

Hon. Ms. McLean: I rise today and want to acknowledge the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än' Council, as well as the traditional territories of all of our Yukon First Nations that make up this beautiful territory.

I am happy to rise to speak to this important bill where September 30 of each year here in Yukon would be known as "National Day of Truth and Reconciliation" and observed as a holiday.

Residential schools are part of Canada's shared history, and we acknowledge the impact that this has had on Yukon First Nations and all First Nations across Canada.

I want to start by just talking a little bit about some of the views of Murray Sinclair. I share Murray Sinclair's view that the path to reconciliation is through education, and all Yukoners benefit from opportunities to learn about Yukon First Nation ways of knowing, doing, and being.

The Department of Education's role in truth and reconciliation is vital, and we are taking this responsibility seriously as we stand as allies to support truth and reconciliation initiatives across the Yukon schools and their communities on the National Day of Truth and Reconciliation and every day, Mr. Speaker. The department's work to address the calls to action by the Truth and Reconciliation Commission includes establishing a more inclusive public education system in Yukon, ensuring that schools meet the needs of Yukon First Nation students, and offering all students opportunities to learn about Yukon First Nation ways of knowing, doing, and being and especially, Mr. Speaker, to learn about the real history — the true history.

September 26 to 30 was Truth and Reconciliation Week. Schools across the territory and central administration organized activities for staff, students, and families to honour this year's theme, "Remembering the Children" — every child matters.

I had a chance to speak with Chief Doris Bill at the Kwanlin Dün First Nation — and several other chiefs, but I was particularly taken by the work that Chief Bill did — that work to visit as many schools as she could to be part of reconciliation week and to share with students a real perspective of our shared history. She said to me that this was a really positive move, to talk in a real way to students and show them and help them to feel what is needed in our territory and country for reconciliation.

The Government of Yukon observes September 30 as National Day for Truth and Reconciliation Day, also known as "Orange Shirt Day". This holiday is an important day to honour the survivors and families of communities impacted by residential schools in Canada and the continued trauma faced by indigenous communities throughout the country. I have spent a lot of time, in my working career, supporting survivors. I remember the earliest times when it was difficult to sit and listen to stories.

I always reflect on Andy Nieman and hearing him, at a young age, talk about his experience and his life story and how it started and how he moved through that traumatic experience into a place of healing — an ability to move his life forward. I always reflect on that. One of the things he said was that you need to have hope. We need to have hope, and without it, we are not going to be able to overcome the impacts that residential schools have had on us. He really inspired me to be brave and to work in a real way with survivors of residential schools. I did

just that and really learned and gained a deep understanding of how we got here, why we got to where we are, and I certainly followed the Truth and Reconciliation Commission and listened to a lot of stories throughout that time.

I know that to really, truly understand — and, to be honest, when this was first proposed, being an indigenous person myself, I really thought long and hard about the two days — the June 21 or September 30. I thought really long and hard about that, because I felt that we needed a day where we really celebrate our culture and our heritage, who we are as indigenous people, and how Canadians and Yukoners can be part of that celebration and see the value in our culture. I really struggled with having another day that was focused around reconciliation and having September 30 identified as that day.

I continued to really grapple with that, and then Kamloops happened. The discovery of bodies in graves shook not only our country but me to my core. I had just been appointed as the Minister of Education, and it wasn't lost on me that, somewhere along the way, someone made a decision who was in a position much like mine to create policies that would seek to rid the Indian in the child and to work with churches and with religious organizations to do just that. So, it absolutely shook me to my core, and I think it did for everyone else throughout Canada.

I think that everyone could really see and feel what we as indigenous people experience. I mean, if you're a parent of a child, I think it hit really hard for everyone, and people felt — they just felt — what indigenous people in this country have experienced. So, I have landed on that this should be a holiday, but a holiday that's reflective. Really, our approach in our public schools has been to make it a week-long event so that they are really experiencing — and it's not just about that one day but it's about every day. I think that has really started in an organic way and will continue to build and we're going to see more from this.

I wanted to reflect on other areas of education because I think they are important — some of the actions that we've taken. We took action on the Truth and Reconciliation Commission of Canada's call to action 62, which calls upon government to establish positions at the assistant deputy minister level, or higher, dedicated to indigenous content in education. In 2019, the Department of Education worked with the Chiefs Committee on Education to establish this position. The First Nation Initiative branch continues to foster effective partnerships with Yukon First Nations to support Yukon-wide and community-specific joint education priorities.

The First Nation Initiative branch has responsibilities related to First Nation education in Yukon schools: Yukon First Nation language programming in Yukon schools; development of curriculum and resource materials and training; and developing partnerships with Yukon First Nation governments and organizations.

Establishing the First Nation School Board is a major step in advancing reconciliation, a path that started 49 years ago with the historic document championed by Yukon First Nation chiefs, *Together Today for Our Children Tomorrow*. The First Nation School Board now governs eight schools across the Yukon. The establishment of the First Nation School Board is

a historic step in advancing reconciliation and improving the educational outcomes for all students across the territory.

Recently, candidates were elected to the First Nation School Board. I again want to congratulate Shadelle Chambers, Erin Pauls, Dana Tizya-Tramm, Jocelyn Joe-Strack, and Gillian Staveley on being elected to the First Nation School Board, the first of its kind in our territory. Our government is committed to supporting the long-term success of this board.

We also have education agreements with First Nation governments which enable cooperation around implementation of shared education priorities. An example that I would like to highlight is our work with Tr'ondëk Hwëch'in to implement its section 17.7 of the self-government agreement provisions with respect to education in a way that does not require the First Nation to draw down education, but that provides meaningful authority through a shared responsibility for the design, delivery, and administration of education programs within their traditional territory.

In addition, we have transfer payment agreements with each First Nation government. These funding agreements improve educational outcomes for their citizens and learners on their traditional territories at local schools. The Government of Yukon allocated \$1.5 million for First Nations to use their joint education priorities at the educational level, and we're working to renew agreements that expire in 2022. This community-level collaboration reflects our government-to-government relationships and commitment to reconciliation. It also reflects our commitment to working closely with Yukon First Nations to support First Nation students and respond to the recommendations from the 2019 audit and priorities under the joint education action plan.

I would like to talk a little bit about language and culture. We are very committed to supporting the revitalization of Yukon First Nation languages through language learning programs. We continue to work closely with the Yukon Native Language Centre and the Council of Yukon First Nations on programs that promote First Nation language learning, as well as supporting and revitalizing of Yukon First Nation languages.

The Government of Yukon provides the Yukon Native Language Centre with approximately almost \$1.2 million each year, part of which is to support planning for more First Nation language teacher training.

We continue to offer First Nation language programs in Yukon schools, although there are a few language teacher vacancies due to declining numbers in fluent or proficient language teachers. To support the revitalizing of Yukon First Nation languages and restoring First Nation responsibility for their languages, the Government of Yukon transferred full authority and control of the Native Language Centre to the Council of Yukon First Nations in 2018.

I also want to highlight quickly the project that is undertaken by the Champagne and Aishihik First Nations and their language revitalization. This is a very important initiative that is showing a lot of promise in terms of creating proficient language and revitalizing the Southern Tutchone language in their nation and throughout.

I had the opportunity to participate in the potlatch that was held to mark the First Nation School Board undertaking the governance of the St. Elias school, and at that gathering, we were able to witness young children speaking proficiently in their language and telling a story by call and echo. It was very moving to see that, and I think it shows what the First Nation School Board initiatives — and what we will do within our authority under other public schools — will learn from and work with them to ensure that we're taking the learning that's happening with the First Nation School Board and applying it as we bridge world views and work toward indigenization of our education system.

I want to talk a little bit about the audit response, because I think there are a lot of aspects within this that relate to really addressing and working around truth and reconciliation. We are unwavering in our commitment to implement all of the recommendations contained in the 2019 Auditor General's report — work toward addressing shortfalls and outcomes for First Nations and rural students. The department is advancing work on the recommendations of the 2019 audit and is making significant system changes that are putting the conditions for success in place for all Yukon learners to recover and thrive as we look beyond the COVID-19 pandemic.

While we have made significant strides in some areas, we know we still have much work to do to reach our vision for a renewed, inclusive education system that better supports all students to succeed. We have made progress in several initiatives which are supporting better outcomes for students: launching the universal childcare model, including engaging with Yukon First Nations, and the early learning and the childcare community, on a government-to-government basis to inform program and policy; and professional development and curriculum for early learning programs in rural communities, including early kindergarten programs.

We are continuing to provide financial investments and cultural enhancement funding for the development of culturally rich early learning programs and environments. We are directing funding toward supporting training and development for early learning childcare workers, including collaborating with the Yukon First Nation Education Directorate on offering First Nation-developed early learning child care courses. We're launching enhanced early learning kindergarten and full-day kindergarten in rural communities.

As I have already mentioned, we're working with the Chiefs Committee on Education to establish the First Nation School Board. We continue to collaborate with First Nations to implement actions that support the priorities of the joint education action plan for 2014 to 2024. The four pillars of the joint education action plan are: K to 12 culture and language; authority, control and responsibility; sustainability, supports and success; and closing the academic achievement gap. We are completing the review on inclusive and special education, advancing and reimagining inclusive and special education, the data-sharing MOU — we're working toward finalizing the student outcome strategy and working toward implementing that.

Again, there's a lot to share on reimagining special and inclusive education, which we refer to commonly as "RISE". We are building a new school in Burwash Landing, Kêts'ádañ Kù — meaning "house of learning". I am very excited about this project. I would have liked to talk a little bit more — but I am running out of time — about missing and murdered indigenous women and girls — a huge area of focus for me as a minister — and four pathways that will lead us to a different outcome by changing the story. I will hopefully have a chance to speak to some of that at another time.

Our enduring priority, since the beginning of taking on this important responsibility, has been to renew our relationships with Yukon First Nations. I think that we have created a real path to do that work in a meaningful way. I remain committed as Minister of Education and Women and Gender Equity Directorate to continue that work. Thank you for bringing forward this bill.

Hon. Mr. Mostyn: This afternoon, we are discussing Bill No. 305, *National Day for Truth and Reconciliation Act*, which stems from the work of the Truth and Reconciliation Commission. It is one of the calls to action, No. 80 on the list.

On June 2, 2015, that committee wrapped up six years of hearings that gathered testimony from more than 6,000 residential school survivors and their loved ones. It included 94 calls to action to redress the genocide enacted on indigenous people in Canada.

This is not ancient history. The last residential school closed the year that my youngest son was born, 1996, which is 26 years ago. The horrors of this near past are still very real. They reverberate and disrupt our society in many ways, some glaringly obvious and some devilishly subtle.

This is not an indigenous problem; this is a Canadian problem and one we must all confront and reflect on. This is not easy for most Canadians, and it shouldn't be. It cuts against our national image of Canada as a culturally mosaic society, inclusive and varied, made up of decent, kind, and kind of boring folks — good neighbours and peacekeepers in the world. Generally, we are. Now, however, we have acquired another trait, which is a difficult one to confront: people who, through their institutions of government and religions, the very foundations of our society, tried to erase a huge swath of the nation's oldest cultures, languages, and people from our collective mosaic.

There are those who are going to bristle at that characterization. "That wasn't me", they'll say — some obstinately, some with horror at the assertion. Unfortunately, it was — perhaps not actively, although sometimes it was, but we all knew that something bad was happening. We knew, and we did nothing. Most of us — almost all of us — did nothing — did not act, did not care, did not seek information, did not read or listen when the information in our midst for more than a century presented itself. We did not act when we knew. We made choices; we chose to focus on other matters, and when did we know? That is a good question.

We could go back generations, and we probably should, but I will focus on my generation. A good day to consider might

have been July 22, 1990, when Elijah Harper raised an eagle feather in the Manitoba Legislature, ending the Meech Lake Accord. Another might be July 11, 1990, when members of Mohawk communities of Kanasatake, Akwesasne, and Kahnawake barricaded the Mercier bridge to dispute the expansion of a golf course in Oka, Québec. The golf course had received permission to expand nine holes onto disputed lands. No environmental or historic analysis had been done, and the Mohawk Nation was not consulted. The Oka crisis lasted 77 days and resulted in two deaths.

If you don't like either of those dates, there are others. Perhaps this milestone: November 1996. That was the date when the Royal Commission on Aboriginal Peoples ended its \$60-million investigation of the relationship between First Nations and the Government of Canada and indeed the culture of Canada as a whole. The report was also dropped the year the last residential school closed in Canada. That last residential school was located in Saskatchewan, and that ended a 120-year effort to assimilate the oldest societies into Canadian society. In total, 150,000 children attended these schools, separated from their families, culture, language, and traditions, and the trauma of that attempt at assimilation will be with us for generations to come.

The Royal Commission on Aboriginal Peoples was a pre-Internet document. I remember when the document was released. I was a reporter. It was not available to me the day it was released. Boxes of the multi-volume document had to be flown to the territory because it was 4,000 pages long. I hadn't read it. I hadn't even seen it yet. Those were, as I said, pre-Internet days. Nevertheless, that night, I was contacted and interviewed by an international radio program which sought my thoughts on the document as a reporter in a, at that time, relatively remote northern town.

That night, the host asked me to answer for my nation's deplorable treatment of aboriginal people. It was, I can tell you, an uncomfortable interview. I imagined this World Service interview beamed to rooms around the world. "Why do you treat indigenous people in such a deplorable fashion?", the host asked me — or that is my memory of that interview. I've reflected on that night over the years many times. I've reflected on the question. I've reflected on my wholly anemic response — so totally lame, I banished it from my mind. I was embarrassed and ashamed for my country that night and also for myself. The world knew, and we knew. In the 20 years after the royal commission issued its 4,000-page exhaustive report, what happened?

Well, in March 2016, during a CBC interview following up on the progress of the commission recommendations, in the intervening 20-year period, Paul Chartrand, one of the report commissioners, acknowledged not much had changed. We knew; we did little; we made choices; we chose to focus on other matters, to continue business as usual.

Then came the national Truth and Reconciliation Commission. The commission's mandate was to inform all Canadians about what happened in residential schools and lay the groundwork for reconciliation. Its work began in 2008 but took concrete shape in 2009. Its first national event was in

June 2010, at The Forks National Historic Site in Winnipeg. On June 2, 2015, the commission wrapped up six years of hearings and seven national events that had gathered testimony from more than 6,000 residential school survivors and their loved ones. The final report is contained in six volumes.

The commission also created a record of the residential school system that includes more than five million documents from the Government of Canada.

That record is kept at the National Centre for Truth and Reconciliation at the University of Manitoba. Finally, the commission released 94 calls to action to address the genocide enacted on indigenous people in Canada. The National Day for Truth and Reconciliation is, as I mentioned earlier, No. 80 on the list. I have directed the Department of Community Services to draft legislation formally making that day a formal commemoration. That work is underway. It is going through the well-established drafting process within the Yukon government. It is slated for introduction in the spring legislative session, giving lots of time to plan for its formal launch in the fall. This information is public.

I have told the Legislature this and I have told my crack caucus this, so I'm a little surprised to see the bill on the floor of the Legislative Assembly today. To me, it is unfortunate that drafting resources were focused on an area that the civil service has already started to work diligently on.

The civil service has also done significant consultation. Consultation on this legislation, I believe, is pulled on in its drafting, so I hope that credit is given for the work the government has done on this important step toward reconciliation. As I have noted, the bill was in the process and slated for tabling this spring.

I also note that it is surprising that the NDP caucus spent precious time working on this item when they could have come forward with other items that they have been pressing us on publicly or time that they could have used refining and finishing work on the half-completed oil and gas bill consultation, which failed because that wasn't done. Here we are.

As you have no doubt concluded by my earlier remarks, this is an important item for the Truth and Reconciliation Commission. It is No. 80 on the calls to action. Calls to action are critically important to this government. This is a subject important to me personally, and we will be supporting the bill today.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Ms. Blake: The Minister of Community Services should not be surprised. Reconciliation is at the heart of what I do, both in this role and across my lifetime. The colonial legacy of the systems that I spoke about will always impact indigenous people. It will always be a thread through generations, which is why it is so important to acknowledge the truth of this history.

I would like to close by reading the works of Jacqueline Oker. Her poem hangs in our office, and I walk by it daily, as it sits directly across from my office space. It's a

reminder of what we lost and how much work lies ahead of us to heal.

Remember.
 It was not long ago
 I was jailed in a residential school
 for a crime I did not commit.
 The black-robe guards they beat the sun dance,
 chicken dance,
 jingle dance,
 fancy dance
 and hoop dance
 out of me.
 These dances are evil, they yelled.
 The sacred language they whipped out of me.
 Speak this instead,
 they ordered.
 Confused and terrified,
 I surrendered my tongue.
 Brainwashed to take commands like a dog
 I did not know who I was
 when released from prison
 many moons later.
 Squat over there on your land
 if you can't make anything of yourself,
 they said.
 Crouching on Mother Earth,
 I faintly recalled the dreamer's songs,
 and dances,
 the legend of the spider,
 the hunting ways of my people.
 I could not fully connect.
 I was alone.
 One day while sitting with an elder,
 trying to talk,
 the black-robe people arrived.
 Speak your language,
 tell the legends,
 sing your songs,
 dance your dances,
 record this for future generations.
 How could I?
 I replied.
 You pounded these sinful ways out of me.
 Remember?

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 agreed to

Speaker: Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, has now received second reading and, pursuant to Standing Order 57(4), stands ordered for consideration by Committee of the Whole, pursuant to Standing Order 14.2(3), the Third Party designated Bill No. 305 as an item of business today.

The Member for Vuntut Gwitchin is therefore entitled to decide whether the House should resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 305. I would ask the Member for Vuntut Gwitchin to indicate whether she wishes the House to resolve into Committee of the Whole.

Ms. Blake: Mr. Speaker, I would ask that the House now resolve into Committee of the Whole for the purpose of continuing consideration of Bill No. 305.

Speaker: Pursuant to the request of the Member for Vuntut Gwitchin, I shall now leave the Chair and the House shall resolve into Committee of the Whole.

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Ms. Tredger): Committee of the Whole will now come to order. The matter now before the Committee is general debate on Bill No. 305, entitled *National Day for Truth and Reconciliation Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 305: National Day for Truth and Reconciliation Act

Deputy Chair: The matter now before the Committee is general debate on Bill No. 305, entitled *National Day for Truth and Reconciliation Act*.

Is there any general debate?

Ms. Blake: I am hopeful that my opening remarks answered some of the questions that the members may have regarding this bill. In addition, we have briefed the minister and Cabinet staff on this bill in order for them to prepare for this debate.

Similar to my colleague, the Leader of the Yukon NDP, I will be answering questions without a public servant's support in the House. Instead, I will be answering questions with the support of my caucus staff, so please bear this in mind as I work with them to provide the most accurate information. I look forward to answering any questions that members may have.

Mahsi'.

Hon. Mr. Mostyn: It's great to be here this afternoon. I haven't had the opportunity in this Chamber yet to ask questions on a bill in Committee, so this is an exciting time. It is a great bill to be discussing this afternoon because, as we have determined in second reading speeches, this is important for all of us. I look forward to having this discussion about this important piece of legislation this afternoon, and I look forward to hearing what the Yukon Party has to say about this piece of legislation as it susses out its questions.

I am going to begin — I really want to understand this a little more clearly. As we know, the civil service is currently working on a bill to be introduced this spring on this very subject. It's a mirror bill, really — a twin bill. Work is underway on that, drafting instructions, and all the work is being done. With that being on the spring legislative agenda for 2023, I would like to explore why the member opposite has decided to go forward and bring this bill forward this week — today.

Ms. Blake: With regard to the question about why bring this bill forward now — I think, for myself, it is important to acknowledge that this bill is important not only for me but for my community, my family, and for all First Nation people across the Yukon Territory and Canada.

I know that in the fall of this year, I received e-mails from Northwest Territories — from citizens on that side of the border — asking why TRC was not a holiday here in the territory.

So, I think that's something that I kept in mind with bringing this forward. I know that there are other First Nation people across Canada paying attention to what we do in the House as legislators. I feel this is important for all people.

Hon. Mr. Mostyn: Thank you very much, Deputy Chair.

There's no doubt that this is important legislation. It truly is, and it's certainly a shared sentiment inside this House. There's a shared commitment to bring this legislation forward. I certainly appreciate that it is important to the member opposite, her family, her community, this territory, and indigenous people across the country. It is certainly a commitment of ours to make sure that we implement the calls

to action in this territory. It's a commitment of this government, and we certainly share it, which is why we're proceeding with this bill.

But we do have a duplication of work going on that was well-documented in public. So, again, I just want a little bit of clarity about why it had to be done this fall. Why does it have to be done this fall?

Ms. Blake: So, in the fall, the Yukon NDP signalled that the National Day for Truth and Reconciliation should be made a stat holiday on September 30 — September 29. The Liberals then endorsed what we called for in their own release a few days later, so I look forward to the government's support since we both agreed that this is important for the territory. We all know that this government may not be in place this spring, which means that we cannot ensure that this bill will be passed in time for next year — for truth and reconciliation day in Yukon.

Hon. Mr. Mostyn: I thank the member opposite for that answer.

I'm just trying to suss out the decision-making process a little bit further. Were any other bills considered for being brought forward this fall?

Ms. Blake: I don't see how that question is relevant to this bill, so I'm not going to answer that question.

Hon. Mr. Mostyn: I am just trying to understand the priorities here for the NDP caucus. I beg the indulgence of the House this afternoon. The New Democratic Party has expressed an interest in housing. Housing is the number one priority we have heard from the New Democratic caucus, and yet it has not introduced any amendments to the *Residential Landlord and Tenant Act*, so I'm just wondering why this legislation came ahead of that legislation and that legislative change.

Ms. Blake: I think it's important to say that we are not members of the minister's caucus and, for us, we have prioritized this TRC call to action, and that's why we brought it forward.

Hon. Mr. Mostyn: I thank the member opposite for that answer. Deputy Chair, just to follow this one step further, the New Democratic caucus has also expressed a desire to offer cancer presumption to wildland firefighters. We disagree on this; that's fairly clear. There is no evidence to support a presumption for wildland crews, and it would dramatically increase rates to many businesses, including Air North. It might actually result in PPE issues and stuff. So, there is a discrepancy here.

