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BLUES

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Speaker: The Honourable Nils Clarke

NOTE

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Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, October 10, 2019 — 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: At this time, the Chair would like to introduce Maxwell Harvey, Chief Electoral Officer of the Yukon, who is sitting in the Speaker's gallery, here to witness the first reading of Bill No. 4, *Act to Amend the Elections Act*. Please join me in welcoming him.

Applause

Hon. Mr. Streicker: We have several folks in the gallery today. I am wondering if we could please welcome them. First of all, from the Yukon Liquor Corporation, President Paul McConnell and colleagues Patch Groenewegen and Kayla Yeulet.

We also have — from Arctic Winter Games — quite a few folks, because they just finished up their second mission meeting for all the Chefs de Mission. They just wrapped up last night. From the international committee, we have John Rodda, Lloyd Bentz, Ian Legaree — sorry if I got that wrong, Ian — Leigh Goldie, Karl Davidsen, and Doris Landry. We have, from the Whitehorse host society, Moira Lassen, Jeane Lassen, Ryan Romero, and Chris Teiman.

We have the 2022 host committee from Wood Buffalo — who, by the way, are great jiggers — Sheila Lalonde, Claris Voyageur, Melissa Blake, Linda McLean, Ashley Ryan, Kelsey Green, Allison Flett, Michelle Toner, and Erica Brewer. Finally, I would like to say welcome — here I go — [*Member spoke in Russian. Text unavailable*] — to the team from Yamal — all the way from Russia — Luda Kholokholova and Elena Kholokholova. If we can say welcome, please.

Applause

Ms. White: I thank the Minister of Tourism and Culture for the opportunity today to invite a great friend of mine and introduce her to the Assembly. Brenda Barnes is the executive director of Yukon Women in Trades and Technology, who will be sharing their report about women in trades this afternoon at 4:00 p.m. at NorthLight Innovation Centre. More than that, she is a good friend and a mentor, and she has been for a fair number of years at this point. Thank you so much for being here, Brenda. It's lovely to have you.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of International Day of the Girl Child

Hon. Ms. Dendys: I rise today on behalf of the Yukon Liberal government to pay tribute to the United Nations International Day of the Girl Child.

In 2012, the UN declared October 11 as International Day of the Girl Child in order to highlight and address the needs, challenges, hardships, and risks that girls face. Nearly 25 years ago, 30,000 people from all genders and from nearly 200 countries arrived in Beijing for the Fourth World Conference on Women. The *Beijing Declaration and Platform for Action*, the most comprehensive policy agenda for the empowerment of women, was adopted. In the years following, women pressed this agenda forward. Today, movements toward gender equality and safety have expanded. They are being organized by and for girls. Girls are proving that they are both “unscripted and unstoppable”, the theme of the International Day of the Girl Child this year.

When I think of “unscripted and unstoppable”, I think of the incredible young women and girls who are leading movements right now, in real time, here in Canada and around the world — young activists like Autumn Peltier, a water protector and advocate for clean drinking water in indigenous communities, and also Greta Thunberg, who has sparked an international movement demanding action on climate change. Both of these young girls recently spoke at the United Nations Climate Action Summit in September, showing their courage, their wisdom, and their commitment to creating a better future. They are living examples of being “unscripted and unstoppable”.

On top of the achievements of these young leaders, we had an exciting year for gender equality and global activism. This year, Canada had the privilege of hosting the international gathering Women Deliver in Vancouver, British Columbia. Over 8,000 delegates from around the world attended. I was honoured to attend alongside other delegates from Yukon. It was so inspirational to be in a room with incredible leaders, young and old, from all genders who are catalysts for change and who are fighting for gender equality in their own communities and countries. That work is happening right here at home in our territory too.

Today I am proud to acknowledge and highlight one of the organizations in Yukon that works specifically with and for young women and girls. Yukon Women in Trades and Technology is an amazing organization that offers programming opportunities for girls and young women to increase awareness and provide support to women and girls in trades and technology. According to the 2016 Canadian census, only seven percent of trades workers in Yukon are female. Although this is a slightly higher percentage than most of Canada, it shows that we have a long way to go.

Yukon Women in Trades and Technology is working to change this statistic by providing community-based programming and also by providing financial support to Yukon apprentices who identify as women. Their program Power Up offers young women eight weeks of after-school skilled trades sessions to explore carpentry, plumbing, electrical, tiling, and

much, much more. They also host an annual conference that gives around 200 girls from around the territory a chance to go right into the workplace of local businesses working in the trades and technology sector, gaining hands-on experience.

Later today they will be releasing the results of their report, *Making it Work*. One of the findings from the report I found most interesting is that a large growing number of indigenous girls and women are joining the workforce in trades and technology at a higher rate than their non-indigenous peers. This offers an opportunity for Yukon communities. As we develop a whole-of-Yukon action plan for missing and murdered indigenous women and girls, we must consider how to strengthen the economic empowerment of women.

Thank you, Yukon Women in Trades and Technology and all of the role models who lead by example to build up our young women and to support them as best we can. I really thank Brenda Barnes for all of her hard work over the years, and I hope that you do stay on for another three years as we just discussed.

These young women represent our future. From what I can see, our future only gets brighter.

Applause

Ms. McLeod: I rise on behalf of the Yukon Party Official Opposition to pay tribute to October 11 as the International Day of the Girl Child. This day of awareness recognizes the unique difficulties faced by girls around the world.

When Canada adopted this day in October 2012, it was with the hope that it would make a difference in the lives of girls and young women as citizens and as voices of change in the world around them. It raises awareness and brings attention to a range of female-specific issues that affect girls internationally. Specifically, a range of statistics were reported in 2012 to support the importance of this day. It was reported that, of all youth who did not attend schools worldwide, 70 percent are female. Girls are still subjected to practices such as female genital mutilation and child marriage. It's hard for us to imagine here in Canada, but it still happens.

Right here at home, a number of statistics reported pertain predominantly to females. For instance, females experienced 10 times the amount of dating violence as males. Seventy percent of girls and women have reportedly been victims of Internet intimidation. Further, girls and women were nearly twice as likely as young men or boys to suffer certain mental illnesses, such as depression. Many of these issues centre around body image and self-esteem.

According to UNICEF's statistical snapshot of violence against adolescent girls, every 10 minutes somewhere in the world, an adolescent girl dies as a result of violence. This reflects a statistic of the most extreme result of violence against girls. Even more frequently, girls are subjected to non-fatal physical violence, bullying, sexual violence, and intimate partner violence. While so many of these issues affect girls around the world, regardless of age or gender, it's well-known that girls are disproportionately affected. Be aware that, while the victims reported in these statistics are predominantly

female, others are affected too, so continue to promote gender equality for all.

While raising awareness on this one day of the girl child, remember the importance of raising all of our children to have love and respect for themselves and for others.

Ms. White: I rise on behalf of the Yukon NDP to pay tribute to International Day of the Girl Child. We heard nearly 25 years ago about some 30,000 folks from nearly 200 countries, including a delegation from Yukon, who arrived in Beijing, China, for the Fourth World Conference on Women determined to recognize that the rights of women and girls are human rights.

The conference led to the adoption of the *Beijing Declaration and the Platform for Action*, the most comprehensive policy agenda for the empowerment of women. It should be no surprise that, in the years following, it was women and girls who have pushed this agenda of equality, and it's women and girls leading global movements on issues that affect all people — because women's rights are human rights.

Women and girls have never stopped working. They continue to be at the forefront of movements that sweep the globe, like the Women's March or the global climate strike. We have national leaders, like Autumn Peltier, a member of the Wiikwemkoong First Nation. This young woman — this girl child — has spoken out in her own province, spoken with the Prime Minister, and continues to speak internationally about protecting the one resource every person in the world relies on, and that's clean drinking water.

Teenager Greta Thunberg first became known for her activism in August of 2018 when, at 15, she began spending her school days outside the Swedish Parliament to call for stronger action on global warming. But by 2019, her actions became the spark of her generation to demand more from their decision-makers, as millions of people took to the streets, demanding that politicians act like our house is on fire.

Right here at home, we see our own girls rising up to demand climate justice. Callah MacGillivray, Sophie Molgat, Sylvie Sandiford, Lucy Baxter, Emma Marnik, Kalia Graham, and Tess and Sadie McDowell are leading in Yukon's own climate strikes, speaking out in support of climate justice and our collective future.

All of these girls — locally, nationally, and internationally — are proving they are “unscripted and unstoppable”.

Mr. Speaker, there are many young girls in our communities, in our country, and around the world who are speaking up and becoming leaders in showing us the way. Our girl children face many odds, not the least of which is the confidence to believe that they, like Autumn or Greta, can be anything. Our job is not only to ensure that these girl children have the support, education, safe communities, and opportunities to continue to grow and become future leaders, but as adults and as leaders, we need to call out the increasingly ugly and violent hate speech that has been and is directed at girls who dare to speak out and who dare to take a stand on the issues that are important to them.

Mr. Speaker, we salute the girls who make us uncomfortable and who challenge the status quo, all with the commitment and clear-eyed vision of the unjaded. As leaders, we are called to stand with this unscripted and unstoppable power that is the girl child.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Mr. Pillai: Mr. Speaker, I have a series of publicly available documents that pertain to questions in the House yesterday — four documents — primarily from the previous and current CEO of Newmont Mining and the executive director of the Yukon Chamber of Mines.

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

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

INTRODUCTION OF BILLS

Bill No. 5: *Liquor Act* — Introduction and First Reading

Hon. Mr. Streicker: Mr. Speaker, I move that Bill No. 5, entitled *Liquor Act*, be now introduced and read a first time.

Speaker: It has been moved by the Minister responsible for the Yukon Liquor Corporation that Bill No. 5, entitled *Liquor Act*, be now introduced and read a first time.

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

Bill No. 4: *Act to Amend the Elections Act* — Introduction and First Reading

Hon. Mr. Silver: I move that Bill No. 4, entitled *Act to Amend the Elections Act*, be now introduced and read a first time.

Speaker: It has been moved by the Hon. Premier that Bill No. 4, entitled *Act to Amend the Elections Act*, be now introduced and read a first time.

Motion for introduction and first reading Bill No. 4 agreed to

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

NOTICES OF MOTIONS

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

THAT this House supports the recent \$157-million investment to upgrade the north Klondike Highway.

I also give notice of the following motion:

THAT this House:

(1) congratulates the Na Cho Nyäk Dun, Tr'ondëk Hwëch'in, Vuntut Gwitchin First Nation, Gwitch'in Tribal Council, and the Government of Yukon on finalizing the Peel land use plan; and

(2) supports the final Peel land use plan.

Speaker: Are there any further notices of motions?
Is there a statement by a minister?

MINISTERIAL STATEMENT

Mandate letters

Hon. Mr. Silver: This morning, I provided new mandate letters to all of my ministers. These follow up to many new priorities introduced from the Speech from the Throne. The letters provide an opportunity for me as Premier to inform Yukoners of our Liberal government's plans for the remainder of our mandate.

Mr. Speaker, we are making Yukoners' lives better. We have advanced collaborative and integrated health care in the territory and created strong, respectful relations with First Nations and municipal governments.

Yukon University will open in the spring of 2020, increasing the range of educational opportunities that are available to Yukon students. Yukon's economy is flourishing. We are seeing record-low unemployment and our mining and tourism sectors continue to grow sustainably.

I am very proud of the progress that our team has made on delivering on many commitments to Yukoners, including establishing National Aboriginal Day as a statutory holiday, finalizing the Peel land use plan, making Yukon a more inclusive and equitable place for LGBTQ2S+ Yukoners, implementing presumptive PTSD coverage for emergency responders, standing up for Yukoners by ensuring that all funds collected through the federal carbon-pricing mechanism are returned to Yukoners, and reducing taxes for small businesses, resulting in an overall reduction of approximately \$3.2 million annually in their tax bills.

Work continues on many other priorities laid out in 2017, including finding new ways to increase government efficiencies and reduce red tape for businesses and NGOs, continuing to develop responsible renewable energy projects and policies, increasing the availability of affordable housing across the territory, and implementing and funding midwifery regulations.

The new mandate letters include several exciting new priorities that will benefit Yukoners, including: implementing an early kindergarten or K-4 in all rural elementary schools and investigating its further implementation in Whitehorse; creating a mining and mineral development strategy in partnership with First Nations alongside industry to create a long-term vision for the mining sector; developing an innovation plan to help keep our growing tech sector vibrant well into the future; the review of Yukon's health care system, with recommendations expected from the independent expert panel in 2020; increasing the number of available housing lots

across the territory; improving the way we approach wildland fire management; implementation of the new *Yukon Tourism Development Strategy*, as well as developing a new cultural and creative industries strategy that will support this important sector; developing a new *Motor Vehicles Act* that reflects modern Yukoners' needs; and prioritize procurement and infrastructure choices that are in line with a new climate change, energy, and green economy strategy.

I would like to thank the public servants for all that they do. It is their skills, knowledge, and professionalism that they bring to the daily work that actually turns these priorities into action. Each and every day, they rise to the challenge of serving Yukoners. Mr. Speaker, without their efforts and dedication, none of this would be possible. I thank them on behalf of our entire team.

I encourage all Yukoners to have a close read of the mandate letters, which are now posted on our website. This is the road map of how we are making Yukoners' lives better.

Mr. Hassard: Thank you, Mr. Speaker, for the opportunity to rise today to respond to this ministerial statement. A lot of what the Premier highlighted today is just rehashing things that we have already heard him say in this House and what he said in the throne speech 3.0.

It is one thing to say, "Wow, look at all the promises we are making", but as Yukoners have learned, Liberal promises don't always translate into action.

During the 2016 election, for example, the Liberals promised to spend \$30 million a year on retrofits to lower our greenhouse gas emissions — obviously a promise broken. As well, during the 2016 election, they promised to tender all seasonally dependent contracts by March of every single year — another promise broken. In the 2016 election, the Liberals promised to eliminate the small business tax entirely by July 1, 2017. Well, Mr. Speaker, it is October 2019 and we still have a small business tax — so another promise broken. The Liberals promised that they would only release an updated procurement policy when the First Nation procurement policy was completed. Well, we have an updated procurement policy but no sign of a First Nation procurement policy — so again, a broken promise.

In the second throne speech, the Liberals committed that they would regulate and license midwives by 2018. Mr. Speaker, it is long past 2018 and midwives are still not regulated — so another broken promise. As well, in throne speech 2.0, the government committed to getting every Yukoner a doctor, and it said — and I will quote: "Your new government wants every Yukoner to have a primary health care provider." But we know that on September 13, 2019, in a *Whitehorse Star* article on this topic, the story talks about the difficulty that Yukoners are having in getting a primary health care provider. There is even an individual quoted in this story saying: "I don't think there's enough doctors in the territory, and the practices are very big." Mr. Speaker, another broken promise.

These are just a sampling of all the broken promises and commitments by this government, so you can forgive me for

thinking that just because the Liberals say they are going to do something, it doesn't actually mean they are going to do it. In fact, their track record indicates that they won't live up to these promises.

Even in this statement alone that the Premier just gave, some of the accomplishments that he claims aren't even accurate. He says that all of the funds collected as a result of the carbon tax are coming back to Yukoners. Well, Mr. Speaker, there's a whopper for you. The GST is being taxed on top of the carbon tax —

Unparliamentary language

Speaker: Order. The Leader of the Official Opposition will rephrase the term "whopper". He will not use that term in that context.

Mr. Hassard: All right. Thank you, Mr. Speaker. I won't use that.

Moving on, Mr. Speaker, it is estimated that the GST will take \$1.3 billion away from Yukoners as a result of the carbon tax. During the election, the Premier promised Yukoners that each individual Yukoner would receive 100 percent of the money spent on the carbon tax back into their pocket. None — zero — of that revenue is coming back to Yukoners. When we asked the Premier to push Ottawa to return that money to Yukon, he refused, Mr. Speaker. He was more concerned about standing up for the Trudeau government than actually standing up for Yukoners.

