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HANSARD

Thursday, October 22, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2020 Fall Sitting

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Yukon Legislative Assembly
Whitehorse, Yukon
Thursday, October 22, 2020 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Ms. Frost: I would like my colleagues to please help me in welcoming: Grace Snider; Liam Balmer; of course, our very dear friend Aldene Snider; and my dear friend Sarah Usher, my high school classmate and a lifelong friend.

Thank you for being here today.

Applause

Hon. Mr. Streicker: There are quite a few friends here today of Theatre in the Bush. Please welcome Mr. Brian Fidler and Emily Woodruff, the hosts of Theatre in the Bush; their neighbour Darrell Orban; Susan Walton, several times a performer; Ms. Freda Walton — who just turned 84 yesterday, by the way; Guin Lalena; and also a young constituent of mine, Michael Gwynne-Thompson, who is probably here for the MAD petition today but also is a theatre lover and advocate.

Applause

Speaker: Are there any further introductions of visitors? Tributes.

TRIBUTES

In recognition of Aldene Snider's 90th birthday

Ms. Van Bibber: I rise today on behalf of the Yukon Party Official Opposition to pay tribute to Mrs. Aldene Snider, who will be celebrating her 90th birthday tomorrow, October 23.

Ken and Aldene Snider arrived in Dawson City in the early 1960s along with their five children, as Ken was assigned the position of minister for St. Paul's Anglican Church. I vividly remember Mrs. Snider bringing her children down the church aisle, wearing their Sunday best, getting them settled into the pews, and keeping the peace while her husband completed his Sunday service.

In having such a young family, the Sniders brought a different energy to our church, and they immediately became involved in the community. Her daughter, Grace, wrote a piece in the *Whitehorse Star* last Friday about her mother, and her love of and her tireless work for the St. Paul's thrift shop. It was called "I found my mom in the thrift shop", with the byline: "I honour my mom, Aldene Snider, on her 90th birthday."

I loved reading it, but my experience in that thrift shop was very similar and I could relate to many aspects of the story. It

even brought the smell of those bales of clothes back to my memory.

Mrs. Snider worked diligently for the good of the church community and I'm sure that home was always a busy, noisy place, with five — then six — children. I admired her quietness and her smile. When she walked down the wooden sidewalks in Dawson, she walked with purpose and she looked like she had something to attend to immediately. As Grace said, her mom is an introvert and is most happy out of the spotlight, unlike her gregarious husband, who teased and joked easily.

In 2009, they were chosen to be Mr. and Mrs. Yukon. It was so lovely to see them recognized for their Yukon contributions by the Yukon Order of Pioneers. They dressed in their Klondike outfits with sashes across their shoulders, always with huge smiles.

In June 2010 at the Commissioner's Ball and Tea, I was honoured to present each with the Commissioner's Award for community service and all their years of giving to people of the north.

Ms. Snider now resides in Copper Ridge Place and Grace has become innovative in how to keep in contact during this pandemic. Grace has been a voice for her mother and has made sure that Mrs. Snider relives the memories and stories she lived.

Recently, Grace and her son Liam were featured on CBC's *Northbeat* where, due to this pandemic, they showed how they could continue visiting by standing outside her bedroom window at Copper Ridge Place — smiles and waves were exchanged.

Grace also put out a call on Facebook for anybody who knew Mrs. Snider and wanted to write good wishes to send her mother a birthday card. Her goal was to receive 90. Although I'm not sure if she did get that many, over the next while, she will share those with her mom. How delightful.

I will share part of what I wrote in my card to Mrs. Snider: "There are connections one makes in life and I have such fond memories of the Snider family. We all forget things as we age and we all change — sometimes slightly and sometimes a lot, but know that you have such a beauty that shines through — keep smiling, Aldene." Happy Birthday.

Applause

Hon. Ms. Frost: I rise today on behalf of the Yukon Liberal caucus to give tribute to a very dear friend of the Gwich'in Nation, Mrs. Aldene Snider, who will turn 90 in Whitehorse tomorrow.

Born in the 1930s, Aldene has lived an absolutely incredible life of service and dedication to others. Aldene and her husband Ken — as noted — were married in Aklavik in 1950. Trained as a nurse, Aldene worked in the 1950s in Hay River, Northwest Territories. She delivered well over 30 babies in that community, as well as in many of the other Gwich'in communities that she served in.

Aldene and Ken moved to Dawson in 1960, where Ken set up a ministry at the Anglican Church. Despite their many moves across the north, Dawson became home to the family.

They became long-term residents, along with their six children. Ken and Aldene supported generations of families in

the community through their volunteer work and their work in the church. When I was a child, Ken would often fly to my community of Old Crow and provide missionary service there. He and Aldene were well-respected by the Gwich'in Nation, as they both had an amazing sense of humour and love for one another. This was evident in everything that they did and the interactions that they had with our communities.

I remember going to St. Paul's church in Dawson City with my cousin Sharon, who is also a classmate and a friend of Reverend Usher, and at one of the many services that we attended, Ken was delivering his sermons, which he usually conducted in the form of a story. As he was delivering his sermon, he would pause often as he was giving his speech, and then he would look at his beautiful wife sitting in the front pew and loudly say, "Ain't that right, Aldene?" Aldene would reply firmly, "That's right, Ken."

Another time in Dawson City, there was a knock on my door, and Ken — Reverend Snider — came to my door with a handmade gift. It was a cross that he had built in his workshop. He built many, many gifts there. He wanted to bring something to my home, I guess, and he gave me this cross and said, "Put this on your wall." It was a lovely gift, but I wondered what prompted that visit. Well, you see, it was much later, as I spoke with Aldene at the thrift store, that I sorted out that Ken had been told by Aldene to bring this gift to my cousin Sharon in honour of her new marriage. So, lovingly described as the introvert but always the brains behind everything that happened — he must do the "Ain't that right, Aldene?" — which is so beautiful. I will always remember that. The two of us laughed, and of course, Ken had to make one more cross.

Aldene was and is the matriarchal support behind her family — leading and guiding and keeping everyone on track. She is an iconic figure of the thrift store in Dawson City, where she volunteered for a total of 25 years. She volunteered toward women's supports in Dawson City as well.

During her time at the thrift store, Aldene worked devotedly to keep the space in order but also provided an open door and a safe place with a compassionate ear for anyone who entered. No matter if someone had the ability to pay, Aldene always ensured that those who visited her thrift store left with what they needed.

The family had an open-door policy in their home. The door was always unlocked to anyone who needed a warm place to sleep or something to eat. Many family members and relatives from across the Gwich'in north would arrive in Dawson City unannounced and were always welcome for a cup of tea, a bed, and food.

To honour this incredible woman and manage a celebration during a pandemic, the family have asked for birthday cards. As of yesterday, there were 64 cards sent. I encourage all of us to help them reach their goal of 90, including the one that the Premier sent yesterday — so thank you for that. What a testament of a life of service, care, and compassion for others.

To her family, the community of Dawson, and the Gwich'in Nation, she was the glue that held us all together. Mahsi' cho. Haii choo. It's an honour to tribute you today. Thank you.

Applause

Ms. White: I rise in behalf of the Yukon NDP in celebration of a momentous birthday and a very special human. Although I've never had the pleasure of meeting Mrs. Aldene Snider in person, after reading her beautiful birthday tribute by her daughter, Grace, and after hearing today's tributes, I, like many, feel like I have.

I hope that everyone has had the pleasure of getting lost in the marvels of a thrift shop — losing your sense of time as you search through bins or racks of clothing for that hidden treasure and finding the perfect item. If you have, then you know that it's the volunteers at these magical places who are the heartbeats of thrift stores.

In her love letter to her mom, I — like anyone who read the piece "I found my mom in the Thrift Shop" — have an image of Aldene Snider in mind. The warmth and quiet dedication to her community was expressed by Mrs. Snider in the form of service. Her love of people saw her volunteer at thrift stores across the north for more than 40 years. As we've heard that tomorrow is her birthday, it seems right that we celebrate her today.

I know that it will be a different sort of birthday, but birthdays are worthy of celebration. So happy 90th birthday, Aldene, and may your love of community and thrifting live on through your family.

Applause

In recognition of Ramshackle Theatre

Hon. Mr. Streicker: It is my honour to rise today on behalf of all MLAs of this House. For as long as I have known Brian Fidler, he has been creating performance art. Puppets made from old cameras, Buster Keaton-inspired physical theatre, vaudeville-esque musicals, cardboard western sci-fi films — Brian's theatre company, Ramshackle Theatre, embraces baling wire and glue guns, things that are a little more rough-and-tumble than immaculate and aseptic.

Ten years ago, Brian found himself doing a lot of walks around his property with his newborn son, trying to get him to sleep. Brian started thinking about a show that could happen close to home that would showcase local raw talent and something that would emanate out of the forest and along the ridge above the Yukon River. In the fall of 2010, Theatre in the Bush was born. There are strange things doin' 'neath the midnight moon — just saying, Mr. Speaker.

Brian called up a dozen or so creative folks and invited them to put on 10-minute performances around seven outdoor stages with sets built in the bush. The evening was an immersive experience. Charmingly, it had a predictable amount of unpredictability. Over the years, that quirky spark has always been part of the show.

I remember Claire Ness doing a non-stop bush life clown camping piece, complete with an open bum flap in her long johns when she turned around. On the wind-blown tree set, Michael Eden Reynolds gave a chilling soliloquy of sawyer Jim, Jimmy-Jim. Jordy Walker hung guitars up in the trees and you could make eerie music from them as you pulled pulleys

up and down. On the rise set, Michel Gignac earnestly and hectically had the audience busy with pointless boy scout tasks. Miche Genest tempted us with boreal appetizers by the wall tent campfire, and Joella Hogan taught Northern Tutchone through her stories of traditional soap-making. Hazel Venzon hosted an underwear fight with a big bag of underwear — clean underwear, Mr. Speaker — which the audience shot at each other.

One year, Emily Woodruffe and Susan Walton delighted Yukoners with a synchronized swimming performance, complete with nose clips. In between the performance venues, visual artists nestled kinetic sculptures and interactive pieces in pools of light, like Tara Kolla's floating cities made from dress patterns or Jon Gelinias' sound and video installations or this year's giant squid made by Rachel and Jon Travis.

Brian picks the creators, but he doesn't curate what they do. He trusts that whoever is in the show is going to knock it out of the park — or out of the woods. Every year is filled with uncertain delights and curiosities under the stars. Brian often says to the performers, "We have the audience outside the black box of the theatre, so we don't want to put them back into that black box."

A few years ago, Magnetic North, Canada's national theatre festival, came to the Yukon, and Brian hosted a midnight show especially for them. I remember that the bus came out from town to the Pineridge neighbourhood, with a captive audience of Canada's theatres' who's who. When they stepped off the bus and into the woods, they were unaware of what was coming. I think they ended up with mouths ajar, eyes like saucers, and a quintessential taste of the Yukon.

After 10 years of storytelling and theatre for Yukoners by Yukoners, COVID hit, so Brian held two shows with smaller audiences — both of them sold out — hottest ticket in town, Mr. Speaker.

Congratulations to Theatre in the Bush.

Félicitations au Théâtre dans les Bois, un spectacle du Yukon.

In remembrance Canadian National War Memorial and Parliament terrorist attack

Mr. Istchenko: I rise today on behalf of the Official Opposition and the government caucus to pay tribute as we acknowledge the sixth anniversary of the violent and deadly terrorist attack on the Canadian National War Memorial and Parliament in Ottawa in 2014. Just a few days before the Ottawa attack, on October 22, Warrant Officer Patrice Vincent was also killed by an ISIL-inspired terrorist in Québec.

On the morning of October 22, 2014, 24-year-old Cpl. Nathan Cirillo was on ceremonial sentry duty when he was fatally shot by a gunman at his post by the Tomb of the Unknown Soldier at the National War Memorial, the sacred memorial dedicated to all those Canadians who gave their lives in conflict, past, present, and future. As Cpl. Cirillo stood on duty, his rifle, in accordance with standard practice, was unloaded. Shortly before 10:00 that morning, the gunman attacked this brave young man, and tragically, he passed away.

The shooter then entered the main Parliament building, where he fired some more shots before he was shot and killed by House of Commons Sergeant-at-Arms Kevin Vickers and RCMP officers. This terrible event is a reminder of the compassion and courage of Canadians, from civilians to first responders. Many people came to Cpl. Cirillo's side as he lay at the foot of the National War Memorial fighting for his life.

Further, the police and security forces around Ottawa worked above and beyond as the entire city went into lockdown as they tried to understand what had just happened. This event was also a reminder that Canada is not immune to terrorism. This senseless tragedy shook Canadians across the country — even here in the Yukon.

This morning, a member of our staff was telling me that he and his wife found themselves in the middle of this, as they lived and worked in the parliamentary precinct at that time. In preparation for this tribute, I was speaking to him earlier. What he described was nothing short of terrifying. They, along with thousands of others, were immediately locked in their offices at the time. They were prevented from leaving or from going home and they only had conflicting or confusing reports on social media to try to understand what had happened. The entire city was in shutdown for a day. Bridges were closed or blocked off. Police checkpoints were set up throughout the city. Parents were prevented from picking their children up from schools as those facilities went into their security protocols. They and many other families were prevented from returning to their homes as security forces swept the streets in sections of the city that were off-limits.

That's the purpose of these attacks, Mr. Speaker — to scare us, to terrorize us, and to shake us from our daily lives. We cannot let them do this.

On that note, I just want to quote from former Prime Minister Stephen Harper in his national address to the nation at that time where he said: "But let there be no misunderstanding: we will not be intimidated. Canada will never be intimidated."

"In fact, this will lead us to strengthen our resolve and redouble our efforts and those of our national security agencies to take all necessary steps to identify and counter threats and keep Canada safe here at home..."

The next day in the House of Commons, the Prime Minister went on to say: "Here we are, in our seats, in our chamber in the very heart of our democracy and our work goes on..." That is important. One of our country's greatest strengths is our democracy. Canadians and Yukoners alike have an expectation that they can rely on. It is strong, it is resolute and it must be unbreakable. Showing up at the Legislative Assembly every day matters. We must not let anyone stop us or prevent us from showing up or doing our important work. Despite our political affiliation, we are all Yukoners and we are Canadians.