Again, why not introduce an amendment to the WCB act instead of this? I'm just trying to help understand the decision-making process.

Ms. Blake: Again, the minister is not directing the NDP's decision.

Does he have any questions directly related to Bill No. 305?

Hon. Mr. Mostyn: All right. We will move on to another subject. On the bill itself, again, who was consulted in the drafting of this bill, this piece of legislation?

Ms. Blake: I consulted by reaching out to all Yukon First Nations. Yukoners and the private sector have also already

been consulted by this government through their “what we heard” document, which showed overwhelming support for this bill. It also showed us how much more education and resources are needed to teach all Yukoners about our shared history and to honour survivors and children who did not get to come home.

Hon. Mr. Mostyn: In the engagement that the members opposite conducted, what did you hear about how people want to see this date commemorated?

Ms. Blake: I would encourage the minister to reference his own document, the “what we heard” document for national truth and reconciliation, which ran from March 8 to April 30. In that document, he will find the answers of how Yukoners wanted to see this day spent.

Hon. Mr. Mostyn: Of course, I am very familiar with the “what we heard” document that the Government of Yukon conducted and the thorough consultation. We take pride in the thorough consultations we do in the Government of Yukon. We know that sometimes those consultations have come under scrutiny and criticism, actually, by members opposite. Just recently, a bill, the animal protection act, was criticized as not going far enough, so here we have consultation conducted by the Government of Yukon that’s now being used as a cornerstone for the members opposite’s legislation.

I think there is a discrepancy there in the grade they would be giving the consultations done by the Yukon government. I will leave that for a moment, though. What I would really like to know is the consultations that the members opposite did on this bill. They said they talked to First Nations. I just want to hear what they had to say — the First Nations they consulted — what did they hear?

Ms. Blake: We read through the government’s own consultation, which surveyed 1,294 Yukoners, and we also reached out to First Nation leadership, including the Council of Yukon First Nations. We have tabled a total of seven letters to date, and I think to end — I am wondering how many letters from this government have been tabled in support of the animal protection act.

Hon. Mr. Mostyn: All right, so we have ascertained — I am just going to explore the consultation done by the New Democratic caucus on this bill, just going forward. It is important because we saw, with the amendments to the *Education Act* recently, that they didn’t fully consult with the Catholic society because they did not agree with the amendment. They also brought in the *Oil and Gas Act*, and they got letters from some First Nations but not all, and we were quite clear that we needed support from all First Nations before that went forward. And now we have another act, and I am heartened to hear the support and how much they have leaned into the consultation — the Yukon government did — the civil service — because they really take that work seriously and do a phenomenal job, but I am still trying to ascertain how much consultation the New Democratic caucus did prior to bringing this bill forward, on its own, to determine some of the supporting documentation and some of the, perhaps, problems that may be intrinsic with this piece of legislation.

So, did they talk to the Chamber of Commerce or any business leaders about this legislation prior to bringing it to the House?

Ms. Blake: I think it’s important to note that we disagree with the minister’s assumptions — assertions, sorry. Again, how many letters of support from Yukon First Nations did the government get in support of the animal protection act? I think it’s important to say that, as an indigenous woman bringing this bill forward, it’s not only important to me for selfish reasons. I think about how I was raised; I think about the impacts I grew up with, as the daughter of a residential school survivor. I think about the harms committed against our children within the homes when we grew up in those environments. I think about my experiences in society when I’m accessing programs and services that don’t work for our people. I think about the challenges I’ve gone through, not only in my life as a homeless youth, but also struggling with addictions and mental health and how these systems fail to respond in a respectful, culturally understanding way to understand why I was the way I was and why I see so many of our people across Canada struggling, and a lot of the impacts we see in indigenous community are a direct link — or a direct result — of residential schools, colonization, segregation, separation from our land, separation from our families, separation from our culture, our language, and everything that makes us who we are as indigenous people.

If this residential school system was not so damaging, why do I struggle to speak the Gwich’in language? I could understand it when it’s spoken, but I can’t speak it. I could read it, and I could understand it. Why do my kids not know the Gwich’in language? Why are my kids not connected to their grandmother? Why is our family so separated? And again, when you think about the answers to those questions, think about the impacts of residential school and everything that was put in place by governments to destroy who we are as indigenous people in this country. Thank you.

Hon. Mr. Mostyn: I want to ask the member opposite: How many other jurisdictions in Canada have recognized this day in legislation currently?

Ms. Blake: The jurisdictions that recognize national truth and reconciliation day include the federal government, Manitoba, Northwest Territories, Nova Scotia, Nunavut, and Prince Edward Island.

Hon. Mr. Mostyn: On a technical matter, is the holiday, or day of commemoration, being posited in this piece of legislation being handled in the same way as Remembrance Day? That is, if the holiday falls on a weekend, it does not result in a statutory on the Monday? Or is it like Christmas, where the Monday would be the holiday?

Ms. Blake: With National Truth and Reconciliation Day, it would be celebrated, honoured, and upheld on September 30 of every year, no matter what day of the week it falls on.

Hon. Mr. Mostyn: Now, recently, just this afternoon, the member opposite said that the NDP would be happy to swap out another colonial holiday in favour of this one. Can the member please tell the House which colonial holiday they are considering swapping out?

Ms. Blake: My response to the question would be that we expect the government to consult on this issue, but I would say that any colonial holiday that we celebrate in the territory right now, which includes Discovery Day or Victoria Day — or the minister could look across the country and see what other jurisdictions have done to switch out the holiday for the National Day for Truth and Reconciliation as well.

Hon. Mr. Mostyn: I thank the member opposite for the answer. That said, while there were some suggestions made, it doesn't seem to be a specific holiday that the Member for Vuntut Gwitchin has on the chopping block at the moment.

Do you have a process through which you will decide how to choose this through the NDP caucus examining this process to come up with a holiday to delete from the list in the Yukon?

Ms. Blake: I think it's important to note that the minister is in government, and this work to decide which statutory holiday that we would swap out for national truth and reconciliation day — that work lies with the government.

Hon. Mr. Mostyn: This is the New Democratic caucus' bill, and it was their idea to suggest that a holiday be withdrawn from the roster. It hasn't been something that we have floated on this side of the House.

I'm just trying to understand the process by which the New Democrat caucus would come up with a holiday to remove from the public calendar, and I'm just trying to understand that and what kind of consultation process they would undertake to determine that.

Ms. Blake: I'm just going to quote from the "what we heard" document that's from the government: "Many respondents recommended replacing a current general holiday. The most frequent suggestions were statutory days with colonialist or religious origins, like Easter Monday, Victoria Day, Canada Day or Discovery Day." In terms of the question about consultation, I would say that when the NDP forms government, we will be happy to issue a survey to figure out which stat holiday Yukoners would want to give up for the National Day of Truth and Reconciliation.

Hon. Mr. Mostyn: That was an interesting response. So, my final question this afternoon — I was going to ask about timelines for any potential consultations. I'm now anxious to hear what those timelines are, in light of the answer I just received. Then I will certainly cede the floor, I think, at that point, and I would like to hear what the Yukon Party caucus has to say about the bill before us this afternoon.

Ms. Blake: I think that there is plenty of time for the minister's department — a very capable department — to consult ahead of next year's truth and reconciliation day to figure out the timelines and let us know what they come up with as government.

Mr. Dixon: Thank you, Deputy Chair. The member has answered all of our questions.

Deputy Chair: Is there any further debate on Bill No. 305, entitled *National Day for Truth and Reconciliation Act*?

Seeing none, we will proceed to clause-by-clause debate.

On Clause 1

Clause 1 agreed to

On Clause 2

Clause 2 agreed to

On Clause 3

Clause 3 agreed to

On Preamble

Preamble agreed to

On Title

Title agreed to

Ms. Blake: I move that you report Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, without amendment.

Deputy Chair: It has been moved by the Member for Vuntut Gwitchin that the Chair report Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, without amendment.

Motion agreed to

Ms. Blake: Deputy Chair, I move that the Speaker do now resume the Chair.

Deputy Chair: It has been moved by the Member for Vuntut Gwitchin 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. 305, entitled *National Day for Truth and Reconciliation Act*, and directed me to report the bill without amendment.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Unanimous consent re moving third reading of Bill No. 305

Ms. Blake: Mr. Speaker, I request the unanimous consent of the House, pursuant to Standing Order 14.3 and notwithstanding Standing Order 55(1), to move third reading on Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, at this time.

Speaker: The Member for Vuntut Gwitchin has requested the unanimous consent of the House, pursuant to Standing Order 14.3 and notwithstanding Standing Order 55(1), to move third reading on Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, at this time.

Is there unanimous consent?

All Hon. Members: Agreed.

Speaker: Unanimous consent has been granted.

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

Clerk: Third reading, Bill No. 305, standing in the name of Ms. Blake.

Ms. Blake: I move that Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, be now read a third time and do pass.

Speaker: It has been moved by the Member for Vuntut Gwitchin that Bill No. 305, entitled *National Day for Truth and Reconciliation Act*, be now read a third time and do pass.

Ms. Blake: I thank my colleagues for their questions and comments during Committee of the Whole. As I shared earlier, passing the *National Day for Truth and Reconciliation Act* is much more than the day off. It's a way to give every Yukoner the space, the support, and the community to honour everything that this day signifies.

This statutory holiday will look different for every Yukoner. Some may spend time alone to grieve everything that is the colonial legacy of past and present governments. Some will take their family out on the land to pass down teachings to children and grandchildren, in spite of the government's efforts to destroy that knowledge. Some might head out to a gathering in their community to mourn and celebrate together with neighbours and family. It is up to this House to make it possible for every Yukoner to spend this day in whatever way works best for them.

National truth and reconciliation day is one step of many to right the wrongs of colonization and truly act on reconciliation, and today, we, as leaders and representatives of our communities, have the opportunity to push truth and reconciliation one step forward. I am very much looking forward to my colleagues supporting this bill. Mahsi'.

Mr. Dixon: As I referred to at second reading, we support the call to action in the TRC. We do have concerns about the impact an additional stat holiday will have on the private sector and look forward to the consultation that will be hosted by the Government of Yukon with regard to removing a stat holiday commensurate with the imposition of this stat holiday.

Hon. Mr. Streicker: To begin with, I am really honoured to rise to speak at third reading to this bill. I want to begin by thanking the NDP for bringing this bill forward. We agree, and we think this is an important thing to do. I try to always learn that it's not important where these good ideas come from; it's important that they come forward. It is good to be here today, and I, for one, am hopeful that we are unanimous in this House. I, for one, will be honoured to have been part of the Legislative Assembly that brought this forward. I acknowledge the NDP for their work and their decision to bring it forward.

A similar thing happened when we first came into government. We were elected in 2016, and in 2017, I think, the first act that we brought forward was for National Aboriginal Day on June 21. I acknowledged at that time that it was my

predecessor, Kevin Barr, who had advocated to bring that forward. I was happy that we were able to support that work that he had begun. It really is about trying to get this in place for Yukoners and to right wrongs. I think that the Member for Vuntut Gwitchin is correct: That is the important thing that we need to hear.

I want to make a few comments because this is my first time rising on the bill to speak in support of it. One of the things I want to say is that we, the Liberal government, don't think — the "what we heard" did, of course, acknowledge lots of different views, and we always report on those range of views, but there's always a diverse set of views. The NDP and the Yukon Party have both suggested that we drop another holiday, for example, that we drop Easter, or Victoria Day, or Discovery Day. I don't think we should be doing that. Even though there were some Yukoners who suggested that, I don't think that is a good idea. It was not our intention from the "what we heard". That wasn't the leading suggestion that we drew; it was just noted.

I think that it is important that we — the Member for Whitehorse West, in Committee of the Whole, was asking questions to try to ascertain what level of engagement had taken place. The Member for Vuntut Gwitchin seemed to be concerned with those questions, but they are just us trying to ask how the level of engagement went — that's all.

Luckily, because we did do engagement — it was always the intention to get here, and we did a survey, and we asked Yukoners what they thought. We did get that back from Yukoners, and we saw that Yukoners are supportive of this holiday, and there are a couple of important things that I think are worth noting from that.

In our mandate letters, one of the top priorities that is listed there, and which the Premier tasked us with, is to build strong working relationships with First Nations. We are working with First Nations to address the harms caused by a very long history of inequality and discrimination and to try to achieve meaningful change and real benefits for all Yukoners through a range of initiatives. They are economic, social, and environmental — they are across the board.

I say "all Yukoners" because it is really our belief that righting these wrongs is not just for First Nations; it's for all of us. It is an improvement for all of us. This holiday that we are talking about — and the word "holiday" is a little bit difficult for me. It's a time to commemorate, to acknowledge, to learn, to consider, to reflect, to reconcile — I hope — because it is not about fun or time off. It's about these important things.

That's why, for me, this day will stand alongside Remembrance Day in my mind. We just had Remembrance Day here, and all of us talk about trying to commemorate, to learn, and to think about war and peace and sacrifice. We wear a poppy over our hearts to think about that. In the same way, I love the beaded orange shirts that we wear on September 30. It's an important thing. I think this day is important, and that is one of the things we heard when we engaged.

You know, the member opposite, the Member for Vuntut Gwitchin, talked about their press release that came out at the end of September, just ahead of Truth and Reconciliation Day,

but of course, we had been doing that engagement over the summer, and I think we published the “what we heard” in early September. So, in this way, I think we are all on the same path.

There was one thing during Committee of the Whole where the Member for Whitehorse West asked a question about whether the date would be the day, and I think what we are passing today — or what is in this act — the way I read it, as it is written, is that it will create a holiday on the Monday. That’s how it’s written in there. That’s what I think it is. Now, the day of truth and reconciliation will be September 30, but how it’s there in the *Interpretation Act* and the *Employment Standards Act*, in the way that I see the legislation written, actually indicates that, if truth and reconciliation day on September 30 happens to fall on a Sunday, then it will create a Monday holiday. I think that is an important question — more important, from my perspective, than trying to remove another holiday.

When we went out and talked to Yukoners, you know, there were some early questions about whether we would do it instead of a National Aboriginal Day. Clearly, what we felt and what we heard was no, no, no — that was a day to mark in recognition and celebration of the culture of First Nations, and truth and reconciliation day — quite distinct — is to reflect on the past harms and how we can change and should change as a society.

To be clear, Mr. Speaker, nothing I see in the bill directs government to examine some other holiday that should not be observed. That isn’t what we have in front of us. What we are supportive of is adding truth and reconciliation day. All that said, I just really want to take a moment to, again, say thank you for the opportunity to work alongside all of the other members of this House and, in particular, to thank the NDP for bringing this forward.

I will, later on in life, consider this day as an important day for the Yukon, and I look forward to us all supporting this important new day of recognition.

Ms. White: I thank my colleagues for their words so far. I think that they are really important. I also appreciate the Member for Mount Lorne-Southern Lakes’ remarks, because it was my colleague, Kevin Barr — and it was at his urging that we started working on an Aboriginal Peoples Day as a statutory holiday, and it was the work of our caucus at the time. I think that it is really important that we note that we are at different times than we were when I first was elected in 2011 — and for that, I am grateful. The fact that we have had this conversation today, in the way that we have, and we are moving forward — I am grateful.

I think about my colleague for Vuntut Gwitchin, and I think about when I initially approached her about running with me in the territorial election and how important her voice and her experiences are to me, as an individual, but also to the leader of a political party. So, when she highlighted that this was really important for her — this is important for me; it is important for Yukoners. Like the Minister of Energy, Mines and Resources said, I will remember this day as one of those shining moments.

We have had, I would say, possibly more than many in this Chamber when we have come together about really important issues and moved the bar. I think that this is another example of how, in Yukon, we can lead, and we can put aside those differences and we can find those commonalities and we can focus on it. I am grateful for my colleague, the Member for Vuntut Gwitchin, for trusting not only me, but our colleagues, and the people around us, to help get us here, because it has been a really important time, and I am grateful for the work that was done before.

I think about the calls to action from the Truth and Reconciliation Commission and the thousands and thousands of stories they heard that got us to those recommendations. I think that, if there was ever a time, I would think that we are not standing on the shoulders of giants, but we are standing in front of and behind those stories — that we are supporting those stories and giving — you know, hopefully breathing a little bit of life into it, and it will look different for others. I think that this is a moment — I hope that this is a moment where we can all look back and we can celebrate that we did this together, even though we came from different spots.

So, I thank my colleagues for their perspectives and the sharing that they did. Today is a really big day.

Speaker: If the member now speaks, she will close debate.

Does any other member wish to be heard?

Ms. Blake: I am so honoured to see this bill to make national truth and reconciliation day a territorial statutory holiday. Every indigenous person and every Yukoner will benefit from having this day as a stat holiday.

As I shared, this is an opportunity to reflect and also pass down information to younger generations and to teach them about our history. I think about the information that was passed down to me when I was a child. I remember sitting at the feet of elders as a little girl. I heard our elders speak about what the future of reconciliation would look like. I can feel them today, holding me up. This very moment is what they prepared me for, because they knew. They knew that, one day, I would be working on the future of reconciliation and that I would need their knowledge to hold me up. They knew the responsibility that we carried as children and would eventually carry as adults and elders, future elders of our communities.

With this bill passing, it will change the future of reconciliation in the territory. Today is an example of what not only my community prepared me for, but also the elders who I listened to, and I have been listening to elders since I was in my mum’s tummy.

I am reminded of what the late Darius Elias said when speaking about truth and reconciliation in 2015 — and I quote: “... reconciliation is a process. It is a call to action, but it is not a photo op or an afternoon of debate in the Legislature. It is not a course or an event, but it is a way of life; it is a world view. It is an acceptance of what has occurred and a resolution to look to ourselves to move together to build a more inclusive and democratic society.”

In addition to passing this bill, I am hopeful that the government will continue the process of reconciliation by providing programming and education on this important day for all Yukoners.

Mahsi' cho.

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

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Mr. Pillai: Agree.

Hon. Mr. Clarke: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: Agree.

Mr. Kent: Agree.

Ms. Clarke: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Ms. Van Bibber: Agree.

Mr. Hassard: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Blake: Agree.

Ms. Tredger: Agree.

Clerk: Mr. Speaker, the results are 18 yea, nil nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 305 agreed to

Speaker: I declare that Bill No. 305 has passed this House.

MOTIONS OTHER THAN GOVERNMENT MOTIONS

Motion No. 519 — *adjourned debate*

Clerk: Motion No. 519, standing in the name of Mr. Istchenko; adjourned debate, Hon. Mr. Mostyn.

Hon. Mr. Mostyn: When last we left off, I was talking about how I had been a reporter working with Dave White — great writer — and was a music critic. A fellow named Don had been reading my stuff every week and commenting on it, and then, when I became a politician, I started dabbling lyrics into the stuff I wrote. He used to find them and call and let me know when he found them. He died a few years ago, and when he did, I stopped with the music.

Today I put it back — I think is how it went — so here we are. I'm going to put the music back. We are talking about home heating fuel.

"We're selling the territory cheap", I think, was the new lyric I hit on. So, we have to hand the Yukon Party credit this afternoon — the Yukon Party's oil slick on this issue. They are leaning on the Northwest Territories for support here. That territory implemented an exemption for heating oil. Well, for clarity, the Northwest Territories just removed that exemption. They are no longer exempting home heating fuel. It's not permitted under the federal carbon-pricing model anymore. It's gone, nixed, removed. There is no longer any heating oil exemption in the north to point to, so this motion is frankly out of date.

Newfoundland and Labrador, Nova Scotia, and Prince Edward Island also lost their ability to target subsidies recently. They all have to utilize the federal carbon backstop, which removes much of the agency from the provinces or territories in question and instead disperses the carbon rebates to residents of their jurisdiction directly. So, we have just seen several jurisdictions lose that ability to target fuel subsidies.

We, on this side, agree with the principle of a price on pollution, be it oil or garbage. We worked hard to tailor our subsidies to align with Ottawa's intention, and we appreciate the Yukon Party's support on our successful legislative approach as was discussed significantly when this House debated and unanimously supported our government's *Carbon Price Rebate Amendments Act*. The rebates provided to municipalities, First Nation governments, businesses, as well as individuals, is worth fighting for. Our made-in-Yukon carbon-pricing rebate system is lauded across the country. We are again leading the country on another issue, and this is the kind of system that countless Canadians want. In fact, even organizations hesitant toward carbon pricing, like the Canadian Federation of Independent Business, see merit in such an approach.

Our made-in-Yukon system encourages companies to work to cut fuel consumption and make themselves more efficient. To my colleagues from the Council of the Federation who are now encountering the federal backstop, I would strongly encourage them to take a close look at the Yukon's carbon-pricing system as a model to emulate.

For those keeping track, I just want to lay this out. The Yukon Party supported a carbon price during the last election because it was popular. They then flipped to not supporting one once they got into the House. Then they flopped and voted in favour of carbon pricing just this session, which I thank them for — that's great — and now they flip back to again being against it. If you follow this, Mr. Speaker, you risk whiplash.

Of course, at this second, the Member for Kluane and the Yukon Party do not really support carbon pricing. I guess next second, next week, next month, just before the election, they will swap back again, but right now, they don't support it.

This really isn't about heating oil savings. Sure, the Yukon Party pitches themselves as championing Yukoners, but, really, this is just a bait and switch — selling the next generation off cheap to further their agenda of fracking in the Yukon,

wrecking the beautiful place we have, and selling the spoils to fuel the LNG plant that they want to build — a 50-year-or-more investment in a dirty, dying fuel. That's really what's at play this afternoon. They don't subscribe to the problem of man-made climate change. There's no problem here.

Crisis — what crisis? That's the philosophy of the Yukon Party. Type it into Google. The album art that will pop up captures the Yukon Party's approach perfectly. That's the play this afternoon.

They are selling out the territory's future, and this motion — wrapping fracking, delaying, and indeed eroding any action on climate change and anti-inflation rhetoric — is just slathering lipstick on a pig, selling the Yukon and its future generations cheap — exempt home heating fuel from the carbon tax, remove the financial incentive to improve, to adapt, to change — delay action on climate change.

Mr. Speaker, crisis — what crisis? Everything is okay.