So, Mr. Speaker, you can see why we as opposition are not all that excited to hear another list of broken promises from this government.

Ms. Hanson: I was so pleased to hear that the Premier would be giving a ministerial statement about the mandate letters that he would be issuing to this government's ministers. It just so happens that this morning, the Leader of the New Democratic Party gave me my mandate letter to refocus my efforts in what could be the last years of my time as a Member of this Legislative Assembly. As you are aware, Mr. Speaker, the New Democratic Party is but two — albeit a formidable two. Despite what many would see as a huge challenge, we intend to continue to hold this government to account each and every day. We believe that is our role as elected members of this Assembly — because, Mr. Speaker, we too are proud of the work we do.

The NDP Leader's mandate letter outlines a number of priorities — some old and some new. Some of the highlights are: continuing to advocate for immediate, bold, and measurable action on reducing our greenhouse gas emissions and fighting climate change by calling for a declaration of a climate emergency; advocating for the elimination of the oil and gas branch and creating a renewable energy branch focused on implementing renewable energy alternatives for Yukon; increasing our focus on Canadian and Yukon commitments to eliminate oil and gas subsidies and pushing for more renewable energy alternatives for Yukoners; standing up for Yukoners who need it the most and are struggling in an increasingly

unaffordable Yukon by pushing for a \$15 minimum wage, championing food security initiatives, and calling for further investments in rental market housing; pressing for improvements to Yukon's health and social services, pending the outcome of the ongoing health care review, to better support Yukoners by pushing for expanded home care services; advocating for NGOs who provide excellent services when our government cannot; and continuing to call for quality Yukon-wide, affordable daycare.

In addition, I have been mandated to maintain a clear focus on the work of the panel doing work on what we hope is the modernization of Yukon's mineral resource legislation. We have provided frank and open feedback to the panel and we will continue to do so.

It really was fortuitous that these mandate letters were released on the same day, and I thank my fellow members for the opportunity to speak about mandate letters — and oh, by the way, my mandate letter is also available on our website.

Hon. Mr. Silver: I would like to thank my colleagues across the way for their comments and criticisms, and I want to thank the Member for Whitehorse Centre for her undying passion for her job and for her commitment to being a critic in this role. We have worked alongside each other for a long time and I have the utmost respect for the member opposite for her diligence and dedication.

Mr. Speaker, Yukoners have a right to know what their government is doing and that is exactly what we are doing here today. Today I provided a new mandate letter to all of my ministers, outlining our new priorities for the remainder of our mandate, and I am happy to report that.

Our Liberal government will continue to work hard for Yukoners. Implementing early childhood and early kindergarten — K to 4 — in all rural schools is an extremely important endeavour, building vibrant and healthy, sustainable communities. A mineral development strategy developed in partnership with First Nations and alongside industry will ensure that our mineral sector can flourish in an environmentally responsible way that benefits all Yukoners. An innovation plan — again, being able to guide the growth of our tech sector will increase diversification of our economy and create new economic opportunities as well for Yukoners and Yukon businesses.

The review of the Yukon health care system will ensure that it will continue to meet the diverse needs of Yukoners in a sustainable manner for years to come. Increasing the number of available housing lots across the territory will help to address housing pressures resulting from a growing economy. The improvement of our approach to wildland fire management — really important work — will ensure that we continue to protect Yukoners and Yukon communities in times of rapid climate change. Implementation of a new tourism development strategy will help the sector grow sustainably and it will help create new opportunities therein. Again, the modernization of the *Motor Vehicles Act* — helping to keep our roads safe well into the future.

These are just some of the initiatives that are available in the mandate letters from our Liberal government that we will be focusing in on in the months to come. It is a privilege to be in this position, Mr. Speaker, and I want to thank you for the opportunity to update Yukoners on the new mandate letters today.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Medical travel

Ms. McLeod: Yesterday afternoon, we debated a Yukon Party motion to increase the reimbursement rates for medical travel. This is the third time that we have tried to get the Liberals to show some heart, but they refused to support this once again. In fact, one of the Liberal MLAs even complained that the Legislature talks about this issue too much. Well, the Yukon Party will continue to push the government until they finally take action.

Many Yukoners in the territory are required to drive from their communities to Whitehorse in order to receive medical treatment. The current rate of reimbursement for patients to do this is 30 cents per kilometre. The government rate for reimbursement is 61.5 cents per kilometre. That's more than double what we're giving Yukoners in need of health care.

How can the minister justify giving more to government while refusing to give more to Yukoners in need of necessary health care?

Hon. Ms. Frost: Indeed, we have spoken about this a lot in the Legislative Assembly in the past. We spoke about it yesterday at length — for the whole afternoon. We talked a lot about the comprehensive review. We talked about the panel and the panel's opportunity to speak to Yukoners. This month, they will be going out to Yukon communities to engage with Yukoners to seek their stories and their feedback and to share their lived experiences, and that will govern what we do. We are not going to pre-empt a process. We have a fiduciary obligation — a responsibility — to manage the budgets accordingly, but we also have an opportunity to look at providing effective health care and collaborative care models to Yukoners and to rural Yukon communities, and we will do that. We will continue to look at bringing specialized support services to Yukoners where they are and where they reside within their communities. As part of that process, we will look at medical travel.

Ms. McLeod: In 2017, we pointed out that the reimbursement rate for Government of Yukon employees who travel for work was 60.5 cents per kilometre. As I just pointed out, that has now increased to 61.5 cents per kilometre. Meanwhile, the medical travel rate hasn't budged from 30 cents per kilometre. When we asked the Liberals to increase it in 2017, the minister claimed that the government had no money. Since then the Liberal government found tens of millions to rush infrastructure projects out the door, seemingly to help the federal Liberal election campaign. They found \$120,000 to spray water into the air in Dawson City. They found half a million dollars for a new logo and website, they found money

to give the Premier a raise, and they found money to increase government travel reimbursement rates.

Why can the Liberals find money for everyone except Yukoners in need of medical travel?

Hon. Ms. Frost: I would like to take this opportunity to correct the record. We are clearly looking at a process — a process that has been advised to us through the comprehensive health review and through the Financial Advisory Panel to look at the programs and services we provide to Yukoners.

Let's go back in time. You want to talk about 2017 — let's talk about 2006 and 2008. Let's talk about the 14 years. Let's talk about the inefficient programs and services that were being provided to Yukoners.

We are going to do our utmost to ensure that Yukoners are given the supports they need. We have in fact looked at mental wellness hubs in the Yukon. We've looked at specialized supports, orthopaedic surgeons, and pediatricians. We are looking at bringing supports to our Yukon communities through our nurse practitioners. We've expanded the scope of care and we will continue to do that. We are not in fact cutting back on programs. We are enhancing programs and making access to services readily available and easier for Yukoners.

Ms. McLeod: The Liberals are telling Yukoners that there is not enough money to increase the medical travel rates. They can find money to give the Premier a raise, but they can't find it for health care.

Let's look at the daily reimbursement rates. Currently, for medical travel outside of the territory, it's \$75 per day starting on the second day of travel. Well, I did a quick search this morning to see the cost of a hotel near St. Paul's hospital in Vancouver, and the best deal I could find was around \$150 a night. So it's not realistic to expect someone who is travelling to Vancouver for a medical procedure to be able to afford the trip. What will happen is that they will end up paying out of pocket to receive necessary medical care, and this is counter to the spirit of the *Canada Health Act*.

Will the Liberals please stop delaying and take action now so that Yukoners don't have to go into debt to get basic health care?

Hon. Ms. Frost: Speaking about spirit and intent, the spirit and intent of our agreements — the spirit and intent of devolution was to look at ensuring that Yukoners were given the services and supports they require effectively. I can tell stories as well. We can talk about Yukoners. We can talk about the family from my own community of Vuntut Gwitchin who travelled to Vancouver and had to pay for their own supports and accommodations for five months while their elder stayed in the hospital. That was funded by the community. Of course we understand.

We understand that Yukoners have hardships. We have hardships that we endure given our location. What we are attempting to do is bring supports to Yukon and to Yukoners where they reside so that they don't have to endure added costs and undue hardships.

What I am concerned about is the narrative that is being posed by the opposition. We want Yukoners to be heard and we want to give them an opportunity to share those stories and to

give the independent expert panel members who are travelling across the Yukon the necessary feedback and input so that we can in effect make the changes that are necessary to the health services and appropriate services we provide to Yukoners. We will continue to do that in good faith.

Question re: Challenge housing project

Ms. Van Bibber: Mr. Speaker, in the 2019 budget speech, the Premier highlighted that his government was giving \$4 million to the Challenge Disability Resource Group toward the construction of their housing project in Whitehorse. Then on April 11, 2019, the Minister responsible for Yukon Housing Corporation boasted about this investment as a major government accomplishment to address the affordable housing crisis; however, this fall supplementary budget cuts that \$4-million investment in affordable housing entirely.

Can the Minister responsible for the Yukon Housing Corporation explain why this \$4-million investment in affordable housing is not going forward this year?

Hon. Ms. Frost: I would be happy to speak about the relationship the Yukon Housing Corporation and this government have had with the Challenge disabilities group. We are working with the group. We are in effect working on their time schedule. We are happy to work with the schedule and adjust according to their requests.

Ms. Van Bibber: This project was a key commitment in the Liberal government's budget speech in 2018. It was highlighted again in the 2019 budget speech. The Premier even had a big photo op for his 2018 budget speech when he handed over work boots to the proponent. Regardless, we are in an affordable housing crisis, and if this project isn't ready to go, the government should be looking at other options.

The Liberals need to stop coming up with excuses. Instead of simply not spending the \$4 million, why not invest it in some other project that supports affordable housing?

Hon. Mr. Silver: The way that the Liberal government works is by making sure that we go through planning. We are not going to pivot and move to another project and announce that on the floor of the Legislative Assembly, that is for sure.

There is a change to the Challenge project, as far as the supplementary budget goes. This project is fully supported by the Yukon government and we do look forward to moving ahead with this project next year. In the interim, we will continue to work with our shareholders and stakeholders when it comes to housing projects, whether it be affordable or social housing — the many vast initiatives that are moving forward with this government to help people find affordable housing in Yukon.

Ms. Van Bibber: When the government first announced their commitment to the Challenge project, they highlighted how it would help address the affordable housing crisis in our territory. We have seen the wait-list for housing skyrocket under this government's watch.

Another major project to help address housing issues that the government has talked a lot about in the past is the Vimy Heritage Housing project. There is no reference to this project in last week's throne speech 3.1.

Can the minister explain why this project is no longer a priority?

Hon. Ms. Frost: Let me talk to Yukoners and tell Yukoners about all of the good work that we're doing — very proud of the work of the Yukon Housing Corporation and the partnerships that we have formed over the last two and a half years. There have been partnerships with the private sector, with other governments, and with non-governmental organizations to implement the housing action plan. We have taken steps to ensure that we now have an additional 400 homes in the Yukon. We did that by including support for 61 units of housing with services, 216 new repaired or renovated affordable homes, 14 home ownerships through our home ownership program, and over 200 across the housing continuum through our housing initiative fund.

With respect to housing — as we are looking at it now in the city for our Housing First initiative — we have 16 units there and we have 20 units in the Whitehorse emergency shelter that we are re-scoping to ensure that there is quick access to services.

We have released 76 lots in Whistle Bend, including townhouses and multi-family and residential lots. We are working with our municipalities. I am very proud of that work and we will continue to ensure that we partner with Yukoners to bring the homes and services that they need to their communities.

Question re: Whitehorse Emergency Shelter

Ms. Hanson: Mr. Speaker, there has been a lot of publicity and a lot of talk about the Whitehorse Emergency Shelter. Discussions have been held about the safety of the clients using the shelter, the safety of residents living close to the shelter, the disruption and loss of business experienced by local businesses, and the impact on tourism. Residents and businesses nearby witness daily acts of violence and vandalism. Emergency vehicles and the RCMP attend the shelter regularly.

I am aware that a stakeholder group has been set up to deal with these issues. I appreciated the opportunity to attend one such meeting at the invitation of area residents. We understand that there are ongoing meetings and a plan is being developed; however, despite their desire to be understanding and compassionate, area residents and business owners are increasingly frustrated at the lack of any noticeable on-the-street changes.

Can the minister outline, for all Yukoners, what has been done to date and when real changes will be in effect for the Whitehorse Emergency Shelter and area residents?

Hon. Ms. Frost: I'm pleased to rise today to speak to the plan for the Whitehorse Emergency Shelter and to respond to the questions raised by the member opposite. I understand the frustrations. I have met on numerous occasions with the businesses, with the Whitehorse Chamber of Commerce, and with the City of Whitehorse. I have met with the residents who utilize the services at the Whitehorse Emergency Shelter, so I understand first-hand that there are significant frustrations.

We know the concerns that have been raised are documented. I have attended those meetings. We take those

concerns very seriously, but we also have an obligation to the vulnerable populations of our city. We will ensure that we provide a balanced approach, that we provide housing for the most vulnerable of our community, and that we provide services. At the same time, we need to ensure that we protect the businesses in the surrounding area.

We have had meetings to do just that, over the past several months, to look at a path forward — a range of initiatives to improve the situation, while retaining a focus on serving the most vulnerable of our community. Some of the short-term actions, I can speak to when I rise again.

Ms. Hanson: This neighbourhood is in my Whitehorse Centre riding. Businesses in this riding and businesses close to the shelter report a significant loss in business income. Social media has been used by visitors to warn tourists to avoid the area. Residents living close to the shelter, including families and seniors, say they are unable to enjoy the peaceful use and enjoyment of their homes.

Residents and businesses asked the City of Whitehorse not to complete the beautification of Alexander Street. One landowner installed metal plates on parking stall barriers to discourage people from sitting in front of a building leased by the Yukon government. These residents and businesses are often trying to be compassionate and caring. They are frustrated that their concerns have not been addressed in a way to mitigate the impact the way the shelter is being managed has on their lives and livelihood.

Again, Mr. Speaker, what steps has this government taken in a whole-of-government response — not just Health and Social Services, but Economic Development and the Department of Tourism and Culture — to demonstrate that they are listening?

Hon. Ms. Frost: Of course we are listening to Yukoners. We have listened to the local residents. We have listened to the local businesses. We have sat down with them and, collectively, we are coming up with a plan. Some of the discussions that have been put on the floor — and I will say that publicly today — are the recommendations that came directly from the businesses. One was a good neighbourhood agreement, as an example which other jurisdictions are using — a community safety model that other jurisdictions are using. Those are some of the things that we are discussing right now with the RCMP, with the City of Whitehorse, with my colleagues here in the government — the Minister of Community Services — we are speaking with the Minister of Justice as well — to look to having a better safety plan for the downtown community.

That is forthcoming. We will ensure that we get that out as quickly as we can. We made a commitment to the residents of the area, but we also have a commitment to the residents who use the facility. We want to ensure that we provide some opportunities to hear everyone.

Not so long ago, I heard stories from some young people — some very young children — who talked about their concerns for the residents of the facility and wanting to ensure safety as well.

Ms. Hanson: We have heard the minister announce that the Housing First units will be opening this fall. We have supported and continue to support the addition of barrier-free housing for those who have been hard to house. The emergency shelter was also supposed to be providing transitional units for individuals moving from homelessness.

We have heard from individuals living in these units that they were getting eviction notices this past summer. We know from the 2018 point-in-time count that at least 195 Yukoners were experiencing some form of homelessness, and 61 Yukoners experienced absolute homelessness.

Can the minister tell this House whether or not all 22 transitional units at the Whitehorse shelter are occupied and how soon the Housing First units will be fully occupied?