Liberal leader Justin Trudeau vowed to not let the threats define Canadians. He said: "They do not get to change us."

Just to close, I have one final quote. This one is from the former leader of Canada's Official Opposition Thomas Mulcair in response to the attack. He said that Canadians will "... stand up and we'll stand together. We'll preserve, we'll persevere."

We'll prevail. Because that's what Canadians have always done together. That's what we do best together."

Mr. Speaker, it has been six years since the terrorist attack. Two Canadian heroes were killed in service of our country and we will always remember them, but we have seen the words of our leaders ring true — we have not been intimidated. Our democracy has continued and Canadians persevered.

Ms. White: Today I stand on behalf of the Yukon NDP to remember the events of October 22, 2014, in our nation's capital. The death of Corporal Nathan Cirillo in the storming of Centre Block on Parliament Hill changed so many of the core beliefs that we have about Canada — that we are a peaceful country, and that our parliamentary precincts and those who protect them are well-equipped to do the important work they do on behalf of citizens and parliamentarians.

To this day, the War Memorial shooting and the parliamentary gun battle that ensued continue to haunt many. Not only those directly involved — those charged by duty to stop the gunman, who stormed Parliament after shooting Corporal Cirillo — but also the many Members of Parliament and Parliament Hill staff who suddenly found themselves in lockdown for hours after hearing gunshots ricocheting through the halls of Centre Block.

Mr. Speaker, we in this House have recognized the devastating impacts of post-traumatic stress disorder and have uniformly expressed our desire to support those who suffer from PTSD as a result of doing their job. Six years ago today, parliamentary guards reacted quickly against a threat of unknown dimensions and many suffer the consequences to this day. It is sad to learn that, despite the many public expressions of gratitude from everyone from the Governor General to politicians of all stripes, the solicitude has not extended to the security guards' employer — the Parliamentary Protective Service. Of the nearly 30 House of Commons' security guards on duty when the shooting occurred, at least 13 have since suffered serious psychological injuries. One has taken his own life. As one guard recently shared, he wishes that all of the guards had been convened for a debrief following the attack. Instead, he said, they returned to work the next day as if nothing had happened.

We need to learn from the mistakes of that day. The parliamentary guards who so quickly and instinctively acted to protect join the legions of Canadian military veterans who have pressed the federal government for years to both recognize and deal with the impacts of serious psychological injuries.

While we pray that the scenario played out on October 22, 2014, is never repeated, we must pledge to respond with real, tangible, and compassionate support for all those who defend us.

Applause

TABLING RETURNS AND DOCUMENTS

Speaker: The Chair has for tabling the Child and Youth Advocate office 2020 annual report.

Are there any further returns or documents for tabling?

Are there any reports of committees?

Petitions.

PETITIONS

Petition No. 2 — response

Hon. Ms. McPhee: I rise today to respond to a petition brought to our Legislative Assembly about the music, art and drama program tabled on October 7, 2020.

Thank you to the students, parents, and supporters who have worked hard to participate in our democratic process and to bring us their perspectives.

Four hundred Yukoners signed this petition which called for the Yukon government to move MAD programming back to the Wood Street Centre or to the Guild Hall or other suitable location for this programming for the remainder of this school year.

Mr. Speaker, this is not a usual school year. To be able to safely return students and staff into schools during the pandemic, we have had to adapt programming across secondary schools in Whitehorse, including for the experiential programs that have been offered at the Wood Street Centre location for approximately the last 20 years.

Mr. Speaker, when I met with some of the MAD students this week to exchange ideas, we all realized that some of our efforts to communicate how and why the decision to relocate the program was made did not reach them. This was clearly not our goal.

So, I will speak about that work just for a moment. The key priority in planning for the 2020-21 school year has been and remains the health and safety of students and staff, ensuring all schools remain low-risk learning environments and complying with the advice of Yukon's chief medical officer of health. To ensure safe spacing, manage traffic flows, and limit contact between students at F.H. Collins Secondary School as part of the broader plan for secondary programming and a safe return to school, 138 grade 8 students were moved to the Wood Street Centre. This decision resulted in the temporary relocation of approximately 80 other students who are enrolled each semester in the experiential programs usually held at the Wood Street Centre. Sixty students in experiential programs were moved to Porter Creek Secondary, including those in OPES — the outdoor pursuit and experiential science program; MAD — music, art and drama; CHAOS — community, heritage, adventure, outdoors and skills; and ACES — Achievement, Challenge, Environment, Stewardship. Twenty students in PASE, Plein Air et Sciences Expérientielles, were moved to F.H. Collins.

Mr. Speaker, these were not easy decisions to make. The COVID-19 pandemic has presented us with many challenges. Many school districts across Canada are facing similar challenges to create cohort grouping, to limit the mixing of students, and to adapt learning spaces to meet health and safety guidelines so as to keep transmission low while still offering the usual range of secondary programming. We are proud that we have successfully returned all 5,700 students to face-to-face classes while maintaining schools as low-risk environments with respect to COVID-19 transmission.

Of course, we must be vigilant. Students have been back in schools for about two months now, and we continue to monitor and adapt programs, including the MAD program, so that we can meet the needs of students. Planning for the second semester is also well underway. This work is complex and it must be done with careful consideration of the impacts relating to health and safety requirements and guidelines for K to 12 settings, staffing requirements, balance and availability of mandatory and elective courses to meet graduation program requirements, and student transportation. At present, school administrators have finalized school enrolment numbers and are currently identifying some short-term additional measures needed to support students. This is a process that is going on each and every day.

We appreciate the broad community support for the music, art and drama program and its importance for students and school staff and our community, and we share that perspective. We recognize the value and the outcomes of the MAD program and the immersive experiential learning that these kinds of programs offer to Yukon students.

Department officials have had ongoing meetings and correspondence with staff, parents, students, and community members regarding the location of the MAD program. I also had meetings over the summer with representatives of the MAD students and the MAD parents and supporters. As part of our efforts to ensure the health and safety of students, staff, and communities, hosting the MAD program at Porter Creek Secondary School was the decision that was made at the time. We continue to work with these groups. I want the students to know that we hear them, we value them, and we are committed to supporting them on their learning journey.

Speaker: Are there any petitions to be presented?
Are there any bills to be introduced?
Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House supports the dedicated public health pandemic response to support testing and tracing in response to the COVID-19 pandemic.

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

MINISTERIAL STATEMENT

Energy supply and demand

Hon. Mr. Pillai: Last week, the Official Opposition questioned our government's preparedness to address the territory's energy needs. I was specifically asked about the reliance on diesel generators to provide backup energy during peak demand events. I committed to the members of this House that I would look back at what had happened last winter and report back to the Assembly. Today, I'm happy to provide an update on our work with the Yukon Energy Corporation and

the contingency plans in place to ensure that Yukon's energy needs are met during peak demand events.

Let me first recount what happened last winter. Yukoners will remember that, in January, we experienced a prolonged cold snap of minus 40 Celsius weather, which created substantial demand on our energy grid. The cold weather resulted in higher diesel fuel consumption for both residential and commercial heating, together with electrical generator demands. During that cold snap, a vehicle accident on the south Klondike Highway and then an avalanche closed off access to Skagway.

Yukoners may not be aware that 70- to 80-percent of the bulk diesel fuel supplies for Yukon are received through the port of Skagway. The avalanche therefore impacted the territory's fuel supply but did not deplete it. Yukon Energy and its suppliers worked together on an active response to the situation. This included working with suppliers to truck in fuel on the Alaska Highway. Diesel was earmarked specifically for power generation.

The Energy Corporation also evaluated options for a temporary increase in hydro production, if needed. Fortunately, Yukon Energy has access to multiple suppliers of diesel fuel, and I can assure Yukoners that alternative supplies were available as contingency but were not ultimately needed.

There was enough fuel in the territory to ensure that electricity, heating, and transportation fuel demands were met as crews worked to clear the south Klondike Highway. In addition to being closed off to Whitehorse, the residents of Skagway were completely isolated after its only ferry was held up in Juneau for repairs, and inclement weather prevented air access. A Skagway high school basketball team was stranded in Juneau as well. There were just challenging weather conditions.

Yukoners understandably want to know what plans are being put in place to avoid this kind of risk from reoccurring in the future. In planning for the fuel supply of the future, Yukon Energy Corporation's procurement department will make it a requirement under future fuel contracts that a minimum inventory of diesel fuel dedicated to electricity generation be held in the territory. This will ensure that there is adequate supply on hand in the event that supply chains in the territory are disrupted.

Mr. Speaker, Yukon has been experiencing population and economic growth for well over a decade, and that trend continues. It is important for all elected officials to consider how we will meet the territory's energy needs going forward. Our Liberal government recently released *Our Clean Future — A Yukon strategy for climate change, energy, and a green economy*. That strategy includes 131 actions that the Government of Yukon will take to address the impacts of climate change while building a green economy, ensuring that Yukoners can access reliable, affordable, renewable energy over the next decade. It also identifies clear targets and goals. One of those targets is that 97 percent of our electricity will come from renewable sources by 2030, even as we experience more population and economic growth.

Mr. Speaker, in closing, I think it is interesting that the Yukon Party, again, went back and tried to tie a fuel issue to a renewable energy plan on this side of the House. We are committed to a clean energy future and I look forward to comments from the opposition.

Mr. Hassard: I thank the minister for the update. A number of other questions have gone unanswered that we asked over the last couple of weeks, including total fuel and set-up costs for the diesel generators. The minister's statement was interesting. He keeps talking about a megadiesel plant when no one else is. We certainly don't think that the minister's proposal for a megadiesel plant is a good idea, but the minister and the Liberals have developed an obsession with diesel plants.

As the rest of the world and the country are talking about how we can reduce our reliance on diesel, the Yukon Liberals have continued to increase the territory's reliance on diesel. They went from renting four generators in 2017 up to 17 this year. While we do not have the full costs, it appears that the Liberals have spent at a minimum \$11.3 million on their long-term vision of renting diesels. They plan on spending millions and millions more over the next decade at least.

This is about the immediate energy crisis our territory is facing and how we bridge the gap to a clean future with a reliable insurance option that is not diesel. A 2019 CBC article quoting the Yukon Energy Corporation defending the need for a new LNG plant states — and I quote: “Andrew Hall, Yukon Energy's president, said the utility doesn't always have enough hydroelectricity to cover times of high demand...”

The Yukon Energy Corporation website states — and I quote: “While we work to maximize the resources we have, build more renewables and encourage energy conservation, we need to invest in an upgraded ‘insurance plan’ to provide reliable and affordable power...” The website goes on: “Electricity generated using LNG... is proven to be the most reliable and cost-effective solution to meet our insurance plan's criteria. Rather than continuing to rent additional generators annually, it's time we upgrade our insurance plan and build a permanent...” — LNG — “... facility.”

If the minister is saying that his government's decision to cancel a new LNG plant is short-sighted, then I agree. The Liberals were short-sighted for cancelling a new, reliable LNG facility as our insurance plan in favour of their plan to spend millions renting more diesels for at least a decade to come.

Mr. Speaker, for a while the Liberal government planned and consulted on a new 20-megawatt LNG facility but then cancelled it. Despite the minister's selective memory, they were consulting on five proposed sites, including two that were essentially at existing Yukon Energy plants. So, if the Yukon started building the LNG plant two years ago, then Yukoners would own assets rather than rent from an Alberta company.

Every single dollar that the Liberals spend on renting dirty diesels is a dollar that leaves our territory and is shipped to Alberta. An LNG plant would provide a long-term foundation and insurance plan upon which the territory can build a renewable and green future, and it would help us to get away

from our reliance on diesel that this Liberal government has only made worse.

The real question comes down to: Do we want Yukoners to own our energy assets, or do we want to end up with nothing and keep shipping money to Alberta to rent dirty diesels for at least a decade to come, as the Liberals have proposed? That, Mr. Speaker, is the Liberals' plan. Under this Liberal government, Yukoners end up with nothing and will be renting diesels for at least another decade. Again, every single dollar spent on renting is a dollar that leaves the territory.

Ms. White: It's always great to hear about environmental policy. Whether it's the implementation of a new policy to protect Yukon's environment and splendour or policies cancelling archaic processes that pollute our air, any progress is good progress.

Unfortunately, what we have seen from this government is a trend of announcing plans and strategies but seeing little concrete action actually taking place. Worse still is the announcement of incomplete plans. *Our Clean Future* includes a 62-kilotonne CO₂ reduction gap that the government hasn't addressed. This means that, for a quarter of the targets set in the plan, there are no measures. That is without mentioning the fact that the mining sector still doesn't have any greenhouse gas reduction targets.

So, despite saying that we're moving away from fossil fuels, there is little indication that change is actually taking place right now. This is clear when we're looking at Yukon Energy's yearly reports.

In 2016, 98.3 percent of the energy we used was renewable. In 2017, it was 96.8 percent and in 2018 it was 92 percent. By 2019, we have fallen to having only 84 percent of our energy be renewable. What we're seeing is a clear downward trend. We're no longer able to produce enough renewable energy to power our needs despite the government's plan and intentions.

How is that being addressed? There are plans — we all know that they're plans — but after four years in power, this government's track record speaks louder than plans on paper that are years down the road from completion. All of the new renewable energy projects over the last few years have been the initiative of First Nation governments, communities, or individuals. It's time for the government to show leadership and walk the talk when it comes to renewable energy.

The minister has alluded that an announcement will be coming from Atlin and the Taku River Tlingit. We're excited about this partnership and look forward to learning more. Demand-side management is also something that I've talked about before. It's a great piece of a larger solution, but it appears that the government won't move on this until next year.

The world is facing a climate crisis. We are actively losing biodiversity, increasing pollution, increasing global temperatures, and the weather is becoming dangerously unpredictable. We could all go on. What we should do is stop talking about renewable energy and we should start acting on it. If we're going to talk about energy supply, let's look toward

solutions for today and for the future. Let's take meaningful actions on renewable energy generation now.

Hon. Mr. Pillai: I will do my best to respond to the comments from the opposition. I'm really trying to ensure that we had an update here based on the questions. I think, quickly — I could be mistaken, but I think when we talked about the rental of diesels, a lot of that, I had gone through in detail — all the costs associated with that. If I missed something, I can bring it to the House in written form. I have it here, but I would rather try to make a few comments.