Is it, though? Is it, though? Remarkable flooding in October, top three worst floods in June — one only has to talk to Marsh Lake, Tagish, Old Crow, Carmacks, or — dare I say it — Lake Laberge residents to hear concerns about rising waters. Then there are the landslides, atmospheric rivers, washouts, dry lightning in June, fires threatening Mayo, Keno, and Stewart Crossing, and wildfires throughout the Pacific Northwest. Mr. Speaker, the Amazon is turning to cinders. Utah's Great Salt Lake is drying up and releasing arsenic-laden winds upon three-quarters of the state's people. We are seeing heat deaths in Europe and Asia and melting permafrost, heaving roads, and sinking schools here in the territory. Siberia is burning; Antarctica is melting. This is bleak. It is hard to write, and I'm sure that it is very hard to hear, but it is easy to summarize:

Temperature rising
Climate denying
Fever is gripping
Nobody's listening

There are more lyrics. Today's play is really to remove the price on carbon. All right, so now that the goal is clear, let's raise the temperature in this Chamber a little more.

The Member for Watson Lake — recently, I heard the Yukon Party member ask, in response to a ministerial statement on flooding and fires: When will the government begin preparing for next year's flood and fire season? Think about that a second. We have had historic flooding in 2021 and 2022. People have never seen the snowpack and rains and landslides. They said it was coming; they knew it was coming. Why? Because our society's behaviours and choices are affecting the climate.

So, I am preparing for next year's flooding and fires right now, and I am also committed to changing our behaviour into the future through a price on carbon, through the Better Buildings program, putting a price on garbage and tightening rules on its disposal, promoting alternative energy, and a host of other measures.

Folks on the Yukon Party benches — they normalize the disaster on our doorstep and seek to promote and profit from

the cause. That sounds harsh — god, that sounds harsh. I wish that it weren't true, but it is.

The Yukon Party supports oil and gas development in the Yukon. They do not support the Atlin hydro project; that's clear now. They do not support a community project led by the Taku River Tlingit through their Tlingit Homeland Energy Limited Partnership. They do not support a project that would provide hydro at 13.5 cents per kilowatt hour — no.

So, what do they support? Not renewable power of 13.5 cents per kilowatt hour. From the current debate in the House, they support an expensive LNG plant that offers power in the 20-cent range and rising, a plant running on fuel that globally is increasing in price because of a war in Europe, leading to this motion to cut taxes on the fuel that they promote — fuel that would have to be trucked up the highway to the plant at great expense to the economy and the planet. They complain about renting of transitional generators for 13 years and instead want to saddle the territory with a second permanent LNG plant for the next 50 to 75 years. No problem with a permanent plant but a problem with temporary rentals that deliver power at the same price — how do you square this? I can't. Mr. Speaker, I can't.

And yet let me be clear. Despite its avowed support for oil and gas, the Yukon Party campaigned on implementing carbon pricing in the last election in 2021. Why? Mr. Speaker, fake left, deke right.

Most Yukoners do not want fracking. They do not support extending our dependence on fossil fuels. They want green energy and action on climate change. Fresh from orchestrating its whisker-thin victory over the principled Member for Lake Laberge, the Yukon Party opposition leader caught the winds of public opinion and pivoted away from the Yukon Party's far-right base, pirouetting left toward the centre. Baffled conservatives I know freely admitted that they didn't recognize their party in this play for power at any price during the election — and afterwards, his pledge to support the full confidence and supply agreement. Support for universal childcare, support for carbon pricing, support for vaccines, support for rent caps, successor legislation, what the —

Clearly, the Member for Pelly-Nisutlin and the Member for Kluane are among the hard-headed faction; they never received the new leader's progressive memo. Never mind, fellows; I'm positive that there were other conservatives who were left off your leader's mailing list. This side is now back to messages for the base. The progressive mask is gone. That's the trick — right? Pretend you are one thing and then, if successful, do what you really want.

What does the Yukon Party want? To exploit the Yukon's oil and gas reserves through fracking, build an LNG plant, ban green energy initiatives, and delay further action on climate change. "We are so small, we will have no impact anyway" goes the refrain.

That's the play laid bare — fake left, deke right. Today, they denied it even happened — the carbon-pricing plan — but it did, and the evidence of their support of oil development and expansion is in the Yukon Party's objection to the bill that the NDP just debated. They do not want First Nations to have a veto over oil and gas development. In fact, the Yukon Party

unilaterally revoked that veto — fake left, deke right — and that's the Yukon Party's *modus operandi*.

The Member for Kluane responded to the COP27 meeting saying: As we know too well, climate change is affecting us here in the Yukon at greater rates than elsewhere. It's good to hear. It matters to him because the road that runs into Alaska is slumping as the permafrost melts under it, and he wants the Yukon government to fix it — an Alaskan conduit that has been paid for by Washington until a few years ago. He wants the Yukon to pick up that tab. If we do, will Washington kick in anything? Will it pick up the slack? Think about it for a moment.

Second, in response to what is widely believed to be catastrophic climate change, the member's big pitch is to demand that we fix a road. Now, roads are important — no question. You won't find an opponent of roads here — but that's your response? Is that it? Is that the extent of your consideration? I had to get that off my chest.

Then, just moments later, after talking about COP27, asserting that the effects are worse here than anywhere else, the Yukon Party was back to pitch a fossil-fuel-powered LNG plant over the Atlin hydro project. And now here we are this afternoon talking about cutting the carbon tax that the Yukon Party supported once, depending on who they were talking to in the last election. They assert it's because they care. I counter that it is here this afternoon because they want to play to their hard-right base. They want their conservative mojo back. It is mid-season in the election cycle, and they want to win back their conservative chops before the next election when they can don their progressive mask again to pander to the juicy centre. Well, we're already there, Mr. Speaker.

I will cap this with a few questions for folks to ponder: Who pays off the debts that we're creating? Who fixes the messes that we keep making? Where is the soul, the substance, the whole, when you are living on that last frontier every day?

Don, I have crammed plenty of lyrics into this one just for you. Thank you to Jim Moginie, Rob Hirst, Peter Garrett, the late Bones Hillman, and the rest of the lads for years of listening enjoyment and for suggesting that we whisper once in a while — advice I am admittedly still working on.

I hope you are all paying attention, folks.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Mr. Istchenko: My motion read: "THAT this House urges the Government of Canada to exempt home heating fuel from the Government of Canada's carbon-pricing system." This is an important motion for Yukoners. It's about affordability. This is a discussion being had across the country in legislatures and at kitchen tables.

It's disappointing that the Liberals would rather stand up for their federal Liberals' crippling carbon tax instead of Yukoners, but that doesn't surprise me. So, Mr. Speaker, let's go to a vote.

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.

Clerk: Mr. Speaker, the results are eight yea, seven nay.

Speaker: The yeas have it.

I declare the motion carried.

Motion No. 519 agreed to

Motion No. 498

Clerk: Motion No. 498, standing in the name of Mr. Hassard.

Speaker: It has been moved by the Member for Pelly-Nisutlin:

THAT this House urges the Premier of Yukon to seek the advice of the Conflict of Interest Commission regarding whether or not the former Minister of Health and Social Services, Pauline Frost, contravened the *Conflict of Interest (Members and Ministers) Act* in regard to the Old Crow health and wellness centre.

Mr. Hassard: It's an honour to rise today to speak on behalf of this motion here in the Legislature.

Obviously, this is a very important subject to many Yukoners. We have heard it on numerous occasions. Unfortunately, the Minister of Health and Social Services is scoffing and doesn't feel that Yukoners care about it, but unfortunately, she is wrong again.

Anyway, we brought this question forward to the Legislature during Question Period on more than one occasion. The Premier has continually — I should note, Mr. Speaker, that the Premier is the only person in this Legislature who actually is able to ask the conflicts commissioner if, in fact, the previous Minister of Health and Social Services was in conflict.

It has been quite clear during the questioning to the Premier that he is, in fact, unwilling to ask David Jones, the conflicts commissioner, if the previous minister is in conflict. I

think that it really is quite unfortunate that the Premier has taken this approach.

As I said, many Yukoners are interested in this. They would like to get to the bottom of this. So, that is why I felt that it was important to bring this motion forward; it was because we weren't getting the answers that Yukoners deserve during Question Period or during general debate.

So, Mr. Speaker, here we are today. We have an opportunity to discuss this motion in the Legislature. I would certainly like to see this motion come to a vote. I think that, if the Legislature agrees with me that this is something that the Premier should do, then I hope that he would listen to Yukoners and listen to the word of this Legislature, even though we know that he has proven not to do that before. We had a motion on the floor to have one of the ministers in his Cabinet resign. He didn't move forward on that, so I guess this is another opportunity for him to right a wrong.

I certainly look forward to hearing what others have to say today, and I certainly look forward to getting to a vote on this particular motion.

Hon. Ms. McPhee: I appreciate the opportunity to speak today. Despite the disparaging remarks in the opening remarks about me personally, I think that is irrelevant. There's actually quite a bit about this motion that is irrelevant. The question has been asked repeatedly in this House by many members of the Yukon Party. They clearly think it is an important one, from the focus upon which they have brought this year alone on five separate occasions. The question has been asked six times. Each time, we've answered the question, and as I've said in this House before, just because the members opposite do not like the answer to a particular question does not mean that it has not been answered.

By calling this motion, the Yukon Party is disparaging the reputation and the business decisions of Ketz Construction and tarnishing the name of the chief-elect, a strong indigenous woman for the Vuntut Gwitchin. Presumably, there are things that Yukoners wish us to be dealing with in this important House, and if I note that the member opposite, in bringing this motion, has indicated the importance of it for some of his constituents or for him — that's what he said — we urge the Yukon Party to please take it up with the corporation involved or the people involved or, as we've said on many occasions, with the Conflict of Interest Commissioner.

Mr. Dixon: I'll just quickly address some of the comments from the minister. Of course, as we discussed throughout the course of this Sitting, the only person who can seek this advice from the Conflict of Interest Commissioner in the Legislature is the Premier, and we're hoping, by compelling him with a motion that's passed here in the Legislature, that he'll listen to the will of the Legislature and act on that motion.

The minister continues to make comments about the company in question. Of course, that has nothing to do with the company at all. It has everything to do with the individual in question, and that's why the motion reads as it does. So, we look forward to hearing the answers to these questions, we look

forward to seeing the advice of the Conflict of Interest Commissioner, and we look forward to bringing this to a vote today.

Speaker: If the member now speaks, he will close debate.

Does any other member wish to be heard?

Mr. Hassard: Mr. Speaker, I'm happy to see that we will, in fact, get this motion to a vote today. It's unfortunate that we didn't hear from many members of the Legislature, but at any rate, I appreciate your time, and thank you very much.

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.

Clerk: Mr. Speaker, the results are eight yeas, seven nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion No. 498 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

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

The matter now before the Committee is continuing general debate on Vote 7, Department of Economic

Development, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

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

Deputy Chair: The matter now before Committee is continuing general debate on Vote 7, Department of Economic Development, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Department of Economic Development — *continued*

Hon. Mr. Pillai: I would like to first start by thanking the officials for coming in to provide support today. My deputy minister, Justin Ferbey, is here with me, as well as the assistant deputy minister, Michael Prochazka. With that, I believe we will just cede the floor to the opposition and begin the questions and debate.

Ms. Van Bibber: I will also welcome the officials this afternoon. Hopefully, we can get a couple of questions in before the end of the day.

Going back to the mandate letter that we had spoken about, the minister was asked to investigate the potential to develop a flexible field house complex not only for athletes, but for large public conferences and events. I was wondering if the minister could provide an update on this work. Is it linked to a convention centre process, or was it linked to the Canada Winter Games bid process? If you could give me an update on that; thank you.

Hon. Mr. Pillai: I will just give a bit of background on the beginning conversations concerning the question in front of us, and then I will share a bit about some of the due diligence that has been undertaken.

So, the original idea for this particular concept, which was a field house — a style of field house — or a large tent that is used in a lot of different areas. It is something that Softball Yukon, as a sport organization, first brought to the Yukon government. There were some earlier conversations, I believe, with the Minister of Community Services at the time, who had the obligation for sport, and I believe that those conversations would have happened in 2020-21. Then I was also engaged — there were some conversations with some of the members of Softball Yukon on this as well, and it was really focused on the fact that — is there an opportunity to build a cost-effective structure in the Yukon that could be used for multiple purposes? The purposes, of course, were sport. Could you have a soccer pitch inside? Could it be converted to be able to have, of course, softball inside? And that would give you a 12-month season.

But the reason that there was some interest, as well, is because there was the loss of what has been used as a convention centre, which was adjacent to the Coast Hotel. So, we were hearing from the Convention Bureau and the tourism sector that we needed to have something, whether it was an interim measure or another structure, where you would be able to host a large event. That event could be anywhere from — really, it is comparable to the specs that the Department of Tourism and Culture had put out around having the ability to host up to 700 people for a sit-down meal. From the subject matter experts in the tourism sector, they said that is really where we have to see things move to.

So, we began to do that tender, take that research, and using capacity from both Economic Development — individuals there — as well as Community Services, and so, I will share a little bit about that process.

We had called it “preliminary scoping and background research” that we were undertaking, and it was really around the feasibility of building a flexible field house complex for athletes and large public events. The department, looking at this — a couple of different pieces that I think that we should touch on. So, again, it would be like an inflatable dome — is kind of what they call it — to contain year-round softball and soccer. The upfront capital on it — what we had seen — was quite low. It was approximately \$8 million, but there are some other pieces.

When it was brought to us, there was information that we have since been able to bring to the table and to the conversation. There are a couple of key things. First of all, there’s very high heating needs, which is really significant when you talk about GHG emissions, especially if there is a wish to allow its use by indoor sports such as basketball and volleyball. Also, it’s a relatively short expected life for the actual structure. It’s as low as 10 to 15 years in other jurisdictions. Again, that means that it has higher capital cost over a standard building life cycle.

Also, the domes are also at risk from collapse from snow loads and a risk from falling embers from wildfires. So, these structures — the team did pretty comprehensive research on it. There was one that was built on Prince Edward Island that was associated with some organized national games. There was one in Saskatchewan, another one in northern Alberta, and one in British Columbia.

Some of the messaging that we received from folks when we sent a team to actually look at them and take a look at how they are operated — and some of the information that we received from British Columbia was that they just wouldn’t use them anymore because they have, of course, had really significant fire seasons. Because of the material that is used, which is essentially a plastic, if embers hit something like this, you are really in a difficult situation. I also believe that there were some really significant challenges with even trying to get insurance on these structures, so that was also of some concern.

An insulated fabric building structure for softball and soccer, if we had it at that size and magnitude, which were some of the initial conversations, that is about \$12 million, so \$4 million more. Construction on a standard building of this

kind would cost about \$20 million, so again, these are things that we would have to weigh.

Some of the other pieces that we're dealing with now in that conversation is, of course, the Canada Games conversation, which also came to the table. This was not connected to the Canada Games; this was really about the interests of the sport community, as well as an interim measure. The other piece of this was that, since then, we have had a real push where what we have heard from the tourism sector and from others is that this particular structure just wouldn't work as well. It wouldn't fill the appropriate need for the tourism sector, so that's why Tourism and Culture went out and did an expression of interest to gauge the interest of different parts of the sector to actually look at building out a convention centre.

So, at this time, really, we haven't made a formal call on the decision. The evidence that is in front of us really would say that it's not the right decision, and it seems as though the interest, as well, from Softball Yukon has really waned in those discussions. So, there doesn't seem to be as much of a group of champions in the community, and there are really some challenges — sorry, I'll just close with this.

The other challenge, too — the cost, when you are converting it from one sport to the other, can be as high as \$7,000 every time you switch from soccer, say, to softball. The evidence states, really, that it's probably not the best business decision to move on this particular project but to support other structures and to maybe look more toward a unique convention centre space.

Ms. Van Bibber: You mentioned there was a loss of the convention centre. We were given to understand that wasn't sold with the main hotel. So, after the COVID situation — is mainly waning now — would that not switch back to being a convention centre? Or how long is the term for rental of the building?

Hon. Mr. Pillai: You know, that's really a conversation, I think, for the ownership group. Of course, the Government of Yukon has not — you know, there are times when there is an event that's hosted, and we support those events, but I think, if that happens, it will likely be a conversation between the private sector and the potential clients they would have using that building. I'm not aware that there is still an opportunity to rent that space, but I'm not sure. I think the — again, I don't have access to those lease agreements through Health and Social Services right now. So, I think, yes, that's probably a question maybe for the Minister of Health and Social Services or with the private sector — just seeing if they still have interest in leasing that space.

What I can say is that, this weekend for Geoscience, the organizers used multiple venues: the Gold Rush Inn; the Sternwheeler — we would formerly refer to it as the "Westmark"; and the Kwanlin Dün Cultural Centre. Not optimal, I would say, from an operational standpoint, but extremely well done, as professional-looking events as they have ever been.

Of course, Kwanlin Dün Cultural Centre is such a great space. I think that the previous structure limited us. We needed a bigger space in the community even with, of course, the old

Lions pool being converted. But I believe, moving forward, we'll have to use the assets that we have in a very creative way. We're just getting ready, of course, to go out to a more significant process through Tourism and Culture around the convention centre — and then being able to understand what people are really committed to doing and then understanding where the government can support those efforts.

Ms. Van Bibber: The tourism sector, as we know, is the huge economic driver, and the last two years have not been ideal, but does the minister have any insight into the comeback of the operation of the White Pass and Yukon train into Carcross this coming season?

Hon. Mr. Pillai: The conversations that have been undertaken lately with White Pass have been very positive. Deputy Minister Ferbey and I travelled to meet with the ownership group, Blackstone, which owns Carrix, and Carrix is the company that then inevitably owns White Pass now. Blackstone is a very significant company. It is the largest infrastructure company in the world. The conversations were fruitful. There were a number of things that we went to talk with them about. As you review my mandate letter, I believe — there is another line in there that talks about the potential of looking at commercial rail in Whitehorse, so that was one of the things that we went to discuss and to see if they were interested in working directly with the government on some feasibility work. They are, of course, the owner of the rail line, so we got a positive response on that and we are looking to move toward that work.

The other thing that was undertaken in those discussions — and just to clarify, the existing rail infrastructure that goes from Skagway into Whitehorse is what we were discussing. The second part of this is concerning the coming back into Carcross next year. My sense is that they were very positive. They are doing the things that are necessary to ensure that we see that traffic come back. I want to be open with the House. I am not sure yet what the volumes are going to look like. We know what the numbers were pre-COVID, but we know that they are coming back and that there has been quite a bit of money spent this year on capital investment in the rail, and that has been for everything from bridges right through to some of the rail ties that are being replaced. So, that has been a good conversation.

If anything, the focus on the Skagway port and the work around it — what I would say is that one of the ancillary benefits of that is that we have had a lot of dialogue with the folks in Skagway, which is great because you just get to understand what is happening there, where you can be doing more together. We have had at least one new business that is owned by residents of — I think, actually one resident from Pelly-Nisutlin and another individual from Whitehorse who had just opened a business there, so we were also trying to ensure that any Yukoners whom we can support to open businesses in Skagway had the opportunity to do that.

We feel positive with the rail, but I have an obligation to come back and report to the House when I have a better sense of what those numbers look like, which I absolutely will. As we start to have a deeper conversation with White Pass around the

feasibility work on the commercialization of that line and what that looks like, I will bring that back or be able to speak to it in Committee.

Deputy Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

Deputy Chair: It has been moved by the 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. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report progress.

Speaker: You have heard the report of the Deputy Chair of the 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 5:26 p.m.

The following sessional paper was tabled November 23, 2022:

35-1-84

2021-2022 Annual Report Yukon University and Yukon University Consolidated Financial Statements Year Ended March 31, 2022 (McLean)

The following legislative returns were tabled November 23, 2022:

35-1-70

Response to Written Question No. 23 re: Old Crow health and wellness centre and tenplex housing project (Clarke, N.)

35-1-71

Response to Written Question No. 30 re: privacy data breaches (Clarke, N.)

35-1-72

Response to matter outstanding from discussion with Ms. White related to general debate on Vote 10, Public Service Commission, in Bill No. 204, *First Appropriation Act 2022-23* — government employees (Streicker)

35-1-73

Response to Written Question No. 19 re: auxiliary-on-call and casual staff (Streicker)

35-1-74

Response to Written Question No. 20 re: full-time equivalents in 2016-17 budget year (Streicker)

35-1-75

Response to oral question from Mr. Kent re: Atlin hydro expansion project (Streicker)

35-1-76

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on November 17, 2022 — Yukon Utilities Board hearing (Streicker)

35-1-77

Response to matter outstanding from discussion related to the appearance of witnesses from the Yukon Development Corporation and the Yukon Energy Corporation before Committee of the Whole on November 17, 2022 — electricity purchase agreement (Streicker)

The following document was filed November 23, 2022:

35-1-115

Government of Yukon response to the October 2022 report *Responding to Sexualized Abuse in Yukon Schools: Review of Policies and Governmental Response*, letter re (dated November 22, 2022) from Hon. Jeanie McLean, Minister of Education, to Annette King, Yukon Child and Youth Advocate (McLean)

Written notice was given of the following motions November 23, 2022:

Motion No. 551

Re: supporting the people of Taiwan (Dixon)

Motion No. 552

Re: condemning terrorist attacks in Jerusalem (Dixon)



Yukon Legislative Assembly

Number 102

1st Session

35th Legislature

HANSARD

Thursday, November 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

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, November 24, 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. Silver: Mr. Speaker, I would probably be called out of order if I introduced your new moustache for Movember to the gallery — good on you — but instead, I would ask the indulgence of the Legislative Assembly to welcome today: Sacha Marceau, who is the regional advisor to me, as the Premier; Aaron Casselman, ministerial advisor to the Premier; and also, Sylvia Anderson, administrative assistant to the Premier. Thank you, folks. Thank you for all the work that you do.

Applause

Hon. Ms. McLean: I would ask my colleagues to help me welcome some guests here today for our tribute on the 16 Days of Activism to End Gender-Based Violence. We have: Birju Dattani, director of the Human Rights Commission; Vida Nelson, commission legal counsel for the Yukon Human Rights Commission; and Emilie Major-Parent, communication manager for Les EssentiElles, and Evelyn, her daughter, is here as well. Welcome. It is so nice to have a little baby in the House.