Hon. Ms. Frost: A number of questions within that question — so let's talk about the Housing First units. As I indicated, the plan is to have the Housing First units fully operational by November. We are striving to meet that target. We are working with our partners, but we are also working with the contractors who are in that building. So we are trying to get as much as we can as quickly as we can together to finalize the work in that facility and ensure that we have a wholesome program — a support program in place.

We're working with our Safe at Home community, utilizing the by-name list, ensuring that we provide services. With respect to the Whitehorse Emergency Shelter, my obligation and my responsibility is to enhance the long-term well-being of all Yukoners.

We will ensure that the residents within the facility are transitioned into permanent housing. I am proud to say that nine of the citizens who have been occupying the transition units are now in permanent housing. We have some other pressures of course, and that's in broader Yukon. How do we ensure that we provide shelters within other communities like Watson Lake and Dawson City and the other communities that are coming forward to pose for us a challenge that they're seeing?

We will work with all Yukoners to ensure we provide the services and ensure they transition into permanent housing.

Question re: Affordable housing

Ms. White: When the clock strikes midnight this coming New Year's Eve, Yukon will officially enter the second decade of its housing affordability crisis.

Earlier this month, the Canadian Rental Housing Index released a report showing that low-income Yukoners can expect to pay up to 50 percent of their income on rent and utilities.

Meanwhile, a CKRW news report found that Yukon Housing had a unit sitting vacant for 10 months. The fact that this government has livable units sitting unoccupied while Yukoners are homeless or living precariously is unacceptable.

Mr. Speaker, how many empty housing units does this government have right now while Yukoners are struggling to find housing?

Hon. Ms. Frost: What I will say is that we endeavour not to have any houses sit vacant. We have a process that's established that sees Yukoners who have medical needs coming

in from rural Yukon communities being given first priority. We ensure that seniors are adequately housed.

We have just completed a "what we heard" document for seniors. We will do our best to ensure that we have an opportunity for seniors to remain at home longer. We are looking at affordability. We most recently amended our policies within the government to look at our staff housing and social housing complement to ensure that we provide a better balance and to ensure that affordability is addressed as we look at our housing crises.

We've seen some significant challenges in our communities. A very good example is the recent case in Watson Lake when we had a number of individuals displaced and a facility shut down. They were not clients of Health and Social Services or Yukon Housing Corporation, but we mobilized into the community and provided supports. We will continue to do that, ensuring that every Yukoner is given an opportunity for a safe home.

Ms. White: It seems that 10 months is a really long process to have an empty house. The reality is that this government has not done enough to provide affordable housing options for Yukoners. In the absence of government leadership on this file, mobile homes are increasingly becoming the only affordable option for a wide range of Yukoners and they are less affordable by the day. This time last year, I presented a petition from mobile-homeowners requesting basic protection, like a cap on pad rent increases and an end to evictions without cause. The response was a hard no from this government.

Mr. Speaker, in light of this government's continued reliance on mobile homes as a primary affordable housing option, will this government revisit the decision to deny the request from mobile-homeowners for basic supports and protections enjoyed throughout Canada?

Hon. Mr. Streicker: We recognize that mobile home pad tenancies are unique and that mobile-homeowners may own their home but not the land on which it sits. Most mobile home tenancies are long-standing and positive. However, when conflict arises, landlords and tenants may apply to the residential tenancies office for information, mediation, and formal dispute resolution services. The *Residential Landlord and Tenant Act* has specific rules for mobile home tenancies. The landlord must give a tenant at least 12 months of notice to end a tenancy without cause, and that notice cannot take effect during the months of December, January or February. In addition, a landlord may not increase the rent in the first year of the tenancy and only once per year after that.

All Canadian jurisdictions allow landlords to end mobile home tenancies — the question is how. I think there is always a balance that has to be struck. I look forward to standing and answering further questions for the member opposite.

Ms. White: I thank the minister for those words. It must be a relief to mobile-homeowners.

There is a pretty glaring trend with this government. Policy options that have the potential to benefit low-income Yukoners are watered down or outright eliminated while those that benefit high-income Yukoners breeze on through. The fact that this government decided to ignore the recommendation of the

Employment Standards Board to incrementally raise the minimum wage to \$15 per hour by 2021 speaks volumes to who and what their priorities are.

When will this government accept the recommendations made by the Yukon Employment Standards Board on November 30, 2018, to increase the minimum wage to an estimated \$15.12 by April 2021, helping make housing affordable for Yukoners?

Hon. Mr. Streicker: First of all, I think we all wish to support mobile-homeowners — and all renters and homeowners. The question here is about relative risks.

What the member opposite is not sort of indicating is that sometimes when you place a lot of controls — or at least, other jurisdictions have come to the same conclusion — it sets up the case where sometimes those parks close, which is also not good for mobile-homeowners.

The situation is similar for minimum wage. What we said last year was thank you, to the board. It is the board that does this work, and I posed the question to them about whether we could support them in their thinking by getting an economic analysis done. I think that work will be done shortly. As soon as that work is done, it will be shared with the Employment Standards Board, and I look forward to hearing what the Employment Standards Board has to recommend to us about minimum wage.

Question re: School structural safety

Mr. Kent: I have some questions today for the Minister of Highways and Public Works regarding maintenance and safety of our school facilities. Last fall, we asked the government about lead testing in our schools. At the time, the Minister of Education told this House — and I quote: “Mitigation work is taking place at any schools that have had results above the national guidelines...”

Can the Minister of Highways and Public Works tell us if all of the mitigation work has been completed and how much it cost?

Hon. Mr. Mostyn: I am happy this afternoon to speak about the measures we are taking to ensure that the schools in which our children are educated and our teachers work are safe.

Highways and Public Works and Education are working collaboratively to ensure that the drinking water in our schools is safe. Education recently tested the tap water in all schools, as lead can be contained in piping and drinking water fixtures. Lead levels exceeded safe levels in 24 schools.

Highways and Public Works replaced fixtures in 11 schools and successfully remediated the problem. The remaining 13 schools are expected to be completely remediated by the summer of 2020. No lead components were used in the repairs.

Highways and Public Works is working with Health and Social Services to test the water quality in buildings that are occupied by children and youth and that were built before 1990, as these groups are at higher risk of being negatively affected by lead in drinking water.

Many jurisdictions across Canada are dealing with similar drinking water issues because of older infrastructure, and any

fixtures that were tested and are shown to have elevated levels of lead are disconnected and labelled until they can be replaced.

Mr. Kent: Thank you, Mr. Speaker, and I appreciate the answer from the minister. Hopefully he is able to get back to this House with the costs of the remediation.

I just wanted to follow up — and perhaps he answered in his first response — but I just wanted to confirm that, once the mitigation was complete or future mitigation work is completed, will the government go back, or has the government gone back and tested the water again in case those elevated lead levels are persisting? If so, when was that work completed and what were the results?

Hon. Mr. Mostyn: In answer to the member opposite’s question, we are working very hard to make sure that these lead fixtures are removed from all of our schools. That work is in progress. The fixtures are being replaced with non-toxic components used in modern plumbing and we expect that the remaining 13 schools will be completely remediated by the summer of 2020. We’re making sure that the offending fixtures are not used and are labelled. The 11 schools in which this problem has been fixed have been tested and it has been successful.

Mr. Kent: I thank the minister for that response. Another contaminant that exists in schools is mould. We know, obviously, that tests are done for radon gas on a regular basis in our schools. However, I did ask in the Spring Sitting of the Legislature about air-quality testing for other allergens, such as mould and dust. With the recent discovery of mould in a portable at the Robert Service School, we’re curious if testing has been done at other schools or portables as a result of what was found in Dawson City.

Hon. Mr. Mostyn: As I indicated in my very first response, we take the issue of safety in our schools very seriously. As a matter of fact, we take the issue of safety in all our public buildings very seriously. We are continuously monitoring the safety conditions in our schools — from mould to air quality and other matters to lead in our pipes. When we learn about such things, we take action to remediate them and that work will continue over the next little while. We have many issues in play and we are dealing with them in a methodical and thoughtful manner.

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

ORDERS OF THE DAY

GOVERNMENT MOTIONS

Motion No. 7

Clerk: Motion No. 7, standing in the name of the Hon. Ms. Frost.

Speaker: It is moved by the Hon. Ms. Frost, Minister of Environment:

THAT this House recognizes that Yukon is experiencing the impacts of a climate change emergency driven by human activity, which impacts the environment, biodiversity, Yukoners’ health and the Yukon economy, and urges the

Government of Yukon to continue to take action to achieve the following four goals:

- (1) reduce greenhouse gas emissions;
- (2) ensure Yukoners have access to reliable, affordable and renewable energy;
- (3) adapt to the impacts of climate change; and
- (4) build a green economy.

Hon. Ms. Frost: Today we are debating this motion because our government knows that it is time to take action on climate change. We recognize that the climate is changing and the results have heavy impacts on Yukon. We know that — as we and other jurisdictions around the globe recognize — this is an emergency or a crisis. We call for action — government action, individual action, small daily action, and major global action. We also recognize that the actions governments — including ours — need to take have impacts. Actions will call on our government to change the way it does business and it will call on Yukoners to understand why these changes are being made.

Responding to and mitigating the impacts of climate change is not something that can be done by one government alone. They cannot be done by community alone. This is not a time when we can turn to our neighbours and expect them to take action while we continue with the status quo.

This is why we are calling on our colleagues in this Legislative Assembly to recognize that Yukon is experiencing the impacts of a climate change emergency because it will take all of us to make the change that is required.

For me and my caucus colleagues, this climate change emergency is not a new realization. We campaigned on a platform of taking action. In the 2016 election campaign, we recognized that the need for energy must be balanced with lessening our carbon footprint and other negative impacts on our environment. We committed to reducing the use of energy and expanding the availability of renewable energy to make achieving this balance possible. We did so because the sustainability and the preservation of Yukon's environment, its wildlife, and its resources is critical to our future.

This commitment continues today. The mandate that I received today from the Premier clearly outlines this important aspect of my role. Let me read from that letter now:

“Clearly, the impacts of climate change represent the biggest challenge of our generation. The North is warming at a faster rate than the rest of Canada. It is time for governments to take definite actions. Our work on establishing greenhouse gas reduction targets and putting in place concrete measures to mitigate and adapt to the impacts of climate change will be integrated with our efforts to build a green economy and an energy sector with a growing focus on renewable sources.

“In making these and other commitments to Yukoners, we will continue to deliver results and report back to citizens.”

Climate change emergency recognition — the Government of Yukon recognizes that Yukon is experiencing the impacts of a climate change emergency. We acknowledge the valuable awareness and motivation that declaring a climate change emergency provides for the territory.

Human activity is impacting our environment, biodiversity, Yukon's health, and the economy. First Nation citizens and other Yukoners have been experiencing the effects of climate change for decades. Long-standing traditions and ways of life are being threatened. There is no question that climate change is happening faster in the north. Yukon's average temperature has increased by 2.3 degrees Celsius between 1948 and 2016. Winter temperatures have increased by 4.3 degrees Celsius through the same period. Northern Canada will continue to warm at more than double the global rate. Many of the changes we are experiencing now are unprecedented in terms of scope and speed. My elders lived through winter temperatures that tomorrow's children may never experience.

We are seeing wildlife and plant species claim habitat in places they haven't before. Water systems are changing course or drying up. They are low or taking new paths as glacial sources retreat. Species like the pine beetle are threatening to make their way to Yukon's forests. Wildfires are becoming more frequent and intense. Buildings and highways are needing more and more expensive repairs due to the permafrost thawing under them. These changes and more are affecting the way that we do business, our economy, the way we interact with the land, and our cultures. There's no doubt that we are in the midst of a climate crisis.

Yukoners are taking part in the global shift toward a greener economy fuelled by cleaner energy.

The Vuntut Gwitchin of Old Crow who are truly on the front-line of climate change declared a state of emergency due to climate change. This is action that has been echoed in Whitehorse, across the country, and across the globe.

I would like to acknowledge the Yukoners, and especially the young Yukoners, who participated in the recent climate change action strikes in Whitehorse and those around the world. We see you, we hear you, and we acknowledge you. We are there right alongside you as we all ramp up our actions to tackle climate change.

The Government of Yukon is developing a new action-based strategy on climate change, energy, and green economy that includes ambitious targets for reducing greenhouse gas emissions and actions aimed to make us highly resilient to the impacts of climate change. We are developing the strategy in partnership with Yukon First Nations, transboundary indigenous groups, and Yukon municipalities in recognition of the fact that we need to work together to address climate change.

This strategy includes a vision and goals for the next 10 years. It also includes more than 130 actions that the Government of Yukon will take to build a clean, resilient future. We'll continue our work with indigenous and municipal partners to identify partner-led actions for the final version of the strategy, which will be released in 2020. Next month, Yukoners will have the opportunity to review and comment on the draft climate change, energy, and green economy strategy.

Through its goals and actions, the draft strategy will outline how we will reduce our reliance on fossil fuels and curb emissions. The plan will support reliable, affordable, and

renewable energy. It will also lay out ways to ensure that Yukon is resilient to climate change impacts and it will look to foster new business opportunities in a green economy. Most importantly, the strategy will be one for all of Yukon.

The strategy was developed from the feedback we heard from Yukoners, experts, and the insight shared from our partners and, in particular, the local traditional knowledge and lived experience of our indigenous communities.

The actions in the strategy focus on reducing Yukon's greenhouse gas emissions, enhancing energy security, adapting to the effects of climate change, and supporting Yukon businesses and individuals to participate in the green economy.

The draft strategy proposes an adaptation approach that will recognize the importance of reducing the risks we all face while also working to improve human health and food security.

We are sensitive to the fact that not all individuals, households, and communities will be impacted or will respond in the same way and that our vulnerability to climate change may be contingent on things such as the condition of our homes — whether we rent or own — our ability to afford insurance, the health conditions we live with, and the presence of friends and families to support us in emergencies.

The strategy also outlines work to better understand and reduce climate change impacts on Yukon's natural environment including wildlife, plants, fish, and ecosystems. This work will complement broader efforts to conserve wildlife, protect biodiversity, and manage forest sustainability.

The draft strategy also includes actions to apply a climate change perspective to government decision-making. Government of Yukon's work to address climate change will be complemented by a strong youth panel on climate change. Youth want their voices to be heard and they also want to take meaningful action, as we've seen most recently in the climate strikes — which I'm happy to say that Minister Streicker and I participated in. We will continue to listen to the youth. The advice and perspectives of youth will be invaluable to policy-makers. Youth are the leaders of tomorrow, and they will be heard and will be given an opportunity to participate in the decisions that will most impact them.

Our government has always had the environment at the core of our work. We support Canada's commitments to the United Nations international climate change agreement — the *Paris Agreement*. Nationally, Yukon's perspective was a part of shaping the pan-Canadian framework on clean growth and climate change. We understand the effectiveness of putting a price on carbon. The federal carbon-pricing system came into effect in Yukon on July 1, 2019. Rebates will be returned to businesses, First Nations, municipal governments, and Yukoners. Like it has in other jurisdictions, carbon pricing in Yukon will help reduce emissions and foster innovation for low-carbon alternatives.

Here at home, we are leading a coordinated approach to reduce our emissions while also adapting to the current and future impacts of climate change. We know that, as our population continues to grow, we will require more energy. At the same time, we need to reduce our carbon footprint and

ensure economic stability and energy security. It is possible, and we hear the calls for more action from all Yukoners.

The Climate Change Secretariat at the Department of Environment is leading the Yukon government's actions to address climate change. The Energy branch at the Department of Energy, Mines and Resources is leading the government's action related to energy. Together, with a collaborative effort across the government and with our partners, we are supporting Yukoners in reducing energy consumption and emissions, saving money, and adapting to a changing landscape.