I'm glad to be talking about this today, Mr. Speaker. All Yukoners have a stake in our territory's energy future and this issue has raised lots of questions. People are wondering if the Official Opposition — the Yukon Party — thinks it was a mistake to rent generators and ensure that we have backup. We've heard it today clearly that they believe that's a mistake. People want to know why the Yukon Party committed to building a megaplant — whether it was diesel or LNG — when Yukoners had made it clear that's not what they wanted. We wanted to go out and to show Yukoners that there was a clear choice.

Mr. Speaker, as I said, Yukon has been experiencing some population and economic growth for well over a decade. Yukoners also want to know why the Official Opposition didn't plan for these needs — because I have gone back and looked at the reports and everybody was very well aware in 2013, 2014, 2015. In fact, the opposition's planning is actually — it's quite hard to go back and listen to what I heard last week around the fact that this was short-sightedness. I think what we remember — and people who were watching this energy file — for us, we've made a commitment to build a hydro project and have generation. What we saw in 2014 and 2016 was — at least in the case of the Official Opposition — they spent \$4.3 million on tabletop studies and open houses to build a hydro project. Were they not going to have backup power? I would hope they would to keep Yukoners safe.

That's what Yukoners are asking me: Whatever happened to the next generation hydro project? That is number 1. But also, I think it's important and I'm glad that it was touched on — today, the clarification as well by the Official Opposition around LNG — because we know that their new leader supported this project — this bigger mega-energy project — but also supports fracking very closely. I can understand now why they would want to go to LNG — they want to make sure that they can frack in the Yukon and then have that particular source.

With that, I also find it interesting last week as we hear this — some of the well-known leaders across the country — Minister O'Toole or Mr. Kenney and others who are now pivoted back toward committing to those Paris accord targets. I think it's really important that, again, we're not seeing that again from the opposition.

As for the questions from the Third Party, I would just touch on the fact that, in every single case in our communities as we see renewable energy projects being built, the Yukon Development Corporation and Yukon Energy Corporation —

and in some cases, Energy, Mines and Resources — are working in partnership either through funding sources or technical support. We're doing all of those projects together and they're being built. I think saying that there's not a lot of progress in those projects really takes away from the work that's being done — the hard work right from Beaver Creek to Burwash to Haines Junction to Watson Lake to Carcross to Pelly. So, I think that's important to see.

I look forward to energy debate as we go through the fall. I think it's important that Yukoners understand where all three parties sit as we go forward.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: COVID-19 pandemic impact on education system

Mr. Kent: So, parents are still waiting for news about if and when the government will fully reopen our Whitehorse high schools. The lack of a plan from the government to fully and safely reopen all schools will slow any reopening of the economy. Hundreds of working parents who rely on schools to ensure that they can actually get to and stay at work need to know what the plan is. For three weeks we have been asking the government what their plan is to fully and safely reopen all schools. So far, they have given no details beyond saying that it is a priority. It's great that it is a priority — this government has a million priorities — but Yukoners need and want a plan.

So, can the Minister of Education tell us today when high schools in Whitehorse will go back to full-time in-class learning?

Hon. Ms. McPhee: I must say that this has come up a few times and I am puzzled by the idea that students who are in grade 10 to grade 12 are somehow affecting their parents' ability to go to work. Clearly there are many things affecting individuals' abilities to go to work during a world pandemic — during a time when we have been asked to comply with the "safe six", when many people are, in fact, working at home — but the fact that teenaged students in grade 10 to grade 12 being at school for half-days is a puzzling comment to me.

The first consideration, Mr. Speaker, in planning for the 2020-21 school year, has been the health and safety of students and staff and ensuring that all schools remain low-risk learning environments for Yukon students, based on the advice of Yukon's chief medical officer of health. We have had to adapt programming for grade 10 to grade 12 students in the larger high schools in Whitehorse. These adaptations are based on advice from school administrators and the health and safety guidelines that have been produced for schools to ensure safe spacing, to manage traffic flows, and to limit the mixing of groups of students. We are continuing to work on this matter for the purpose of returning grade 10 to grade 12 children to school full time.

Mr. Kent: I am sure that all those parents who have reached out to us in the opposition who are having to balance between getting their kids to high school and work will be really pleased to hear that the minister is puzzled by that.

The minister says that it is her top priority to return Whitehorse high school students to full-time in-class learning. The Liberals are really good at setting priorities, as they have a million of them, but they aren't so good at coming up with plans to deliver on those priorities. These delays and this lack of a plan for getting kids back to class full time or even to get busing back to normal is going to force families to make tough choices.

On October 13, the president of the Yukon Teachers' Association told CBC that we still have kids who aren't getting to school on a regular basis because of busing. This places a burden on parents — and in particular, families with young children. So how will the government ensure that parents do not have to choose between driving their kids to school and their careers?

Hon. Ms. McPhee: I spoke yesterday in this Legislative Assembly about the priorities and concerns about busing. I think it should be clear that, despite the fact that the opposition may not be hearing the answers that I'm giving, at no point can they be characterized as not requiring the appropriate care for children, for students in schools, for parents and families, and for all of us in a world pandemic — in a situation that none of us have asked for and that everyone has been required to adapt to.

School busing for the 2020-21 school year has had to be adapted to follow the chief medical officer of health's health and safety guidelines for school bus operations. These adaptations are to prevent the spread of COVID-19 and to keep our community safe and keep our children on buses safe and have them get to school in a healthy and safe way — to and from school.

I can indicate, as I did yesterday, that all eligible students under the *Education Act* — and under the education regulations under the *Education Act* and busing regulations — have been assigned to a school bus this year. School buses are now operating at near-capacity. I appreciate that this causes some concern for some students who are not eligible. We are continuing to work with those families.

Mr. Kent: So, parents and students are struggling with learning and mental health, and that puzzles the minister. The minister has been heavily criticized by school councils and parents for her poor consultation efforts with school communities this past summer on the school reopening plans. We hope that the minister avoids a repeat of that with the return of all high school students to in-person classrooms.

She will need to meet with and consult with school councils from the Whitehorse high schools to discuss the planning process and the timing for a full reopening of grades 10 to 12. Will the minister today agree to meet with these school councils, and if she already has, can she tell us how many meetings she has had with them to discuss the planning process and timing?

Hon. Ms. McPhee: I can indicate that work with school councils — heavy criticism isn't coming from parents and school councils. The heavy criticism is coming from our friends across the way, and that's what they think their job is; that's fine — I'm happy to respond.

We have worked with and continue to work with the chief medical officer of health. We have worked with school councils in their work over the summer. I spent some time yesterday in this House thanking those members of school councils who were asked and who stayed on for a lengthier period of time in their term as members of school councils because of the pandemic and the opportunity for the election to be held not in May but in October. I thanked them for that dedication.

We met over the summer with many of those school councils. There were biweekly Zoom calls with the chairs of school councils. I was on many of those calls. The deputy minister was on every one of those calls, I am confident to say. The school councils have asked that those meetings continue, and we agree. We think that's a great way for us to communicate directly between school councils and the central administration and the officials for the Department of Education. As a result, those meetings will in fact continue. Working with school councils, school communities, administrators, and professional educators in order to get grades 10 to 12 back in school full time is our priority.

Question re: Safe Restart Agreement childcare funding

Mr. Cathers: On July 16, the Premier announced safe restart funding from the federal government but provided very little detail and was unable to answer questions. On October 1, he re-announced that funding and again provided little detail and was unable to answer questions. That day, we asked the Premier about over \$2.6 million that has been earmarked for childcare for returning workers. Again, he was unable to answer questions, so I will re-ask those questions today.

This \$2.6 million in funding is supposed to be used to support infection prevention and control measures for childcare operators and put toward enhancing staff training at two community daycares. Can the Premier confirm that this funding is earmarked for the daycares in Watson Lake and Dawson City? How much of the \$2.6 million is going toward those two daycares?

Hon. Mr. Silver: Mr. Speaker, there is so much misinformation in there. I will start with what is going on with the safe restart and also the northern support package as well. Then I will ask my colleague, the Minister of Health and Social Services, to address specific questions with health.

When it comes to whether it's the restart money or the northern support package, our government has been extremely focused on protecting Yukoners and supporting them through this extremely challenging time. We will continue to work in collaboration with our partners across the country, across the north — with the other premiers as well — in response to this pandemic. Our collaborative approach with our partner governments is benefiting all Yukoners, and we have worked tirelessly to support Yukoners through the pandemic.

We have answered the member opposite's questions in the past about the restart money. Part of this northern support package, on top of that, includes an additional \$12.4 million. We have another \$7.4 million for health care and another \$4.7 million to support vulnerable populations. This brings

Yukon's total allotment under the Safe Restart Agreement to approximately \$26 million to date.

The additional support will be for health care — support for the three hospitals and the rural health care services to help the chief medical officer of health and the Yukon Communicable Disease Control Unit to maintain enhanced services related to the pandemic. We will continue to update the members opposite as that money gets spent.

But again, Mr. Speaker, it's extremely important that we work collaboratively with the federal government and the other jurisdictions to make sure that we have the money that we need for the programs.

Mr. Cathers: I'm looking at the letter that the Premier signed to the federal government, and he seems to have forgotten what it said. Again, we've asked him questions, and again, he did not answer it. He read his briefing notes today but he appears to have forgotten the letter that he himself signed this summer.

How much of the \$2.6 million in the Safe Restart Agreement that is earmarked for childcare for returning workers is going toward prevention and control measures for childcare operators? Can the Premier answer that simple question?

Hon. Ms. Frost: With respect to rural childcare and childcare supports, we had great debate in the Legislative Assembly previously with respect to the supports that were provided to childcare centres during COVID times.

Now we have continued to provide the resources needed for every childcare centre. I'm happy to say that we have all of our centres open now and fully supported. During the closures, they received all of the resources to continue to keep them open.

Now we had enhanced supports. The funding that we received previously — we continue to use that to fund the centres. At the same time, we had initiated a pilot project piloting a rural childcare strategy, addressing health and safety needs in licensed childcare centres. We also looked specifically at supporting the Little Blue Daycare and the Watson Lake Daycare Centre which was very much a part of the conversation and the discussions. I'm happy to say that I've met with both organizations and their executives. I am very pleased with where they are right now, ensuring that they continue to be considered in future initiatives.

Mr. Cathers: At least we got the start of a partial answer from the Minister of Health and Social Services. But again, we're looking for the details. This government is all about talking points, photo ops, and platitudes. But we're looking for the details on behalf of Yukon citizens who want to know as they are dealing with the effects of the pandemic.

How much of the \$2.6 million in the Safe Restart Agreement that is earmarked for childcare for returning workers to return to the workforce is going toward enhancing staff training?

Has any of this money been used to hire more FTEs in the government workforce as part of the 88 new positions that the government is adding this fall?

Hon. Mr. Silver: Mr. Speaker, we will continue to update the Legislative Assembly and Yukoners, as we did this morning, with announcements. We will continue to do that.

The money that we got under the safe restart money is for program services, PPE, health care capacity, mental health testing, contact tracing, data management — and the list goes on and on. This is for money that we spend today, tomorrow, and in the next days. Whether it is questions on schools, PPE, or anything pandemic related, the members opposite assume that we can predict the future as to where the epidemiology goes. We will continue to update Yukoners with the money we spend. We are in a good place in the Yukon because of the emergency measures that we have put in and because of the programs and services that we have funded. We will continue to work with the federal government to make sure that we access more federal dollars for the needs of Yukoners.

Mr. Speaker, we are going to follow the science. We are going to work with our partners and we will not be bent by political pressure from the Yukon Party to predict the future when that is extremely impossible to do. We will work with science, not with politics, when it comes to how we spend this money. We have been very clear about the envelopes of the safe restart money. We have been very clear as well about the northern support package and the fact that we are getting base-plus money. We are so thrilled with the help from the other premiers in Canada who recognize as well the important differences of the northern territories when it comes to these supports.

Question re: Dawson City infrastructure upgrades

Ms. White: A few days ago, the government cancelled a tender for utility upgrades in Dawson City. The project was meant to bring water and sewer to new and unserviced lots in the community. The tender closed months ago when a pre-construction meeting had already taken place with the low bidder, a local contractor. Cancelling a tender at this stage is very uncommon.

Can the minister tell Yukoners why this tender was cancelled at this late stage in the process?

Hon. Mr. Streicker: What I can say is that I had conversations with the Dawson City mayor and council. Also, our department had conversations with the Dawson City staff and the decision was made to move in a new direction with the community, so that is why the tender was cancelled.

Ms. White: Cancelling a tender this late in the process has consequences. For contractors, it means a waste of time and money. It means that they might have passed on other contract bids in the meantime and it raises concerns about bid shopping on the future tender. For the public, it means more costs and delays. There is staff time involved in reissuing the tender, and delaying the process will likely increase the cost of materials.

How much more will this project cost because of the cancellation? Will this delay the creation of new lots in Dawson City?

Hon. Mr. Streicker: At all times, we work closely with our municipalities and our communities to make sure that we're working hard to help deliver lots or infrastructure for those

communities. Sometimes, we do that through a transfer payment agreement to the community and sometimes we do the work ourselves, but it's always on behalf of the community.

This work was on behalf of the City of Dawson. There are always challenges around these contracts, especially during COVID times. So, yes, there have been some delays to many contracts.

What I want to say is that, overall, we've been spending incredible amounts of money in the territory on construction work and on infrastructure projects overall. Yes, there have been some delays due to COVID, but overall, on land development and on infrastructure, we have been doing very well investing during a pandemic.

Ms. White: Contractors were told that the cancellation was due to a change in the scope of the project nearly 90 days after the initial tender closed. Changes in scope happen on a regular basis and don't always lead to a tender cancellation. We understand that the lowest bidder came a half-million dollars below the next bidder. The government could have tried to work with the contractor to see how much of an impact the change in scope would have had on the price tag.

Did the government attempt to resolve the issue with the contractor before cancelling the tender?

Hon. Mr. Streicker: I think I just said in my first response — and I will say again — that we worked with the community. We're doing this project on behalf of and for the City of Dawson. We spoke with the City of Dawson. We talked through the project with them and, through that conversation, took the decision to move in a new direction. I am sure we are following all appropriate procurement practices and we will continue to work with and for our communities.