We also have: Natalie Taylor, executive director for Whitehorse Aboriginal Women's Circle; Susan Power, administrative and project coordinator for Whitehorse Aboriginal Women's Circle; and, I think, Sofia Ashley, executive director from Victoria Faulkner Women's Centre.

Thank you so much for being here today.

Applause

Speaker: Are there any tributes?

TRIBUTES

In recognition of the 16 Days of Activism against Gender-Based Violence

Hon. Ms. McLean: I rise today on behalf of our Yukon Liberal government to pay tribute to the 16 Days of Activism against Gender-Based Violence, which is held each year from November 25 and ends on December 10, international Human Rights Day. This year's events in Whitehorse are being coordinated in the Whitehorse community by Victoria Faulkner Women's Centre in partnership with many other community organizations. In Dawson City, events are being coordinated by the Dawson City Women's Shelter, and you can find a full listing of everything that they are doing — it's incredible — on

their website. We know that gender-based violence impacts citizens in all of our families, workplaces, and communities, and that it disproportionately affects indigenous women, young women, and those who identify as LGBTQ2S+.

Today, Yukoners are invited to meet at the Victoria Faulkner Women's Centre at 5:30 p.m. for the Take Back the Night march to show public support for the safety of all women and gender-diverse people.

On November 25, tomorrow, there will be a gathering here in the Legislative Assembly from 11:30 a.m. to 1:30 p.m. to show support for women in Iran, who, this year, were in the international spotlight after the death, in custody, of Mahsa Amini, a 22-year-old woman who was detained for allegedly breaking strict rules around headgear.

Part of the 16 days campaign is the National Day of Remembrance and Action on Violence against Women in Canada on December 6. This day is a chance for us to reflect upon those lives that have been taken simply because of their gender.

I encourage all members to attend the vigil that will happen in the foyer of this building. We will remember the 14 women who were killed 33 years ago in the Montréal massacre. We will also remember the 42 known cases of missing and murdered indigenous women and girls in the Yukon. In addition, we must always reflect on the resistance and resilience of women, gender-diverse folks and their allies.

From the missing and murdered indigenous women and girls and two-spirit-plus movement here in the Yukon to the women-led protests in Iran, women are joining in solidarity to defend their rights.

I encourage all members to join me in standing against gender-based violence today and everyday.

Applause

Ms. Clarke: I rise on behalf of the Yukon Party Official Opposition to recognize the 16 Days of Activism against Gender-Based Violence.

Gender-based violence is abuse faced by individuals based on their gender — gender expression, gender identity, or perceived gender. Women, girls and gender-diverse people are at high risk of this type of violence. Even more so are women with disabilities, women of colour, trans individuals, and women who are homeless or underhoused.

Gender-based violence can take many forms. It can be physical or emotional violence. It can be financial violence. It can be sexual violence. These 16 days begin tomorrow with the International Day for the Elimination of Violence against Women, and finishes up on December 10 with Human Rights Day.

December 6 is an important date for Canada, as we honour and remember the 14 women who were murdered during the tragic anti-feminist shooting that occurred on that day in 1989 at École Polytechnique in Montréal. We honour the victims and also the survivors, as many more were injured that day. It was a senseless act of violence and cost 14 innocent women their lives. It is so important for us to remember this horrible event,

to talk about it, and to continue to work toward a world where this type of violence is a thing of the past.

December 6 has also come to be known as White Ribbon Day, a campaign that helps to address violence against women through knowledge and understanding for men and boys. Of course, we recognize that intimate-partner violence can occur in any relationship and can be initiated by either partner. Women continue to be disproportionately affected, but it is important for all to acknowledge that everyone has a role to play in addressing violence in the home.

We all have a role to play in addressing all types of violence. Just this week, we gave tributes in this House to the Transgender Day of Remembrance. Much of what was said during those tributes rings true today and is relevant to violence of any nature. As my colleague and the Member for Kluane said, this is unacceptable. As a community, as a country, as human beings, we are better than this.

Applause

Ms. White: I rise on behalf of the Yukon NDP caucus in the recognition of the 16 Days of Activism against Gender-Based Violence. We honour and amplify the voices of survivors and the grassroots organizations that support this activism here and around the world.

Today, I reflect on the violence facing the women of Iran. In September, Mahsa Amini, a 22-year-old Iranian woman died in the custody of the country's morality police after she was arrested for allegedly wearing her hijab improperly. Following news of Amini's death, protests spread across the country with women at the forefront. In the weeks and months following her death, the country has erupted in protests that show little sign of ceasing, despite brutal crackdowns by the Iranian government.

Iranian women and their allies are fighting for their rights, but this isn't new. Iranian women have been at the forefront of political protests and change since the beginning of the 20th century. They have been fighting for their freedom for generations. Women's bodies have been policed; they have been regulated. From what they wear to how they behave, women have borne the brunt of morality police. Across the country, growing protests have been met with brutal violence from Iranian forces. Hundreds of people, including women and children, have been killed; hundreds more have been injured, and nearly 17,000 people have been arrested.

This is a painful example of why there is a need for this global campaign to end gender-based violence. And make no mistake — acts of gender-based violence continue to happen here at home as well. This campaign has always been a time to bring to the forefront the disproportionate levels of violence faced by women and girls, as well as diverse populations, including indigenous people, people of colour, LGBTQ2S+ community members, gender non-binary individuals, those living in northern, rural and remote communities, people with disability, newcomers, children, youth, and seniors.

Tomorrow at 12:10 p.m., you can join the Iranian Yukoners association and the Victoria Faulkner Women's Centre here at the Jim Smith Building to participate in an event

to reflect on the events in "Iran! Women, Life, Freedom" — time for change.

Mr. Speaker, no matter where we live, we all have a role to play in ending gender-based violence.

Applause

In recognition of Canadian men's soccer team and FIFA World Cup

Hon. Mr. Clarke: I rise today to pay tribute to the Canadian men's first World Cup appearance in 36 years. Yesterday, thousands across our territory were sneaking a glance at their phones, televisions, and computers as Canada began their campaign against the number two ranked Belgian team. It was a special moment to hear our anthem and to see captain Atiba Hutchinson lead teammates at a World Cup finals. This team refers to themselves as "the new Canada". They are there to compete seriously and are not content to participate. Within minutes, we saw why, as Canada outplayed their more illustrious opponents and, as one telegraph journalist said, they were a joy to watch. Alas, a combination of bad luck and opponent quality meant that Canada lost one-nil with Belgium capitalizing on one defensive slip and a missed penalty kick by Canada, but neither made them break stride. They continued to control the match and, once again, made us believe, capturing hearts beyond our borders. The excitement for this weekend's match against Croatia is palpable, and I encourage Yukoners to wake up early to cheer our side on.

While the soccer captivates, hosting in Qatar has only served to further highlight the grim human rights situation. Qatar's abuses toward marginalized communities is no secret. This includes the stories of mistreated migrant workers who died in large numbers to build the infrastructure, as well as the LGBTQ+ people who are targeted by the regime. Mr. Speaker, Qatar punishes LGBTQ+ persons with sanctions ranging from three years in prison to the death penalty, simply for being themselves and loving who they love. This is exacerbated by FIFA, the international football federation, promoting the host's empty promises about non-discrimination and then looking away when they are exposed. All human rights abuses are distressing and they must, of course, be condemned.

It is also important to note that this mega event's carbon footprint is estimated to be around 3.6 million tonnes. This deserves scrutiny and is arguably greenwashing, given the organizers' dubious claims that this would be a carbon-neutral event. However, while I certainly urge us all to support Canadian athletes, it is vital that we remember the cost and call out hypocrisy of both the host nation and the organizing body.

It is still an exciting time for Canadian soccer. Let's don the red and white and cheer on the players. Go, Team Canada.

Applause

Mr. Istchenko: I rise on behalf of the Yukon Party Official Opposition to wish Canada's men's national soccer team success at the 2022 World Cup in Qatar. Yukoners and Canadians have long awaited the men's national team appearance at a World Cup — 36 long years of frustration.

We were thrilled to watch their opening match against second-ranked Belgium yesterday. Canada has proved that they belong. They have risen to the challenge, and as Coach Herdman said about how they will respond to this disappointing loss, we're going to beat Croatia.

We would be remiss if we didn't mention the challenges with this World Cup. Qatar has attracted criticism for being selected as the host. From the onset, there were reports of foreign workers being forced to build stadiums in unsafe conditions, leading to death on the jobsite. Former FIFA president, Sepp Blatter, who led the organization when Qatar was awarded the hosting rights, told a Swiss newspaper recently that Qatar is a mistake and that the choice was bad.

Moving the tournament to the winter in the middle of the professional season has led to disappointment for players across the globe who lacked sufficient time to recover from inevitable injuries that occurred during the course of their regular season. So, Canadian soccer fans feared the worst when superstar Alphonso Davies left his club game with a hamstring injury. Thankfully, the injury wasn't serious, and Alphonso was in uniform and leading Canada on the world stage.

But injuries to players aren't the biggest concern for many critics. Qatar's policy resulted in an alcohol ban in stadiums only two days before the tournament commenced. Long-time World Cup sponsor Budweiser will now be suing FIFA for breach of contract, and most importantly, queer fans from across the world were concerned for their safety if they attended the World Cup because of Qatar's social policies.

This World Cup is developing into a statement about LGBTQ2S+ rights. Many teams were planning to wear OneLove armbands as part of their kit until FIFA caved to Qatar's pressure to penalize any player doing that. In response, the German players covered their mouths during their pre-game team photo to symbolize censorship of people speaking out for human rights.

So, the World Cup should welcome everyone, so we support and applaud efforts to ensure that all fans are safe and able to be themselves when they attend.

As always, the excitement of the world's marquee sporting event will take over, and we will share the joy, sorrow, and disappointment of the players and fans from across the world. We join Yukoners who are excited to watch the Canadian men's national team at this World Cup, and we join the millions who are tuning in to enjoy the biggest global sporting event.

We wish our boys success over the coming month. Go, Canada, go.

Applause

Ms. Tredger: I rise on behalf of the Yukon NDP to acknowledge the soccer World Cup. I say "acknowledge" and not tribute nor celebrate, because we cannot celebrate this event as it is. We cannot overlook the human rights record of the host country, Qatar. We cannot overlook the deaths and abuse of migrant workers as they built the stadiums. We cannot overlook the way women are denied the rights to make choices about their lives and are subject to prosecution for being the victims of sexual assault.

We cannot overlook the ongoing abuse of LGBTQ people, including the criminalization of homosexuality, imprisonment, and torture. We cannot celebrate an event held by FIFA. When team captains declared their intention to wear the OneLove armbands in support of LGBTQ rights, FIFA announced that any player who stepped on the field wearing these armbands would face yellow cards. FIFA chose to censor and repress even those very mild forms of support for the LGBTQ community, and we cannot pay them tribute.

We know that many athletes have worked very hard — some for their entire lives — to be at the World Cup, and we wish them the best, but this World Cup event is a shameful disregard of human rights, and we cannot celebrate it.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: Under Tabling Returns and Documents, the Chair has for tabling, pursuant to section 22(8) of the *Human Rights Act*, the annual report of the Yukon Human Rights Panel of Adjudicators.

Are there any further returns or documents for tabling?

Hon. Ms. McPhee: I have for tabling the Yukon Judicial Council's annual report, 2021, which is tabled pursuant to section 37(2) of the *Territorial Court Act*.

I also have for tabling the health status report, 2021, which is tabled pursuant to section 6(1) of the *Health Act*.

I also have for tabling a legislative return.

Hon. Ms. McLean: Pursuant to section 15(3) of the *Yukon Advisory Council on Women's Issues Act*, I have for tabling, their annual report for 2021-22.

I also have for tabling two legislative returns: one regarding questions from general debate earlier in the session on Bill No. 206, entitled *Second Appropriation Act 2022-23*, and the second being a legislative return for submitted written questions.

Hon. Mr. Streicker: I have for tabling a legislative return in response to a written question.

Hon. Mr. Clarke: I have for tabling Canada's National Adaptation Strategy.

Ms. Blake: I have for tabling from the Yukon Hospital Corporation the 2018, 2019, and the most recent 2020, staff satisfaction survey.

Ms. White: I have for tabling a sample order-in-council to end evictions without cause.

Speaker: Are there any reports of committees?

REPORTS OF COMMITTEES

Ms. White: I have for tabling the interim report of the Special Committee on Electoral Reform.

Speaker: Are there any further 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. Dixon: I rise to give notice of the following motion:
 THAT this House urges the Minister of Education to provide adequate funding to the Child Development Centre and work with the centre to reduce the wait times for accessing services.

I also give notice of the following motion:

THAT this House urges the Minister of Education to meet with the Yukon Child Care Board to discuss a revised and proposed budget.

I also give notice of the following motion:

THAT this House urges the Minister of Education to create an innovative supported childcare system that reflects the needs of children, families, educators, and centres.

I also give notice of the following motion:

THAT this House urges the Minister of Education to share the results of the supported childcare program review with the Yukon Child Care Board and conduct a further third-party review of the current supported childcare system in order to identify priorities and gaps.

I also give notice of the following motion:

THAT this House urges the Minister of Education to work with the Yukon Child Care Board to modernize the *Child Care Act* and regulations.

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

THAT this House urges the Minister of Highways and Public Works to include funding in the 2023-24 capital budget to make the necessary repairs to Venus Place, Arctic Drive, and Duncan Drive in the next construction season.

I also give notice of the following motion:

THAT this House urges the Minister of Education to include funding in the 2023-24 capital budget to make necessary repairs to the soccer field at Golden Horn Elementary School.

I also give notice of the following motion:

THAT this House urges the Minister of Energy, Mines and Resources to table the 2019, 2020, and 2022 Yukon Minerals Advisory Board reports during the 2023 Spring Sitting of the Yukon Legislative Assembly.

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

THAT this House urges the Yukon government to join provinces, including Saskatchewan and Alberta, in standing up to the federal government and formally opposing the new

proposed definition of prohibited weapons, which would unfairly result in people having to surrender lawfully acquired hunting rifles and shotguns.

I also give notice of the following motion:

THAT this House urges the Minister of Education to follow through on her promises to parents, including ensuring that sensory rooms in Yukon schools are modified to protect the safety of children.

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

THAT this House urges the Minister of Highways and Public Works to explain the \$11 million in cost overruns for the Old Crow health and wellness centre and tenplex housing project.

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

THAT this House urges the Minister of Environment to respect the role of the Yukon Fish and Wildlife Management Board.

I also give notice of the following motion:

THAT this House urges the Minister of Environment to ensure that wildlife management decisions are data-driven and consistently informed by both analysis and local knowledge, including the knowledge of hunters, residents, renewable resources councils, and First Nations.

I also rise to give notice of the following motion:

THAT this House recognizes the importance of the outfitting industry to the Yukon economy and society and the role that it has played in the development of the territory.

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

THAT it is the opinion of this House that FIFA should not penalize players and teams who wear #OneLove armbands at the World Cup in Qatar.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to address the increasing needs of youth and families by:

(1) increasing the total operational core funding of the Boys and Girls Club of Yukon to allow them to continue to deliver current essential programs that support gaps in programming; and

(2) extending services to a seven-day-a-week accessible model.

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

THAT this House urges the Government of Yukon to take part in Canada Revenue Agency's organ donor initiative, allowing Yukoners to sign up for information on organ donation through their annual tax return.

I also give notice of the following motion:

THAT this House urges the Government of Yukon and Yukon Hospital Corporation to ensure that patients from communities who are being discharged from hospital have a discharge plan that includes:

- (1) transportation to their home community; and
- (2) accommodations upon discharge.

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

THAT this House urges the Government of Yukon to work with Town of Faro officials and the Yukon Housing Corporation to complete a community needs assessment to identify community housing needs.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to increase core funding to the Humane Society Yukon, Mae Bachur, and the Humane Society Dawson City.

Speaker: Is there a statement by a minister?

MINISTERIAL STATEMENT

Yukon dental program

Hon. Ms. McPhee: I rise today to let Yukoners know about the new Yukon dental program, which will launch in January. This new program is designed to fill gaps in our current programs and will provide all Yukoners access to essential dental care. The Yukon dental program began as a recommendation in the *Putting People First* report. Our government accepted all of the recommendations from *Putting People First* back in August 2020. It is also a commitment in the confidence and supply agreement with the Yukon NDP. We are very pleased to be bringing a dental program to Yukoners this January and expect it to serve as many as 8,000 Yukoners.

It will improve Yukoners' health and reduce costly interventions, because dental health contributes to our overall health. The program will include dental treatments necessary to relieve pain and infection, prevent disease, and restore chewing and social function. It will also offer full coverage for preventive care, such as routine cleaning and treatment for cavities.

The income-tested program will provide \$1,300 in insured benefits annually to Yukoners who do not already have dental coverage. It will work in concert with existing public dental programs, including pharmacare for seniors and Yukon children's dental program. We expect the Yukon dental program will evolve alongside the newly launched Canada dental benefit, introduced recently by the federal government, as this program progresses.

We understand that, for many Yukoners, this program will be life-changing. Untreated dental issues can lead to pain, to poor nutrition, to chronic disease, and to poor quality of life. The Yukon dental program will enable treatments for good oral health, provide for annual dental checkups and care, and prevent disease.

Dental care should be accessible to everyone, and this program will make sure Yukoners have the option to get the care they need. I want to acknowledge the dentists and denturists, and everyone involved in Yukon's dental services. We appreciate your cooperation through this change and look forward to receiving your input in the coming months as we roll out this new, innovative program.

I would also like to mention Pacific Blue Cross, which will manage the program. The Yukon dental program is an example of our deep commitment to improving health outcomes and reducing inequities. This is another example of initiatives that are moving our territory forward. We will ensure that there is an easy-to-access signup process, and our staff are preparing to help Yukoners access and navigate the program.

We look forward to the integration of this program, as it takes us another step forward in our journey to transform health services for Yukoners.

Mr. Cathers: I think we can all agree that regular dental checkups and follow-up work are an important part of the overall health of Yukoners. That is, of course, why many employers offer this as part of their benefits packages, and benefits packages are an important part of recruiting and retaining employees.

While we were happy to see this program focused on lower income Yukoners who may not have access to such a benefits program, there are some questions and unintended consequences that the program may have. Companies are wondering if they should now remove dental coverage from their plans, since government is covering those costs, and allocate that money to a different benefit. They are wondering if they can even remove dental from their plans altogether.

So, can the minister tell us what employers should do? Should they remove their dental plans, or can they even remove their dental plans?

The minister mentions how the Yukon program will evolve alongside the newly launched Canada dental benefit introduced recently by the federal government. How does the minister expect the program to evolve? Will this double the benefit? Will there be a percentage split between the Yukon program and the federal program? Will one program cover some services and not others? Will there be limitations on the providers who can offer services under the programs? How will people living in rural Yukon communities be able to access the program and dental services?

The minister mentions that the dental program was first mentioned in the *Putting People First* report in August 2020, and the program is a component of the confidence and supply agreement with the NDP.

However, I have to note that section 4b of the CASA says that the program — and I quote: "... will be implemented and fully funded beginning with the 2022-23 budget." We are now three quarters of the way through the fiscal year, and the program isn't slated to come online until January. This is yet another broken CASA commitment by this Liberal government, and the program will not come into force until almost two and a half years after it was first recommended.

While there are questions remaining about this program, we are hopeful that providing more Yukoners access to dental care will help our overall health care system in the long run.

Ms. White: When Tommy Douglas, the leader of the CCF, first proposed a universal health program for all Canadians, dental care was included. It is well known that poor dental care can have serious long-term impacts on a person's health and well-being. Poor dental care can lead to the obvious cavities and gum disease, but it has also been linked to heart disease, cancer, and diabetes. Dental and oral health care is health care.

So, I have been in this role for 11 years and, in that time, I have had to advocate for people to receive the support that they deserved when it came to dental care from both the Yukon Party and Liberal governments. I think about the private dental clinic that identified the critical need of the community and responded with a free community dental day. They had lineups from long before they opened, straight through until they closed. I think about the times when someone needed help for dental coverage because successive governments never viewed preventive care as essential, and by the time they got to me, they needed critical intervention. I remember how hard it was to get them the support that they needed, how many letters needed to be written, and how much justification needed to be given. I think about the hoops that they needed to jump through and how all of this affected how they felt about themselves.

For the NDP, this has always been an issue of dignity. I think about these people and their stories often, so often that it was with them in mind that I started pressuring the Liberal government to create a universal dental plan long ahead of the *Putting People First* report. I was told that it was impossible. In the 2021 territorial election, creating a universal dental plan was part of the NDP platform because we recognized the critical need. Again, we were told that it wasn't possible, not by individuals, but by other politicians. In the year leading up to the federal election, Jagmeet Singh and I had a conversation, and he asked me: If there was one thing I wanted for Canada, what would it be? My answer: universal dental coverage. The federal NDP ran with that in their platform and they were told that it wasn't possible, not by individuals, but by other politicians. And look where we are now. It turns out that you can get a lot done with a confidence and supply agreement, Mr. Speaker. The impossible becomes possible.

I had really expected the Yukon to be first, if I'm honest. I mean, our election was months earlier, but I do appreciate that there were challenges. I thank those within the department who made this happen, because they are changing the course of people's health and lives.

The NDP vision of a dental plan wasn't to replace private insurance plans that are already offered by many employers, but to ensure that those without those plans have access to the preventive dental care that they need. It's critical the individuals accessing this dental plan will not need to pay out-of-pocket to access service; otherwise, cost will still be a barrier to preventive health.

So, we appreciate all those who work to support brighter smiles in the Yukon, and we look forward to seeing the impact of this program as it rolls out and what it will change for the years to come.

Hon. Ms. McPhee: Our government continues to transform the Yukon's health care system. We remain focused on a more holistic, collaborative, and people-centred system that will better meet the needs of all Yukoners. We're making substantial progress in implementing the recommendations identified in the *Putting People First* report. A new dental program that we are talking about today is one of those recommendations in the plan, and we are pleased to be moving forward with it.

As I mentioned, the *Putting People First* recommendation is also an element of the confidence and supply agreement, which our Liberal government entered into with the NDP caucus, and, of course, the Yukon Party — or at least its leader — also fully endorsed.