The new climate change, energy, and green economy strategy will complement some of the work that the government is already doing to build our ability to respond and adapt to our changing climate, reduce our greenhouse gas emissions, ensure energy security and efficiency, and grow a green economy. This includes our investments in upgrading infrastructure and buildings.

We are also applying the climate change lens assessment to most infrastructure projects supported by federal funding, including all infrastructure projects that will cost \$10 million or more. Assessing these projects with the climate lens ensures that we plan to mitigate anticipated greenhouse gas emissions and employ a risk-management approach to anticipate, prevent, withstand, respond to, resolve, and adapt to climate change-related disruptions or impacts. Because we know that transportation and heating buildings are the biggest source of emissions in the territory, the Government of Yukon is investing \$120 million in joint federal-territorial funding for energy-efficiency improvements to residential, commercial, First Nation, and municipal buildings in the territory over four years.

Transportation also presents particular challenges in reducing greenhouse gas emissions, accounting for 61 percent of Yukon's total emissions in 2017. The territory now has electrical vehicle charging stations at the main administration building and at the Yukon Transportation Museum. We are now working with the Carcross/Tagish First Nation, Northern Vision Development, and the federal government to install three new fast-charging stations in Carcross and Whitehorse. Our desire is to see this throughout the Yukon. We are also working with Canada to support 13 climate change adaptation projects that are helping to address the impacts of changing climate on health, food security, infrastructure, and other key areas.

The Climate Change Secretariat is helping us have a sound understanding of climate change risks and how we prioritize our needs and resources for adaptation, like building schools and highways that don't crack or buckle under permafrost thaws. The Climate Change Secretariat is also working to measure and calculate our greenhouse gas emissions so that we can increasingly benchmark the efforts of our work and plan for future greenhouse gas emission reductions.

Yukoners call for more action, and this government is listening. We will also create the co-lab — an open, creative process where a group of people work together to generate solutions to complex problems. The co-lab will focus on solving practical problems that integrate economic and

environmental considerations to support sustainable development in Yukon.

Through the Yukon Forum, we will continue to work alongside Yukon First Nation governments in municipalities, our sister territories, and others as we take action on the unique aspects of climate change in the north and adapt to this reality, plan for energy efficiency and security, and build green economic opportunities. We will continue to work with our partners in climate change science like Yukon College's Northern Climate Exchange and others that are integral to finding new solutions to these challenging and changing problems. We encourage Yukoners to read the strategy when it is released in the coming weeks and share their feedback.

In closing, we all have a role to play in addressing climate change. My commitment to Yukoners is that we will make progress and we will report back. As part of the strategy, we have proposed serious mitigation and adaptation goals. We will make sure that we are accurately tracking and reporting on how we are reaching them. Yukoners are demanding change, and your government is responding.

I would like to thank Yukoners for participating with us so far. I would like to thank all the young children in the Yukon who have spoken and spoken loudly and clearly to us that they want changes. We will ensure that this year and seven generations to come and many beyond that.

Ms. White: I thank the Minister of Environment for bringing forward this motion today. I have to say that I never imagined in this House that we would be talking about — in 2011, when I was first elected, I never imagined that we would actually be able to talk about a climate emergency on the floor of the Legislative Assembly. I never thought that I would listen to a motion put forward by government that resonated so much and that rang true for me in so many different ways.

I want to thank the Minister of Environment for that and the Liberal government for bringing it forward.

I would also like to commend the government for the flurry of initiatives they have announced recently regarding renewable energy and reducing our greenhouse gas emissions, because they have been fast and furious lately. Most recently, I'm really pleased to know about the decision made by the Yukon Energy Corporation to not purchase a fossil fuel plant but to rent, because I fundamentally believe that, if we can't look toward technology for hope and for change, that we're lost. So I'm so glad to know that Yukon has not been tied to investing in this "more than a generation payback" for that equipment.

I was happy to see this motion, but I was still a little bit surprised. It's not because I think it's a bad motion. I mean, we're not debating this to whether or not climate change is real or not — which is phenomenal — but this motion — I think it could go further. I think it could be better and I think it could be stronger, which is what I think we as Canadians and we as individuals living on this planet need to do.

So, one of the things that I have come to understand in my time as a politician is that there's room for healthy compromise in politics. Disagreements that we have here lead to debate, and

debate can lead to compromise. It's important, Mr. Speaker, that I couldn't self-identify as a politician for the first two years after getting elected, because it just didn't feel — I mean, there are so many stereotypes that come along with being a politician that, for two years, when people said, "Well, what do you do?" I said, "Oh, I work in an office", and then I was occasionally outed by the fact that they had seen a picture in the paper.

I have come to learn in the last eight years that being a politician is a really brave and a strong title. It is an honour to be here, and everyone in this Chamber feels that same way. I appreciate the debates that we have here, and I appreciate that sometimes we reach compromises, but, Mr. Speaker, I fundamentally believe that, on some issues, there is no middle ground and there's no room for compromise. I believe that climate change is one of those issues. I believe that it's not about finding the middle ground. I believe that this is one where the line is in the sand and we have to make that decision.

As MLAs, we're bombarded with reading material, but I would argue that there is no more important item for us to read than Natural Resources Canada's 2019 *Canada in a Changing Climate* report.

The report outlines the expected effects human-caused climate change will have on Canada and the north if we don't take action. The report paints a picture of more frequent and intense flooding, of heat waves, of droughts, and of wildfire. Its modelling also predicts the receding of glaciers, the melting of permafrost, and the loss of freshwater in Canada's lakes, rivers, and streams. Mr. Speaker, the report is pretty dire, but it does leave some room for optimism.

It says that Canada and the Yukon can escape relatively unscathed if Canada and the rest of the world reduce our carbon emissions to near zero early in the second half of the century and reduce emissions of other greenhouse gases substantially. So that's why this is a pressing issue. This is why there's no compromise, no middle ground, on this issue.

This is why, on the same day that the minister tabled this motion, that I declared a motion saying that we should be declaring a climate emergency. Both the Vuntut Gwitchin First Nation and the City of Whitehorse have bravely stepped forward. They have stepped up and declared a climate emergency in their communities, and the minister referenced that.

So the motion before us today is just so close. We have heard the minister talking about the climate; we have heard her talking about the emergency; we have heard her talking about the crisis; we have heard her talking about the solutions on how government is going to tackle this. Those are all really good things. They're really good things.

I'm a mountain biker. I'm a mountain biker who's afraid of heights — that's something that maybe you didn't know about me — being afraid of heights. There are times when I go biking that I'm looking at a feature at the edge of something and you can't see the other side, and you have to have faith that the other side of the rock — you know, you're going to be able to roll it or that the other side of the bridge is going to give you the way down. You have to have faith that, when you bravely roll forward, that you're going to be okay.

So, Mr. Speaker, it is true — I have broken an arm and have definitely been banged up and things, but ultimately, every time that I make the decision to go over that edge into what I can't see, there are no regrets.

I appreciate that this motion comes as far as it does, because we are not debating whether or not there is a climate emergency in Yukon. That's not what we are debating, which is amazing. We all agree, but what the government hasn't done with this motion is that they just haven't rolled over that edge. They just haven't stepped forward into that.

Mr. Speaker, with that in mind, I am going to try to help us get there. I want us to roll over that edge, and I want us to feel how good that bravery is.

Amendment proposed

Ms. White: I move:

THAT Motion No. 7 be amended by:

- (1) deleting the phrase “continue to take action to achieve the following four goals”;
- (2) inserting the phrase “(1) declare a climate emergency;” after the phrase “urges the Government of Yukon to”; and
- (3) renumbering the subsequent items.

Speaker: This would be a good opportunity — I have a notice here — and if other people wish to as well — to acknowledge visitors in the Chamber outside of the time that's usually provided for introductions of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Streicker: Without naming names, I would just acknowledge that there are folks here from both the Yukon Conservation Society and CPAWS — Canadian Parks and Wilderness Society. There may be other guests. They have come specifically to listen to this debate today. If we could just welcome them, that would be appreciated.

Applause

Speaker: I have had an opportunity to review the proposed amendment with Mr. Clerk and am advised that it is procedurally in order.

It has been moved by the Leader of the Third Party:

THAT Motion No. 7 be amended by:

- (1) deleting the phrase “continue to take action to achieve the following four goals”;
- (2) inserting the phrase “(1) declare a climate emergency;” after the phrase “urges the Government of Yukon to”; and
- (3) renumbering the subsequent items.

The amended motion would then read:

THAT this House recognizes that Yukon is experiencing the impacts of a climate change emergency driven by human activity, which impacts the environment, biodiversity, Yukoners' health and the Yukon economy, and urges the Government of Yukon to:

- (1) declare a climate emergency;
- (2) reduce greenhouse gas emissions;

- (3) ensure Yukoners have access to reliable, affordable and renewable energy;

- (4) adapt to the impacts of climate change; and

- (5) build a clean economy.

The Leader of the Third Party has the full 20 minutes, as required, to speak to the proposed amendment.

Ms. White: Thank you, Mr. Speaker.

This is simple, as the House knows, compared to other things that I've tried to bring forward. It's one line. But this is the most powerful line that we will ever be judged on — declaring a climate emergency in Yukon. We would be the first territory — we would be the first of the provinces to make this declaration.

It's important to know that the House of Commons passed a motion to declare a national climate emergency in Canada, and it passed 186 votes to 63 leading up to this federal election.

But if we were to agree to this — if we were to pass this declaration, we would be the first in the country to do so. Yukon — we have never been good at following, but we have been good at leading — and this is an example.

This is me, on behalf of others, asking that we in Yukon — that the Government of Yukon formally declare a climate emergency. You might wonder: Why? Why declare a climate emergency in Yukon? It seems pretty simple: It's because there is a climate emergency in Yukon. Everything that the Minister of Environment has said is true — everything. There is no denying it. We can't pretend that things aren't changing in Yukon.

I've used this example before — as a little kid when I used to go trick or treating, it was in outfits that fit over top of snowsuits, and it was with snow piled on the side of sidewalks as tall as I was.

When I visited the minister's community and I got a tour on the Porcupine River, you could smell the soil in the air because of the permafrost that was melting. You could smell the change. The people in her community — they shared the changes that they saw from the changing of the Porcupine caribou herd's migration to the changing of having to pull cabins back off away from the river.

We know the Member for Kluane — that's the first example that was cited here just recently — when the Slims River diverted — the climate diversion. The Slims River is no longer where it was because it has changed.

We know that Yukon Energy — we burned fossil fuels all summer long for our energy requirements because we did not have the snow pack required to support us on hydro energy this summer.

Mr. Speaker, there are a million examples in Yukon, and every single person who was at any of these rallies, who has ever come out, who has written letters, who has gone to city council, who has supported people who have supported each other — because this has not been an easy conversation or an easy fight — the good news about all that is that science backs up what Yukoners are experiencing first-hand. We know, because the science — between 1948 and 2016 — Yukon's

average temperature has increased by more than two degrees Celsius.

This past spring, the Government of Canada released a report that projected dire consequences for Canada and the Yukon if swift action is not taken to curb our collective greenhouse gas emissions. That report found that Canada's north is warming at three times the global average. We have the minister's motion and we have her words. She lays out why the Government of Yukon believes that we are in a climate crisis, but the one thing that that motion doesn't do is it doesn't take that next step and it doesn't declare a climate crisis. That is what I am asking for.

When our communities are under threat from floods and fires, we declare an emergency. The difference is that this emergency we are facing now is slow-moving — it is an ever-evolving emergency, but it also has the same local impacts of a flood or a fire, but it also has the potential of repercussions on a much grander scale.

Mr. Speaker, you might ask yourself: Is declaring a climate emergency symbolic? Perhaps it is, but a lot of what we do in this House is symbolic, and I would argue that recognizing a climate emergency but not declaring a climate emergency is symbolic in and of itself. It is a symbol of business as usual to tackling climate change and it is a symbol of an unwillingness to take bold action to curb our collective reliance on fossil fuels. I don't think that the members of this House are unwilling to take bold action and I don't think that they are unwilling to show leadership — in this territory, this country, and internationally.

I am asking that the members in this House support my amendment and that we put Yukon on the map as the first province or territory in Canada to actually declare a climate emergency — not just to recognize that one is happening but to make the declaration. Because, Mr. Speaker, the declaration is a formal announcement. It says it is at the beginning of a state or it's a condition. It is saying that it is happening here and we will address this.

I could argue that symbols — you know, they are a powerful tool. We saw that with Greta Thunberg — who a year ago, was sitting by herself outside the Swedish Parliament — to the millions and millions and millions of people who participated in a global climate strike recently.

I went to the first school climate strike that was here in Yukon, and I think it was six young women and about nine adults. It was outside the Elijah Smith Building. It was still winter. It was cold. The decision was made at that point that it was such a serious issue — why was there no media there? So they moved us over to CBC — we went over to CBC for that first one. It happened again — and it happened again until school was out. Then, when school was back in, it started again. What we saw in the week of climate action — between that first Friday and that second Friday — between the Friday before the City of Whitehorse declared a climate emergency to the Friday after, I have never seen so many people gather for a certain thing. I thought there was a lot during the Peel gatherings, but that last global climate strike outside city hall was the most people I had seen in Whitehorse ever gather for one reason.

When we talk about the symbolism, we can talk about the symbolism of hope and we can talk about how hope can be an incredibly motivating, mobilizing tool. When I listened to those kids chanting “You will die of old age, and we'll die of climate change” — as I said before, I'm an old hand now at chanting — so I changed it to “We'll die of old age” and they would respond with “We'll die of climate change.” I want those kids to see that Yukon is brave enough to declare a climate emergency. I want them to understand the power in that word. I want them to see a Yukon that is behind them, that is beside them, and that is in front of them. I want them to see a Yukon that is ready to make tough decisions today to ensure that their future will be bright.

Climate change is affecting the Yukon at a much greater rate than the rest of Canada and the world. I have heard in this Chamber more than once — and I am grateful that not so recently — but I have heard that our impact is minimal compared to the rest of the country and that, really, what we need to do is focus on bigger polluters, and that it's up to bigger polluters to change their ways. But sometimes I think that you have to lead by example. We have the ability to lead by example, so what better way could we do that than by showing that Yukon is serious — that we're serious about climate change, we're serious about the climate crisis, and we're serious enough that we are willing to declare a climate emergency.

We can't hold others accountable for reducing their greenhouse gas emissions, but what we can do is be willing to take the bold, brave actions here in Yukon. I believe that we can do this and — as Autumn Peltier says — “warrior up”. So what I'm asking my colleagues in the Legislative Assembly to do today is to “warrior up” — to take that next step in this motion, to go beyond recognizing the climate crisis and that we're in a climate emergency to declaring a climate emergency.

Hon. Mr. Streicker: I thank the Leader of the Third Party for her amendment. To begin with, I appreciate that she's raising a specific way to articulate this and I think we're supportive of the amendment and happy to see it.

I think one week ago, the Commissioner was here, and she spoke. I will just quote very briefly from her speech: “This government recognizes that there is a climate emergency. Yukoners have known this for many, many years.” We had felt that was making the same statement. That's not where we're working to focus today.

So I'm happy to have the amendment. My colleagues and I believe that what is most important is how to get to the actions. I think that it was the Member for Takhini-Kopper King who pointed out one of the signs in the climate march about “Blah, blah, blah. Do something.” I think that's one of things where I'm hopeful that we will adopt the amendment and then move on to that conversation about the important actions that we need to get at. I appreciate the point of declaring the emergency and I look forward to it.

I will say one more thing here and then hopefully we get to the amendment — or maybe the Official Opposition also wishes to speak — but there is always this strange thing when

you work on climate change for many years. You get excited when we start to see progress. It's really great to see these things move. This is a moment to mark, but it's also true that it's not a good occasion in the sense that we're facing this challenge and that we really do need to respond. There is this bittersweet notion. When we go to these rallies and see the young people who are there helping to creating that momentum in our communities and in our political spaces, it's wonderful to see and I'm encouraged by it. At the same time, I recognize how much we need to do and the actions that we need to get at.