Question re: Information management and protection of privacy legislation

Ms. Hanson: The 2019 annual report of the Information and Privacy Commissioner set out a number of concerns and recommendations. As the minister will recall, the Commissioner made a number of recommended changes to the ATIPP act which this government chose to ignore when legislative amendments to the *Access to Information and Protection of Privacy Act* passed in November 2018. Two years later, the amended legislation still has no regulations.

Can the minister explain the delay in getting the regulations for the amended *Access to Information and Protection of Privacy Act* in place? Can the minister also tell Yukoners when they can expect to see those regulations?

Hon. Mr. Mostyn: I want to thank the member opposite for the question this afternoon. We had a very robust debate during the debate on the ATIPP act, and I really appreciated that discussion. What came to my attention through that debate was that the member opposite and I hold access to information and protection of privacy legislation and regulations in high regard, and it's important certainly for this side of the House and clearly to my colleague on the other side of the House.

Our government modernized Yukon's *Access to Information and Protection of Privacy Act* to provide better service and meet the changing needs of Yukoners as the

Government of Yukon continues to move toward a digital government. The new legislation improves the act by enhancing client-focused services to Yukoners while protecting their privacy, ensuring personal information held by public bodies is well-protected, and making government more transparent and accountable to the public.

The new act was passed in the fall of 2018, as the member opposite clearly knows. It will come into force as soon as regulations are drafted. We are currently drafting those regulations, and we hope to have them before the public sometime in the very near future, probably by the new year.

Ms. Hanson: From nothing to vague is, I guess, an improvement.

The Information and Privacy Commissioner pointed out that, of the 111 files opened in 2019, 11 of the requests for review could not be settled. These were moved to an adjudication process under the commissioner. She noted in the report that access to information programs operated by this government were in need of repair — and I quote: "This lack of understanding amongst public bodies and their staff about the access to information provisions of the..." — *Access to Information and Protection of Privacy Act* — "... led to lengthy delays in providing access to information to applicants."

Can the minister explain what changes have been put into effect to ensure that public service across government shares a common understanding of their responsibilities under the *Access to Information and Protection of Privacy Act*, and how is this being monitored?

Hon. Mr. Mostyn: The member opposite is working very closely with the Information and Privacy Commissioner, and I welcome that. The reality is that we are working very hard to get the regulations in place.

I know that the Department of Highways and Public Works is working diligently and very quickly to make sure that the regulations that give the teeth its power are brought before us at Cabinet and before the Yukon public very, very soon. As I said to the member opposite in my previous answer, the regulations are currently being drafted and I expect them to be in place by the end of December — perhaps in the new year.

The member opposite is talking about what plans we have to make sure that there is a consistent application to the new ATIPP law, and I am telling the member opposite this afternoon on the floor of the Legislative Assembly that we are working very closely with all government departments, so that we have training modules. The training modules — I have been told by the department — are progressive, very broad, and very thoughtful and I am sure that they will help the Government of Yukon embody ATIPP in the way that it was intended 20 years ago.

Ms. Hanson: Well, let's try another privacy issue. The *Putting People First* report highlighted Yukoners' feelings of frustration over the application of the *Health Information Privacy and Management Act* (HIPMA) across the health and social system. Many patients were surprised when they arrived at medical appointments to find that their medical professional did not have information from other health care providers or

access to test results. The HIPMA review was to start in August of this year.

Can the minister tell this House whether the review has started and, pending the outcome of the review, what is being done to make sure that the *Health Information Privacy and Management Act* is not being used to create barriers to effective collaborative care?

Hon. Ms. Frost: Great question — certainly the department is working very diligently, as noted by the member opposite, with the recommendations from *Putting People First*. Prior to that document coming out, the department was working with our partners. We worked with Highways and Public Works around the IHealth system. We have implemented various platforms, ensuring that we have a seamless journey for Yukoners as they work through health network systems. Looking at privacy, of course, is always a top priority and, under the banner of IHealth, the objective is really to look at care providers having access to critical health information no matter the location while obviously, at the same time, you want to ensure that the individual manages the information themselves — manages the data that will determine the health outcomes.

As part of that process, we are working on a huge number of initiatives across the government to bring those services closer to home, improve the coordination and the delivery of the IT systems we have, and, at the same time, look at our structures to ensure efficiencies so that every Yukoner is provided the support they need.

Question re: Hospital staffing

Ms. McLeod: With regard to nursing, on Monday, the Minister of Health and Social Services stated in this Legislature — and I quote: “We don’t have any vacancies in Dawson City at the moment. At the moment, there are no vacancies in Watson Lake.” It quickly became clear that the minister was sharing incorrect information with the Legislative Assembly. By Tuesday, the Yukon Hospital Corporation corrected the minister and stated that they actually do have two vacancies at the Watson Lake hospital and one vacancy at the Dawson City hospital.

We are in the middle of a pandemic, Mr. Speaker, and not only are the community hospitals not fully staffed, but the minister is not on top of her file. On Tuesday, I asked the minister when these positions at the community hospitals would be filled and she couldn’t answer the question at the time. Can she answer the question today?

Hon. Ms. Frost: I would certainly be happy to speak to the issue. I have done so previously in the Legislature and I will continue to do that.

The recruitment process through the Yukon Hospital Corporation is a responsibility that falls within their purview. We have committed in this last year to work collectively with Health and Social Services to address the challenges with nursing across the country. The question that the member asked previously was specific to positions in Watson Lake. I indicated that we never leave any of our health centres vacant. We have

used locum services. We fill every position and never are we left without supports in any one of our communities.

I am very pleased to say that, during these challenging and unprecedented times, the department and staff have gone above and beyond to ensure that every Yukoner’s care needs were met in a timely fashion. With respect to the high standard of services — I think that we are hearing from the *Putting People First* report the issue — the staff are dedicated. They are dedicated now and I’m sure that the recruitment challenges that are being described are being addressed by the Yukon Hospital Corporation.

Ms. McLeod: On Monday, the minister shared incorrect information with this House about vacancies at the community hospitals. Now, it wasn’t the first time.

We’ve been asking the minister about vacancies at our community hospitals for over a year. We’ve been asking the minister about her underfunding of the Hospital Corporation for several years.

When will the minister take action to address the vacancies at our community hospitals?

Hon. Ms. Frost: I would like to perhaps correct the record because the information that the member opposite is providing is absolutely not correct. The supports provided to the Hospital Corporation since 2016 — they’ve received in excess of 30 percent of their budget to provide for the needs that they defined to us as a government.

With respect to information that I get — do I get in-time information from the hospital always? Not always — because that’s the relationship we have. They report to the minister through a payment agreement. The members know that very well. The hospital is left to manage according to the corporation’s mandate. But we have taken extra measures to ensure that we work collaboratively to address things. No doubt, Mr. Speaker, we are experiencing a recruitment challenge. It makes it more difficult in the north, but we also know that specialized positions sometimes are difficult to fill. Currently across the country, we’re hearing that this is no different.

So, Yukon is not unique to this but we are in effect working together. I have met with the corporation and will continue to meet with them. They are appearing before the Legislative Assembly. I request the members opposite to ask that specific question to the Hospital Corporation at the time as well.

Ms. McLeod: One day, the minister claims that there’s no vacancies at the community hospitals, and the next day, she’s corrected by officials. Of course, it’s not the first time it has happened.

With respect to funding for the Hospital Corporation: Do they currently have any financial asks before the government? Or is the government or the department currently reviewing any financial asks from the corporation?

Hon. Ms. Frost: I think the member opposite is perhaps not quite clear — suggesting that we’re not spending any money on the hospitals. I just made it very clear that since we took office, we provided in excess of 30 percent of additional funding than they did to the Hospital Corporation.

We have provided a lot of supports, and we will continue to ensure that we review with the Hospital Corporation their budget and their budget requests. We are doing that collectively and we are looking and working with the hospitals to address their core needs.

At the same time, we have to ensure that Yukoners are provided the services that they need and that's the responsibility of us as government — the responsibilities of the hospital, always ensuring that they have the resources for effective service delivery models to meet the needs of Yukoners to ensure that Yukoners — particularly rural Yukoners — are well supported to ensure happier, healthier lives, which I can say hasn't happened historically.

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

ORDERS OF THE DAY

Speaker: We are now prepared to receive the Commissioner of Yukon, in her capacity as Lieutenant Governor, to grant assent to a bill which has passed this House.

Commissioner Bernard enters the Chamber announced by her Aide-de-Camp

ASSENT TO BILLS

Commissioner: Please be seated.

Speaker: Madam Commissioner, the Assembly has, at its present session, passed a certain bill to which, in the name and on behalf of the Assembly, I respectfully request your assent.

Clerk: *Fourth Appropriation Act 2019-20.*

Commissioner: I hereby assent to the bill as enumerated by the Clerk.

Commissioner leaves the Chamber

Speaker: I will now call the House to order. Please be seated.
Government bills.

GOVERNMENT BILLS

Bill No. 205: *Second Appropriation Act 2020-21 — Second Reading — adjourned debate*

Clerk: Second reading, Bill No. 205, standing in the name of the Hon. Mr. Silver; adjourned debate, the Hon. Mr. Pillai.

Hon. Mr. Pillai: I am happy to rise and continue to speak to the spending as part of the *Supplementary Estimates No. 1* for 2020-21. As the Premier stated in his remarks, this fiscal year has required that we pivot and update spending expectations from those originally forecast.

Our Liberal government has remained committed over the past four years to strong fiscal management while balancing the interests and priorities of all Yukoners. We delivered a surplus budget this past spring and we are continuing to make

investments in Yukon's future, including the health and social services that Yukoners need to live happy, healthy lives.

Our economy was well positioned for continued growth — the lowest unemployment levels in the country, impressive levels of retail sales and construction, and growth in GDP. However, being faced with a global pandemic required that our team be agile and adapt to the new reality ahead. We needed to contemplate the immediate health and wellness of Yukoners. We needed to contemplate societal impacts and we needed to contemplate the economic impacts that resulted and that continue to be of concern.

We listened to Yukoners to hear about the circumstances that they were suddenly faced with. This included countless calls, e-mails, and meetings with the business community, First Nation and municipal governments, non-profits, associations, union representatives, bank managers, and individuals. We took part in national phone calls with financial experts, which were hosted by the CIBC bank.

We reached out to our local banking leaders to try to understand the pressures that they were under at the time and to try to identify potential trends that we should be aware of and work toward potentially mitigating if they were negative. There were long days and sleepless nights by members of our government. Our team recognized the importance of putting supports in place to help weather this pandemic.

As Minister of Economic Development, I quickly understood from my interactions with the business community that we were in extraordinary times. That is why we established the Business Advisory Council. This incredible group of individuals, who we honoured this week at tribute, represented the interests of: mining, tourism, restaurant services, development corporations, community groups, hotels, outfitters, transportation businesses, financial sectors, businesses on the legal side, chambers, the construction sector, technology, merchants, contractors, and arts and culture. They were tasked with collecting information, providing us with feedback, and making recommendations to inform our Yukon Liberal government's economic response to COVID-19.

Mr. Speaker, this group of people committed a great deal of time and effort to this work. Their knowledge and experience lent valuable perspective to our discussions and provided the information needed to identify mitigation strategies and to inform our efforts. Their collaboration was impressive. I am so grateful for the work that they agreed to undertake during these challenging times. A huge amount of gratitude goes out to each of those Business Advisory Council members.

I would like to specifically thank Mr. Rich Thompson, who was the chair of this group and who had to coordinate. He spent a tremendous amount of time on it while still dealing with immense pressures in his own day-to-day job but, again, worked with all of these individuals.

I would be remiss if I didn't recognize the employees that I have the pleasure of working with in the departments of Economic Development and Energy, Mines and Resources, the Yukon Development Corporation, and the Yukon Energy Corporation. Their ability to adapt, develop, implement, and execute on the programs we have rolled out — all in a matter

of weeks — has been absolutely amazing. There are no words to truly express the appreciation I have for the work that you have done while faced with an immense amount of pressure.

We took decisive action very quickly and early on. The first major economic hit came on March 7 with the cancellation of the Whitehorse 2020 Arctic Winter Games. Minister McLean, Minister Streicker, and I quickly came together two days later with the Yukon and Whitehorse chambers of commerce and several business owners to discuss the impacts of that decision 48 hours later.

On March 16, 2020 — a short nine days after the Arctic Winter Games cancellation — Premier Silver took strong and decisive actions when he made —

Speaker's statement

Speaker: Order. Minister of Energy, Mines and Resources will be careful to identify your colleagues by their portfolios, please.

The Minister of Energy, Mines and Resources, please.

Hon. Mr. Pillai: Sure, Mr. Speaker. He took strong and decisive actions when he made what would be the first of many announcements on supports to come when he rolled out a stimulus package to support businesses and workers.

This included the temporary support for cancelled events program. While the Arctic Winter Games was the first major event to be cancelled as a result of COVID-19, it certainly wasn't the only one to come in the days that followed.

Planning for major events takes a great deal of lead time and effort. This particular fund covered off events which occurred between March 7 and July 31. There were 90 successful applications for 24 events, resulting in \$1.8 million rolled out over the duration of this program.

The paid sick leave program was also part of that stimulus package. Through the Department of Economic Development, we have allocated \$1.2 million for the delivery of this program which provides the very necessary funds to support Yukon workers and self-employed people to stay home when they become sick or are required to self-isolate.

We know that the financial pressures resulting from the need to stay at home are very real, and this is not the time to add to an already stressful time for Yukoners. We simply could not risk the health and safety of our community. In less than a month after the Business Advisory Council was established, we launched the Yukon business relief program. I believe the group came together on March 25 and we were announcing the start of the business relief program on April 9 — just 16 short days later.

We have allocated just over \$12 million to this fund in the supplementary budget. At the onset, the program was to help Yukon businesses that were seeing a 30-percent reduction in revenue, and eligible businesses could receive up to \$30,000 per month. As of September 24, the program has been extended through to the end of this fiscal year and it has been adapted to better align with the changing needs of Yukon's business community. Businesses experiencing an operating deficit are

now eligible and the list of eligible expenses has been expanded.