The Yukon dental program will help close a gap in services and provide Yukoners in need with access to critical dental care, and will help reduce the burden of our health care system and the burden for individuals in receiving that care. As I mentioned earlier, the income-tested program will provide \$1,300 in insured benefits annually to Yukoners who do not have dental coverage already. This program is in addition to our existing programs, and it's important for Yukoners to know that the children's dental program provides preventive and treatment services at no cost to school-aged children and kids in preschool. The school-age program provides services to children in kindergarten to grade 8 in Whitehorse, and from kindergarten to grade 12 in rural areas where no resident dentist is present. The social assistance aid for health care services program, which currently covers some dental services for Yukoners, will also be affected by this new program, and that will remain in existence, if necessary, but we expect most Yukoners in that category will migrate to this new program.

The extended health care benefits for seniors ensures that residents aged 65 or older, and their spouses aged 60 or older, have access to benefits for vision, pharmaceutical, and dental services.

The Yukon dental program is another key action of our government's strategy to transform Yukon's health care system to improve these services for all Yukoners. Mr. Speaker, transforming a health care system and making these kinds of improvements certainly takes time. It's not something that the Yukon Party would know about because no efforts were made in this area.

We continue moving forward to achieve a health and social system that is high performing, collaborative, culturally safe, anti-racist, and puts Yukoners at the centre. We know that improving access to health care services and supports for Yukoners is at the heart of ensuring that everyone is cared for and able to thrive.

Speaker: This then brings us to Question Period.

QUESTION PERIOD**Question re: Public sector growth**

Mr. Dixon: According to the Government of Yukon's Public Accounts that are tabled in the Legislature every year, the government spent \$534 million on personnel in 2016. In the most recent Public Accounts tabled earlier this Sitting, that amount that the Yukon government will spend on personnel this year has ballooned to over \$716 million. That's an incredible increase of over \$182 million in just six years. Mr. Speaker, it's a 34-percent increase. This massive 34-percent increase in the size of the public service is clearly the defining legacy of this Premier. Does the Premier acknowledge that the legacy of his time in office is ballooning the public service by over one-third?

Hon. Mr. Silver: If you take a look at the last 20 years of public service, the Yukon Liberal Party is not number one for growing government. It's not even in the second position either. Both of those accolades go to the Yukon Party. Both had years, previous to us, that ballooned — to use the member opposite's word — the public service to the largest increases in those years.

We have had this conversation quite a few times about the temporary jobs that were offered here because of COVID. A healthy economy needs healthy people. We asked the members opposite which jobs they would cut — no answers from the members opposite. They keep on telling everybody that the only reason we have a good GDP is because of the ballooning growth here in the territorial government. That has been debunked by the Minister of Economic Development.

Some Hon. Member: (Inaudible)

Hon. Mr. Silver: And here we are again. They don't like my answers so they talk as I try to answer them here in the Legislative Assembly.

A lot of the jobs that we have talked about are temporary and necessary for COVID. Outside of that, we have done a yeoman's job of actually making sure that we are providing the programs and services necessary for Yukoners, and doing so with a conscientious lens to make sure we have the government grow at a sustainable rate for the programs and services that Yukoners deserve.

Mr. Dixon: Well, let's take a look at the job numbers themselves. The Bureau of Statistics put out these job numbers. In December 2016 when the Liberals took office, there were 8,600 employees in the public service and 12,900 employees in the private sector. In October of this year, there were 10,700 employees in the public service and 12,700 employees in the private sector. This means that, since the Liberals have come into office, there are more than 2,000 more employees in the public sector than when they began and, in the private sector, 200 fewer.

The public sector has ballooned by thousands and the number of people working in the private sector has shrunk. Does the Premier acknowledge that his legacy is an explosion of growth in the public service at the cost of the private sector?

Hon. Mr. Silver: Even during a pandemic when we increased the most of our jobs — temporary. Even during two years of a pandemic, we did not come close to the two years in

which the Yukon Party grew the government larger than any government in the history of the Yukon. Again, it's very interesting that they are sitting here and saying: Do as we say and not as we do.

I will tell you, Mr. Speaker, that Health and Social Services — the largest growth in FTEs was in Health and Social Services. Do you know what that was for, Mr. Speaker? It was for 20.6 FTEs for Mental Wellness and Substance Use Services in the social services department — a part of the government that was woeful under the Yukon Party. Are these the jobs that the Yukon Party is coming for if they ever form government again? Are they going to gut the mental wellness programs again? I hope not.

Mr. Dixon: I know the Premier doesn't like these statistics, but they are the facts. Personnel costs have increased by over one-third. That means that the Yukon spends \$182 million more in wages and salaries than it did just a few years ago. The number of jobs in the Yukon has grown by thousands since the Liberals took office, but that job growth has been overwhelmingly in the public sector.

The number of people working in the private sector has flatlined while the public service has exploded. None of this is sustainable, but this is the Premier's legacy. Will the Premier now acknowledge that the defining legacy of his time in office has been the rapid growth of government at the cost of a flatlining private sector?

Hon. Mr. Silver: It would be my opinion that part of my legacy is growing reconciliation and actually working with First Nation governments, something that the members opposite have no clue about.

The actual safety of Yukoners — healthy people means a healthy economy. Those are the FTEs that we're talking about. Mental wellness — that's another legacy that I'm proud of. There are four mental wellness hubs in the communities and over 20 employees. The members opposite had two mental wellness nurses for all of rural Yukon — woeful and shameful.

The government is fully committed — fully committed — to providing a transparent and up-to-date budget of FTEs, which the members opposite did not, in its main and supplementary budgets. The government shares these — updated — with the House.

Planning these FTEs is extremely important. The Public Service Commission and the Department of Finance work together to both approach and to work on options when we are taking a look at making sure that we provide the mandate that we need.

Again, ladies and gentlemen who are listening in today, our number one largest increase in the budget is 20 — 20 is the largest and it's for mental wellness.

I can see what's happening with the Yukon Party. If they ever do get a chance to get into the government again, they will be gutting the public service, clearly.

Question re: Implementation of opposition motions

Mr. Cathers: Since losing three seats in the last election, losing the popular vote, and plummeting in the polls,

the Premier has struggled with the new reality. He has struggled to accept the reality that the Liberals no longer hold a majority.

In our system of democracy, government is subject to the will of the elected legislature. Unfortunately, the Premier has demonstrated an unwillingness to accept that. So, will the Premier recognize the clearly expressed will of the Yukon Legislative Assembly and write to the Prime Minister to request an exemption for home heating fuel from the Liberal carbon tax as this House voted democratically to do yesterday?

Hon. Mr. Silver: I will just start by saying that I will not.

I will also say that I was very pleased to see the NDP and the Yukon Party supporting our made-in-Yukon solutions when it comes to carbon pricing, because we just saw that the Northwest Territories and the Maritimers had to give up their exemptions for home heating fuel.

Members opposite are asking us to do something that other jurisdictions tried and failed. So, I'm not really sure why the members opposite are continuing to not look at what's happening on a national scale, and also continuing to talk about the glories of a fossil fuel world and it continuing for decades here in the Yukon.

We are completely disagreeing with the members opposite. We are providing rebates for inflation; we have talked about those quite a few times in the Legislative Assembly — a great honour to be able to talk about those. We have kept people safe during the pandemic as well. A healthy population is a healthy economy. We have the best economy in Canada; we have the lowest unemployment rate in Canada; and we are putting in measures to make sure that the reflections of international inflation here locally are not exacerbated in the people who have the most needs, but we will disagree with the members opposite, time and time again, when it comes to extending a fossil fuel future here in the Yukon.

Mr. Cathers: I can't say I'm surprised by the Premier's answer. This isn't the first time that he has ignored the clearly expressed will of this Legislative Assembly. Yukoners remember very well that, despite a majority of the Legislative Assembly voting to have the former Minister of Education removed from Cabinet, the Premier instead dismissed that democratic vote, dismissed the voices of parents, and kept her in Cabinet.

Yesterday, the Legislative Assembly voted and passed a motion calling on the Premier to seek the advice of the Conflict of Interest Commissioner about the serious question of whether his former minister contravened the conflict of interest act.

So, will the Premier respect the expressed will of the Yukon Legislative Assembly and write to the conflicts commissioner to seek his advice?

Hon. Mr. Silver: It's nice to see the greatest hits here from the members opposite, and it's nice to actually be asked a question in the Legislative Assembly in Question Period. The member opposite has avoided me the whole session, so I'm glad that I finally get at least one day to maybe just reiterate some of the answers.

What I will say about the two issues that the member opposite just brought up, we did ask the Leader of the Yukon

Party to apologize to the Legislative Assembly for misleading people by saying that there was an addendum to a briefing note — the member opposite definitely said in Hansard — that didn't exist. That briefing note, with that addendum, was the basis of a — well, it will be out of order if I say it — but an attack on a minister that was unfounded and was found out, through an independent review, to not be the case. We offered for the member opposite to correct the record; he refused to — he refused to — and then stopped asking questions about the issue. So, I'm glad that the member opposite is now bringing these things up again.

The ball is in the court of the Yukon Party when it comes to Hidden Valley. The Leader of the Official Opposition should apologize for misleading the Legislative Assembly on an addendum that did not exist.

Mr. Cathers: Well, that was quite the spin by this Premier. He is arrogant and out of touch, and, Mr. Speaker, the Premier's —

Some Hon. Member: (Inaudible)

Point of order

Speaker: Order. Government House Leader, on a point of order.

Hon. Mr. Streicker: The member opposite just referred to a member of this House as being arrogant. That's abusive and insulting language and is out of order, according to Standing Order 19(i).

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

Mr. Cathers: I don't believe that language has been ruled out of order in the past. The Government House Leader this session has tried to invent new Standing Orders.

Speaker's ruling

Speaker: This is a dispute between members. I would caution members to temper their remarks.

Member for Lake Laberge, please.

Mr. Cathers: The Premier's continued refusal to seek the advice of the conflicts commissioner raises the question of why he would not want the conflicts commissioner to weigh in on this matter. Perhaps a future Premier will view things differently.

Another motion that was voted on and passed by the Legislative Assembly this Sitting was about the federal Liberals' so-called "gun buyback program", which, of course, is actually confiscation of lawfully acquired property. This flawed approach has been criticized by several provinces and the National Police Federation, which represents RCMP members.

So, the question for the Premier is simple: Will he respect the will of the Legislative Assembly and follow through on the motion that was passed by this House in October, by writing to the Prime Minister?

Hon. Mr. Silver: What I will say — in response to the member opposite again besmirching the name of now a current chief in the Yukon with these allegations — and reiterate once

again is that the only sector of this whole community that is asking any questions about this privacy commission issue is the Yukon Party. If they didn't have such a track record of personal attacks, comments about persons in disparaging ways, and also attacks of other members in this Legislative Assembly, then, you know, that might be a different story.

But again, we looked into this and there is nothing to it, and the members opposite, on the last day, have clearly run out of questions.

Question re: Rent control

Ms. White: Yesterday, the Minister of Community Services questioned my colleague about our priorities. So, today, I want to talk about his. With the cost of living on the rise and prices of homes skyrocketing, more and more Yukoners are renting. We already know that the Liberals don't care about tenants; they have left giant loopholes in the legislation and have actively refused to fix them. Worse — the minister has now said that rent control will end as soon as he can make it end. At a time when Yukoners are struggling to make ends meet — and we talk almost daily in this House about inflation and cost of living — the Minister of Community Services is openly advocating for making life more expensive for tenants.

What does the minister have to say to tenants who will be facing unsustainable rent increases in February when he removes the rent cap?

Hon. Mr. Mostyn: What we are talking this afternoon is increasing housing opportunities for Yukoners, but what we see are really two visions of how this can be accomplished. So, there are two visions here — the New Democrats campaigned on, and also championed, implementing a rent index with no consultation. The Yukon Liberal Party campaigned on increasing supply of properties in the territory to help make life more affordable for Yukoners. But we are all, in this House, searching to do the same thing. We really do want to make life more affordable for Yukoners and we have taken many, many steps to do that.

We understand that the rent index was part of the confidence and supply agreement. The confidence and supply agreement sunsets in January 2023. We are all looking for stable, affordable housing. It's the foundation for the health and well-being of all Yukoners. We are meeting increasing housing demands in the territory. That's not something any one government or organization can accomplish on their own. We are continuing to develop and support partnerships and innovative approaches to address housing needs in the territory.

Ms. White: I am going to disagree with the minister. What we are talking about is his turning away from tenants. That's what we are talking about.

The Yukon NDP didn't table a bill to end eviction without cause, because a full overhaul of the legislation is needed. That's why we have been calling on the government to pass an order-in-council, so tenants can be protected from eviction without cause while a review is being done.

It's not even that hard to understand, but I guess protecting people and doing the right thing are concepts that the minister

chooses not to grasp. On one side, we have the Yukon Party speaking out against minimum wage, and on the other side, the Liberals promising to make rents more expensive in February. It seems the Yukon NDP is the only party who will advocate for Yukoners.

The reason why we fought so hard for rent caps in the Yukon was due to the amount of people facing shocking rent increases — increases of 30, 40, or even 50 percent. We all know how wrong that is.

So, will the minister do the right thing, renew the rent cap, and end evictions without cause?

Hon. Mr. Mostyn: We hear the concerns from tenants, the call to action from the Safe at Home Society and others regarding no-cause evictions. This issue has been brought to the forefront of this current rental housing market in the context of the rental index, and we appreciate the range of perspectives on this matter.

The *Residential Landlord and Tenant Act* was drafted at the time to balance the needs and rights of landlords and tenants alike, outlining a process to end a tenancy, either with cause or without cause. Making a change to how a landlord or a tenant can end a tenancy would require a change in law. This takes time. It requires consultation with landlords and tenants with consideration on how to rebalance the rights of both parties, while also clarifying how either party could end a tenancy arrangement. We are not going to go into this willy-nilly with no consultation. It needs careful consideration.

We are reviewing the landlord/tenant regimes in place across the country, and we are exploring options to inform future consideration and decisions in the context of Yukon laws.

Ms. White: I will remind the minister that his government has been government for the last six years.

So, the minister said before that he couldn't just pause eviction without cause without regulation, but we know that is not accurate. I just tabled an example of what that regulation could look like. The hard reality is that the Liberals would rather let people get evicted for their own political strategy, rather than doing the right thing.

Tenants and housing advocates have repeatedly asked the government to do the right thing, but instead, the government has turned their back on them. Every tenant in the Yukon is at risk of being evicted by no fault of their own, because of this government's continued inaction. They had six years to review the *Residential Landlord and Tenant Act*, and they haven't. They would rather see people be evicted and face housing insecurity than fix the many problems that exist with the law.

What does the minister have to say to the hundreds of tenants he is choosing to leave behind?

Hon. Mr. Mostyn: The rent index was a priority for the NDP, as I said. They campaigned on the rent index, and we and the Yukon Party both agreed to support their rent index policy through the confidence and supply agreement. We appreciate the NDP's willingness to work together to address housing pressures in the territory, but we have shared — and did share — with the NDP, prior to the rent index coming into play, concerns with this policy, as did the chambers of commerce, as

did landlords — but without any consultation, they wanted to proceed. Now, again, they are coming forward with some order-in-council suggestion, without any consultation or due diligence, to correct a problem that is actually in legislation.

We have to make sure that we have — we believe in responsible decision-making. We want to serve all Yukoners when we do that responsible decision-making. We need realistic solutions to the challenges Yukoners are facing. If people are being evicted as a result of the rent index policy, then it's clearly not making affordable housing more accessible.

Question re: Affordable housing and land development

Mr. Hassard: As the Yukon continues to face an increasing challenge with affordable housing, the minister responsible for housing is unfortunately developing a reputation for being quick to make announcements and take credit, but slow to actually deliver on his commitments. I would like to ask for a few updates on some projects.

In March of this year, he promised that the project at 4th Avenue and Jeckell Street would be ready this summer. He even went so far as to say — and I quote: “Just for the record, hold me to it on this answer ... we’re looking at the end of June or mid-July...”

Can the minister tell us when the 4th Avenue and Jeckell Street affordable housing project will be ready for Yukoners who need to move into this much-needed housing?

Hon. Mr. Pillai: I am glad we are having the opportunity to go through the same questioning that we did a couple of weeks ago on this topic. You are absolutely correct. In the spring session, I said I would take full responsibility for the timeline. I came back into the Legislative Assembly this fall, and the timeline was missed. I definitely took full responsibility for that.

The problem at hand is that there was a flaw in the flooring that was put into the new building, and we were grappling with the fact that there is legal obligation to ensure that we look after taxpayers’ dollars, and we made sure that flooring is replaced with suitable flooring, and not at the cost of Yukon taxpayers.

So, there is a delay. What we have asked the Housing Corporation is to still look at the logistics of this and fast-track getting people into the building. What I’ve been told by the department is that they are moving through that now, as we go into the end of this calendar year, so absolutely, yes, there have been challenges with it. I will say that I want to commend the project managers at Yukon Housing for where they have kept within budget, understanding that this project was built in the middle of a global pandemic with supply chain challenges. And so, again, I think all Yukoners are well aware that we did go through a global pandemic, materials have been more expensive, and I think that, in this case, the folks at Yukon Housing have done a fantastic job.

Mr. Hassard: Well, I’m sure that anyone who has heard the minister say, “hold me to this answer”, will wonder what it means whenever he makes his next commitment, so let’s try another one.

During the last election when he was Deputy Premier, the housing minister stood in front of the 5th Avenue and Rogers Street property and announced his party’s housing platform. The property was so important that they used it as a backdrop for their housing platform release. A few weeks ago, the minister admitted it, too, was delayed, but said that 300 lots would be available very soon. So, I’m wondering if the minister can tell us when that commitment will be fulfilled.

Hon. Mr. Pillai: I think what the member opposite meant was that we would be potentially looking at 300 units, not lots; so, I’ll help him out there, but what was really interesting was — that line of questioning weeks ago was based on the fact that we had a debate in the House, and I talked about the fact that we had a mudslide that occurred — which everybody in the territory is well aware of. The leader of the opposition party said that I was disingenuous in the fact that I said that was what has held us back on our RFP.

Look, the city communicated with us; they told us that we needed to go and make sure there was geotechnical work done to make sure the site was suitable to develop. That’s a fact, and that’s the truth. The other comments that were made that day were focused on the fact that we were bouncing back and forth on the decision-making, and the funny thing was — left this Chamber, went upstairs, and you know what I found, which was really interesting? It was a 2015 press release from the Yukon Party committing to give the properties to somebody and that the work was underway. Then, in 2016, there was another press release talking about how — now there was more work done, or it was underway, and they were going to give it to somebody else.

The funny part was, the person who was asking me the question in the Legislative Assembly was who put the press release out. So, again, we see nothing done on 5th Avenue and Rogers Street — get fired up if you want — nothing done on it, and here we are, we are doing the work —

Some Hon. Member: (Inaudible)

Speaker: Order, please.

Hon. Mr. Pillai: — and we are getting it done.

Mr. Hassard: It appears that the minister is definitely not getting it done, as he states, but anyway, it is easy to see, Mr. Speaker, why the Office of the Auditor General has characterized the minister’s work as a startling lack of progress, even the minister says that he is getting it done.

The OAG has also found that the minister has not done an adequate job of addressing adequate or affordable housing for Yukoners in the greatest need. One of the minister’s responses to this criticism has been the Safe at Home project, to convert a former hotel into housing. In fact, he directed \$15 million of federal dollars allocated to the Yukon toward that project.

So, can the minister give us an update on when this so-called “rapid housing initiative” will be welcoming tenants?

Hon. Mr. Pillai: The report from the Auditor General, we humbly accepted and committed to that work — a lot of work that is underway already. But what is hilarious to watch, is the fact that the person who is asking me the questions, I believe, at one point had some responsibility for housing in the Yukon government. If you go back and look at the actual time

frame for the OAG report — you're right, I will take that on. I think that I was on the job for four months of the entire report.

Again, the Member for Pelly-Nisutlin will not take any responsibility on that, but, look — we will do that work. We will support NGOs. You can see right now that people are all striving to take on the responsibility of building housing, but you know what? Do they want to do that, if they get smeared by the Yukon Party, by one mistake that they make, when they undertake these projects — trying to fill the gap that was left by the Yukon Party, when they didn't want to spend the money that we got from Ottawa for affordable housing?

So, again, people can holler off-mic, but the reality is that Yukoners remember — Yukoners remember exactly what happened — two different times on bilateral agreements on that money. We will continue to go out. We will do things in an innovative way. We will fill that gap when it comes to housing, and again, I thank our partners at Safe at Home, the Anti-Poverty Coalition, First Nation development corporations, and the leadership at Yukon Housing, as we undertake this challenge.

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

Mr. Kent: So, yesterday, the Minister of Education tabled her response to the October 20, 2022, report by the Child and Youth Advocate. In that six-page response, the minister leans heavily on the work done in the safer schools action plan and offers very few new commitments.

This is inconsistent with what the Child and Youth Advocate specifically told the minister. Here is what the advocate said — and I quote: “To be clear, 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.”

Does the minister believe that her reliance on the safer schools action plan is an adequate response to the Child and Youth Advocate, despite the advocate’s clear statement to the contrary?

Hon. Ms. McLean: Again, we are talking about the well-being, safety, and protection of our students when they are in our care. That’s one of our most enduring priorities. I stated yesterday, and I will state again today, that we really appreciate the work that the Child and Youth Advocate did on behalf of Yukoners. The review that she did for us — I tabled that document yesterday.

The Government of Yukon is continuing to work closely with the Child and Youth Advocate. We have accepted all the recommendations in principle in the October 2022 review and committed to continuing system-wide corrective actions. I think that the member opposite needs to read the response again and recognize that there are a number of actions that move into areas within the reimagining inclusive and special education and the work we are doing to respond to the 2019 Auditor General report.

There are a number of actions, as a result of her recommendations, that do fit into the safer schools action plan. I will continue to build on my answer as we go forward.

Mr. Kent: I have to remind the minister that she actually questioned the legal authority of the Child and Youth Advocate to even conduct this review and issue this report back in the summer, when it first came to light.

Much of the Child and Youth Advocate’s report highlights the inadequate response and lack of therapeutic supports for those children and families affected since 2019. The advocate criticized the minister’s response and the lack of necessary support for those affected.