I appreciate the amendment and I thank the member opposite for the amendment.

Speaker: Is there any further debate on the proposed amendment to Motion No. 7?

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. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 15 yeas, nil nays.

Speaker: The yeas have it. I declare the amendment carried.

Amendment to Motion No. 7 agreed to

Speaker: Is there any debate on the motion as amended?

Mr. Istchenko: I am pleased to rise today to speak to this motion as amended. As you just heard, we will support this motion, but we believe that taking action to support our environment, reducing our emissions, and growing our economy is very important.

This government was elected on a set of promises, and they need to deliver on them. Platform commitments that focused on renewable energy expansion and retrofits by this Liberal government were ambitious and made up a large portion of their promises. Of these measures, there was a commitment to

spend \$30 million per year to implement building retrofits to reduce our greenhouse gas emissions, and — to quote the Minister of Community Services directly from 2016: We are talking about investing significantly, right? \$30 million per year. Not “up to” and not “maybe sometime in the future”, but exactly \$30 million a year under the Liberals for retrofits. Once again, we have seen the Liberals not live up to this promise. To be honest, it has been disappointing to see.

We know that these investments are important — not just for the environment. We know that we are going to reduce greenhouse gas emissions too, and that's great. But the other great thing about these retrofits and investments is something that we believe in wholeheartedly: putting Yukoners to work — swinging hammers and working. This supports our economy and we need an economy. I think that really speaks to the whole idea of a green economy — Yukon contractors working, getting paycheques, and supporting their families while we are also helping the environment. That is really why we have been so disappointed to see the Liberals break this promise three years in a row. Eventually, I hope that they will live up to it, but ultimately the Liberals will definitely be judged at the ballot box.

What we have seen from the Liberals is a carbon tax. They are forcing it on Yukoners, even though they don't want it. There is no denying that this new tax is going to cost us. A major cost that Yukoners will feel directly will be the increase to their home heating bill. Government and commercial buildings are the largest contributor to carbon emissions in the Yukon. By retrofitting these buildings, costs will be cut to private buildings and taxpayers alike, but the carbon tax is increasing the cost of fuel and home heating oil. It will make it more expensive for all Yukoners. We also know that the current price of the carbon tax is set so low that it won't even get us to our emission targets.

In fact, the parliamentary budget officer says that the price per tonne for carbon tax will have to increase to \$102 per tonne in order for Canada to meet its *Paris Agreement* greenhouse gas emissions reduction targets. To quote the officer directly: “For perspective, \$102 per tonne carbon price would represent a cost of 23 cents for a litre of gasoline.” So the Liberals have hitched their wagon to the carbon tax, and it's going to make life more expensive.

But we don't have the option — especially in my riding and in the Member for Watson Lake's riding — to take a subway. We need to drive our kids to daycare or to medical appointments. When it drops to minus 40 in the middle of January, we need to keep the heat on. This takes fuel. The carbon tax will make the fuel more expensive. It is not a realistic solution for the north, and I think we've heard that across the north.

We have to do something, Mr. Speaker. We are feeling the effects across the territory. The Leader of the Third Party brought up a little bit about my riding, about permafrost and roads sinking — these are all real issues that we need to adapt to. Innovation, investments in green technology, investments in retrofits, investments in renewable energy — these are all good solutions.

During the election, the Yukon Party committed to make record investments in energy retrofits which would reduce emissions while saving taxpayers millions of dollars in energy costs. We committed to invest in more electric vehicles for government, while installing electric vehicle charging stations around Whitehorse. We committed to continue and enhance support for the good energy residential incentive and commercial energy incentive programs. We committed to invest in energy solutions such as solar, wind, and biomass as well as utilizing LNG to replace diesel generation as a medium-term solution. We also think that there was a lot to be done around public education. A lot of this starts with energy conservation, so more could definitely be done there.

Mr. Speaker, I do note that the former Yukon Party government put a number of programs into place that remain today. I would like to talk a little bit about some of the important and effective programs and services provided prior to the election of this government. Announced in May 2015, the commercial energy incentive program promotes efficiencies and upgrades to Yukon's institutional and commercial buildings. For commercial buildings, they upgraded to LED lights. There is a savings of up to \$10,000 in rebates. This is offered in partnership with Yukon Energy Corporation. There is up to \$50,000 available in rebates that improve the thermal enclosure and performance of existing multi-use residential buildings and mixed-use buildings. This includes rebates for energy assets, thermal enclosure upgrades, HRV installations, and window and door replacements.

The residential energy incentive program was announced in January 2015. It is especially aimed to help Yukon families save money that is lost through inefficiencies in their homes. The good energy incentive program offers a number of rebates on high-efficiency products, including household and heating appliances, domestic water, and bioenergy systems. This program is now in its 10th year, I believe, Mr. Speaker.

It was not long ago that this main administration building had extensive renovations to increase the efficiency of the building and the performance of its parts. There was a time when you could place a glass of water next to the window in your office and it would freeze. Think about all that wasted energy, Mr. Speaker, and about the fuel that was being wasted just to keep the building warm. These renovations alone were a major contribution by the former government — our government — to reduce Yukon's greenhouse gas emissions. It also created jobs for Yukoners — real tangible emission reductions, real savings for taxpayers and, like I said, creating jobs. We prefer this approach to a carbon tax to increasing the costs to our taxpayers.

We're proud of these renovations. The Yukon has also seen an increase in home-based renewable electrical production as a result of the Yukon Party's successful initiatives. This is a direct result of our microgeneration policy and our good energy rebate program incentive. It is also because of our legislative changes that allow people to use loans under the rural electrification program for home-based renewable energy projects and sell power back to the grid. I have many residents

in my riding who enjoy this, and I'm proud of what they have done.

In the space of just a few short years, Yukon jumped to the second highest number of solar panels per capita in Canada. That's very impressive and that's from the Yukon Party. We ask, and we have to ask: Why did they do that? Was it because the program was a Yukon Party initiative — and if they truly support green energy? It seems like an odd thing to do.

In contrast, our Liberal government has created a fund that has paid millions of dollars for studies, but has virtually no results. The Liberals talk a big game on green energy, but they just can't seem to get 'er done. In fact, they have increased fossil fuel consumption to produce power, and now they have cancelled the 20-megavolt diesel LNG generator project. Just to remind the minister: It was his government, under his direction, that had Yukon Energy Corporation doing public consultations on this project last year. Now they are abandoning their own plan for meeting our energy needs.

What are they doing instead? They're spending over \$2 million to lease nine generators for the winter — nine generator units at two megavolts each, for a total of eight megavolts of rented diesel units. We asked the minister about the impacts of these rented diesel units on our emissions. He has so far refused to answer, but at the end of the day, here is the *Yukon News*: more renewable options for energy, more efficient options. This is what the Yukon needs.

I'm confident in the abilities of the Yukon government employees who have been dedicated to increasing our efficiency and lowering our emissions throughout the Yukon. There has been much focus placed on energy-related investments that began with the previous government. The focus on conservation, emissions reduction, and infrastructure planning has been something we have been dedicated to.

These initiatives were a priority for the former government, and I hope to see this Liberal government continue that work. The fact that the Liberal government has once again broken a platform commitment to Yukoners to deliver \$30 million per year for retrofits is disappointing — another example of them saying one thing to get elected, but acting differently once in office.

As I close, I want to give a shout-out to all the Yukoners who are already making conscious decisions to reduce their footprint. We're going to be supporting this motion. The government needs to know that our job in opposition is to hold them accountable.

I know that it unfortunately hurts them sometimes when we do hold them accountable, and they don't like it — but that's our job on this side. We're going to keep doing that. I think the theme is probably going to be holding them accountable more and more when it comes to some of the commitments they made in this motion today.

I look forward to seeing how they move in the future and, Mr. Speaker, I thank you for the opportunity to rise in this House today.

Hon. Mr. Streicker: I heard the Official Opposition — the Member for Kluane, criticize us. You know what? Today is

a great day because of this motion. That's what I think is great news. I thank all members of this Legislature for voting in favour of the amendment, and I hope that also means voting in favour of the motion overall.

I spoke earlier about taking action. I'm just going to try to talk to that a little bit. I will comment on a few things that I just heard, but I will tend to just focus on things that I think we are doing and need to do.

When you think of the situation that we're facing on how to shift the energy economy, it is sort of like pulling out all the stops. If you know the musical reference, it means you need to do everything that you can, and I think that means working, taking action across all sectors. That includes industry, mining, and agriculture, but it also includes transportation, heat, and electricity generation. Often Yukoners just think about electricity generation, but really, that's not where our emissions are. There are much more emissions on heat, and the most emissions are on transportation, so we have to focus on those sectors.

We need action across all of our departments. Of course, it's going to take the Department of Environment and the Department of Energy, Mines and Resources to work, but it will also take Community Services, Highways and Public Works, Education, Tourism and Culture, the Department of Finance, and Economic Development, because of their work around the Yukon Development Corporation and Yukon Energy Corporation.

There are things that we have done. By the way, I want to say thank you to the members of the Yukon Party for the work that they began on trying to reduce emissions. It's a start; it's not enough. I think the work we have done is a start and is not enough, but we have taken actions — on the independent power producer policy, on agriculture, on the battery announcement recently, on not investing in the new thermal — which is fossil fuel — plant. I agree with the Leader of the Third Party that it is better to do diesel backups on rent than to invest in thermal, because when you invest in thermal, it disincentivizes going for renewables.

By the way, it's difficult to say what the emissions will be for backups, because they're typically backups. You don't know whether something is going to go down or not. You can talk about what it has been in previous years, but you don't know.

We have also said no to fracking, which has fugitive emissions — so that's another step in reducing greenhouse gas emissions. We reduced the oil and gas branch and refocused them on issues like reclamation and working with First Nation relations. We have restarted land planning — again — which is a way to reduce emissions.

We have renewable projects going on in Beaver Creek, Burwash Landing, Old Crow — off grid. We have more projects in the works in Watson Lake and Carcross. We have on-grid projects which will help to reduce emissions in Whitehorse, Teslin, Pelly Crossing and Dawson.

Within my own department, we're working on solid waste right now and how to reduce. The more we reduce and the more consumption — or the less consumption we have, then the

better it is overall. That includes emissions. All those actions, while great — what we need are more actions. We need actions on transportation, on electrifying the Alaska Highway, and on support for transition to electric vehicles. We do need to get to \$30 million a year in retrofits. By the way, I will go back and check one more time. The last time I spoke with the media about this, I recall that our announcement was that we were going to build — the \$30 million a year. I think this year we have \$14 million. It is a start. It is not how far we need to get — absolutely.

The beauty of it is that, with retrofits, we're not talking about heating our homes with fossil fuels; we're talking about not needing to heat our homes as much because we've insulated them better. Homeowners, commercial property owners — they benefit from that. This is why the Premier has put in my mandate letter to work to get a loan program in place for citizens and commercial property owners.

I appreciated the Member for Kluane's remarks about how that investment in reducing greenhouse gas emissions is going to also help create jobs, and this is where we balance the economy and the environment. This is where we get to a more sustainable economy.

Do I think it is easy? No, but I do think that the imperative is there for us to move so much faster. I am just so very happy to see every member of this Legislature at this point — and accepting the criticisms that are coming from across the way that it is time for us to do more to act and move forward as a territory. I would like to thank the Members of the Legislative Assembly for agreeing to this. I would also like to thank all of those young people who have gotten out there and made a difference here in the territory, here in Canada, and worldwide. It is so impressive to see that movement. For someone who has believed for — well, it is now getting to decades, and we are dating ourselves again. It is so great to see this moving forward.

Ms. Hanson: I want to say thank you to the minister opposite for his comments. I think that what he offers and his background and experience speak volumes to the importance of this issue. I am really pleased that all members of the House, as he said, did agree to this important statement today. It is a declarative statement that we, as members of this Legislative Assembly, recognize — we are declaring that. I can recognize you; I recognize the minister across the way; I recognize the Clerk here. But I am not declaring his innate or unique humanness or humanity by doing so. What we heard today when we said this is that we are actually declaring that, from now on, our actions will be measured against what we have said here today.

What it does is raise some of the really significant and serious challenges that we will face, both on the government side and as all Members of the Legislative Assembly in terms of our role to hold government to account.

A few years ago, the now-Premier and I were part of the Yukon delegation to attend COP21 in Paris. I never actually asked him, but I would think that he too shared some of the frustrations of seeing all these people — weird interjections of movie stars to world leaders — descend upon Paris to talk

around the fringes of the issues around climate change. Many years ago, in my activist youth, I was involved with many issues and I attended these UN conferences before. I can remember being at one of those, and there was a cynic standing there at a big fancy dinner, and he said, “What starving group is this in aid of?” You sort of get that level of cynicism after awhile, and that is why it has been so encouraging and challenging over the last number of months to have the clear and — as we heard today — unjaded voices of youth saying, “Enough. The house is on fire. It’s time to do something.”

When I spoke earlier this afternoon, I indicated that my leader had asked me to take a certain focus on various areas. One of the areas that the Leader of the New Democratic Party and I have spent an awful lot of time on over the last few years is in talking about how we deal with the real and severe impacts of climate change in Canada.

We think that we need to be thinking about how we make structural changes, so here is an opportunity — and I will keep coming back to this. As we structure our government’s response to climate change, that means the machinery of government may change over time. I would say that it’s now the time to begin to do that — to reflect that, in fact, instead of having an oil and gas branch, we have a renewable energies branch, with a key role of leading government action on this.

When the Premier and I were in Paris, there was a fair amount of conversation and there were presentations by a vast range — everybody from the aeronautics industry to energy regulators and energy producers — talking about the whole issue of fossil fuel subsidies. We know that, as of April of this year, the office of the Commissioner of the Environment and Sustainable Development for Canada, Julie Gelfand — she has spoken here in the Yukon — that office is an offshoot of the Auditor General of Canada. She tabled her report in Parliament on fossil fuel subsidies.

It is time for Yukon to be pressing Canada to fulfill its commitments made back in 2009 to begin to stop subsidizing fossil fuels, because we are currently — according to the reports from both the Commissioner and Équiterre and other NGOs — in her report she identified that Export Development Canada provides — this is just them — on average over \$10 billion of support, whether it’s direct subsidies or various tax incentives and other forms of support — \$10 billion a year to the oil and gas sector. That’s 12 times more support to the oil and gas sector than we do for the clean energy sector. We need to invert that.

I’m very encouraged by our willingness to embrace the language, and now we need to move on to the action. That action is going to have to be measurable because that’s one of the things that the Commissioner of the Environment and Sustainable Development has repeatedly said. You know, when she came out with her pan-Canadian report on the territories and provinces, it was pretty scathing. So we need to make sure that we have — as she said it, currently we have a poorly defined process, a lack of essential or reliable information, and a lack of progress in order to make the necessary decisions. I think we have — as the Leader of the New Democratic Party said earlier — the opportunity to again take a leadership role,

because as we said the other day, we’re not big but we’re small. We can do things that other governments cannot do because we can get a handle on this — because we must get a handle on this.

So I urge the government to look at — as it’s moving forward over the course of the next year as it’s planning next year’s budget — to begin to think about shifting resources and shifting how government’s face looks out so when people look at the territorial government, they can actually see that the structure of the government is committed to reflecting a commitment, not just to the words around climate change, climate crisis, and renewable energy, but showing that those are high priorities and they fit within the hierarchical structure of the machinery of government that makes the decisions and implements the policy directions as set by this House and by this Cabinet.

Deputy Speaker (Mr. Hutton): Is there any further debate on Motion No. 7, as amended?

Are you prepared for the question?