Mr. Speaker, we've continued to listen and adapt our programs to make sure they are as effective as possible. Through our partnership with the Department of Economic Development, businesses are able to access one-stop shop for the Yukon business relief program and the federal government's regional relief and recovery fund being offered through CanNor. This was all possible because of strong partnerships with our federal counterparts at every level of government.

I think it is important as well to thank the CanNor team and their leadership — and Sierra, who is there, and her work — because it was an unprecedented collaboration between CanNor and the Department of Economic Development. Those public servants truly rose to the occasion. I just appreciate what they all did for Yukon businesses and all Yukoners.

We have heard many stories of how impactful these funds have been. As of September 22, 434 Yukon businesses have received \$5.1 million in funding. In recognition of the additional risk that many lower income essential employees were also suddenly faced with, the Yukon essential workers income support program was rolled out based on what those individuals were faced with.

Through funding announced by the Government of Canada, Yukon was given flexibility to design a program best suited to our unique needs. Using the guidelines for delivery of critical, essential, and other services as the basis for eligibility, we are providing a wage subsidy of up to \$4 an hour to a maximum of \$20 for up to 16 weeks. This amount identified in the supplementary budget of just over \$4.3 million is recoverable from the Government of Canada.

Our Liberal government will continue to listen to the needs of Yukoners, and it will remain focused on ensuring that we move through this pandemic well-positioned from an economic standpoint. Whitehorse was named the most entrepreneurial city in Canada in 2018, and we are so lucky to have this incredible array of businesses here in the territory.

It has been inspiring to see businesses pivot and adapt over the course of the past several months, whether it be shifting to online commerce, offering a renewed method of delivery for services, or adjusting practices to ensure the health and safety of customers and employees. Your dedication and passion are exemplary.

If businesses can adapt in these ways, we know that government should be prepared and ready to support as well through the unexpected. That is why we have requested an additional \$2 million in funding for adaptive pandemic response. Having flexibility to swiftly adjust to meet the requirements necessary to ensure that our needs are met will remain a priority for our team.

Now is the time for us to band together to support our local economy. It is more important than ever for all Yukoners to understand the impacts of what buying local means, and our local businesses have so much to offer.

Our Liberal government understands that the mineral resource sector is one of great importance to the Yukon. Our

operating mines have done a phenomenal job of adapting to the unprecedented challenges brought on as a result of COVID-19. From adjusting shift schedules to adapting to new and challenging health and safety protocols, they continue to weather the storm. We recognize the importance of supporting the sector through all phases, from early exploration through to development.

We also understand the broad range of sectors impacted by the mineral resource sector and how a downturn in exploration can have far-reaching effects.

Hearing such concerns from businesses, the decision was made to increase expenditures for the Yukon mineral exploration program by an additional \$1.1 million, for an unprecedented total of \$2.5 million in investment. The \$2.5-million investment would allow recipients to leverage an additional \$8 million in Yukon for this exploration season. We know that exploration numbers will be down a bit this season from what was originally projected, but we also know that this boost was much-needed and appreciated by many.

Our government continues to advance the work we committed to in promoting responsible resource development balanced with environmental management and demonstratable benefits for Yukoners.

Mr. Speaker, I'm going to thank the Yukon chambers board. I had a lengthy meeting with them last evening, and we talked about the challenges this year and also the many successes, as we see a number of new companies starting to make the Yukon their home since the spring. I was communicating with one of the CEOs last night of a new company — just saying how, even under the current circumstances, the support that the government is putting into the sector, as well as — it's just such a favourable jurisdiction for investment.

It's good to see those new funds coming in and also good advice from the Yukon Chamber of Mines on the fact that we have to get our work done now to ensure that we have clear protocols in place for what we believe will be a very exciting exploration season next year, as we see unprecedented amounts of money being raised across the country in this sector.

So we see very exciting times in 2021.

A few weeks ago, the Premier, the Minister of Environment, and I launched *Our Clean Future: A Yukon strategy for climate change, energy and a green economy*. The two projects identified in the Yukon Development Corporation supplementary budget are strongly aligned with goals and actions identified within the strategy. The requested \$9.275 million in capital expenditures are fully recoverable from the Government of Canada through the green infrastructure stream of the Investing in Canada infrastructure program.

The battery storage project is the first project I would like to speak to. This project is key to harnessing the renewable energy produced through solar and wind sources. It will provide 40 megawatt hours of backup capacity to provide grid stability by maintaining generating capacity through peak demand.

At this time, Yukon Energy Corporation is undertaking a period of public consultation to determine the best site for the

battery, as has been discussed publicly over the last couple of weeks.

The second project is the Mayo to McQuesten transmission line and upgrading of the Stewart Crossing substation. The result will modernize the aging infrastructure, improving the reliability for residents in the area and ensuring that Victoria Gold's Eagle project and Alexco's Keno Hill project have access to a clean source of renewable energy provided by on-grid generation.

Our government believes that the mineral resources extracted in Yukon — where we are well-positioned to take advantage of environmental, social, and governance, or what is known as ESG, financing we believe that this criteria is the best path forward for the sector. When we contemplate that resource extraction is necessary for the future of a green economy, we can be proud to stand behind the resources that are extracted here — in particular when the process is using renewable energy sources. We are very happy that these projects proceed at this time as further stimulus to our economy as we navigate the impacts of COVID-19.

These items have been extremely welcome additions to our capital expenditures from a private sector perspective. Our government is committed to doing what is right and necessary for Yukoners and is supporting them through this challenging time. We have listened and we have taken definitive action. We are continuing to be prepared to adjust and assist going forward, whether that be as we navigate a second wave or on the road to recovery. The projects we have developed in partnership with the private sector and with other levels of government are playing a critical role to ensuring that the business community is supported. The work we have done over the past four years ensure that our physical framework is well-positioned to weather any storm that we are faced with and should not be overshadowed by the supplementary budget.

Spending has been thoroughly contemplated and we have committed to fiscal responsibility while investing in and meeting the needs for all Yukoners — whether that be the environment, our economy, or health and well-being.

I am proud of the work that we've done and I look forward to continuing this work. I am extremely grateful to the residents of Porter Creek South who have supported me through my time as their MLA. It is an honour to represent their values and needs.

Mr. Speaker, in closing, I do want to specifically thank those in Energy, Mines and Resources who put in long, long hours to deal with some of the early challenges that we had putting in the proper protocols, working above and beyond. I truly appreciate that. I also specifically thank people who worked on policy in the Department of Economic Development. I truly thank them for the work they've done. They put in a tremendous amount of effort and long hours. They knew how much was on the line and they certainly delivered. For those individuals who were building policy in real time, I just want to thank them for the work they did. They have made all Yukoners proud of that important work that they did at that particular time for all of us and the economy.

Ms. McLeod: As I have said, it's always a pleasure to rise in budget debates. I am going to take this opportunity to thank the people of the Watson Lake riding for their continued support.

One of the most disturbing results of this pandemic for me as an MLA has been the loss of opportunities to connect with folks through drop-in coffee times, seniors' lunches, meetings with the chamber of commerce, and the many social gatherings we used to enjoy. It just isn't the same to talk on the telephone or converse through text messages.

However, I continue to push for improvements for Watson Lake — things that will have a beneficial impact for the people of the community and throughout the riding — things like lighting, proper land development in all forms, crosswalks on the Alaska Highway, improved cellphone coverages, and a number of health-related matters.

The single most important health matter has been the travel assistance for rural Yukoners — and, indeed, for most Yukoners. I am pleased to see the government finally moving forward on implementing increases to medical travel subsidies. The Official Opposition has been requesting a review of the medical travel subsidies and rates for a number of years. We have questioned the government and presented a number of concerns and constructive solutions from constituents throughout the territory during debate. Yukoners deserve to be able to put their health first without having to worry about the hit to their financials just to travel for medical purposes. It is a step down the right path, Mr. Speaker, and it will help ease the increasing financial burdens that Yukoners experience with medical travel.

Now, this is certainly a different year for us here in the Legislative Assembly. Spending is at an all-time high with this government. Of course, this is, in part, due to COVID spending, but on the one hand, we see projects being undertaken by the government that may be a little over the top.

I tabled a letter in the House that I had written, along with the Member for Lake Laberge. His constituents are concerned that government is installing 45 street lights that they did not ask for. My constituents in Watson Lake have been asking for a few street lights to be installed along the stretch of the Robert Campbell Highway that is used by pedestrians. Now, this is in order to help increase safety to both pedestrians and motorists — so, 45 streetlights. In this letter, we proposed that the government consider reallocating some of those lights to Watson Lake. Well, that is not going to happen.

I would like to give my thanks to all those essential and front-line workers who have continued working to provide essential services to Yukoners and to the teachers, parents, and students who continue to make the best of a less-than-optimal situation and to those business owners and tourism operators who are doing everything they can to keep going despite all odds being against them during this pandemic.

I will have some questions as we move into Bill No. 205. Health and Social Services has over \$43 million in sums required in this appropriation for O&M and over \$8.6 million in capital. I will look forward to finding out where these funds

were spent and how the government made the decisions that they did to spend them.

We have almost double the deaths this year from previous years due to drug overdoses — specifically opioid-related. Mental health concerns are on the rise, and I am curious to see just how much of that extra spending went to help those who may require additional mental health supports.

I am not going to take any more time today. I look forward to getting into more in-depth discussion about the spending and more with the minister. In closing, a note to all of my constituents: I will continue to bring matters of importance to them to this House.

Mr. Gallina: It is an honour to continue to represent the riding of Porter Creek Centre. It is a growing, diverse riding with passionate community members who regularly share their insights and concerns about how to make their community a better place to live.

When this Liberal government took office, we did make a commitment to put Yukoners first, and this year has been a true testament to how we have worked with and for all citizens of this territory. My colleagues have touched on many aspects of these supplementary estimates, but there are a few that I would like to highlight because of their relevance to my constituents in the growing riding of Porter Creek Centre.

We recognize that sport organizations are important to Yukoners. This global pandemic has created challenges for our local athletes and organizations this year, which include limiting organized sporting events and the closure of larger events, such as the 2020 Arctic Winter Games and the Native Hockey Tournament.

I have a strong connection to multi-sport games in this territory. I'm the father of a gymnast who had been training for years to participate in the Arctic Winter Games here in Whitehorse. Needless to say, our family was devastated when the decision was made for the games to be cancelled for the safety of Yukoners and those who were planning to visit.

As we look back on that time when the decision was made, we know that it was the right thing to do. I feel that we're in the situation that we're in right now with very low COVID-19 cases and the ability to visit friends, conduct business, eat in restaurants, and play sports because of the actions by this government to keep Yukoners safe in the early days of this pandemic.

In these supplementary estimates, this government established the support for an events funding program this year to assist organizers of these events in recovering losses as a result of the pandemic. The financial request for this program is approximately \$3.5 million and has helped many organized sporting events with financial support during these exceptional times.

As a government, it is our responsibility to support our community when our decisions negatively impact social activities and events, and this was no exception. As a result of this government's decisions related to organized sports and closures of events, many organizations have been financially impacted. My colleagues worked with their federal

counterparts, who saw the federal government create a temporary relief fund of \$72 million for sport organizations. Of that, Yukon received \$1.6 million to distribute among our 38 local sports organizations.

This funding is for assisting these organizations and to help cover COVID-related expenses that were incurred over the course of this year and to assist them in moving forward and adjusting operations under the current guidelines. Fortunately, the full \$1.6 million is 100-percent recoverable from the federal government.

A primary theme and focus of this government has been the health of Yukoners. Constituents in Porter Creek Centre are wide-ranging, from younger generations who benefit from strong family, health, and educational support systems to empty nesters and elders who have varying health needs and look to government programs to provide health support as these folks transition into their golden years.

Decisions made by this government to help Yukoners address the COVID-19 pandemic were not taken lightly. We recognize the financial impact that this pandemic has had on our society at large, and we have taken many important steps to ensure that Yukoners and Yukon businesses receive the support that they require.

Although previous years have not been an exception, this government continues to work closely with our federal partners to ensure that we maintain our course in building a strong Yukon economy and transition toward economic recovery.

Our tourism industry is also suffering as a result of this pandemic. COVID has negatively impacted more than one million tourism jobs across Canada due to the restrictions of travel. Anticipation for another record year of visitation here in the territory was quickly washed away as our territory and nation tightened their restrictions on travel and began requiring a two-week isolation period when entering the territory.

The department's response came early on in this pandemic, and efforts were geared toward stabilizing Yukon tourism businesses. The development of relief programs to mitigate the impact of the pandemic was a clear priority. In these supplementary estimates, the Tourism and Culture department re-profiled portions of its budget to allow flexibility for funding support initiatives such as the tourism cooperative marketing fund and marketing campaigns targeting British Columbia residents as well as Yukoners. The tourism cooperative marketing fund itself increased to over \$1 million for 2020 and 2021. Eligibility requirements for this program were also loosened to ensure that more businesses and organizations could apply and access the necessary funding.

As part of the recovery, the Yukon Tourism Advisory Board reviewed the *Yukon Tourism Development Strategy* and determined that a new value be added that highlights the significance of the health and safety of visitors as well as Yukoners.

The tourism recovery strategy focuses on rebuilding confidence and capacity for tourism, refining Yukon's brand to inspire travellers to visit our incredible territory, preparing operators for recovery, and, of course, instilling tourism leadership.

The regional relief and recovery fund under the Canadian Northern Economic Development Agency through the federal government has provided \$3.93 million in funding to assist Yukon businesses with COVID recovery.

This loan program is running from September 2020 to March 2026 and will assist many small- and medium-sized businesses here in the territory in their recovery efforts. These interest-free loans will have principal payments deferred until December 31, 2020, and will provide Yukoners with the flexibility that they require during these economically challenging times.

Mr. Speaker, community development is equally important to constituents of Porter Creek Centre. The community development fund provides long-term sustainable social and economic assistance to Yukon communities. Between 2019 and 2020, this government approved 87 independent projects for funding for a total commitment of \$2.8 million, with over \$2 million of these dollars being disbursed since April 1, 2020.

We've seen many different projects come through, all designed to enhance the quality of life of Yukoners in creative and impactful ways, from the development of outdoor spaces for community markets, an educational program, to the curriculum and training programs for indigenous people and support for high-risk individuals. There is no shortage of creativity or willingness from Yukoners to help those in need. Yukoners want to support each other, and they want to know that their government supports them in their initiatives.