While the response that the minister tabled yesterday outlines a number of actions that will be completed under the safer schools action plan, we know that the advocate was looking for more. Other than items in the safer schools action plan, can the minister tell us about any tangible changes that she has implemented since receiving the advocate’s report in October?

Hon. Ms. McLean: Again, at the centre of all of our decision-making is the well-being of Yukon children, and that remains at the centre of our decision-making and action. There is nothing more important than the safety and protection of students when they are in our care. I have spent a tremendous amount of my time focusing on supports for children and for families, and particularly have worked closely to ensure that the Hidden Valley Elementary School is supported, as our other schools need to be as well.

We have worked very closely with the Child and Youth Advocate and have completely cooperated with the review that she conducted. As I said, there are a number of actions that are in the response, if the member will go back and read it, that clearly, clearly indicate the work that we’re doing on inclusive and special education.

Again, Mr. Speaker — I said this yesterday, and I’ll say it again today — it’s really great that the members opposite are now thinking that education is important in the Yukon. They had a very huge opportunity, especially the critic, to make changes and did not do so. That’s the difference between the Yukon Liberal government and the Yukon Party government — we’re taking action.

Mr. Kent: Over the course of this Sitting, and again just now, today, the minister has emphasized that children and students are at the centre of the government’s response. She has said that repeatedly, but if there is one single finding in the Child and Youth Advocate’s report that is absolutely clear, it is that children have absolutely not been at the centre of the government’s response. The very first line in the advocate’s report says this — and I’ll quote: “Children have not been prioritized, and their rights have been violated...”

So, can the minister tell us why there is such a massive gap between what she says here in the Legislature and what action she actually takes?

Hon. Ms. McLean: Again, we have worked very closely with the Child and Youth Advocate. We have undertaken our own review of what has taken place at Hidden Valley Elementary School and have taken many corrective actions. There were seven recommendations from our report that we actioned immediately — it included 23 actions

government-wide, and 13 of those are now complete. We are on-target to complete those by the spring of 2023.

As well, we are picking up where the Yukon Party clearly didn't do the work, and they don't like to hear it, but you know what, Mr. Speaker? The truth is the truth. They had 14 years to deal with issues within our school system. The othering of children has brought us to where we are today, and the system-wide approaches that we are taking are concrete; they are going to change education for all Yukon children.

Mr. Speaker, it's good that they are now paying attention to this, but they had a chance; they didn't do the work; we are doing the hard work. If it was easy, perhaps they would have done it, but it's not. These are incredibly difficult times, and we are working with families and keeping children at the centre.

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

ORDERS OF THE DAY

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

Speaker: It has been moved by the 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 Vote 22, Yukon Development Corporation, in 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 now recess for 15 minutes.

Recess

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

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

Chair: The matter before the Committee is general debate on Vote 22, the Yukon Development Corporation, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any general debate?

Yukon Development Corporation

Hon. Mr. Streicker: I would, first of all, like to welcome colleagues from the Yukon Development Corporation. On my right is the president and CEO of the corporation, Mr. Justin Ferbey, and on my left is our senior policy advisor, Jamie McAllister, and I thank them for being

here today to help answer questions from the opposition on the Yukon Development Corporation's supplementary budget.

I'm just going to say a couple of remarks to begin with because, just one week ago, we had the corporation along with Yukon Energy and various witnesses, and they answered lots of questions then. We have already had some debate about the Yukon Development Corporation when, I think, we were debating the *Clean Energy Act*.

To begin with, we have really increased our operations — our O&M budget — by a little over \$3 million. That has to do with our inflationary relief rebate of \$50 a month for Yukoners — that was for June, July, and August — and then recently we announced that we are extending that again for October, November, and December. So, I anticipate coming back into the spring Legislative Assembly again with another supplementary budget. That's the big change.

I'm happy to answer questions from opposition members.

Ms. Tredger: I would like to thank the officials as well for being here to answer questions today. I want to start with the money from the Arctic energy fund that was not spent. My understanding is that it was allocated to organizations that ended up not using it. Could the minister talk a little bit about that?

Hon. Mr. Streicker: The reduction really reflects some changes that were made to a couple of proponents after the mains — after we passed our budget in the spring. So, it's the Beaver Creek solar project — they secured other federal funding ahead of the Arctic energy fund. Also, the Kluane wind project reduced its Arctic energy fund allocation, also securing additional funding from other federal sources. The funds that they have secured are fully recoverable and accessible in future years. So, there was a \$5-million reduction to the Arctic energy fund, and that has been offset by a \$5-million increase on the Investing in Canada infrastructure program.

I will stop there to see if there are further questions.

Ms. Tredger: Thank you for correcting me on the \$5 million — I forgot about the extra zeroes in the budget lines.

So, I guess my question is: Why other sources of funding worked better for these proponents, and whether there are things about the Arctic energy fund that aren't working for proponents such that they are seeking funding elsewhere? Is it a red tape issue? Are there too restrictive parameters on the funding? I am wondering if the minister can comment on that and whether the application process for that fund needs to be re-jigged so that it is more accessible to people.

Hon. Mr. Streicker: This mostly has to do with a fit for the proponents. For example, with the Beaver Creek solar project, it was really around timing. There was other funding that they could secure so they took it. It was an opportunity and that was good.

With the Kluane wind project, it was really around alignment and right down to the reporting requirements that were going to be there. Again, there was another opportunity for other funds that became available and were utilized. We support that.

One of the good reasons for that is that now we get that \$5-million room back in our Arctic energy fund that we can

reuse. The money is not lost at all; it's just not spent here. In that sense, it is good news.

Ms. Tredger: I am certainly glad to hear that there are lots of funding opportunities available for green energy right now. I just wanted to make sure that — when we have money available and it has not been taken, it makes me worried that there is something about the process that is making it difficult. I guess I would just encourage the minister to make sure that the money we have available is really accessible to people and that they can access it when they need it.

I want to talk a little bit more about the interim electrical rebate, which was, I believe, the program where people were getting money credited to their electrical bills through ATCO. My first question is: Was any money provided to ATCO to administer that program?

Hon. Mr. Streicker: To answer the latter question, there were no administration dollars that flowed to ATCO. We reached out to them and asked them to do this and they agreed. There was no loss of the rebate going to Yukoners. There was no charge to us as a government to implement it.

Second of all, the development corporation, at all times, works with our communities to help them navigate through all of the opportunities that exist out there around funding. For example, I know that they are often in conversation with the funders — often that is Ottawa — and making sure that they are up on how each of the funds work and trying to tailor them, and I think that this is an example — these two cases — of where it was seen as an improvement of the funding for the partners in Beaver Creek and in Burwash. We believe that this is good news, especially that it gives us this extra opportunity. I have just checked with the deputy minister and confirmed that they work at all times to support communities to access funds.

Ms. Tredger: Thank you for that; I appreciate that. I appreciate the answer. I think that I actually meant the “inflation relief rebate”, not the “interim electrical rebate” and I think you both caught that, so that is good.

My understanding is that the inflation relief rebate for residential customers is \$50 per month per electricity bill, but there are customers who have many households on the same electricity bill. My understanding is that those customers — or collective customers — are still getting only \$50, even though many households are represented on that bill.

Is the minister aware of this problem and is he looking into it? Does he have plans to correct it?

Hon. Mr. Streicker: Yes, I thank the member for that question. The president and I have even gone and talked with — sort of an apartment building to talk to them about their situation, because they had set up their apartment so that it was just on one meter. The reason that we chose this rebate — it was not intended to be forever. It was a short-term initiative, which we identified as being able to apply automatically to all non-government, residential, and commercial electricity bills. It was just seen as a way to have an immediate — and deepest — impact across the Yukon.

It's one of the tools that we chose, but I have also talked to some Yukoners who are off-grid. They generate their own electricity. Of course, they are not going to get that rebate,

either, so there is always an attempt to get as broad as possible, but there are challenges. We have had several conversations with Yukoners about how they fit or don't fit under the approach, but the approach was meant to go out and reach as widely as possible as quickly as possible.

Ms. Tredger: So, yes, I imagine, when you roll out a program quickly, there are challenges.

My understanding is that there is a second iteration of that program coming up in the second supplementary budget. Is the minister planning to fix any of the problems he identified with the first round in the second round?

Hon. Mr. Streicker: This is currently an extension of the program that we got set up. The questions that have been posed to us about rate classes, and things like that, they are deeper questions. They are things, for example, if we were to try to create new rate classes, those are questions that we have to go to the Utilities Board with, and things like that.

We are working, right now, to review and update the *Public Utilities Act*. So, this is a question that — we have identified this challenge and noted it for that process, but the additional three months of rebate that we have initiated for October, November, and December, was really just an extension of the earlier rate relief that we had stood up.

Ms. Tredger: I would love to talk about the rate classes issue in a moment, but I just want to come back to this question of multiple households on the same bill, or as a single customer.

Does the minister think it's fair that buildings with many households are only going to get a \$50 rebate, if they pay their electricity collectively?

Hon. Mr. Streicker: The program was designed to try to get it out as quickly and as deeply as possible. For example, you might also have a situation where people are roommates. You might have a group of people who are roommates. What should we do in that situation?

Should it be for each person? Should it be for each member of a family? There is no simple way to try to draw these lines easily. The way that we understand that we would need to get to, to deal with this, is to look at those rate classes — so, that's when, at least in those initial conversations that we had, that was where we landed. We did some consideration of it.

So, it is not a perfect system; it's a pretty good system. The other thing that I would say is that some people, on their electricity bill, have huge electricity bills, because they have big places, and some people have small places. What we also thought was: “Well, if we do the \$50 per bill, at least for those places, tipping those places that are smaller for people who have more modest incomes, and so the \$50 would go a little further.” So, there is no perfect system.

I appreciate that the member opposite is identifying ways where we could consider it, if we had more time, or if we were going to do something permanently — that is what we are doing, as we try to review the *Public Utilities Act*.

Ms. Tredger: I guess I'll just express my disappointment that we had an iteration of the program; problems were identified, the minister has acknowledged those problems; and then when the program was extended, it doesn't sound like there was an attempt made to solve those problems.

Let's talk about rate classes, because I think that's another important issue. For example, one of my personal beefs with the rate classes is that condos pay commercial rates for their shared common spaces, which is just really strange, because if my neighbour has a single-family house, and they have a garage, and they have a hallway, they don't pay commercial rates on their garage and their hallway, but my neighbour living in a condo is paying commercial rates on those shared spaces. I think that's actually incentivising the wrong thing. I think having collective spaces is a really good use of resources; it's a really good use of our electricity and all those things. So, I do think that it's really important to address some of those rate class issues.

Now, I think we are all aware that the NDP has been calling for a general rate review for a while, and that's something that could be addressed, is my understanding, when that general rate review happens. Is the minister planning to direct the Utilities Board to direct a general rate review?

Hon. Mr. Streicker: I will try to give a few responses. I appreciate the question. First of all, when we first sat down with members of the public who said that the interim rate relief rebate didn't catch them, because they had one meter for multiple units, even at that time, when we talked to them, we explained where we needed to go with this work. It's really around rate classes. We looked at it right away. We tried to see what the possibilities were, and we saw right away that the issue was going to need work in those rate classes. That was the place where it would need to be addressed.

Then, the folks suggested that there were things that were set up in other jurisdictions. We did some cross-jurisdictional work, and what we generally found was that the same approach was used across the country, so that wasn't helping us at that moment. We needed to do — what it meant was more work.

I'm not sure — the member opposite has just suggested that, when there is a general rate review, the classes can be adjusted. I want to be careful about that. I would need to go back and talk to the department a little more deeply and look at that, as that is not the understanding that I have right now, but I can investigate that question further.

When it comes to what we've been asking for, I have written to ATCO to try to get them in front of a rate review. I have been advocating for that all along. At the same time as the member opposite was talking about that here in the Legislature, what I was doing was talking to ATCO and writing to ATCO to advocate for that as well.

Now, when I look at the rates, it was ATCO's rates where they were getting a return on equity that was higher than was forecast originally, but that's not Yukon Energy, so I'm not suggesting that we should go to a general rate review, because that includes Yukon Energy. I am not sure that they are yet in their timing.

Usually what happens is utilities work on capital projects, and then, at some point, they decide that now they need to go in front of a utilities board to see how those can be paid for or not. Yukon Energy has been in front of the board, even recently under the energy purchase agreement, for example. Those are the things that I think are happening.

What I can say is that, as we continue to do work on reviewing the *Public Utilities Act*, rate classes are one of the topics that we are raising.

Ms. Tredger: I have a couple of follow-up questions, but I'm going to do them one at a time, just to try to keep the conversation from jumping around too much.

My understanding is that the minister has said that there are concerns about the rate classes, and he wants to have them adjusted, and he's doing work. Can he tell me: so, what is the plan to change the rate classes, and is there a timeline for that?

Hon. Mr. Streicker: I will try to have a look as we are here, but under *Our Clean Future*, we identified as one of our actions to review the *Public Utilities Act*. The lead on that is actually Justice, because that is where the act sits, but they work closely with the Yukon Development Corporation. I will check the timing on that under our actions. I think that it is 2024-25, but I will just have a quick look.

The language my team has just given to me around rate classes is that it is bigger than a general rate application. They refer to it as a seismic shift. You want to do these things thoughtfully and carefully. That is how I am being advised and what I am trying to share with folks here in the Legislature — what that looks like — but the purpose of looking at the act is to try to modernize it to think about a future where we are trying to move toward selling electricity here and there — for example, where we have vehicles plugging in at, say, a grocery store, or to contemplate the fact that we want to do demand-side management, or to contemplate the fact that we are moving toward renewables. There are a lot of differences in how we're approaching our energy and our electrical utilities now, and working with First Nations. So, those differences are things that we are trying to achieve by reviewing the act at the same time as we would be looking at rate classes.

Ms. Tredger: To follow up on the second part of the minister's previous, previous answer, he said that he has been writing to ATCO asking them to do a rate review. Why is he choosing to go that route as opposed to directing the Utilities Board to call a rate review for ATCO?

Hon. Mr. Streicker: At the beginning, when the chamber of commerce approached us and talked to us about the situation with ATCO — and earnings went beyond their targeted return on equity and those were happening over time — we started looking at several approaches. One was through the Department of Justice to consider whether we would require something. That work, even now, is still ongoing.

One of the ones that I was tasked with was to reach out to ATCO and to talk to them about this problem and request that they come forward and do it themselves. They have done that somewhat, so they made some suggestions and they brought it before the Utilities Board. The Utilities Board has issued a decision about that, which I tabled here last week, I think.

There is some back and forth still happening between the board and the utility. That continues.

In the meantime, after I saw what ATCO had proposed, I wrote to them again and said, "I appreciate that this has come forward, but it is still not addressing the fundamentals of this problem, and I still encourage you to come forward to apply for

a general rate application to the Utilities Board itself.” In the meantime, we have continued to work in the background to see — if the utility does not do that, what would be our step and how far to go?

I want to say that we will always seek to work with this private sector company to get them to do it of their own volition, and that would be our preferred approach because it is them coming forward and not us forcing them to be there. That is the work that we are doing right now.

Ms. Tredger: How long does the minister plan to wait to see if ATCO is going to come forward with a general rate application of their own?

Hon. Mr. Streicker: I will just go back to answer the earlier question about *Our Clean Future* and the *Public Utilities Act*. The timeline on our action there is 2025 — for the review of it.

I can say that we have had healthy correspondence going back and forth with ATCO, and I want to leave it to them. I think that they are going to talk to Yukoners shortly, and I leave it for them. Today I am just going to say that this work is ongoing.

Ms. Tredger: I certainly appreciate the desire and the intention to work together collaboratively. I think that is always everyone’s goal and first choice. But, with absolutely no disrespect meant to ATCO, their accountability is to their shareholders. Their goal is profit, and they are the only choice for electricity for everyone in Whitehorse. They are not a Crown corporation, but they do have a monopoly. Therefore, they need to be accountable to the public for their decisions. The way that we have for them to be accountable to the public is through the Yukon Utilities Board.

The minister has said that he has asked them to come to the board, but that may not be in the interest of their shareholders and profits. He has talked about a plan B, but I am not hearing a deadline for a plan B, and I am not hearing, actually, a commitment that, if ATCO declines to come for a general rate review, this government will, in fact, enforce that.

So, I have asked for a deadline and I haven’t gotten one. I guess I’ll ask: Is there a commitment that if, at some point, the ongoing conversations don’t work out, will this government compel ATCO to go for a rate review — or, through the Yukon Utilities Board, compel ATCO to go for the general rate review?

Hon. Mr. Streicker: The answer, Madam Chair, is yes. Let me just try to add to that. It is far better to have a utility come of their own volition than for them to be required to do so, and we should all understand that the utility will present their information on their costs to the Utilities Board, whose job it is to try to review that and judge what is fair and what is not. That’s the whole purpose of the Utilities Board — to create fairness for ratepayers in a place where you don’t have the ability to have a competitive market.

So, what I can say is that, since we were made aware of this problem by the Yukon Chamber of Commerce, we have done continuous follow-up on it. On my part, my job was to work with the ATCO Electric Yukon to persuade them to come back before the Utilities Board. They did that, partially, and I

thank them for that. But immediately, when I saw what was in their application, I wrote to them and said, “Not enough.” That correspondence is going back and forth.

The Minister of Justice had the role to look into the *Public Utilities Act* to see what tools we could use, should I not be successful on my side of that equation.

I will leave it there for now.

Ms. Tredger: The minister said that it’s better for the utility to come of their own volition. I imagine there is some goodwill there, but why?

Hon. Mr. Streicker: Whenever you have a company that is willing to step forward, the process is typically more constructive and more fruitful than when you do not. So, if a company believes that it is in their interest to argue against the rate application, then it can often be a more difficult process, take longer, and not always have similar outcomes. I think there are some pretty simple reasons why that is the case.

I will also say that, with ATCO, our dialogue back and forth has always been constructive and respectful, even though we have disagreed with each other about how much they should be coming back to the Utilities Board with.

Ms. Tredger: I want to wrap up by saying that, of course, we want to work with companies, and of course we want them to be part of a constructive process, but ultimately, what I care about is Yukoners getting fair power rates. If that has to happen through a process that is more difficult, then that is what has to happen. If it can happen easily, it’s great that can happen. But I am very concerned about the idea of making Yukoners continue to pay rates that we don’t know are fair or not. I suspect they are not, given that ATCO has been earning far above, as the minister said, the targeted amount of returns.

Yukoners are waiting right now on that review, and it’s in the hopes of a more constructive process. It’s in the hopes of more goodwill but, ultimately, they are waiting and they are paying those power rates right now. That is what I hope will be the priority in all the decisions going forward.

With that, I will end my questions for the department. Thank you to the officials. I really appreciate you being here and answering the questions. I will cede the floor to my colleagues.

Hon. Mr. Streicker: So, just a couple of points: First of all, right now, the Utilities Board is independent. It’s not for me to say: “Hey, this is what you should find.” They have this arm’s length from us; that’s an important factor to how these boards work. Second of all, they are dealing with a hearing right now with ATCO. In the response that I tabled the other day, it basically said: “Hey, ATCO, you need to come back with more information on this stuff.” So, even if we were going to get to the point of directing the Utilities Board to then require ATCO to come before a general rate application, we would not do that while they are in the middle of a hearing at the moment. So, that’s part of that independence piece.

So, we are doing this work, and I continue to have the back-and-forth with ATCO. One of the things I do each time that they come up in debate here in the Assembly, I make sure to point them right to our debate, so that they can see all this back-and-

forth conversation, because, of course, everyone here cares about getting fair rates for Yukoners.

So, I appreciate that this is an important issue. I can say that we have worked diligently on it, and I really appreciate the questions coming from the Member for Whitehorse Centre on the issue today.

Mr. Kent: I have a few questions for the minister, and in preparing for debate today, I took a look back at the 2016 Liberal Party platform, and in there is a promise to expand the mandate of YDC beyond energy and set up a \$10-million economic infrastructure investment fund through YDC. So, I'm curious if the minister can tell us if that work was ever completed, and if so, what non-energy projects it has funded?

Hon. Mr. Streicker: So, that platform commitment was what led to the Innovative Renewable Energy Initiative. I won't use the acronym, but there are always acronyms for these things. So, that is what got set up, and I am told by officials that there was a look to expand it beyond energy, but that didn't get realized, but that is the fund that was created to try to create more diversification in the territory.

Mr. Kent: So, just to be clear then, that commitment made in 2016 was never realized — to expand the mandate of YDC beyond energy. Am I correct in assuming that?

Hon. Mr. Streicker: How officials described the evolution of it was that they were looking at things beyond energy — for example, fibre — but then the work happened with Northwestel, so that was addressing that question. There were other types of infrastructure that was looked at to see if it was of interest, but really, what was happening was that the focus was all coming back on to energy, and that was where the main focus was, so that is why the focus stayed there.

I would describe it as the market dictated where we should be investing, and that is why there was the Innovative Renewable Energy Initiative.

Mr. Kent: I guess the mandate for YDC is strictly on energy projects. I am just making that assumption, so maybe I can get the minister to respond to that.

Just another question, then, moving on to a different topic: Can the minister tell us what the current FTE count is with the Yukon Development Corporation? I know that he tabled a legislative return yesterday — or perhaps it was the day before — in response to a question from my colleague, the MLA for Kluane, with a list of FTE counts back in 2016-17. The Development Corporation is not included on that for obvious reasons, but if he has that information now, it would be great to know what the FTE count was back then; and if not, I would just appreciate a letter or a response back from the minister at some time in the near future.

Hon. Mr. Streicker: Just on the first question, yes, the mandate of the Yukon Development Corporation remains focused on energy. In terms of the number of FTEs, what I am being told is that, in 2016-17, as now, the number of full-time equivalent employees at the Yukon Development Corporation can be counted on one hand. There is some question about whether it is three or four, but let's just say that it is five or less.

Mr. Kent: Yes, if I could just get the minister to send that with the correct information in a letter at some point, I

would appreciate that — just with the exact numbers from 2016-17, and then what the exact numbers for FTEs at YDC are now.

I did want to ask a question about the rebate program in the budget. It's set at \$3.191 million. Essentially, it was mirrored for this fall. So, in that next supplementary budget that the minister was talking about, is that the number we're expecting to have for the inflation reduction rebate that is on the power bills?