Some Hon. Members: Division.

Division

Deputy Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 16 yea, nil nay.

Speaker: The yeas have it. I declare the motion, as amended, carried.

Motion No. 7, as amended, agreed to

GOVERNMENT BILLS

Bill No. 3: Tobacco and Vaping Products Control and Regulation Act — Second Reading — adjourned debate

Clerk: Second reading, Bill No. 3, standing in the name of the Hon. Ms. Frost; adjourned debate, Mr. Streicker.

Speaker: Minister of Community Services, you have 14 minutes and 45 seconds.

Hon. Mr. Streicker: Thanks, Mr. Speaker. I will not be needing all of that time. I was nearing the end of my remarks when we closed out debate the other day.

I just wanted to say that one of the things I recall — it is maybe a dozen years ago or so — that we brought in the *Smoke-Free Places Act* here in the Yukon. Thanks to all Members of the Legislature who worked through that. What I recall during that time is that there was a lot of concern out there in the public. There was a lot of hard, hard debate about whether this was a good choice. The thing I would like to reflect on is how natural that choice feels today and how much our society has changed. I have always been a little bit concerned that we demonize smokers, and the reason I'm concerned about that is that it is an addictive thing. I had two parents who struggled with that addiction and it was a source of concern for them throughout their lives. I think that we need to be supportive of everyone in helping them to cease smoking, if they are able or willing.

The thing that I wanted to say is that we seem to have covered so much ground in the past 12 years. So much has changed in our society around that, and I think we became a healthier society overall as a result. In a short period of time, it seems like vaping — and especially in how it has gotten access, or youth are accessing it — has been a slide on that issue.

I raise all of this just to say that: (1) it is important that we bring in this new act and make these changes; (2) that we keep working hard on this issue, because we don't want to let it move in the wrong direction; and (3) that we use the example of the past dozen years to see how a society can change as an inspiration to us as we look forward to the type of society we are trying to create through this act.

Hon. Ms. Dendys: I am very pleased to rise this afternoon to speak in support of Bill No. 3, *Tobacco and Vaping Products Control and Regulation Act*. I want to take some time to sit back and reflect on what vaping products do to our youth. Proposing to change legislation to prohibit the sale of tobacco and vaping products to young persons is a clear sign that our young people are at risk and should be protected.

I would like to share a story — a testimony from a young man who just turned 20 — and it speaks to what is happening with vaping products among our young population. This young man is a born-and-raised Yukoner, athlete, and honour roll student who was never interested in smoking or taking part in harmful behaviour. He left Yukon at age 17 to become a University of Victoria student. He reported that a big trend was and is still going on in British Columbia and Yukon. This trend is the use of vaping products and what are sometimes called electronic cigarettes.

Someone like this young man who was never interested in smoking said that he experienced peer pressure. He started vaping. He started taking on this habit he felt was harmless. It was seen as cool by him and his peers. The reality is as follows: This is a relatively new product, and therefore we do not have enough perspective to say with confidence that it is harmless. This young man admitted that he was influenced to become a

part of the vapers. There was a strong physical attraction to the product — the gesture, the social acceptance, the fruity taste — but shortly after he started vaping came the mental strain which, according to him, made it very hard to quit. Vaping was his first thought when he woke up and his last one before going to bed — to the point where it became part of his personality and his identity. Among his group of friends, he was now seen as a vaper, part of the new culture, and part of a new reality among our young people. Just like every one of them, he would be offered a vape or would join others when vaping. He was very much caught up in a perpetual circle of influence.

The fact that this product is odourless and not legislated made it even easier to vape and harder to quit vaping. Vaping could occur everywhere and as often as wished. Unlike cigarettes in the case of smokers, vaping products are accessible every second of every day, indoors or outdoors. His friends would vape on the bus in the morning on the way to university. Vaping can easily be unnoticed, in the case of young people who want to hide this practice from their parents. You can use vaping products continually if you want to. They can offer this constant source of satisfaction with every drag, unlike other forms of nicotine products that are more regulated. Every drag offered him relief and a boost of energy, quickly followed by a feeling of depression and tiredness. When this young man acknowledged the fatigue and acknowledged that he could not quit even if he wanted to, that very moment was when that reality hit him in full force. He was 18 and he was addicted.

I am using his words to tell the story, and I thank him for sharing this terrible reality with such an open heart. There was this gap between his perception of himself as a young, successful, smart man with a promising future to look forward to and this reality that he was addicted. This last statement did not fit what he wants his identity to be. As he stated in his own words, "No one wants to admit to being addicted when they are below the age of 20." This statement stands for him in this case, but it is also relevant to all the young people who are using vaping products too.

It is in fact alarming that most of the people would rather focus on the fact that the harm has not been proven yet when it comes to using vaping products, when people are becoming experts with what they think and they state that vaping products are not that bad. No one wants to admit they lost control. Sadly, that's what it is — a loss of control. When our young people find themselves unable to quit using vaping products and our children are too often hiding behind the fact that everyone does it and therefore it must not be that bad. Peer pressure does that too — validating what has yet to be proven true.

I'm happy to say that, as of today, this young man quit using vaping products. He developed his own spiritual way to do so, through his own ceremony in a place special to him. He asked me to share with this House some facts. He started using vaping products when he first went to university at age 17. Just before turning 19, he realized that he was addicted and decided to quit. Over the summer of that year, he quit for two weeks before vaping again. For a full year, he reported seven attempts to quit, feeling more and more guilty as the number of failed

attempts increased. He turned 20 this week and has been a non-vaper — or a quitter, in his words — for two months.

He feels strongly that, this time, he will not go back to vaping. He still experiences strong cravings every day, even after having stopped two months ago, and he is the only one of his social circle who managed to quit — the only one, which means all his friends are still using vaping products. I think you just want to let that settle for a second — he has a huge circle of friends and peers who are still using vaping products.

I really thank this young man for allowing me to bring his voice — his story of an actual Yukon youth — to the Legislative Assembly today. I thank the Minister of Health and Social Services for bringing this bill forward. I support Bill No. 3 100 percent. It will send a message to society that this product is but another addictive substance that we must take responsibility for and do our part as government legislators.

Mr. Speaker, it's causing real harm. I really thank the Legislative Assembly for the opportunity to speak today.

Speaker: Is there further debate on second reading of Bill No. 3?

If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. Frost: I would like to take a moment to thank the 477 Yukoners who responded to the amending act. I would like to thank the members of this Legislative Assembly, all the MLAs, for speaking to Bill No. 3. I am clearly looking forward to Committee of the Whole and looking forward to the back-and-forth debate and the dialogue on this important bill.

Before doing so, I would like to just take a moment to capture a little bit more of what we're hearing and what we may potentially see in the future.

As highlighted by my good colleague, the Hon. Minister Dendys, on her first-hand experience of a young person — we all have those stories. We have people in our circle who are experiencing first-hand the effects of vaping and vaping products. We are very aware, like everywhere else, that vaping use is on the rise, especially with our young people. We are seeing some detrimental health effects — some inconclusive reports that are coming in because it is such a new product, but we are hearing stories. Just this morning on the radio, we heard some young people speaking about their experiences — about how they are no longer involved in the sports community because of the effects of vaping and the effect vaping has had on their active life.

What I would like to say is that the act and the amendments to the act — the tobacco act, as it was previously known — the *Tobacco and Vaping Products Control and Regulation Act* is really to incorporate this new product that we're seeing on the market that is detrimentally impacting our young people. We have seen 85 percent of respondents agreeing that we should prioritize keeping the vaping products out of the hands of young people.

We also know that the health impacts, effects, and developments that are happening from the impact of vaping and vaping use is not solidified in the sense that it's so new there

are inconclusive discussions and evidence, but as time evolves, we're seeing that there are deaths associated with vaping. So there is clearly a huge priority for this government and a huge priority for every parent in our community — myself included.

We are working closely with our colleagues across the country, we are working closely with the chief medical officer here in Yukon, and we will embrace the opportunities to protect our young people. If necessary in the future, we will make the necessary adjustments. For now, I think we have taken the steps in addressing the vaping products that we have not seen addressed previously.

I want to just say thank you and to raise how important this issue is for all Yukoners, and I look forward to the discussion today.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 15 yea, nil nay.

Speaker: The yeas have it. I declare the motion carried.

Motion No. 7 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 Acting Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Hutton): I will now call Committee of the Whole to order. The matter before the Committee is general

debate on Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation 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. 3: Tobacco and Vaping Products Control and Regulation Act

Chair: The matter before the Committee is general debate on Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*.

Is there any general debate?

Hon. Ms. Frost: Thank you for the opportunity to rise again to speak on the *Tobacco and Vaping Products Control and Regulation Act*. I would like to take a moment to acknowledge — I have with me today Deputy Minister Stephen Samis and of course policy director Caitlin Kerwin, who will be here this afternoon to help guide us through the legislation.

Thank you for the opportunity to rise to speak about this very important act today. The new act builds on the strengths of the *Smoke-Free Places Act* and expands the current prohibition on the use, sale, display, and promotion of tobacco products to vaping products.

Enabling Yukoners to live happy and healthier lives is a priority of our government. The tobacco and vaping projects control regulation will help to make this a reality for many more people. Treating smoking and vaping similarly in our legislation is something that Yukoners told us that they strongly support. Vaping will now be prohibited in all of the same places as smoking, including: restaurants; daycares; hospitals; schools; specific outdoor areas, including school grounds; in a vehicle if there is a young person in it; within five metres of a doorway, window, or air intake of enclosed spaces; or outdoor areas where smoking and vaping is prohibited.

Signage similar to the current no-smoking signs will be required for all places where vaping is prohibited. Those who manage or are responsible for these places must ensure that signs are posted and that people do not smoke or vape where it is not allowed. These requirements are not new for smoking, and the addition of vaping will increase protection from second-hand smoke or vapour for all Yukoners.

Reducing youth access to vaping and tobacco products is crucial in our effort to defend young people's health and prevent them from starting to smoke or vape. This act increases the minimum legal age of purchase of tobacco or vaping products to 19 years of age. Once the act comes into force, Yukon will have a consistent legal age of purchase for tobacco, vaping products, alcohol, and cannabis.

The new prohibition on the sale of tobacco and vaping products to those under 19 years old will also mean that the

majority of high school students will not be able to purchase these products legally in Yukon. This will help assist the smoking and vaping prevention efforts of students, teachers, schools, and public health. Since the *Smoke-free Places Act* came into effect in 2008, the Government of Canada has amended its tobacco legislation several times. One of these amendments was to prohibit the manufacture, sale, and distribution of all flavoured tobacco products. While this already applies to the whole country, we are including the same prohibition in our legislation to ensure clarity and provide the ability for Yukon inspectors to enforce this requirement.

The federal *Tobacco and Vaping Products Act* was amended in 2018 to regulate the manufacture, sale, labelling, and promotion of vaping products in addition to the previous tobacco-related legislation. Canada has chosen to regulate flavoured vaping products according to a lengthy list of prohibited ingredients, such as those associated with confectionary flavours attractive to youth. Yukon has created the ability to prohibit the sale of flavoured vaping products by regulation. As we develop the regulations, the federally prohibited products will still not be available for sale in the Yukon, and we will be able to decide whether to ban the sale of specified flavours or all flavoured vaping products.

I am pleased to say that we are extending the existing prohibition on the sale of edible products that look like smoking products to those that resemble vaping products. This includes items such as candy cigarettes, pipes, and cigarettes. These are particularly appealing for children and youth and encourage the normalization of smoking or vaping behaviours. As supported by Yukoners, we are moving forward and treating vaping products in the same manner as tobacco products by adding that neither tobacco nor vaping products are to be sold in pharmacies.

Children and youth are vulnerable to the appeal of colourful vaping products, and these are currently being displayed in full view, unlike tobacco products, which are being hidden from customers' view. Once the *Tobacco and Vaping Products Control and Regulation Act* takes effect, all vaping and tobacco products will need to be hidden from view. This will help to reduce the exposure of all Yukoners to vaping products, particularly young people, and aid in reducing the rates of vaping in the Yukon.

While we are taking the potential harms of vaping seriously, we are also aware that there are tobacco- and vaping-specific businesses in Yukon that do not allow young people to enter or have access to the products being sold. The new act is written such that young people cannot be allowed in a tobacco or vaping store that has the products visibly displayed, and we have the ability in regulation to prohibit young people from entering such stores, even if the product is not visible.

While we have retained some flexibility to address vaping based on Yukon reality, we are very aware of the critical need to address the steep increase in the use of vaping products and increase in smoking by young people, particularly as we closely monitor the emerging vapour-related medical issues. As evidence becomes available to help guide decisions, we will work with colleagues across the country and our chief medical

officer of health to determine how best to consistently and appropriately address the health risks of vaping.

Although the new act has some flexibility to address vaping in a way that makes sense for our communities, the changes we are proposing will increase the enforcement scope of Yukon inspectors. We appreciate the enforcement work of the Health Canada inspectors; however, they are not resident in Yukon and cannot be available to respond to complaints or proactively target infractions of the federal legislation on short notice.

Under the *Smoke-Free Places Act*, Yukon inspectors are able to enforce requirements around smoking in public spaces and the display and advertisement of tobacco. The *Tobacco and Vaping Products Control and Regulation Act* will increase the potential scope to all vaping and tobacco products, including the minimum legal age of sale and the types of products sold. To support the new Yukon act, we will bring forward an appropriate enforcement program for tobacco and vaping products based on collaborative discussions with our federal counterparts to determine their roles and responsibilities. Education and enforcement of our legislation are both part of our commitment to ensuring that the health and well-being of Yukoners is being protected from the harmful effects of tobacco use and the health risks associated with vaping.

The work of our government to protect the health of Yukoners when it comes to smoking and vaping goes beyond the legislation before us today. In addition to the important issues addressed in the *Tobacco and Vaping Products Control and Regulation Act*, we are very involved in preventing young people from becoming addicted to tobacco, vaping, and other substances and assisting adults willing to consider quitting smoking.

Health and Social Services has several effective programs that support adults seeking to quit using tobacco and discourage young people from taking part in smoking, vaping, and using cannabis. The QuitPath program is a smoking cessation approach designed for adult smokers and tobacco users and has successfully helped adults in Yukon become smoke-free for a number of years. This program provides comprehensive online and real-life assistance for people who are trying to quit smoking.

The smoking cessation support provided by QuitPath is complemented by the national Smokers' Helpline, operated by the Canadian Cancer Society seven days per week.

The kicking-ash program focuses on young people and smoking prevention. It provides classroom or group presentations as well as tobacco prevention tools and up to \$500 in funding for tobacco prevention initiatives.

More recently, Health and Social Services has developed and offers two additional teaching modules aimed at young people. One is focused on vaping, and the other, called "Let's Talk Pot!", is focused on cannabis. The health of all Yukoners is our priority, and I firmly believe that our combination of legislation and smoking cessation and prevention work will promote the reduction in the use of tobacco and vaping products in our communities.

Mr. Chair, I am proud to bring forward our new legislation for discussion here today. The *Tobacco and Vaping Products Control and Regulation Act* strengthens the protection of Yukoners from the harmful effects of tobacco use and the health effects associated with vaping and will serve to prevent young people and others from being attracted to smoking and vaping.

I look forward to hearing from members present here today.

Ms. McLeod: I want to thank the officials for the briefing the other day. It was quite informative. Some of my questions today were answered at the briefing, but I do want to get them onto the public record.

Can the minister please outline the process for consultation on this bill? Specifically, were there any community visits to brief the communities on the proposed legislation and to gather input from rural Yukoners?

Hon. Ms. Frost: As a result of a public survey that was conducted, we have a "what we heard" document that really spells out our engagement that we had with Yukoners. We know that the *Smoke-free Places Act* came into effect in 2008. Since that time, a lot has happened with respect to our advancements in terms of our initiatives to prevent smoking and to educate our young people.