Programs like these encourage brighter and more prosperous futures, which cannot be understated during a time like now. All of these successes are the result of dedicated and hard-working Yukoners, many of whom are volunteers.

Mr. Speaker, none deserve more recognition than our essential workers. When our world began locking down, these brave people stood up and put their health and wellness on the line for the greater good of our territory. It is important that society and governments recognize the valuable role that these people play in our everyday lives. On May 19, 2020, the Yukon Essential Workers Income Support program was created in an effort to provide the much-deserved income support that lower income essential workers needed. This assistance has gone a long way in helping many of my constituents in a time of need. This program has received over 250 applications and approved over \$245,000 in funding.

Mr. Speaker, we have many programs and supports that were launched this year to assist employees and employers at large. We understand the frustrations and challenges that many Yukoners are facing and we continue to engage with Yukoners on many fronts to ensure that they do receive the supports they require.

It is a lot to ask of citizens to take two weeks away from work and to self-isolate when there isn't certainty that they are infected. The paid sick leave rebate provides options for small business owners and employees with limited paid-leave options and opportunities.

We want to ensure that we are supporting Yukoners every way that we can, especially when we have implemented public

health-related guidelines. This program provides income coverage for employees required to self-isolate as a result of developing COVID-like symptoms. We don't want Yukoners to feel like they have to choose between potentially infecting others and maintaining good financial standing in their household. This program has received over 140 applications and approved over \$270,000 in funding. We hope that Yukoners will continue to do the right thing during these trying times and know that this government is willing to support them so that they can make the right decisions no matter how difficult it may be.

Mr. Speaker, it is no secret that local businesses have been hurting. Unfortunately, we have seen some close. Some struggle to hold on, and some more fortunate ones succeed. The Yukon business relief program is an effort to help Yukon businesses survive the economic hardships presented this year. This grant program provides financial relief for fixed costs for businesses impacted by COVID-19. Eligible costs include: commercial rent and lease; telephone, cable, Internet and satellite services; business insurance; mortgage interest on owned premises; and much, much more. The government has received over 450 applications and has distributed over \$4.7 million in funding to support Yukon businesses.

Mr. Speaker, this summer has been a difficult one for many Yukoners as we rethink and adjust to new ways of connecting with one another and doing business. Change is constant and, in addressing this pandemic, these words truly speak to the situation that we are all faced with.

My Liberal colleagues and I have been working hard since the pandemic started. We have engaged with constituents to understand their frustrations and their needs and to provide many necessary supports, as well as answer important questions that they have raised with us on a regular basis.

Mr. Speaker, as an MLA, I would say that the single greatest challenge I have faced in working with my colleagues to respond to this pandemic is my limited ability to check in on people face to face to hear about how people are doing as they adjust to health measures and other restrictions. Without these personal connections, I am significantly limited in my ability to share valuable information with people that may help them and their families.

In response to these challenges, I have mobilized for my constituents in many ways. Since this past Spring Sitting, I have regularly met with my Liberal caucus colleagues to plan and adjust to this pandemic. These connections allowed me to further understand government decisions and share that information with my constituents. These connections with my colleagues also allowed me to bring forward constituent concerns and questions. I know that this input was considered by this government in how Yukoners have been supported during this pandemic.

I was able to host a constituent event this past summer on the shores of the Whistle Bend pond. I managed to select a day when it wasn't raining much, and I was able to create a forum for meaningful, physically distanced conversations with folks in an outdoor setting.

I heard concerns about what the school year would look like, with some parents wanting more remote learning options while other parents wanted to return to full-time classes. I heard from teachers who wanted more time to prepare for the upcoming school year and work to hone new operational plans. In contrast, I heard from teachers who were eager to start classes right away, knowing that the school community would come together, mobilize, and once again create a safe and loving environment for learning, because we know, Mr. Speaker, that many children have a home life that may be unstable, or even volatile.

As well, Mr. Speaker, in a way, to continue the conversation with Yukoners, the Liberal caucus hosted a virtual town hall focused on the government's response to this pandemic and keeping Yukoners safe. Over 770 people have viewed this virtual town hall where the Premier, the Minister of Education, the Minister of Community Services, and I answered questions from the public about emergency measures.

As other members have stated here in this Assembly, the way in which we connect with one another has changed in this new reality that we find ourselves in. I know my colleagues and I are committed to being open and accountable to Yukoners and will continue to find ways to hear from Yukoners and help Yukoners understand the decisions that we make as a government and continue to make ways for Yukoners to bring their issues forward and be heard.

In closing, I would like to say thank you to my team for their hard work and dedication, and I would like to thank constituents of Porter Creek Centre for allowing me to represent them here in the Legislative Assembly. The job is demanding during a normal year and considerably more so when faced with the challenges of our current times. I know this government will continue to act in the best interest of Yukoners. While balancing our decision-making is challenging, we've done our best to deliver on what Yukoners want and what they need.

I do look forward to all members of this House supporting these supplementary estimates. I'll do as far as to note from Hansard that, this Fall Sitting, the Member for Kluane has shown support for these supplementary estimates. He has stated — and I quote: “We are not necessarily opposed to any of the government's spending... We do understand that money is required to address the issue during the pandemic.”

As well, the Member for Kluane went on to state — and I quote: “While we can agree — and I can say this — that many of the actions were taken were necessary and effective...”

With that, I'm encouraged that members opposite are supportive of these supplementary estimates as a means to support Yukoners in these extremely trying times.

Mr. Kent: It is always a pleasure to rise to respond to budgets or money bills or speeches from the throne or any number of things in this Legislative Assembly. I think that all who are elected here — no matter which side of the House we are on — should be very honoured and feel very privileged to represent the individuals who sent us here.

As we are about to enter the last year of this government's mandate and there is an election on the horizon, like all members in the House, I would like to take the opportunity to thank my constituents in Copperbelt South. It has been just about four years since the last election, and it has been a real privilege to represent them here and to meet them on their doorsteps or in meetings, whether it is at the Golden Horn Elementary School council or in the yard at the school as I either drop off or pick up my young son who started kindergarten a year after we got elected here and is now in grade 3 at Golden Horn Elementary School — so, time certainly flies by as we approach the next election.

I would also like to thank the teachers at that school and the past principals — Ms. Close and Mr. LeBlanc — and welcome the new principal this year — Ms. Dennis — to Golden Horn Elementary School and wish her very well as the year progresses.

I have also had the opportunity to meet with a number of community associations throughout my time as the MLA and I value those opportunities. There are some awesome organizations out in the riding of Copperbelt South — whether it is involvement with the city's trails work or FireSmart or just engaging with their citizens in cleaning up garbage along the highway or pulling weeds or other things — I have had an opportunity to participate in a lot of those activities with them, and I thank them for all of their work and their commitment to the various neighbourhoods in Copperbelt South.

I would also like to thank all of the businesses out in my riding and the individuals who have engaged with me over the past number of years. It has been very informative and a pleasure to help them with their particular issues — whether it is slow Internet or issues with government departments or other governments — it has been a pleasure to represent them, as I mentioned.

I would also like to thank Mayor Curtis and the council, particularly councillors Hartland and Boyd, who I have interacted with on a number of issues over the past four years. They have been very responsive. Much of my riding lies within city limits. There is a portion that is outside city limits, but it is a government I have interacted with on a number of occasions, and I would really like to thank the mayor and council for being very responsive to the concerns that I have brought forward on behalf of residents throughout the riding who are located within the city limits.

Obviously, it has been a while since we gathered here. In March, at the height of the pandemic, we cut short our Spring Sitting and only sat for nine days. Since that time, the Yukon Party has also elected a new leader, and I would like to welcome Currie Dixon to that role. I know many of us — or all of us — are looking forward to him leading the party into the next election.

I would also like to take the opportunity to thank the MLA for Lake Laberge as well as Linda Benoit for putting their names forward during our leadership campaign. We had a record number of members vote, and there was a lot of excitement and there continues to be a lot of excitement around the Yukon Party as we move toward the next election.

Since we adjourned in the spring, I have fielded so many questions and inquiries from constituents and Yukoners alike. Many are specific to the riding, and many are specific to the territory as a whole. I would like to thank the ministers who were able to respond and act on some of the questions or queries or letters that I sent throughout the summer. Work on the roads in the Golden Horn subdivision — I thank the Minister of Highways and Public Works for being responsive to those letters and getting work crews out there late this fall to accomplish the repairs that needed to be made to the roads.

I look forward to hearing more from the Minister of Community Services when it comes to the expansion of the rural electrification program, hopefully into city limits. I know it was a throne speech commitment that was made by the Liberals last year, and we look forward to getting some answers on when we can see that implemented. I know there are many people within city limits who are anxious to access that program — but we have also heard from municipalities that have questions and concerns. We look forward to getting into Community Services debate and asking those questions.

Some of the other individuals who either live in my riding or live throughout the Yukon and whom we heard from during the pandemic — during the early phases — had questions about reopening. We have heard from people in the personal services — the salons, the hospitality sector — and, of course, tourism operators are anxious to get the full tourism recovery plan announced.

We heard a number of health concerns early on as well from the health care allies and the closure of their businesses — from the dentists who were shut down from the end of March until early in July for things other than emergency issues and then to Yukoners who were on the wait-list for elective surgeries or other procedures such as for cataracts and the challenges that they were facing when the hospital was shut down early on in the pandemic — and then it later reopened.

I have heard a number of concerns around housing affordability and the wait-list and the rent supplement program. I recently sent a letter to the Minister responsible for the Yukon Housing Corporation about this.

Mental health — we have talked about mental health issues throughout this pandemic and the negative effects. We talked about it on a motion day, and we have talked about it in Question Period. Again, we will look forward to digging in with the appropriate ministers when we get to those departments here over the next while.

Many contracting and procurement questions have arisen during the pandemic as we have migrated to the new online system. I know that my colleague, the Member for Pelly-Nisutlin, will have questions for the minister about that. There are lots of questions around the borders and the openings with all of our American friends travelling through and on the routes that have been assigned. The early mistake made by the Liberal government in listing specific businesses along the route created a real challenge. One of the things that jumped off the page — and it was brought to my attention by the Member for Watson Lake — was that, when that list of designated

businesses where travellers could stop was provided, there was only a gas station on that list from Watson Lake.

There were no hotels. There was only the one gas station — none of the other gas stations or RV parks. That created a real challenge. The work of the Member for Watson Lake caused us to question the government, and they later changed that document that they were giving out at the border so that it was a route designation, rather than naming specific businesses or picking winners and losers. That was a big concern early on in the summer that was rectified, but some of the businesses felt that this created an awful lot of damage to their operations.

We have heard from a number of Yukoners who value our outdoor spaces. There have been hunting and fishing concerns brought forward and concerns with the recent announcement of increased camping fees, as well as a petition that was tabled earlier this week. It had a small number of signatures on it for the official petition that met the forms of what the Legislative Assembly had, but an earlier petition that we tabled had, I think, some 28 or 30 signatures on it from residents along the Tagish River who are looking to ensure that not only their concerns for their property values are addressed but also their concerns about the enjoyment of that property.

The list goes on and on as far as what I have heard from individuals throughout the pandemic, the concerns that they have brought to me, and what we intend to bring forward.

I just want to spend a little bit of time now speaking about my specific critic roles. I will start by thanking the officials from Energy, Mines and Resources, as well as Education and the Yukon Development Corporation, for the briefings. Energy, Mines and Resources only has one line in the supplementary — increases to the Yukon mineral exploration program. Of course, in the shortened Spring Sitting, we never had an opportunity to debate the larger budget — the mains — from Energy, Mines and Resources, so I will have a number of questions for the minister when we get into that department on the mains as well as the YMEP program that has been enhanced through the supplementary budget. There are any number of issues that we could talk about and that we will talk about on the energy and the mining file. I look forward to engaging in that debate.

As I did mention to the minister's officials at the briefing — and I'm sure they passed that on to the minister — one topic that I will look forward to discussing is with respect to the Faro mine. I know that there are no longer dollars in the Yukon's budget with respect to the remediation of the Faro mine, but there are still some questions that I'm hoping the minister can answer when we get into debate on that specific department.

One of the other critic roles that I have is Education, and there has been no shortage of outreach and concerns from parents. There are social media groups that have concerns with grades 10 to 12 here in the Whitehorse area not being returned to in-class, full-time learning. It's a hybrid model where students are in class half the day and then, for the other half of the day, they're doing online learning either in a study hall or at home or often at their parent's workplace, if that's what's needed.

I know we have talked a lot about it in Question Period, but I'm hoping to get into some of the details with the minister

about that specific planning. One of the topics that we have talked about a lot in the early days of this Fall Sitting is with respect to the Wood Street Centre and the programs being moved from there. One of the other Facebook groups that has been created is with respect to the music, art and drama program and how that program has been negatively affected.

The minister — earlier on today during her response to the petition brought forward by the Leader of the New Democratic Party, the Member for Takhini-Kopper King — admitted that communication was poor between her and the students, so hopefully that's a step in the right direction and they can clean up that issue when it comes to communications on this. Those students have a very successful program and are feeling left out and ignored, and that's why we see the Facebook group with hundreds of Yukoners, and that's why they have brought a petition forward. That's why representatives of that program — whether past parents, past students, or past teachers — have attended the Legislative Assembly and sat in our gallery on a number of occasions early on in this Sitting.

Of course, again, unlike Energy, Mines and Resources, we did get to talk about Education in the Spring Sitting for a little while. Most of that conversation was around the COVID response, the extended spring break, what last year was going to look like — and that type of thing. We will look to ask some more questions of the minister when it comes to the school reopening plan, the federal funding and what the plans are for that, and, of course, what the minister has identified as a priority, which is getting grades 10, 11, and 12 students in Whitehorse back in class full time. We will be looking for updates from the minister on when we can expect that to happen — because many families are struggling with that arrangement. Some whom we have heard from — and I'm sure some whom others have heard from — are doing okay with it, but many whom I have talked to are having to have their children seek external counselling or mental health supports because of the new system that has been put in place by the minister and her colleagues. Others are struggling with respect to the transportation. Many of those who live in the periphery of Whitehorse are finding that they are on the bus for an extended period of time and they are missing portions of their online learning. We will be looking for some answers and some possible solutions from the minister on the transportation issue.