Hon. Mr. Streicker: Yes, Chair. So, the number will be the \$3.19 million, plus or minus one percent. There is always a little bit of variability to it, so we'll get some actuals. I think it's roughly — early in the new year, we should get those actuals, but plus or minus a percentage point — yes.

Mr. Kent: So, the actuals that will come in the new year will be for this latest round of rebates — so, the actuals for the ones that were done in the spring, that's this \$3.191 million — that is the actual amount that was spent?

Hon. Mr. Streicker: Correct.

Mr. Kent: I'm just wanting to get a sense on some of the supply contracts that the Energy Corporation has. Can the minister give us the status of the diesel supply contract? Are the terms of that contract — was it negotiated for a fixed cost or a variable cost, and then when does that contract end?

Hon. Mr. Streicker: Madam Chair, if I could just ask for clarification — we're talking about the fuel? Thank you. Just one moment, Chair.

The fuel costs, of course, as we look forward, are always variable — depending on weather and also on whether we have any challenges with our supply. What I can say is that, over the 2019-20 year, and the 2020-21 year, those costs averaged about \$2 million. I will have to look to get more information on the 2021-22 year, and we wouldn't know yet for 2022-23, of course.

Mr. Kent: Is that \$2 million only on the diesel supply because, obviously, there is diesel and liquefied natural gas. So, is the \$2 million for just diesel, or is it for both? If it's not for both, what is the LNG cost?

Hon. Mr. Streicker: The number that I was giving was just for diesels. In fact, it is just for the fuel for the rental diesels. I will seek to get other numbers — or the corporation will look to get further numbers.

Mr. Kent: Just to be clear then, the amount of \$2 million that the minister gave us is just for the cost of fuel for the diesels that are rented. Obviously, there are — what the Energy Corporation, I think, calls "dependable diesels", which are located in various locations. So, that is what the minister will get me the numbers on — as far as the diesel consumption — and then he will get me the LNG consumption as well. I just want to be clear so that we get the correct numbers from the minister.

Hon. Mr. Streicker: The number that I will try to get, just to confirm, is for all diesel fuel consumed, because I think that is what is being asked for.

Just going back to the previous question about the number of full-time equivalents, the current staffing complement at the Development Corporation is three permanent full-time

equivalents and one term full-time equivalent, and that is the same as it was in 2016.

Mr. Kent: Can I ask the minister if he has the most recent numbers for the cost of renting diesels from Finning? If he has the most recent numbers — I think that it is 17, and he can correct me if I am wrong — but for the 17 rented diesels, what the capital cost is, excluding the \$2 million in fuel costs.

Hon. Mr. Streicker: The rental cost for this year, which includes transportation to and from Yukon Energy, for 2022-23 is \$3.54 million. The rental cost from last year, 2021-22, was \$3.6 million. From 2020-21, it was \$4.1 million.

I will also note, in case the member opposite missed it, that when the witnesses were here last week, they talked about the levelized cost of rentals. This is what they had shared with the Utility Board — that the levelized cost of capacity of rentals is \$210 per kilowatt year. They had run the numbers, and if they were to build a permanent diesel plant, then the levelized cost would be \$253 per kilowatt year. So, the price was higher if it was a permanent diesel plant, versus rentals.

Mr. Kent: We heard at the recent Geoscience Forum that there is a request for proposals being prepared — or perhaps it already is prepared — for long-term rentals. I am just curious if the minister can give us any details on what that RFP will be, how long they are looking at renting, and if it is only for diesels — or is an LNG component also being considering as part of this RFP?

Hon. Mr. Streicker: Maybe the member opposite could either share the reference or we could — I am just not aware of that reference, so I don't know what the reference is to. I am unable to answer the question, right now, anyway.

Mr. Kent: We were told that there is currently a request for proposals for long-term thermal energy rentals similar to the diesel rentals that are in Whitehorse and Faro right now. Going into the long term, obviously, we heard from the EPA review for the Atlin hydro that they could be renting diesels or some other thermal capacity into the 2030s, so we were just curious if the minister knows about that. If not, we can always follow up with him in the spring as that situation evolves or if that situation changes.

I do have just a couple of quick questions regarding the Atlin hydro funding gap. What has been identified most recently is a \$60-million funding gap. I am curious if the minister has any status updates for us on if that gap has been filled or where some of the potential funders will come from. We understand from one of the individuals from THELP who spoke on CBC here that they have essentially set a January deadline for closing that funding gap. Does the minister have any updates for us with respect to that \$60 million and potential funders for it?

Hon. Mr. Streicker: Just to go over a few points, possibly what the members heard discussed at the Geoscience Forum and Trade Show was that Yukon Energy is out right now with an RFP to replace some of our existing permanent diesel generators. Maybe that is what was discussed. Anyway, that is out right now, and when those diesel generators come online, we anticipate that the new generators will be much more efficient than the existing generators, which means that it will

also drop some need for the rental diesels — not by increasing numbers, just by increasing efficiency of those diesel generators. I have asked the corporation to just advise me on what that looks like.

Second of all, the work is ongoing. The corporations were here last week. I have had a couple of conversations since then. I know that they are planning to support Tlingit Homeland Energy Limited Partnership. In conversations with Ottawa — I think they have a trip planned shortly to go to Ottawa to engage in conversations there. I have offered to be supportive of that.

So, that work is ongoing. I think, at this time, we're all looking to support Tlingit Homeland Energy Limited Partnership and the Taku River Tlingit, as they seek to secure the remaining funds, and it is ongoing. I know that the member opposite is using a reference that he heard through the media about January, but those dates — what I'm hearing is that the work is ongoing. So, we'll see what that approach yields.

Finally, Deputy Chair, I'm advised by the corporation that the replacement of our existing diesel generators — permanent diesel generators — will mean that we need two fewer of our rental diesels.

Mr. Kent: Yes, it's something different that we had heard about, so I'll leave it and follow up with the minister or officials in the new year and keep an eye on the website for that RFP to come forward.

One of the other things that I think a lot of Yukoners and others are concerned about with respect to the Atlin hydro project — you know, obviously, we have seen some significant cost-estimate escalations over the past couple of years. I think we're at about \$315 million right now. THELP has said that they're sort of tapped out and would be looking for grant money.

So, one of the concerns is additional cost overruns during construction. Who would be on the hook for those? Who would be taking the primary risk, if there are cost overruns, and Tlingit Homeland Energy Limited Partnership does not have the funding to carry that on? I guess I'll leave it at that: Who would be on the hook for cost overruns during construction, or money between now and when construction begins, that increases that funding gap beyond what it is right now?

Hon. Mr. Streicker: Yukoners should know that whenever we are talking about these projects, what happens is that the proponent — in this case, the Taku River Tlingit and the Tlingit Homeland Energy Limited Partnership — secure contract prices, and that's where they start to get the estimates. There is always, of course, within the amount of money, a contingency that they have built in, if there are some cost overruns. Anyway, that is the way in which you do the diligent work that is happening right now to secure prices at a known cost and to ensure that the project will be done well. That is why the funding gap is being sought to be closed.

The basic question that the member is asking is who takes responsibility for the project. The answer is that it is the proponent. In this case, that is the Taku River Tlingit and the Tlingit Homeland Energy Limited Partnership.

Mr. Kent: I just wanted to clarify this with the minister: We will use the \$315-million number as the most recent one

reported for the estimate for this project. There is about a \$60-million or so funding gap. I think that we have committed \$50 million to it, and we may be asked to commit more to close this funding gap, but that will be all that Yukoners will be asked to contribute to this project, even if there are cost overruns during construction?

Hon. Mr. Streicker: Well, we also have drafted an energy purchase agreement, so we are agreeing to buy winter energy at 13.5 cents a kilowatt hour, and there is an element that would go up by half of inflation over time. Then, in 10 years' time, it would drop down to 9.7 cents a kilowatt hour for winter energy. That compares, for example, to the over 20 cents that we pay now to produce that same energy using our diesels and LNG.

So, there are costs there, and that is actually the place where Tlingit Homeland Energy Limited Partnership, with the Taku River Tlingit, are looking forward, because that will help pay back, over time, for their loan, for example — I think it is \$80 million — I would have to check — the Canada Infrastructure Bank is \$80 million.

The member is asking me to predict the future. That is tough to do. What I can say is that, currently, we are working to help close this funding gap, and we will continue to do that. Then we will see if the project lands with the price that we still feel is good, and that price then leads to this pretty low energy cost for Yukoners, then that is when we will make the decision about whether we go ahead or not.

Mr. Kent: Obviously, the project has to be complete and be producing energy for the electricity purchase agreement to kick in, so my question was about cost overruns that may occur during construction. We have heard about supply chain interruptions and other activities, and it sounded to me like the Tlingit Homeland Energy Limited company is in for all that they can be in, at this point. I am not asking the minister for a number, but I am just curious if there is additional risk for Yukon taxpayers, or Yukon ratepayers, as a part of any cost overruns during construction.

I do, also, have one other question with respect to that project, and it is about the line. Is THELP, or Tlingit Homeland Energy, will they be responsible for the O&M and upkeep of the line — if there are trees on the line, or any of that type of O&M expense, is that something that will be their responsibility, or is it something that we have committed to in some way?

Hon. Mr. Streicker: This is not going on the back of ratepayers. That is the whole point. It is our attempt to invest in the project. It does use taxpayers' dollars — that is correct. Although, right now, if we think about it as a project, roughly one-sixth of the cost is being paid for by Yukoners. The BC government is also investing. The federal government, in total, is a little over \$100 million. THELP is in for a little over \$3 million. They will be borrowing, though, so that's their responsibility to pay back an extra \$80 million.

The risk question is a good question. How do we mitigate risk? In this case, because it's Tlingit Homeland Energy that is doing the work and taking on that risk, that's why they are seeking these firm contracts ahead of time, where there is a

supply chain commitment. That, itself, can often change how bidders bid on those prices, because then the risk is passed on to them to make sure. That's the work that is ongoing right now.

With respect to the rates, this is one of the reasons why Yukoners would get such favourable rates over time. It is because we are helping to invest in the infrastructure that makes the project viable, but it doesn't come to ratepayers. That price remains very, very reasonable for Yukoners. I tabled numbers from across North America about sort of similar rates on prices per kilowatt hour. In the United States, for example, they are way over 20 cents a kilowatt hour on average. This would get it to us at 13.5 cents a kilowatt hour. That's winter energy, mind you, which is very valuable to us.

The last question the member asked about is, who has the responsibility for the upkeep of the transmission line. The answer is, between Atlin and Jakes Corner, that would be Tlingit Homeland Energy's responsibility. However, I think the anticipation is — I'm not even sure if that deal has been worked out yet, but the way it is likely to work, is they would contract that work out to ATCO Yukon, because they have the expertise to do it, but it is their responsibility.

Mr. Kent: I have one final question before I turn it over to my colleague, the Member for Copperbelt North, and that is with respect to the residential billing. My colleague, the Member for Kluane, introduced a motion awhile back, urging Canada to remove the GST from residential energy bills and home heating fuel. I am just looking at the sample bill that's on the Yukon Energy website.

Yukon residents pay GST on the customer charge, the energy charge, the fuel adjustment rider, the YEC 2017-18 GRA true-up, YECL rate adjuster rider, and the Yukon Energy revenue shortfall rider. I'm just curious if the minister would consider speaking to his colleagues in Ottawa about removing the GST from residential energy bills. I know that it's not a territorial responsibility, but I'm wondering if it is something that the minister would consider doing.

Hon. Mr. Streicker: The question that I am going to be asking my federal counterparts is if they would be willing to invest more money in Yukon infrastructure. I will leave it to our Premier, as the Minister of Finance, which is where I think GST is more reasonably held. The work that I am doing is to talk to my counterparts in Ottawa about investing in energy and resource infrastructure here in the territory. I heard Minister Wilkinson had an opening video at the Geoscience Forum and he talked about a generational change that is coming right now as we transition off of fossil fuels. So, definitely, I have a lot of things that I am in direct conversation with my counterparts on, and I'm really keen to have those conversations on behalf of Yukoners.

Mr. Dixon: I appreciate the opportunity to ask some questions today. I wasn't able to ask a few questions of the Energy Corporation when they were here based on time, so I just wanted a few project updates, if I could, from the minister and I have a few policy-related questions as well. The first one that I will ask about is the proposed solar project in Beaver Creek. I had the opportunity to visit Beaver Creek a few times in the last year with the Member for Kluane. There is a cleared

area there that is a prospective solar project. I know that there were a number of questions that were asked of us when we were there about the status of that project. So, I would just like to put it to the minister — if he could provide an update on the Beaver Creek solar project.

Hon. Mr. Streicker: This is one of those projects that is here under the budget before us right now because the project decided to move away from the Arctic energy fund and they are using federal funds. I am not going to be able to answer the specific question. I can say that the scope is just under two megawatts — 1.9 megawatts. They are looking to have it in service a year from now. We did fund, through the Innovative Renewable Energy Initiative, \$500,000 to do some feasibility work for them. That work has already happened.

What I can say is that the next time I am in dialogue with my counterparts in Ottawa, I will ask the question about how this program is unfolding.

Mr. Dixon: I just wanted to seek some clarification. Can the minister repeat or explain a little bit more about which fund is supporting this project? If so, how much funding has been provided already and what stage is it at?

Hon. Mr. Streicker: I have asked the corporation to advise me on which fund is being used. What I can say is that we have invested \$500,000 previously to the feasibility and that, under the Arctic energy fund, we were anticipating spending about \$3.5 million under this year's budget to the project.

But, as I said, the folks in Beaver Creek found a fund that they preferred; it was better for them and worked better for their timing. I think I'm about to figure out what the name of it is. Well, it's an acronym. It's the CERRC. It's the Clean Energy for Rural and Remote Communities fund. They also got some money from CanNor — another couple of million dollars. So, the total that they got through the Clean Energy for Rural and Remote Communities was over \$13 million.

Mr. Dixon: I appreciate the minister providing the name of that fund. Is that an NRCan fund, or which branch of the federal government is that fund under?

Hon. Mr. Streicker: It is NRCan — Natural Resources Canada.

Mr. Dixon: Where did the \$500,000 that we contributed come from? Was that through the Development Corporation, or was there a fund that we used?

Hon. Mr. Streicker: It was, as I said, the Innovative Renewable Energy Initiative fund — I sometimes call it "IREI", and I hear it pronounced different ways — and that fund is administered from the Yukon Development Corporation.

Mr. Dixon: I appreciate the minister's answers there. I will move on to the next project that I wanted to seek an update on, and that is the solar project in Watson Lake.

Sorry — before I move on, can the minister just tell me the name of the proponent in Beaver Creek? I believe it's the development corporation, but I'm not entirely sure.

But next after that is the project in Watson Lake — if I could have an update from the minister on the project in Watson Lake.

Hon. Mr. Streicker: So, the Beaver Creek project is — and I hope I can pronounce well — the Copper Nīisūū Limited Partnership.

The Watson Lake project is First Kaska, and so far, we have funded just under \$300,000.

Mr. Dixon: I appreciate the minister accommodating my scattered-ness there.

Can the minister provide a bit more of an update on the project in Watson Lake? How big of a project is it contemplated to be? What is the anticipated capital cost? What are the timelines? Any information that he can provide about that would be appreciated — the location as well.

Hon. Mr. Streicker: I may have missed the last part of the question, but the Watson Lake First Kaska solar project is just over 4.5 megawatts and it is expected to displace over one million litres of diesel annually, and about 3,500 tonnes of GHGs annually.

Mr. Dixon: Is there a capital cost estimate for the project?

Hon. Mr. Streicker: It is still early stages with the project. You may scale it up or down, but in orders of magnitude, it is somewhere in the \$20-million to \$25-million capital range.

Mr. Dixon: Can the minister repeat how much the Yukon Development Corporation has flowed to this project so far, and if any other sources of funding have been identified yet — for instance, other federal pots of money that will potentially fund this project?

Hon. Mr. Streicker: As I mentioned earlier, just under \$300,000 has been invested so far. That is really the feasibility investment — to take a look at it — but I have to tell you that, whenever you are an off-grid community, solar is a good first choice to start with because it can eat into that diesel right away.

As I mentioned earlier, in early responses around how the Development Corporation works with our communities, they iterate with them to identify good, potential funding sources. One of the ones that has been marked as a good, potential funding source here is the Arctic energy fund.

Mr. Dixon: I appreciate the minister raising the question around off-grid, because both Beaver Creek and Watson Lake obviously fit into that category. There have been some questions put to us, and I would just like to have the minister respond so we can share it with those who have asked. What happens in terms of the off-grid projects like Watson Lake or Beaver Creek? Are there impacts on the rate, either for the ratepayers in those communities or generally in the Yukon?

Hon. Mr. Streicker: Generally speaking, we have a single rate for the territory, so even if our costs are higher — just as an example, costs are always going to be higher in Old Crow, because we would have to fly diesel in, but what we do is we say that the rate that is paid in Whitehorse should also be the rate that is paid in Watson Lake, Beaver Creek, and Old Crow. So, we will always have one residential rate across the territory. Of course, there are effects on those rates over time, as costs creep up, but there's no differential rate for Watson Lake. We will continue to have the folks in Watson Lake pay the same rate as Whitehorse.

Mr. Dixon: In the case of those two projects, is there an agreement between the proponent and ATCO, or is YEC involved as well?

Hon. Mr. Streicker: In Watson Lake, ATCO Yukon is the supplier of the energy. There are a few places in the territory where ATCO does supply. In this case, the energy purchase agreement for the solar project would be between the proponent, First Kaska, and the generation utility, which in this case is ATCO.

Mr. Dixon: I thank the minister for that. Just to return to the rates very quickly —

I appreciate that the rate is the same for Whitehorse as it is for the other communities below 1,000 kilowatt hours, but are there differential rates beyond 1,000 kilowatt hours for different communities?

Hon. Mr. Streicker: I am being advised that it is the same beyond the 1,000 kilowatt hour rate for residential.

Mr. Dixon: I will move on. I would like to talk to the minister a little bit about the independent power producer policy. I had a chance to have this discussion with the Energy Corporation when they were here not this fall, but last fall. Since then, I know that there has been a program review conducted of the IPP that was done by an independent consultant providing a report to the Energy Corporation, YDC, and EMR. I appreciate that not all of those are on discussion today, but of course the minister has some synergy there.

What is the minister's, sort of, initial reaction to the program review that was conducted and put forward this summer? There were a number of recommendations that I would like to go through, but I will give the minister the opportunity to provide an initial response to what the IPP review did, what the results were, and what the government's initial response to that program review will be.

Hon. Mr. Streicker: There is a team that is pulled together from the Development Corporation and Energy, Mines and Resources — the Energy branch — and they are taking a look at the review that was done and that is publicly available. The team has begun — they have sort of parsed it out into ranges of action, so they have begun to action the near-term actions, and deal with those. I think that they are still assessing overall what next steps should be — sort of on the mid- or long-term, and I anticipate sitting down with the corporation and the branch, following session, to go over what the game plan is.

Mr. Dixon: Thank you, Deputy Chair, I appreciate that.

There are a number of concerns that were raised in the program review. There are things that are noted that are positive, too, I should say — absolutely — but there are a number of fairly significant concerns that were raised by proponents, by interviewees, who were asked for their thoughts on this. Those were largely bucketed into sort of two categories: one was a process bucket, a list of areas of things that were not working well with regard to process, and things that were not working well in general. One of those concerns on the general side was outdated policy framework.

So, I'm just wondering, in general, what timeline Yukoners can expect will be taken to review this. There are obviously

going to be policy debates going on — potentially regulatory or legislative changes as well.

I would ask the minister to explain what happens now, and when can we anticipate seeing some policy changes, as a result of this program review?

Hon. Mr. Streicker: One of the things that the utilities did was update their process guidelines, and they republished those. That was part of an iteration, for example, based on the questions about the policy framework. That helps proponents to navigate through the system.

The member asked about the timeline around redoing the policy framework. My team is saying to me that they don't have a timeline yet. They have been digging through it to try to see how deep the changes should go, so there are some questions yet. I think that is part of when I say that they are going to be going over it with me following session, or in the coming months, and that will then lead to some direction to them about how far to go. Then they can recommend to me the amount of time they will need to accomplish that.

We are too early at this stage to know the timeline, but what I can say is that the corporation, in working with the Energy branch, has identified things where they can make improvements now. They will do that work and then, for the deeper policy questions, they are going to want to take a little more time to consider how far that would go.

Deputy Chair (Ms. Tredger): Is there any further general debate on Vote 22, Yukon Development Corporation? Seeing none, we will proceed to line-by-line debate.

Mr. Dixon: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 22, Yukon Development Corporation, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 22, Yukon Development Corporation, cleared or carried

Deputy Chair: The Member for Copperbelt North has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 22, Yukon Development Corporation, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Deputy Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$3,191,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of nil agreed to

Total Expenditures in the amount of \$3,191,000 agreed to

Yukon Development Corporation agreed to

Deputy Chair: The matter now before the Committee is continuing general debate on Vote 7, Department of Economic Development, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

Chair (Ms. Blake): Committee of the Whole will now come to order.

The matter now before the Committee is continuing general debate on Vote 7, Department of Economic Development, in Bill No 206, entitled *Second Appropriation Act 2022-23*.

Is there any further general debate?

Department of Economic Development – continued

Hon. Mr. Pillai: I just want to thank the officials. Our deputy minister, Justin Ferbey, and our assistant deputy minister, Michael Prochazka, are here with us today. It is great to have another opportunity to come into the Assembly. I think that this is probably our third or fourth visit. Although they were short periods of time, we have had a chance to cover a lot of ground and look forward to questions from the opposition today.

Chair: Is there any further general debate on Vote 7, Department of Economic Development?

Seeing none, we will proceed with line-by-line debate.

Mr. Dixon: Madam Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all lines in Vote 7, Department of Economic Development, cleared or carried, as required.

Unanimous consent re deeming all lines in Vote 7, Department of Economic Development, cleared or carried

Chair: The Member for Copperbelt North has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all lines in Vote 7, Department of Economic Development, cleared or carried, as required.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

On Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$1,354,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of nil agreed to

Total Expenditures in the amount of \$1,354,000 agreed to

Department of Economic Development agreed to

Chair: The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in 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 five minutes.