Part of the discussion in the fall 2018 legislative Sitting when we passed a motion to modernize our *Smoke-free Places Act* — we went out on an engagement session with Yukoners. What I said earlier is that we received 477 responses from Yukoners. The engagement process was managed through Whitehorse and we had, from May 1 to 31, an opportunity for Yukoners to complete an online survey regarding amendments to the *Smoke-free Places Act*.

Additionally, there were public meetings held in Whitehorse, and then of course we had direct engagement through a letter campaign, with correspondence back and forth with all of our Yukon First Nations and municipalities. Of course, 98 percent of the respondents were Yukon residents. There was a small percentage who were not, which is only two. So, 83 percent of the people who responded were Whitehorse residents, but we had a number who came from Yukon communities as well.

We heard some really great stories through this process in terms of youth involvement and how the vaping products are affecting them. We worked very closely with the Department of Education as well and sought their input on what's happening within the education system, because we are seeing right now that clearly the products and use of vaping products has risen significantly. We had consultations with all Yukon First Nations. We have also reached out to the municipalities and the chambers of commerce and of course youth groups. We did those online surveys and we had an in-person meeting in Whitehorse.

Ms. McLeod: If I understand the minister's numbers, 98 percent of the respondents to the online survey were Yukoners, and 83 percent of them from Whitehorse, which leaves 15 percent outside of Whitehorse. I presume that

includes all the First Nations that the minister consulted with that reside outside of Whitehorse.

I am wondering if the minister considers 15 percent to be a satisfactory consultation?

Hon. Ms. Frost: I would suggest that, whenever consultation happens, it is done in good faith with what we know to be detrimental to our young people's health. Of the responses that we received back, 81 percent of the respondents said that they do not use vaping products; 10 percent said they do. That is a small proportion, but those are the adults that we recorded. We are seeing a lot of young people — a continual rise in the use of vaping products, which is problematic. The question is: Do we think that is significant? I think it is significant in that we are seeing nationwide health effects of vaping and vaping products, and we really want to ensure that we provide some control.

The effort here is really about modernizing our legislation and also protecting the health and well-being of our young people. Of course, going out to Yukoners and seeking feedback — we reached out to the First Nations and municipalities in our communities. We will continue, as we evolve and start implementing it, gaining more understanding of tobacco and vaping products in particular. That may mean that we need to go back out and make further amendments to our regulations as this legislation is implemented.

I want to say that this is not the end; this is the beginning. I hope that someday — my desire is that we see no vaping products. At the moment, that is out of our control, but what we can do is try to control the use of the products as best as we can and prevent further harm to our young people.

Ms. McLeod: That's very interesting.

How did the government come to the decision to place the age of majority at 19? Was this age consulted on?

Hon. Ms. Frost: The age of 19 is consistent with all of the other regulated products — alcohol, tobacco, and cannabis.

Ms. McLeod: According to this proposed legislation, the minister has the ability to appoint inspectors. I understand from the briefing that it is the environmental health department that will be responsible for inspections, so my question is about whether or not there will be new positions created because of this legislation.

Hon. Ms. Frost: There will be no new positions created. What we are essentially doing is looking at the positions that currently exist and expanding the scope for those positions. So, no, we are not creating any new positions at the moment.

Ms. McLeod: Thank you to the minister. Can the minister confirm whether inspectors will be stationed in any Yukon community other than Whitehorse? Depending on her answer, I guess my question would be: How often would inspectors visit the communities?

Hon. Ms. Frost: As it exists right now, the inspectors are situated in Whitehorse. They have their specific regions that they are responsible for, so the question around if there are any environmental health officers located in our communities — they are all in Whitehorse and based out of Whitehorse, but they do travel to the Yukon communities regularly. Each has a district, and what we want to do is ensure that we work with our

communities and ensure that the inspectors use this as an opportunity to engage with Yukoners.

Ms. McLeod: Can the minister explain whether the inspectors will operate based on a complaint system or whether it will be based on a matter of regular inspectors — or perhaps both?

Hon. Ms. Frost: As legislation currently exists, the federal government is responsible for enforcement, so we have our health inspectors here in the Yukon, and their job is to enforce the regulations that we have in effect. We want to ensure that we provide an opportunity for them to engage with Yukoners. The objective, as with every other enforcement agency, is that if there is a complaint, one would hope they would do the due diligence and investigation and follow-through on the complaint that is received.

In the future, when this act is passed, we want to ensure that they go about their necessary business, and that's to ensure that businesses are in compliance, and that process of enforcement will be determined by the department and health inspectors. Ideally, we want to ensure that Yukoners abide by the rules that apply to them, and we want to ensure that we educate the businesses as well. As we heard this morning and as we heard through our surveys, the businesses are in agreement. They see the harmful effects and they're seeing the same information we're seeing. We're not here to create undue hardships. We want to ensure that we give them an opportunity to participate in a process, and hopefully corrective action, as we evolve.

Ms. McLeod: Section 19 of Bill No. 3 reads: "A person must not sell, offer for sale, give, supply or distribute a vaping product that has been prescribed as a flavoured vaping product for the purposes of this section." I have a few questions about that.

Our read of this is that, within the regulations, there will be prescribed flavours that cannot be sold. According to the "what we heard" document, 36 percent of Yukoners said that only specific flavours should be banned, and 20 percent said that no flavours should be restricted. So approximately 56 percent of Yukon said no restriction or limited restriction. Is the minister able to provide some more detail around section 19 of the act? Specifically: What do they envision prescribing as a flavour?

Hon. Ms. Frost: The federal *Tobacco and Vaping Products Act* already prohibits the sale of many flavoured products, and this allows us to prohibit specified flavours in vaping products through our regulations. The flavoured products that are already banned by federal legislation are candy, confectionary, energy drinks, soft drinks, desserts, and cannabis.

The federal laws will apply in the Yukon until we enact our own law. At that point, we will have further discussions regarding the types of products that we want to prohibit here in the Yukon, and that will be done of course through our engagements and — as discussed — with our chief medical officer. We will look at doing that in the future through our regulations. That will allow us to then address specific products that seem problematic, and of course we will take the lead of our medical community.

Ms. McLeod: I gather that the list of what will be permitted and what will not be permitted has yet to be determined and that the minister will be going out to consultation. I hope she travels to the communities with this. Can the minister confirm that the regulations, including which flavours are going to be prohibited and which will not, will be a matter of consultation with Yukoners across the Yukon?

Hon. Ms. Frost: Given the importance of modernizing our legislation, what we do want to do is ensure that we get this in place as quickly as possible so that we can, in effect, start regulating vaping products. The initiative that we have is to ensure that we get this through, and then we will deal with the regulations. Are we going out to do extensive further consultation on the regulations? My understanding is that we are going to use the information that we have currently through the consultation that we have done, we will work with the chief medical officer, and we will use the federal legislation that is already in place, because this is evolving. With the evolving effects of vaping products and the detrimental health effects, it is imperative that we get this done as quickly as possible. We know that the authority to prohibit flavourings is evolving, and we want to make sure that we are in tune with our federal, provincial, and territorial jurisdictions and that we respond accordingly.

We are not proposing to go back out on a comprehensive review of our regulations. We want to ensure that we get this done as quickly as we can so we can protect the health and well-being of our young people.

Ms. McLeod: I just want to confirm what I think I heard, because a few minutes ago, I thought that the minister said she was going to consult on the regulations, but I think I just heard her say that she is not going to consult with Yukoners on the regulations — if she can just confirm that for me.

Hon. Ms. Frost: We will have select engagement. We are not going to go out to Yukoners to do a comprehensive review of our regulations. I think we know that the product that we are trying to control and regulate is such that it is imperative that we ensure that we protect the well-being of our young children and our young people. I know that we have already done consultation. We will continue to work with the chief medical officer to address, perhaps, some concerns, but we will also look at providing an opportunity for our young people. We will continue to work with the Department of Education. We will continue to work with our staff through our Education department on tobacco use and vaping products. We will continue to work with our municipalities and our First Nation communities. We will continue to do everything that we possibly can to ensure that, as this evolves and the pressures come at us with potentially more deaths across the country — because we are seeing the effects of vaping products and popcorn lungs and the other effects that are inconclusive. But we are working very closely with Dr. Hanley, and his desire is to one day see vaping banned. Is that our desire? I would say that, at the moment, it is not our desire. However, we will look at ensuring that we protect the health and well-being of our young people and do the best we can to look at ensuring that the education in our education campaign addresses that.

Of course, we are also going to look at the regulations as we respond to the pressures, so there are future opportunities to engage further. Until the regulation comes into effect, the federal regulations apply to us here in the Yukon, and we want to get our act passed. So as the federal laws apply, we will enforce those laws.

Ms. McLeod: Interesting. Thank you, Mr. Chair, and thanks to the minister. I want to thank the officials for their time today. My colleague, the Member for Lake Laberge, has a couple questions, and then we would like to turn the floor over to the Third Party.

Mr. Cathers: I'm pleased to rise today asking questions on this legislation. As has been noted by the minister in introducing this, as well as others, this legislation of course replaces the *Smoke-Free Places Act*.

I just want to briefly, in noting that, acknowledge the work of the late Todd Hardy in bringing forward what at the time was Bill No. 104, the *Smoke-Free Places Act*. That received second reading in the Legislative Assembly on May 9. We then had a select committee created by the Legislative Assembly. I was at the time the chair of that committee. The other members of the committee were Darius Elias, the Member for Vuntut Gwitchin, and the late John Edzerza, the Member for Takhini-Kopper King. I would also like to acknowledge that, during the work of the committee, other members of the Legislative Assembly substituted for those two gentlemen, including the late Steve Cardiff, who also contributed to this work. So I would like to just acknowledge their work and their efforts on this legislation and in the report of the all-party committee. The report and the recommendations of the all-party committee were unanimously agreed to by all parties of the committee and presented to the Legislative Assembly. That then of course led to the *Smoke-Free Places Act*, which began as a private member's bill — one of the few that have been passed in the Legislative Assembly. It also did involve amendments that I moved as then-Minister of Health and Social Services based on an area of the act that, from our understanding of the legal precedents in place, required change to ensure that it was respecting court precedence.

Just to clarify it and to refresh for those who — it may have been awhile since they read debate on this, and to bring up to speed anyone who is not familiar with what occurred — on March 26, 2008, during discussion of the *Smoke-Free Places Act* — I'm just going to briefly quote from Hansard at the time so that it will identify both the changes that were made in Committee of the Whole to the private member's bill, as well as the reasons for that change, and an explanation from me as then-Health and Social Services minister of what the Government of Yukon's understanding of the legal precedent set by the court case involving the City of Whitehorse bylaw entailed.

The reason I'm bringing this forward is based on reading the legislation — section 13 of the act, which is under division 3 — I do have some concerns and questions about whether the minister is confident that this section of the act respects the court decision made regarding the City of Whitehorse's smoking bylaw.

Just to recap — going back to March 26, 2008 — and for the reference of Hansard, I'm reading from page 2159 — I noted that, during the tour, there was one section of clause 5 that had been identified by Health and Social Services as not being in accordance with what was found in the court case testing Whitehorse's bylaw. That was discussed as a matter that the committee raised to the attention of those present at all of the public meetings regarding this, and we identified that as being what was at the time 5(7) of the *Smoke-Free Places Act*.

I then went on to note the section that we believe needed to be deleted — again, based on our understanding of the law — read as follows in the private member's bill — and I quote: "A manager shall ensure that a person who refuses to comply with this Act does not remain in the enclosed public place, on those grounds, or in that area."

I also moved the substitution of that clause with the following — and I quote: "A person who refuses to comply with this Act shall not remain in the enclosed public, on the grounds, or in that area." In explaining that, I did note that it places the onus on the person instead of the manager of a facility.

At the time as well, that was supported by the Leader of the Official Opposition — who at the time was the Liberal Leader — who noted — and I'll briefly quote: "It answers a concern that I expressed at second reading about the enforceability of laying the responsibility on the manager and as to how the manager would effectively prove they discharged their due diligence. It puts the onus on the person who is non-compliant, that if they don't vacate the premises, then they are in violation of the law. I think it improves the act and I support it." That was in reference to the amendment that I had proposed.

I then went on at the time to elaborate on our understanding of the determination of the court on the City of Whitehorse's bylaw matter — and I quote: "... when it was essentially determined that the manager could be compelled to report but cannot be compelled to act as an enforcement agent under the act..." Again, in laymen's terms, our understanding at the time was that, although the court decision was respecting the City of Whitehorse bylaw, not Yukon government legislation, and therefore was not immediately technically binding on the Government of Yukon — that if the Legislative Assembly were to enact a piece of legislation that included a clause with provisions similar to what had been struck down by the courts when the City of Whitehorse's bylaw was challenged, we expected that the exact same result would occur, and again, that conclusion was agreed to by all parties and all Members of the Legislative Assembly at the time.

I should note that was with some reluctance on the part of the late Todd Hardy. He did acknowledge at the time that he would have wanted a bit stronger language, but he noted that it catches the intent of what we are trying to achieve here.

Just in speaking to this, there are sections of section 13 that say — and I will quote a few of them. I won't speak to every one of them here. But 13(1), for example, of the legislation proposed here says — and I quote: "A person who is a manager or a person in charge of an enclosed place described in any of

the paragraphs of section 6, must ensure that a person does not smoke or vape in the place or within five metres..."

Quoting from another section — section 2: "A person who is a manager or a person in charge of a school or school grounds must ensure that a person does not smoke, vape..." Later on it references in clause 4 — and I quote: "A person who is a manager or a person in charge of an outdoor area described in section 9 must ensure that a person does not smoke or vape in the outdoor area or within five metres..."

My question with regard to that is not the policy intention of those clauses, but whether they respect the court precedence that has been set. To that end, I am just seeking some clarification from the minister regarding that matter and if this has been reviewed for its compliance with the principles set down in the court case involving the City of Whitehorse's bylaw and the finding that, again, as I noted in 2008, our understanding at the time was that the court had determined that a manager can be compelled to report, but cannot be compelled to act as an enforcement agent under the act.

I would appreciate if the minister could elaborate on whether she was aware of the previous court decision regarding the City of Whitehorse's bylaw — whether this has been reviewed in light of ensuring that it respects this court decision. I would welcome her answers at this point in time.

Hon. Ms. Frost: I think, in all of that, I understand that there are lots of people to thank — those who got us here. The member opposite speaks about his time as the Minister of Health and Social Services and going through all this exercise and getting us here. The act that existed back then was specific to the *Tobacco Act*, of course.

The legal drafters took into consideration all of the act as it existed at the time and modernized it. The modernization of the questions — section 13 places obligations on managers and then talks about the Yukon Supreme Court's consideration. It talks about the City of Whitehorse bylaws — the member opposite raised those. So the language used in the section that the member speaks to is similar to the current act.

Under the act, the manager must take positive steps to stop someone from smoking or vaping within five metres of their buildings, windows, et cetera. These include requests that the person stop smoking or vaping and informing the person that smoking or vaping contravenes the act and refusing to provide services until the person stops smoking or vaping.

As long as the manager takes these steps and ensures that the required signage is in place, they have fulfilled their duties. Additional enforcement assistance can be requested from environmental health services for persistent issues.

Under the new legislation, under section 13, I just wanted to say that we have had extensive legal reviews of this act to ensure that the question and the content is current and that it is not contrary to the ruling. Those are things that we take into consideration. It is consistent with the old act and it takes into consideration all previous court decisions.

On page 12 of the act under section 13(5), it speaks specifically to "If a person smokes, vapes or uses a tobacco product in contravention of section 6, 7, 8, 9 or 10, a person in

charge of the place, school, school grounds, vehicle or outdoor area must

“(a) request that the person immediately stop smoking, vaping or using the tobacco product;

“(b) inform the person that smoking, vaping or using a tobacco product in the circumstances contravenes this Act and that a contravention of this Act is an offence; and

“(c) refuse to provide services to the person until the person stops the activity that is in contravention of the section.”