Some families are struggling because they find themselves having to assist those students when they are either at home or in their workspace — or, I guess, not in the study hall — but they are having to assist students with the online portion of their learning. We talked about this earlier on in Question Period today, and the minister admitted that she was puzzled that high-school-aged students were having difficulty with transportation and learning. I would encourage her to take a look at some of the Facebook pages or take a look at some of the letters that were sent to her by parents and students. Hopefully she will be able to understand the concerns and the challenges that many Yukon families are facing with the grades 10, 11, and 12 students in Whitehorse not being in class full time.

That said, the other responsibility that I have is with respect to the Yukon Development Corporation, so I look forward to — I understand that the minister at one point earlier on in this Sitting mentioned that representatives of the Development Corporation and the Energy Corporation will be appearing as witnesses, so we will look forward to getting into further detail with them at that time.

That said, I thank the House for their time today and we, of course, will not be supporting these supplementary estimates when it comes to a vote at second reading, but I look forward to hearing the remainder of the speakers here and closed, of course, by the Premier when he gets the opportunity. Again, I thank the House for their time here this afternoon.

Ms. Hanson: I want to thank the Member for Copperbelt South. It is refreshing to actually hear a member stand and speak without using government communication-ese or spin and to talk about, from an experiential point of view, the experience of being a Member of the Legislative Assembly — identifying the issues and concerns that each of us here has raised from our constituents. I thank him for that, because those are real, they are important, and we share them as members of this Legislative Assembly and it goes to the very crux of the thoughts that I have as I stand here today to talk in general debate about this bill and the circumstances that we find ourselves in since we had our abbreviated Sitting in the spring.

I am privileged to represent Whitehorse Centre, a riding that I am coming up on my 10th anniversary — December 10, I believe. Don't ever call an election — I am warning anybody to never call an election in November/December. I can tell you that it is dreadful to canvass at 40 below — just as a heads-up.

Whitehorse Centre is a riding that has faced many challenges, and this pandemic has and is continuing to bring many challenges, in a concentrated form, to Whitehorse Centre.

Whitehorse Centre is very diverse. If you look at the changes over the last 10 years just in housing stock — just in the demographics, it's quite astounding. When I look and talk with people who have started businesses, struggled with businesses, lost businesses over the last while, that strikes me and it causes me concern. When I see businesses or people who have come to the Yukon under the auspices of, say, the Yukon business nominee program — where they're required to invest significant amounts of money in businesses in order to be able to gain access to citizenship, ultimately, in the Yukon — and I see government taking actions — or lack of action — that are causing huge stressors for those businesses, that threaten to cause them to fail because of lack of a coordinated communication and work by government departments, I have an obligation as a Member of the Legislative Assembly to raise those concerns and to be the voice. That's my job. Each one of us has that obligation — including yourself, Mr. Deputy Speaker.

It's interesting when I hear the members opposite talking about “our team” as though it's an exclusive group. Well, quite frankly, that's offensive. We are all on this team. We are all members of this Legislative Assembly. That's our team: It's not the Yukon Liberal team. We represent the citizens of Yukon.

I'm offended and I think Yukon citizens are offended to have this notion that there's a superior team over there and they're the ones who make the decisions solely.

Quite frankly, Mr. Deputy Speaker, that has been the experience since mid-March when this Legislative Assembly abruptly — and appropriately — shut down in response to perceived threats from the COVID pandemic. But one of the issues I want to speak to today before I speak to some of the particulars about the *Supplementary Estimates No. 1* for 2020-21 has to do with how we maybe learn from the experience since March and we, as Members of the Legislative Assembly, can contemplate working together going forward — because, quite frankly, this pandemic is not over and nobody has given an end date. Nobody has said: On this date or that date, it's finished. Finis.

I think that from any objective point of view, the functions of this parliamentary democracy, if not utterly failed, could at least be described as stuttering along over the last number of months. I don't say that to be overly critical, but I am offering a critique. I offer that critique because members on this side of both opposition parties made repeated attempts over the last months to find ways to engage in a meaningful way as Members of the Legislative Assembly on the record. We were rebuffed at every attempt. We have heard from outside — external to this Legislative Assembly — observations being made about the process. Those are often totally panned by the government side, but I think we should have the humility — we hear a lot about humility — as part of the government's response. Someday I would like to see it demonstrated, but so far, I haven't. The word is there, so I am going to seize it, Mr. Deputy Speaker.

One of my colleagues from the Yukon Party earlier this Sitting made reference to — but didn't describe — a study that was done by the Samara Centre for Democracy. He didn't describe what they actually are and what they said. I'm looking at the opportunities that we have going forward as a parliamentary democracy. Just for the record, the Samara Centre for Democracy is a nonpartisan charity dedicated to strengthening Canada's democracy. It focuses on evidence and reforms needed to make Canadian politics more accessible, responsive, and inclusive.

I wondered — when I read over the last couple of years about Samara, I thought it was referencing some sort of a biblical reference, but it's actually not. Samara is the winged helicopter seed that falls from a maple tree. It is actually a symbol of Canada. From small seeds, they say, big things grow.

In looking at what was going on and how provincial and territorial legislatures had adapted or not to COVID-19, they made a number of observations. I wanted to share some of those with this House before I close with some comments with respect to *Supplementary Estimates No. 1*. I will just quote here — and for Hansard, I will provide them a copy of this so that they have it.

They say — and I quote: “The COVID-19 pandemic has affected our parliamentary democracy differently in different parts of the country... it's important that we draw lessons from the experience... especially given the risk that legislatures may

once again need to restrict their activities in response to future waves of the virus.” There is no guarantee in this game.

One of the observations that they made was that “Oversight delayed is oversight denied” so “Keeping legislatures closed until the emergency response is over means that Opposition parties may eventually be able to hold governments accountable for their choices, but aren’t able help to shape the response in real-time.”

I have heard repeatedly from government members great listings of all the wonderful things that the money has been spent on in supplementary estimates, but that’s not the sole prerogative of government, and that’s part of what the Samara Centre is saying — that by denying all Members of the Legislative Assembly to engage in that debate, you are denying the responsibility to help shape the response.

At the time they wrote this, they said: “... essential that provincial and territorial legislatures resume regular and ongoing scrutiny of their governments’ response to the pandemic in a manner that allows all Members of each legislature to take part. Legislatures should also develop contingency plans to allow scrutiny and oversight to continue should a second wave of infections force renewed restrictions on travel and public gatherings.”

That’s exactly what we have been calling for — why we have asked for SCREP or any of the other venues. We are in the 21st century. We can create the rules. That’s our job as Members of the Legislative Assembly — to create the rules to respond to the circumstances. It’s not simply to say that the status quo is fine. We heard enough about that yesterday.

One of the other observations was — and they actually use the Yukon as an example. The heading was “Haste can make waste”. They talk about how “Trying to rapidly push through legislation can lead to inappropriate measures being adopted...” — and they used Alberta’s Bill No. 10 and Newfoundland and Labrador’s Bill No. 38 — “... unnecessary stand-offs...” — as occurred in Manitoba, where they had a filibuster — “... or the need to re-examine the choices after the fact (e.g. the Yukon budget).”

They also went on to say that “... legislatures would be better served by finding ways to hold sufficient debates that allow greater participation by a larger number of Members, or by adopting only the principles only the barest minimum of legislative changes needed to respond to the pandemic should be made through emergency sessions with a reduced number of Members” — not just with government but with members, Mr. Deputy Speaker.

They also, again, make reference to Yukon. They talk about how “Cooperation is best done in public”. “As shown with the negotiations around the Yukon budget, the desire to quickly respond to the pandemic can lead to closed-door negotiations between senior Government and Opposition lawmakers.” That can happen.

They go on to talk about how “While cross-party collaboration is generally encouraging, these elite-focused processes marginalize the vast majority of MLAs who are not party leaders.” Sorry, party leader, but it is the truth.

“They also move major debates out of the legislature, with its public record of debates, making it difficult for citizens to know what options were considered, who should be held responsible, or even — in the case of the Yukon budget — what decisions were made.”

“While constructive cross-party collaboration should be encouraged, it should take place in public legislative sittings.” This is the essence of parliamentary democracy. What are we afraid of in this territory? What is the Yukon Liberal government afraid of?

So, they say: “Usual business is necessary, but not necessarily business as usual — Given that the COVID-19 pandemic may last for another year or more, provinces and territories will need to find ways of considering non-pandemic business.”

“Legislatures also must recognize that many individuals are distracted by the impact of the pandemic and that many civil society organizations are struggling financially.”

“Rather than rapidly passing bills before they can attract public attention and input, legislatures should find a way to expand their engagement with citizens.”

They talked about the virtual processes used by the Province of British Columbia — the virtual consultations that they have done.

Over the summer, there were many attempts by various members of this Legislative Assembly to suggest that we give thought to and be creative about structures. They used the heading “Whither committees?” — “Given the smaller number of Members required and the chance for focused scrutiny on issues like health and education, it is surprising that most legislatures have made little or no use of committees during the pandemic.” Well, hello — we fit right in there.

“Moving committee meetings online would provide Members with new opportunities...” — here I talk about Committee of the Whole. The opportunity is to do that. We don’t know what’s coming down the pipe. Why are we so reluctant to even talk about thinking about how we’re doing to maintain a parliamentary democracy under challenging circumstances? Failing to plan is planning to make scrutiny difficult.

I’ve heard many times from the members opposite about transparency and about accountability. I would like to have a conversation about how that’s going to happen, because having government members stand up and rhyme off pages of decisions already made and expenditures already made is not parliamentary democracy. That’s not what you got elected for; it’s not what I got elected for. Nor is it accountability, when you finally do get a summation of the supplementary estimates, to be handed a document that says, “Oh yeah, health care and public health responses — we spent \$33.7 million.” You say, “Gee, on what?” You’re told: “Well, we spent \$33.7 million.” Well, how do I have an informed discussion about that? Or — “We spent \$44.8 million on financial and economic supports.” We’re charged, as the opposition and the Official Opposition, with holding government to account.

The government alleges that it is open and transparent. So, after seven months, why do we get a rollout that tells us that, on

emergency management, coordination, and enforcement, we spent \$6 million?

Great — what does that mean? Absent the briefing notes, do any of the ministers and the back-benchers on the Liberal side know what it means? Absent the briefing notes, do any of the ministers and the back-benchers on the Liberal side know how those decisions were made? What issues were not included? What perspectives were not included? From my riding, what measures were being taken to address the real and serious concerns raised by residents and businesses in the downtown core as a result of the impact of the decisions made by the Yukon Liquor Corporation and the Department of Health and Social Services to create major conflict in an intense area in downtown and to not respond in a respectful way to the concerns being expressed over 18 months by citizens and businesses and to not take seriously the threat that some of those businesses will be out of business? Some of those residents are being forced out of their homes. How do I know? I don't get a response. I am not involved in the discussion.

When I hear a Liberal back-bencher saying that he has met with the Liberal government colleagues, I say, "How very nice." Those of us on the opposition side represent 60 percent of the electorate of Yukon. Surely if we're talking about respect, transparency, and accountability, we might find ways to work together to make the process more accountable and transparent. We might not fall back and say, "Well, that's not how we've done it. We're not prepared to consider any other options. Just trust us, and we'll tell you how well we did." Quite frankly, after four years, that has worn really thin.

There are many questions because there are so few details. My colleague, who spoke just prior to me, was very polite. I am trying to be polite, but I can tell you, Mr. Deputy Speaker, that it is very difficult at this stage of the game given the responses we have received or lack of.

Hon. Mr. Mostyn: It is a great pleasure today to rise to speak about the supplementary budget. It is also a privilege to represent the constituents of Whitehorse West — my privilege and my pleasure. As I have walked through the neighbourhood recently in past months and years, I'm always struck by the thoughtfulness and kindness and just the generosity of the people whom I represent in the riding.

This year in those meetings, that generosity was bestowed upon me in a time of great crisis, and that is the backdrop upon which this document, this supplementary budget, lands this year during a once-in-a-century global pandemic. The finances reflect these extraordinary circumstances in the Yukon, in Canada, and around the world.

I state this intentionally to be perfectly clear because, as I found out this weekend, there are people who do not accept the reality of this pandemic. They say that it's a hoax, that it doesn't exist, that it isn't a threat, and that the actions we have taken to protect people are not just an imposition, they are wholly unnecessary. They told me that it's not real — do the research. This, as somebody who values information — the provision of information, the dissemination of information, the reporting of information — and public safety, I find it deeply troubling. This

is where we are, in a world where an illness that has killed more than a million people in a few short months is a hoax.

Well, let me be clear: It is no hoax and there is no government on the planet that isn't struggling to navigate the predicament we all find ourselves in here in October of 2020. COVID-19 snuck into our lives 11 months ago from China in mid-November, according to a report in *The Guardian*. I note this because it provides important context.

Since November, in just 11 months, this new virus about which virtually nothing was known has killed more than a million people around the world — and shockingly, more than 20 percent of those deaths are in the United States, one of the largest and most sophisticated countries in the world with some of the best medicine. Around the world, 35 million people have fallen ill. Borders have been closed, businesses have shut down, non-essential government travel has been extinguished. In Canada, there have been 168,000 cases and about 9,500 people have died — 9,500 Canadians.

In Yukon, we have had 17 confirmed cases, and thankfully nobody has died from that illness. The Yukon has tested more than 3,800 people. All of these statistics colour the supplementary budget and we must recognize the result — zero deaths, few cases. That hasn't happened by chance. It hasn't happened by chance. It happened because Yukoners made extraordinary sacrifices in the face of this public health crisis. You stayed at home and limited visits and physical contact with your mothers, fathers, sons, daughters, brothers, sisters, aunts, cousins, and friends. You limited trips to the grocery store, practised social distancing and hand-cleansing and you wore masks. Some of you worked from home and were thoughtful, careful, and disciplined when you couldn't. You installed plexiglass in one-way aisles, social distancing markers on sidewalks, in aisles, and before cash registers. All of this — everything that we figured out and accomplished and adapted to in a very short period of time — in the seven months since the Arctic Winter Games, really — has put us in a position of relative safety, a position almost unheard of in the world.