Recess

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

The matter now before the Committee is continuing general debate on Vote 51, Department of Community Services, in Bill No. 206, entitled *Second Appropriation Act 2022-23*.

Is there any general debate?

Department of Community Services — continued

Hon. Mr. Mostyn: I'm just going to introduce my deputy, once again: Matt King, who drove the speed limit to be here this afternoon on very short notice, so I thank him for being here, and I'll throw it open for general debate.

Mr. Istchenko: I also want to welcome the official here. So, we don't have much time left here today, so I do have a few questions. So, the rural fire report has been out for a year, but still, we have seen little done on this file. Were there any community meetings held in any of the unincorporated communities in the Yukon, and how many were in attendance, and when, and where? Because the report states that recruiting requirements are a barrier, as it is too much for volunteers. Has any work been done to lessen the requirements, which would help with recruitment?

Hon. Mr. Mostyn: The delivery of fire services in the Yukon's unincorporated communities is challenging, given our remote and small population base. I am sure that the member opposite knows that, through his experience.

To know that our fire service model remains sustainable, we commissioned an independent review of fire services in rural Yukon. The review contains 104 recommendations in the areas of governance, operations, strategy, risk management, and compliance. These present an exciting opportunity to shape the future of the Yukon fire service, 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 of 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. It has truly been an incredible effort on behalf of the Fire Marshal's Office, and I really want to thank them for all of that amazing work that they have done.

Their feedback of these groups 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.

We continue to have regular discussions with people across the territory, including residents of Keno, to understand

their concerns and find creative solutions to meet the needs of the community within the capacity and ability of the Fire Marshal's Office.

I can also say that the Fire Marshal's Office continues to meet with communities across the territory on implementing the fire review. It's in the process of preparing a detailed summary of what we have done and where we are going next.

I can also say this afternoon that 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. There have been several additional meetings with the community of Keno — most recently on August 9, 2022 — to discuss establishing a fire response program and repairing the water source, which has led to the establishment of two fire safety champions in the community.

Regular, ongoing contact occurs with the fire safety champions. There have been: multiple meetings with the Association of Yukon Fire Chiefs; a meeting with all Fire Marshal's Office staff and fire chiefs and deputy chiefs from across the Yukon on January 30, 2022; a meeting with 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 mutual aid agreements; and a meeting with the National Indigenous Fire Safety Council on February 14, 2022, and July 13, 2022. We have had meetings with the Ross River Dena Council on June 1, 2022, and September 7, 2022, actively working to re-establish fire service, and a meeting with the Mendenhall Community Association on June 15, 2022, to discuss fire safety champion programs and re-establishing a fire department. We had a meeting with the Dawson City Fire Department chief on June 27, 2022, to discuss mutual aid agreements with the Klondike Valley Fire Department. There has been a meeting with the Mayo fire chief on June 28, 2022, to discuss mutual aid agreements and training support for Keno residents.

We are planning to meet with the Vuntut Gwitchin First Nation soon to discuss re-establishing a fire service. We are also planning to meet with the White River First Nation to discuss fire safety champion programs and re-establishing a fire service there. So, there has been an awful lot of work and consultation with communities across the territory on the fire review, and I look forward to the next question.

Mr. Istchenko: I'm going to focus a little bit more on the north Alaska Highway. One of the big issues, out of the 104 recommendations, was the fact that recruiting requirements — there is a barrier with residents and the level that they need to be at, and I mentioned that in my first question.

I want to also really reiterate to the minister that there was a fire near Beaver Creek this summer, and they had to send the fire chief — or the ex-fire chief — from Haines Junction to Beaver Creek to show somebody how to operate — this is a year since you got the 104 recommendations. The fire chief

retired in Beaver Creek. I think there is a fire chief now, but no real fire department. So, you had to send somebody up there to show them how to operate the equipment that they have in that community.

In Destruction Bay, there is basically no service. It was moved to Burwash and the truck will come from Burwash, but that's a long way from Burwash. We have seen fire effects on these residents. It appears that their pleas have kind of fallen on deaf ears. Do you know what I have heard from some of the residents up there? How many buildings need to burn before the minister takes the issue seriously? There hasn't been a meeting in Burwash or Destruction Bay to have that discussion.

There is a fire truck sitting outside Haines Junction. It has been outside there — now it's going to be the second year — in the snowbank. This truck has been replaced with a new one. Other old trucks have been auctioned off in the past. A resident of Keno got tired of waiting and they went and bought their own truck. So, can the minister confirm whether the government is actually willing to provide — maybe this truck sitting out in Haines Junction — and send it to Destruction Bay so they can put it in the empty, heated fire hall that the government has there? I will just leave it at that.

I really want to reiterate that there is not much fire service. I commend the people who volunteer their time and who want to be on there, but a lot of the requirements — for instance, in Destruction Bay, they said, "Listen, if you want to be in the fire department, come out to Whitehorse for two weeks." Well, they have other jobs, and they can't take that much time. They also need holidays. They want to volunteer in their community, but the requirements are so high. It said it in one of the recommendations — that was probably one of the main ones that we picked up on — but there hasn't been much change. So, I'll leave it at that and see if the minister wants to comment.

Hon. Mr. Mostyn: I can hear in the Member for Kluane's voice the passion and the real consideration of his constituents. I totally empathize and understand that. Fire is a visceral threat to people, especially living in some of these smaller towns. I understand that, and it is one of the very reasons why we undertook this fire review and have acted on it.

You heard the list of actions that the very small Fire Marshal's Office has undertaken in the last year to stand up and implement the significant recommendations that came out of the review that we commissioned for this very reason. I wish I could snap my fingers and — voilà — have everything fixed today so that this visceral fear of fire that we have in communities across the territory could be taken away. But it doesn't work that way, and I know the member opposite knows that. He is representing his constituents and I totally respect that.

So, I don't have the information. I mentioned White River, and I know that the fire marshal has been out. I will check in — what their planned engagement is for the north Alaska Highway — and I will look into seeing what has actually happened to date. I know that the Fire Marshal's Office is, as I said, actively meeting with communities across the territory, and I know the member opposite has put the north highway on the radar. I

know that there were whistle stops on the north highway; I just don't have the information this afternoon about what happened there.

The member opposite talked about equipment, trucks, and that type of thing. I mean, it's fine — we do provide equipment to departments with members across the territory, and we will continue to do that. The problem, as the member opposite has intimated in his questions this afternoon, is that we have had retirements. People are stepping away from this and they are busy. They have got busy lives, and the needs of becoming a firefighter in the territory — there is training that has to be done, and the training can be quite rigorous. These are the standards that are imposed if you want to become a firefighter. And so, yes, if you want to do that work, you have to take the training, and the training is offered. I know we are trying to get training out to communities, and that's one of the reasons why we did the review. So, we know that it's hard to recruit.

We are looking through the review to start to have smaller department models that are less onerous and that are more responsive. We have what's called the "fire protection in a box". We have tendered for the equipment needed for the fire protection in a box. We have found fire bush tanks to allocate to some communities — those smaller things that we can get to these — we have also procured those as well.

These smaller department models that do not have a functional volunteer fire department — we are looking at smaller tools to help support those communities. We expect to roll out and share details about all of this in the coming weeks.

So, it's not a long time, but we are working on it. We know that this is an issue for Yukoners. We know it's hard, and our volunteers — our society — are aging. We have volunteers dropping off. It's difficult to start to recruit some of these. The demographics are shifting so that's why we are actually approaching this review and that's what we are trying to do. Thank you very much for the questions this afternoon.

Mr. Istchenko: I thank the minister for that. I just want to switch to dumps here. Can the minister tell me what changes are coming to the Champagne dump and the Destruction Bay dump, and were there public meetings held with the residents of Destruction Bay and Burwash Landing, and then Champagne and Mendenhall to discuss these changes?

Hon. Mr. Mostyn: Thank you, Madam Chair, and I thank the member opposite for his question.

We have talked quite a bit this session and last, and over the years as well. I know that my colleague certainly has brought this up, as well, about how we are changing waste management in the territory — modernizing it, making it reflect, or come closer to, models that are currently in use across the nation, to deal with trash — to sort of put in a financial incentive to people to start thinking about how much garbage they are producing, and to put in an equitable, fair, and consistent approach to costs across the territory.

Again, I will mention, for the record, that this initiative really came from the Association of Yukon Communities. It was community-driven. The Association of Yukon Communities — indeed, communities across the territory — came to us and said: "You really have to do something as a

government, as a senior level of government, to deal with waste management in the territory. We need your help." So, we started this initiative.

We continue to work toward the modern vision for solid-waste management in the Yukon that addresses many long-standing challenges in the sector, while ensuring sustainable access to waste disposal services for all Yukoners. Our regional agreements are modernizing our partnerships with municipalities. The work on these agreements, as well as on formalizing the land tenure for these existing facilities, is well underway. The agreements are an important feature of bringing Yukon's solid-waste management system up to modern standards and ensuring that we are managing costs and future liabilities effectively.

As part of moving toward these arrangements, Yukon municipalities have completed 10-year solid-waste management plans. We are pleased to see this progress from our partners in waste management. The plans are a critical step in our regionalization goals and address long-standing and land tenure issues, clarify ownership of future liabilities related to site closures and decommissioning, and ensure long-term access to waste disposal facilities for all Yukoners. This vision is based on the recommendations from the Ministerial Committee on Solid Waste, which was represented by municipalities, Association of Yukon Communities, and Yukon government officials.

To the specific question that the member opposite raised this afternoon, the only sites that are being closed are the very smallest sites. They are Silver City, Braeburn, Johnsons Crossing, and Keno. Those are the ones that are being closed. The others will continue to be open, but there will be changes made.

Solid-waste management plans and best practices will be implemented in those waste facilities. We hope to get composting and other diversion streams built into those facilities, or get the material out of those facilities and into some of the regional transfer stations.

He mentioned the Champagne facility. There are some contracting issues, and the staff is working to manage those, but there's no real change to the specific waste facilities he mentioned.

Mr. Istchenko: The minister keeps stating that AYC wanted these changes. Residents of Keno, Silver City, and Destruction Bay area wrote to the AYC and asked them about that. The AYC wrote back to them, and I tabled the letter in the House the other day, that they don't speak on behalf of the small communities, like Silver City or Keno. AYC is the Association of Yukon Communities.

The simple solution to our dump issue is for the minister to task his department to go and meet with people — meet with the residents of Champagne and Mendenhall. That is the Champagne dump. If you meet with them, you will get some great ideas to make the dump better. If you meet with the residents of Destruction Bay and Burwash Landing, and actually have a meeting that's about solid waste and the dump — if you were to go and meet with the residents of Keno or the residents of Silver City, they would come up with something.

They have great ideas. They have awesome ideas on making it cost-effective and just for local users. There are businesses that are going to lose their opportunity. There are senior citizens who are now going to have to drive hundreds of kilometres.

I just think that we can go back and forth with what he said, she said, and everything else; we can go back and forth on dumps, but there still hasn't been meaningful consultation from the Department of Community Services, because they are responsible for the landfills and the dumps. If they were to do that — it's wintertime and a great time to go and meet with people and have discussions, because people are around — they will come to the meetings. They will engage with the department. I have heard so many good ideas, but the department hasn't heard them, because they haven't met. They haven't had those discussions.

I guess my question is this: Will the minister commit that he'll task his department to go and actually have meaningful, advertised consultations with the local First Nations who use the facilities, the businesses and the residents, before he makes changes to those landfills?

Hon. Mr. Mostyn: The talk had gone on so well this afternoon, and then — all due respect to the Member for Kluane, but he starts disparaging the department and saying they're not talking to people. I cannot, for the life of me — Chair, I want to strenuously, strenuously tell the member opposite that the Department of Community Services has been doing an extraordinarily great job — a fantastic job — of consulting and meeting on the veritable universe of issues it deals with on a yearly basis. It is incredible the work of the civil service, especially within this department that I'm very, very proud to represent. You are casting aspersions about the work that these folks are doing — it's great. To hear from residents who are not talking — listen, the Department of Community Services is actively meeting with communities across the territory, and the Association of Yukon Communities as well, to establish regional landfills. Once the regional landfills are stood up, fixed, and improved, then we're going to get into doing some of these other refinements that are so important.

We can't do this without the municipalities. We're working with the municipalities. Once the regional stations are up — once we get the gates, electric fences, gatehouses, and staffing in place, this whole plan will come into much clearer focus and things will go. The Department of Community Services is meeting with people all the time. Some of the regional landfills mentioned in the member opposite's opening remarks aren't even slated for change.

I have personally met with residents up in the member opposite's riding. I have met with Keno residents, and the department officials have met with Keno residents on this and many, many other issues. They are putting in bear-proof cages, they're putting in electric fences, and they have a mining company up in Keno that is actually going to do the garbage collection for the residents of Keno, because of the work of the department in brokering this. I really thank the mining company for stepping up and taking on this job, on behalf of the residents of Keno — moving the trash — an incredible amount of trash

that we're creating. They are moving that to the regional transfer station in Mayo.

So, I take a little bit of umbrage at the suggestion that the Department of Community Services is not speaking to people, because on a daily basis, they talk to Yukoners and understand — I think that the wealth of knowledge we have in Community Services about the people of the Yukon, through the community advisory program, is absolutely a wealth of knowledge — it's a treasure — and the work that they do there, constantly reaching out to Yukoners to hear their concerns, their ideas and incorporating, and being flexible enough and reasonable enough to adapt to the suggestions they have.

I really cannot sit here and hear that criticism and not respond to it.

I'm going to keep going for a little bit more. Waste management is part of environmental stewardship. I am going to take some of the barbs out. Our government believes in responsible, sustainable waste management. I don't want to end this on a downer. Our government believes in responsible, sustainable waste management. We know that responsible waste management will help protect our territory's environment for future generations. We are working with our partners to move the Yukon toward a more efficient, cost-effective, and sustainable solid-waste system for the benefit of all Yukoners. Supporting responsible waste management, recycling and diversion will help reduce waste. It's going to stop illegal dumping across the territory. That's really the goal here.

Termination of Sitting as per Standing Order 76(1)

Chair: The time has reached 5:00 p.m. on this, the 28th sitting day of the 2022 Fall Sitting.

Standing Order 76(1) states, "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting pursuant to Standing Order 75, the Chair of the Committee of the Whole, if the Assembly is in Committee of the Whole at the time, shall interrupt proceedings at 5:00 p.m. and, with respect to each Government Bill before Committee that the Government House Leader directs to be called, shall:

"(a) put the question on any amendment then before the Committee;

"(b) put the question, without debate or amendment, on a motion moved by a Minister that the bill, including all clauses, schedules, title and preamble, be deemed to be read and carried;

"(c) put the question on a motion moved by a Minister that the bill be reported to the Assembly; and

"(d) when all bills have been dealt with, recall the Speaker to the Chair to report on the proceedings of the Committee."

Pursuant to the Sessional Order adopted on October 31, 2022, through the adoption of Motion No. 494, Standing Order 76 only applies to appropriation bills for this Sitting.

It is the duty of the Chair to now conduct the business of Committee of the Whole in the manner directed by Standing Order 76(1). The Chair will now ask the Government House

Leader to indicate whether the appropriation bill now before Committee of the Whole should be called.

Hon. Mr. Streicker: Madam Chair, the government directs that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be called at this time.

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

Chair: The Committee will now deal with Bill No. 206, entitled *Second Appropriation Act 2022-23*.

The Chair will now recognize the Member for Klondike for the purpose of moving a motion, pursuant to Standing Order 76(1)(b).

Hon. Mr. Silver: I move that all clauses, schedules, the preamble and the title of Bill No. 206, entitled *Second Appropriation Act 2022-23*, be deemed to be read and carried.

Chair: It has been moved by the Member for Klondike that all clauses, schedules, the preamble and the title of Bill No. 206, entitled *Second Appropriation Act 2022-23*, be deemed to be read and carried.

As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Operation and Maintenance Expenditures

Total Operation and Maintenance Expenditures in the amount of \$26,247,000 agreed to

On Capital Expenditures

Total Capital Expenditures in the amount of nil agreed to

Total Expenditures in the amount of \$26,247,000

Clauses 1 and 2 agreed to

Schedules A and B agreed to

Preamble agreed to

Title agreed to

Hon. Mr. Silver: Madam Chair, I move that you report Bill No. 206, entitled *Second Appropriation Act 2022-23*, without amendment.

Chair: It has been moved by the Member for Klondike that the Chair report Bill No. 206, entitled *Second Appropriation Act 2022-23*, without amendment.

As no debate or amendment is permitted, I shall now put the question. Are you agreed?

Motion agreed to

Chair: As the appropriation bill identified by the Government House Leader has now been decided upon, it is my duty to rise and report to the House.

Speaker resumes the Chair

Termination of Sitting as per Standing Order 76(2)

Speaker: I will now call the House to order.

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

Chair's report

Ms. Blake: Mr. Speaker, Committee of the Whole has considered Bill No. 206, entitled *Second Appropriation Act 2022-23*, and directed me to report the bill without amendment.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Standing Order 76(2)(d) states, "On the sitting day that the Assembly has reached the maximum number of sitting days allocated for that Sitting, pursuant to Standing Order 75, the Speaker of the Assembly, when recalled to the Chair after the House has been in the Committee of the Whole, shall:

"(d) with respect to each Government Bill standing on the Order Paper for Third Reading and designated to be called by the Government House Leader,

"(i) receive a motion for Third Reading and passage of the bill, and

"(ii) put the question, without debate or amendment, on that motion."

Pursuant to the Sessional Order adopted on October 31, 2022, through the adoption of Motion No. 494, Standing Order 76 only applies to appropriation bills for this Sitting.

I shall, therefore, ask the Government House Leader to indicate whether the appropriation bill now standing on the Order Paper for third reading should be called.

Hon. Mr. Streicker: Mr. Speaker, the government directs that Bill No. 206, entitled *Second Appropriation Act 2022-23*, be called for third reading at this time.

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

Clerk: Third reading, Bill No. 206, standing in the name of the Hon. Mr. Silver.

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

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

As no debate or amendment is permitted, I shall now put the question to the House.

Are you agreed?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Streicker: Agree.

Hon. Mr. Pillai: Agree.

Hon. Mr. Clarke: Agree.

Hon. Ms. McLean: Agree.

Hon. Mr. Mostyn: Agree.

Mr. Dixon: 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 yeas, eight nays.

Speaker: The yeas have it.

I declare the motion carried.

Motion for third reading of Bill No. 206 agreed to

Speaker: I declare that Bill No. 206 has passed this House.

We are now prepared to receive the Commissioner of Yukon, in her capacity as Lieutenant Governor, to grant assent to bills which have passed this House.

Commissioner Bernard enters the Chamber announced 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: *National Day for Truth and Reconciliation Act; Second Appropriation Act 2022-23.*

Commissioner: I hereby assent to the bills as enumerated by the Clerk.

Dear members, thank you for your work during this Fall Sitting. Enjoy some rest and spending time with friends and family. Our office is preparing a levee video that will be ready for January 1, and we will present the 2022 Order of Yukon inductees, the Bravery Award, the Public Volunteer Service Award, and other awards presented during this year.

We are also working on some fun projects for 2023, including a book on the history of the Office of the Commissioner and a deck of playing cards. We will be hosting the annual conference of the Governor General, Lieutenant Governors, and territorial Commissioners in June 2023.

In closing, and to celebrate Canada Music Week, in the words of my favourite band, the Arkells, "...tell the ones you love, you love 'em".

Take care of yourselves, and merci, thank you, shaw nithän, günilschish, mahsi' cho.

Commissioner leaves the Chamber

Speaker: I will now call the House to order.

Before adjournment of the Fall Sitting of the Yukon Legislative Assembly, I have a few brief comments. I would like to extend thanks, on behalf of the myself, as Speaker, the Deputy Speaker, the Deputy Chair of Committee of the Whole, and on behalf of the members of our Legislative Assembly to the Clerk, Dan Cable; Deputy Clerk, Linda Kolody; Clerk of Committees, Allison Lloyd; Director of Administration, Finance, and Systems, Helen Fitzsimmons; Operation Manager, Warren Pearson; Finance and Operations Clerk, Lyndsey Amundson; as well as Sergeant-at-Arms, Karina Watson; and Deputy Sergeant-at-Arms, Joe Mewett, who all provided invaluable support to all MLAs and their staff in order for us all to continue to do the important work that we are sent here to do on behalf of all Yukoners.

As well, I would also like to take this opportunity to thank the skilled team of Hansard for their timely and accurate service, and all the other background staff and contractors who keep this Legislative Assembly operating.

I would also like to thank Chris Rodgers, our camera operator for the Assembly. I would also commend the hard-working civil servants who deliver services to Yukoners and support to all of us, as members, in our work.

I wish Members of the Legislative Assembly all the best for the coming holiday season. I hope all of us can look forward to the holidays with family, friends, and the great Yukon outdoors. Thank you very much.

As the House has, pursuant to Standing Order 75(4), reached the maximum number of sitting days permitted for this Fall Sitting, and the House has completed consideration of the designated legislation, it is the duty of the Chair to declare that this House now stands adjourned.

The House adjourned at 5:16 p.m.

The following sessional papers were tabled November 24, 2022:

35-1-85

Yukon Human Rights Panel of Adjudicators 2021-22 Annual Report (Speaker Harper)

35-1-86

Yukon Judicial Council Annual Report 2021 (McPhee)

35-1-87

Yukon Health Status Report 2021 (McPhee)

35-1-88

Yukon Advisory Council on Women's Issues Annual Report 2021-2022 (McLean)

35-1-89

Interim Report of the Special Committee on Electoral Reform (November 24, 2022) (White)

The following legislative returns were tabled November 24, 2022:

35-1-78

Response to Written Question No. 29 re: medical staff shortages (McPhee)

35-1-79

Response to matter outstanding from discussion with Mr. Kent related to general debate on Bill No. 206, *Second Appropriation Act 2022-23* (McLean)

35-1-80

Response to Written Question No. 28 re: *Education Act* requirements for initiatives that promote equality and non-discrimination (McLean)

35-1-81

Response to Written Question No. 24 re: value of claims exchanged for compensation (Streicker)