So to the question from the member opposite, the language is consistent with the old act and it takes into consideration the court decisions.

Mr. Cathers: I appreciate the answer from the Minister of Health and Social Services. Again, I just want to clarify for anyone listening or reading that my concerns were not specifically with the policy intent of this section of the act, but simply with the question of whether it was complying with the court ruling and whether the minister was confident of that. I have understood from her answer that they have reviewed that court decision and are confident that it respects the principles outlined within that court decision, so I have no further questions regarding the legislation and will turn the floor over to the Member for Takhini Kopper-King.

Ms. White: I thank my colleagues for their questions and the minister for her answers, and I of course welcome the officials to the Chamber.

It is interesting — I am just going to bring this up now because I am sure it’s happening to others. I am curious as to whether a lobbyist registry exists or not. In the last six hours, I have been contacted by two vaping industry representatives who would like to talk about Bill No. 3. I will put this out there to any one government member who can answer about the lobbyist registry, and I will follow it up — because right now I am being lobbied by the vaping industry. It is fascinating. I would imagine that others are as well. So I am just going to move on to my own questions, because I have them — they do exist.

One of the questions I had when we were being briefed was actually about residents within the Yukon Housing Corporation. My understanding when I read the act — and I’m looking for clarification — is that a person — so if we look at Yukon Housing Corporation, under smoke-free housing, it talks about how you can expect to have a reasonably healthy environment, safe from hazards and fire. It talks about how there are smoke-free residential units. So that’s really important to know. When you go into Yukon Housing, you sign a form that says you will not smoke within your unit. They are smoke-free. Yukon Housing Corporation is smoke-free. I am excited to know that vaping will carry on to that.

One of the concerns that have been flagged for me, however, multiple times with people in Yukon Housing units is when there are balconies. For example, if it’s summer and it’s very warm and someone on the first floor goes out to smoke on their balcony and someone on the second and third floor and the apartments beside them have their windows open, the smoke goes into the apartments. Now they are not living in a smoke-free environment, although they are supposed to be.

When I read this — it talks in section 10 about “Prohibition — close to door or window”, and it says, “A person must not smoke or vape

“(a) within five metres or, if another distance is prescribed, within that distance, from a doorway, window or air intake of an enclosed place where smoking or vaping is prohibited under section 6...” When I look at section 6(i), it talks about “... a common area of a commercial building, condominium, apartment building university or college residence, including a corridor, lobby, stairwell, elevator, escalator, eating area, laundromat, parking garage, party or entertainment room, exercise room and washroom...”

I am just looking for clarification. If someone is smoking on a balcony that is less than five metres away from someone else’s window, I want to know what this legislation says about that.

Hon. Ms. Frost: I want to thank the member opposite for the question.

All Yukon Housing Corporation units are designated as non-smoking spaces. That is really due to the fire risks. Under the new regulations that would apply specifically to look at indoor air quality and the costs associated with maintenance — so we are trying to look at of course protecting the tenants, but the tenants are permitted to smoke on their private balconies. That’s how the current ruling applies. We commit to reviewing our policies and, in particular, our Yukon Housing Corporation smoke-free policy to ensure that it aligns with the *Tobacco and Vaping Products Control and Regulation Act* when it comes into force.

I want to just commend the staff at Yukon Housing Corporation for trying to balance enforcement and education and of course creating awareness for our tenancy rules.

We really do recognize that smoking is still a huge issue for non-smoking tenants. Of course they are impacted because, as the member noted, the smoke then flows up and into the other units. To ensure that our clients are given the best possible quality of life and, of course, quality air to breathe, we want to look at a transformational process, a process that eventually would take into consideration this new regulation.

I do want to make note also that, as I understand it, the rules for vaping follow over to the rules around smoking. The current policy under the Yukon Housing Corporation section 8.1 says that smoking is prohibited — and it talks about on private balconies — five metres away from the entrance to multi-unit Yukon Housing residential buildings, including duplexes and entrances that lead directly to a single detached Yukon Housing unit. My understanding is that there are legal rulings that deem balconies to be a part of a residence, and we are bound by those legal rulings. Of course, when it comes to the health and well-being of residents, I’m sure that there will be some ways in which we can address the concerns that are brought to our attention — mindful of the fact that there have been legal rulings that deem balconies as being part of a residence.

The Yukon Housing Corporation allows tenants on the first-floor units to smoke on their balconies, and of course, as the member opposite noted, it puts smoke in the units above. I recognize and appreciate what she is saying because it is a

problem. It is my understanding that is on the ground floor — private balconies on the ground floor — but smoking is permitted on balconies. A lot has to get done with respect to educating our tenants. I would say that they are responsive. Once we raise the new rules that come into effect, we will continue to educate and work with our tenants in all of our housing units.

Ms. White: I do appreciate that, but how does this act reconcile the right of someone to smoke tobacco or use vaping products and a person's right to live within a smoke-free environment? I'm just trying to understand how sections 10 and 6 work together. How does this legislation reconcile a person's right to live in a smoke-free environment and another person's right to smoke?

Hon. Ms. Frost: What I will go back to is that the new act really tries to respect previous rulings while at the same time looks at inclusion of vaping products, and the rulings around prohibiting smoking within closed areas or five metres away from a facility still apply because there have been legal rulings in the past. We want to respect that.

I'm not in any way suggesting that we won't look at that in the future or look at the health and well-being of our clients, because clearly we want to ensure that everyone has a good quality of life. If there are issues and concerns that are brought to our attention, we will endeavour to do our best to appropriately situate the housing tenants to ensure that we don't end up in those conflict situations. But we are prohibiting vaping in those areas where we prohibit smoking and of course, as I said, taking all the legal rulings into consideration as well.

Ms. White: I look forward to having a larger debate about this with the minister about the right to a smoke-free home and the right to smoking.

I just have a question about 6(i) — just as far as the French and the English — and I won't use the French right now because of Hansard — but in 6(i), it says, "... a common area of a commercial building..." — comma — "... condominium..." — comma — "... apartment building university or college residence..." — comma. So there is no comma between "apartment building" and "university", whereas on the French side there is an "ou" which is an "and", which would essentially be a comma. I'm just wondering if that's just an oversight and if there is a comma that should be in that spot.

Hon. Ms. Frost: Thank you for raising that. I have to admit I only speak Dinjiiizhu, and I don't speak French, but my colleagues are fluent in French and they recognize that was an omission and they will correct that. Thank you.

Ms. White: It was just mostly that I didn't want to try to move an amendment to put a comma in a piece of legislation, because I can't imagine how that would go, but I figured if I flagged it and it was right, the officials would take care of it before it was published.

I have a question about — interestingly enough — the same thing we're all being lobbied about which is flavoured tobacco products. I asked this during the briefing because I was really excited about this, because the idea of being able to prohibit the sale of flavoured tobacco products or flavoured

vaping products — so when we were in the briefing, what I was told is that it was an enabling legislation — that it hasn't been removed yet and it hasn't been banned but it could be banned in the future. Maybe if the minister could elaborate — so I believe it has to do with Health Canada, so it is federal law. It has to do with chemical substances and the rest — but if we could just talk a bit about the prohibition of the sale of flavoured vaping products or flavoured tobacco products.

Hon. Ms. Frost: Thanks for the question. As I noted earlier, we have made note of a number of flavoured products that were banned by the federal government or the federal regulations. The federal tobacco and vaping products act already prohibits the sale of many of those products. Of course that also will apply here in Yukon around the flavoured products.

Now, we have the ability through our regulations to prohibit specific types of flavoured products in the future — now, always keeping in mind that the federal government looks at the importance of the — I could provide more information later, but my understanding is how the products — the ingredients that make up the vaping product that is inhaled by the individuals that use the product is what governs how the regulations are — how the restrictions apply. The vaping products contain a lengthy list of ingredients that are considered harmful to human health. The federal government enforces their regulation, and using that as a guide, we will use our processes here as well.

For examples of the federal regulations — they prohibit some flavours that are more attractive to users, particularly young people — so the fruity-type flavours. They prohibit and they ban these products. Of course we are going to ensure that we follow suit here in Yukon, but our regulations will look at a restricted product as we implement it. Further restrictions will apply, and that will be done in conjunction with our chief medical officer here in Yukon as well as in looking at what other jurisdictions are doing — so always looking at this as it evolves.

Chair: Is there any further general debate on Bill No. 3? Seeing none, we will move to clause-by-clause debate.

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*, read and agreed to.

Unanimous consent re deeming all clauses and title of Bill No. 3 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem all clauses and the title of Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 1 through 43 deemed read and agreed to

On Title

Title agreed to

Hon. Ms. Frost: Mr. Chair, I move that you report Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*, without amendment.

Chair: It has been moved by Ms. Frost that the Chair report Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*, without amendment.

Motion agreed to

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

Chair: It has been moved by Mr. Streicker 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

Mr. Hutton: Mr. Speaker, Committee of the Whole has considered Bill No. 3, entitled *Tobacco and Vaping Products Control and Regulation Act*, and directed me to report the bill without amendment.

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.

GOVERNMENT BILLS

Bill No. 7: *Technical Amendments Act, 2019* — Second Reading

Clerk: Second reading, Bill No. 7, standing in the name of the Hon. Mr. Streicker.

Hon. Mr. Streicker: I move that Bill No. 7, entitled *Technical Amendments Act, 2019*, be now read a second time.

Speaker: It has been moved by the Minister of Community Services that Bill No. 7, entitled *Technical Amendments Act, 2019*, be now read a second time.

Hon. Mr. Streicker: Mr. Speaker, I rise today, acting for the Minister of Justice, to bring forward the *Technical Amendments Act, 2019* for second reading.

This act serves to correct discrepancies created by federal legislation changes and aligns Yukon's legislation with recent Supreme Court of Canada decisions.

The Government of Yukon would like to extend its appreciation to the Government of Canada as well as the other provincial and territorial governments for their thoughtful discussion on the provisions of federal Bill C-75, *An Act to Amend the Criminal Code, the Youth Criminal Justice Act and Other Acts*, and the ramifications for each jurisdiction.

The act amends three separate Yukon statutes: the *Safer Communities and Neighbourhoods Act*, the *Crime Prevention*

and *Victim Services Trust Act* and the *Jury Act*. While the amendments to the *Jury Act* and the *Crime Prevention and Victim Services Trust Act* come as a direct result of provisions of Bill No. 65, the amendments to the *Safer Communities and Neighbourhoods Act*, or SCAN act, come as a result of the removal of cannabis from the Canada's *Controlled Drugs and Substances Act*. The SCAN unit has the ability to investigate illegal property-based activity that relates to contraventions of Canada's *Controlled Drugs and Substances Act*.

The legalization of cannabis has led to its removal as a substance from that legislation, thus removing it from the scope of activities covered by the SCAN act. In order for the SCAN unit to address incidences of illegal cannabis-related activity, an amendment must be made to the SCAN act to provide that authority.

The amendment to the *Crime Prevention and Victim Services Trust Act* removes the provisions regarding mandatory victim fine surcharges. These fine surcharges will now be ordered at the discretion of the presiding judge due to the Supreme Court of Canada's 2018 decision where it found mandatory surcharges to be unconstitutional.

The amendment to Yukon's *Jury Act* is necessary to align Yukon's legislation with the amended *Criminal Code*. Pools of potential jurors will now include those sentenced to a term of imprisonment of less than two years, where previously individuals were disqualified if they had received a sentence exceeding 12 months.

As I said, Mr. Speaker, in response to new federal legislation, these amendments, and recent Supreme Court of Canada decisions, this bill is necessary to ensure that Yukon's book of statutes remains consistent with federal legislation.

Over the past months, the Government of Yukon's Department of Justice has participated in meetings with the Government of Canada as well as our provincial and territorial counterparts to support the development of this *Technical Amendments Act, 2019*.

Again, I would like to thank Canada and the other provincial and territorial jurisdictions for the thoughtful discussion that has helped shape the amendments that are before this Legislature today.

At this time, I would like to provide a little more detail of the key provisions of the act. The *Technical Amendments Act, 2019* has been developed to ensure that Yukon's legislation is consistent with the recent amendments to federal legislation, as I mentioned in the introduction at second reading — again, the *Safer Communities and Neighbourhoods Act* — or SCAN act — the *Crime Prevention and Victim Services Trust Act*, and the *Jury Act*.

Let me provide some context for the amendments for each of these statutes. Starting with the SCAN act, Mr. Speaker, the amendments are intended to permit the SCAN unit to continue its authority to investigate illegal property-based activity related to cannabis. Prior to the legalization of cannabis in October 2018, cannabis as a substance was included under the *Controlled Drugs and Substances Act*. As new cannabis legislation was enacted, cannabis was removed from the *Controlled Drugs and Substances Act*.

Currently, the SCAN act allows for investigation of property-based, illegal activity in contravention of the *Controlled Drugs and Substances Act*. In order to ensure that the SCAN unit can continue to investigate complaints and take actions against contraventions of federal and territorial cannabis legislation, these amendments are necessary to provide that authority. The SCAN unit continues to be an important and vital mechanism for investigating illegal, property-based activity in Yukon and keeping our communities safe. As such, I am pleased to table these amendments to the SCAN act.

The other amendments contemplated by the *Technical Amendments Act, 2019* are required due to the provisions of Bill C-65, which makes a number of amendments to the *Criminal Code*. Firstly, as a result of a 2018 Supreme Court of Canada decision, mandatory victim fine surcharges have now been struck down as unconstitutional and are in violation of the *Canadian Charter of Rights and Freedoms*.

Yukon's *Crime Prevention and Victim Services Trust Act* states that a person who is convicted of an offence against an act or a regulation that is not the *Municipal Act* must pay a mandatory fine surcharge in addition to the fine itself. In order to align Yukon's legislation with a Supreme Court of Canada's ruling and the subsequent amendments to the *Criminal Code*, this government is seeking to amend the provisions of our own relevant legislation in order to make the fine surcharge discretionary.

Similarly, Bill C-75 expands the pool of potential jurors to include those individuals who have previously been sentenced to a term of imprisonment of less than two years. The provisions of Yukon's *Jury Act* had been aligned with the previous *Criminal Code* provisions which stated that individuals who have received a sentence for which a term of imprisonment exceeding 12 months was imposed were disqualified from sitting on a jury. The amendments to the *Jury Act* contained in the bill before this Legislature will align Yukon's requirements with those of Canada as they relate to jury eligibility.

Mr. Speaker, the items presented represent the highlights of the bill that has been tabled. In conclusion, the government is pleased to bring forward the proposed *Technical Amendments Act, 2019*. This legislation ensures that discrepancies created by federal legislation changes or Supreme Court of Canada decisions are addressed.

Mr. Cathers: Mr. Speaker, these are relatively minor changes contained within this legislation. I understand, as the minister noted in his explanation, that some of these changes stem from a Supreme Court of Canada decision, which does not really leave much latitude in those areas related to the changing of the fines from mandatory to discretionary.

I have no further questions at this point, following the briefing from officials, and we will save any questions for Committee of the Whole.

Speaker: Is there any further debate on second reading of Bill No. 7?

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

Hon. Mr. Streicker: I just want to say thank you to the member opposite for his comments. I am looking forward to getting to Committee of the Whole. I am pleased that it doesn't seem there are many concerns. I look forward to that conversation in Committee of the Whole.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 13 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.

Motion for second reading of Bill No. 7 agreed to

Speaker: The time being 5:30 p.m., this House stands adjourned until next Tuesday at 1:00 p.m.

I wish all members a safe, relaxing Thanksgiving weekend with your family and friends.

The House adjourned at 5:30 p.m.