That safety is tenuous. Some question continuing these measures. Some call them a hoax and say that it's totally unnecessary. I have had people ask me, "Well, we have no cases, so why are we proceeding down this path?" I say, without reservation, that the sacrifices we have made and continue to follow are not unnecessary in the face of the Yukon situation. We forget that the discipline and sacrifice you, as Yukoners, continue to make are the foundation of our relative safety — we forget that and we get sloppy with the rules at our peril. We must know and acknowledge that there are people walking our streets today who would be dead had it not been for our diligence, kindness, and thoughtfulness to each other throughout this pandemic so far.

I see evidence of that kindness and thoughtfulness every day in Whitehorse West. My constituents are incredible people, and I thank them daily for their support and guidance. As I walk my dogs, Dexter and Winston, every day, I started to keep an eye out for the colourful and whimsical rocks that somebody has painted and placed discreetly along the trail for youngsters to find — an impromptu scavenger hunt devised to provide a

little fun for people in troubled times — mostly children, I suspect.

I smile to myself at the consideration I've seen in the people in my riding, because every time I have met other people on those trails, without exception, they have moved safely off to the side of the trail to maintain social distancing. Often we talk, at a safe distance, about how they are coping with this pandemic. Many have stories about how difficult it has been dealing with a family member or friend struggling with physical or mental illness or a drug addiction all alone, and they are heart-rending stories.

I know the problem first-hand and empathize with anyone who has faced this problem. I'm also struck almost daily by people's personal resilience and understanding and compassion, their willingness — indeed, selflessness — to do what it takes to impede the spread of disease in the territory and across the country.

We do what is necessary to save people's lives. They understand, and that's what warms my heart. Make no mistake: The effort is paying off. As I said, it is precisely why we can be as open as we currently are. The goal of keeping Yukoners safe has driven and sustained my colleagues and I since March. It is why we worked through the summer alongside the civil service, delivering all the normal services people expect and, on top of that, building, choreographing, and delivering all the financial supports, policies, and measures to sustain the Yukon citizens and businesses most adversely affected by this pandemic.

Such public service and support lies at the very heart of government, which exists to serve the people. This pandemic has shown us where people are united and where they're divided. Our country has worked together, regardless of region or political stripe, very closely, and the results are obvious. Canada hasn't avoided every problem, but we have been responsive and, on the whole, successful.

Others have foundered, falling prey to mixed messages, snake oil peddlers, and mindless partisanship. The results have been catastrophic.

Many of these services and supports lie at the heart of this budget. Incredibly — as the Premier has noted — it is not as large a supplementary as some in the territory have seen, and it includes all of the necessary supports and protections we've been able to provide Yukoners in need.

A lot of the supports have been supported through the Premier's experience, sharing the Council of the Federation and the relationships that he has built on the Yukon's behalf. It has been helped through the experience we've all gained working with Yukoners and our peers across the country.

During a crisis, you cannot estimate the importance of experience and the relationships that come with it. It helps make us tough. It helps us make tough, decisive decisions like closing the Arctic Winter Games. It helps us make responsible decisions, such as creating supports to keep people and businesses financially sound in the face of a global crisis. It helps us make intelligent decisions like getting contracts out the door to keep people working and businesses running.

That, it has to be noted, was done because this House — this Legislative Assembly — in March of this year passed our

budget and it gave us the spending authority to be able to continue to put these contracts out. It has allowed us to convey to peers across the country and in Ottawa the challenges of our small territory and the challenges we're facing dealing with this pandemic.

The Yukon has received millions in support and we've deployed that money, alongside millions in investments of our own, to quickly help any Yukoner in need. Those Yukoners whom I have spoken with this summer appreciate the Liberal government and its federal counterpart making the necessary investments they need to weather this pandemic as well as humanly possible.

We hear the Official Opposition qualify their support; it comes with strings attached. I have to assume that they're not willing to support Yukoners if there's a deficit involved. On this we disagree. We're not willing to let the economy collapse merely to balance the books. When a crisis of this magnitude happens, we have demonstrated that we will respond responsibly to support Yukoners. Unlike our conservative colleagues across the floor, we will not hold back supports simply to balance the books.

To my constituents in Whitehorse West and Yukoners across the territory, we will not sacrifice you or subject you to needless suffering. This is the time to invest in our people at their time of need. We are with you every step of the way. We hear people compare public government with private business. This pandemic has thrown the difference into sharp relief. If you have any doubt, look at the US which is being run by a CEO like a business. Canada and the Yukon are parliamentary democracies and run as such. The difference cannot be more stark.

The government is responsible for all its citizens, not just the bottom line. It unites people in the face of a crisis; it doesn't divide it. My colleagues and I on this side of the House and across the country take this responsibility very seriously. It is why we have worked tirelessly throughout the pandemic, without a break, to ensure that our people and their businesses are supported. I have heard, in the media at the onset of this session, opposition members saying that they are eager to get back to work and that they are happy to be back at work. I am happy that they want to work, but it is clear that they don't understand governance, because the work never stops and it hasn't stopped. The government never stopped working. While other politicians took the summer to camp or held down second jobs, civil servants were working throughout the pandemic. Some said in this very House, that we took a holiday. Well, we have all heard insinuations that our incredible civil servants took a holiday as they worked from home. This is a shocking and abhorrent assertion — ignorant.

All members of this House know that, on March 19, we unanimously shut down the Legislature after agreeing to sit as long as possible to pass the budget — unanimously agreed to shut down the House. Late into the evening, the opposition finished all their questions — every one — and then we voted. After the vote, we agreed unanimously to suspend the Sitting until October 1. We unanimously agreed to suspend the Sitting

until October 1. On October 1, we resumed our Sitting, as promised.

The Member for Copperbelt South, who was very gracious this afternoon — it was lovely listening to him — said, in closing remarks, “I’m hopeful that, this fall when the House reconvenes...” — this fall, October 1, when the House reconvenes. Guess what? On October 1 — as scheduled, as promised, as normal — the House resumed and started to look at the affairs of state over the intervening months. The evidence is in Hansard; it is there for all to see.

So, I thank my colleagues, the government, and civil servants of all stripes across the country for their incredible work throughout the pandemic, supporting Canadians. A call-out for special recognition of civil servants within the Yukon government — a very small organization, relatively speaking — who have worked so very hard under incredibly difficult circumstances — you have served your fellow Yukoners with distinction. You have demonstrated incredible commitment, imagination, diligence, empathy, and professionalism during this global health crisis.

Imagine, for a moment, trying to design and roll out imaginative new supports for Yukoners in a matter of weeks, which usually takes months or years. Then imagine doing that while your home and office life is in turmoil, working from home, learning new technological tools and new management and work arrangements while balancing your family’s life and health. It has been an absolutely incredible effort on the part of our civil service.

The programs that you designed and rolled out while maintaining many of your usual duties — all the while, figuring out how to work outside your offices in the name of public safety — are of national calibre and, in some cases, are being considered for rollout nationally. This is a standout achievement for a very small jurisdiction, so thank you.

I know first-hand how challenging this has been to the Public Service Commission as it figured out how to keep Yukon government employees safe while also ensuring that their vital work can continue. Let me put a fine point on that: The work has continued in addition to the work needed to address the pandemic. It was a titanic effort.

Working closely with Highways and Public Works, the Public Service Commission orchestrated a wholesale move to work from home in the interest of public safety and to slow the pandemic. Public servants learned to use new technology and tools while deftly pivoting to address new evolving priorities as the pandemic situation unfolded and changed, sometimes on a day-to-day or week-to-week basis.

By all accounts, they have been successful in implementing a new work plan, and the proof is in the continuing advancement of our government’s agenda. I’m sure that you have all heard about our recent pilot plan to advance our obligation to have a representative public service. It began on October 1. This plan is designed to address the long-standing gap in the territory between the First Nation people who live here versus the number employed by the Yukon government.

The gap was supposed to be addressed with the passage of the land claim agreements, and it hasn’t changed in decades.

That’s shocking. I would love to hear my opposition colleagues’ views on that, but they don’t have any concrete thoughts or ideas — none they are willing to present, just insinuations and complaints and very few solutions.

I will tell you that we’re working to close the gap to make our civil service more inclusive — indeed, to abide by the historic commitments that we have made. The Public Service Commission is also addressing recommendations from the Financial Advisory Panel by redeploying the payroll function from Finance to PSC, establishing a new HR service centre division and exploring other ways to optimize Yukon government’s human resource investments and practices.

Amid the pandemic, we were also taking significant steps to improve our approach to housing for Yukon government staff. Our work aims to reduce the rental housing disparities in Yukon communities, incentivize private sector investment in rural housing, and prioritize housing for employees considered critical for community well-being.

All communities matter, Mr. Speaker, and we are full steam ahead. Highways and Public Works has many essential front-line workers who have worked throughout the pandemic and will continue to do so when and if needed to lock down again. Our Motor Vehicles branch was, I’m told, the only one in the country to remain open throughout the pandemic. It was the only one. This showed a selfless dedication to the public unique in the country. To these civil servants, I extend my deepest gratitude. To everyone else in Highways and Public Works, thank you as well.

ICT allowed employees to work from home in record time. Transportation kept our roads clear, open, and maintained. Our airports opened and operated safely. Property Management, as we heard in a tribute earlier this week, kept the buildings open, clean, and safe. They kept the territory connected and working. It was a titanic effort that must be recognized.

Mr. Speaker, there is so much more to talk about. I will say that I am confident that the work of this government from day one has made life better for Yukoners throughout the great territory that we live in, and we will continue to do so for the rest of our mandate. All communities matter, Mr. Speaker, and we demonstrate it through our actions in these unusual times every day.

Speaker: Is there any further debate on second reading of Bill No. 205?

Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Mr. Hutton: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Mr. Cathers: Disagree.

Mr. Istchenko: Disagree.

Ms. Van Bibber: Disagree.

Ms. McLeod: Disagree.

Ms. White: Disagree.

Ms. Hanson: Disagree.

Clerk: Mr. Speaker, the results are 10 yeas, eight nays.

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

Motion for second reading of Bill No. 205 agreed to

Bill No. 12: Act to Amend the Wills Act (2020) — Second Reading

Clerk: Second reading, Bill No. 12, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, be now read a second time.

Hon. Ms. McPhee: I'm pleased to bring forward the *Act to Amend the Wills Act (2020)* for second reading today. Our government is committed to modernizing Yukon's legislation to better represent the realities of today's society and to respond to the modern needs of Yukoners. I'm pleased that today we are honouring this commitment to Yukoners through updates to the *Wills Act* legislation — legislation that has not been amended since it was first passed in 1954.

Through our engagement that took place in November and December 2019, the Department of Justice heard what respondents wanted from an amended *Wills Act*.

As a result of the engagement process, the proposed amendments to the *Wills Act* focus largely on four main components: (1) clarifying the technical requirements for validating a will and providing powers for courts to correct common errors; (2) updating provisions involving marriage and adding provisions regarding divorce, separation, and common-law relationships; (3) ratifying the convention on international wills, which would enable Yukon wills to be valid in other countries; and (4) enabling the creation of a registry of wills in the regulations.

Mr. Speaker, it's important to mention that the proposed amendments apply only to wills created after the amendments will come into force. Wills that predate these amendments will not be impacted.

I would like to spend some time today introducing the key provisions of the proposed amendments to the *Wills Act*. By clarifying the requirements for validating an individual's will, the proposed amendments will answer previously unclear

questions regarding the mental capacity of testators and witnesses and also the conditions under which a surrogate signer can execute a will.

Currently, the *Wills Act* has no provisions related to spousal relationships other than marriage. The proposed amendments will put in place provisions for these situations that are consistent with other Yukon legislation. As is currently legislated, wills are automatically revoked upon marriage — and many people don't know that, Mr. Speaker. The amendments proposed repeal this provision and instead introduce provisions to deal with the termination of relationships and gifts to former spouses.

Further, these amendments will set out a process for dealing with gifts that fail, covering a number of situations that may occur to ensure that testators' intentions are respected.

In addition to these amendments which serve to update provisions already in the act, an additional provision has been added, enabling the creation of a wills registry in the Yukon.

The amendments will also ratify the *Convention providing a Uniform Law on the Form of an International Will*, which Canada signed on to in 1973, but individual provinces and territories must ratify each themselves. Ratifying the convention allows for Yukon wills to be valid in international jurisdictions that have also ratified, as well as enshrining in Yukon legislation the validity of wills that have been created internationally. This is an important change, because as we know, certainly pre-pandemic, Yukoners are great travellers, they are world citizens, and situations can and do occur where their wills may be international and need to be valid here or Yukon wills need to be recognized in other places.

These proposed amendments will more fully represent and protect the interests of Yukon's diverse population and will enhance safeguards for Yukoners against fraud or coercion. The majority of these amendments mirror legislation in other Canadian jurisdictions. These provisions are vital to ensuring that Yukoners keep up with best practices across Canada and that the final wishes of Yukoners are upheld across Canada or in international jurisdictions.

Our government is proud to bring forward an updated piece of legislation to better reflect today's Yukon. The items presented today demonstrate highlights of the proposed amendments that are found in Bill No. 12.

Mr. Cathers: I rise to this as the opposition critic for Justice. I would note that, generally speaking, we are supportive of the modernization of this to comply with the Canadian model completed in 2015 through the uniform law conference. It does seem to fit with best practices for wills.

I would, however, ask the minister to clarify the provisions and how they apply in a few situations just so that Yukoners can understand how it might apply to their lives. Whether she wishes to do so in her final speech at second reading or in Committee, I would just note that she could explain what the provisions will mean, first of all, for a situation — if someone is in a common-law relationship and they have a will, what the situation would be when one member of that common-law

couple passes away and, secondly, in the case of a common-law couple without a will, what would occur in those situations.

One additional point on that topic that I would just ask her to provide information related to is that — I have heard from some people who are in a situation where, because they have been in a common-law relationship for years with someone despite not having a will, they assume that they are treated as a spouse if they pass away and that their common-law spouse would inherit everything they had in the absence of a will.

Also, on the flip side, there are situations where I've heard from people — especially those who are perhaps entering into a relationship later in life after having already had children — where they want to protect the ability of their children to inherit and not have their new common-law partner be automatically assumed to be their spouse for the purposes of the legislation and resultingly to see that person inherit and have it supersede their intentions in the will.

Can the minister just elaborate on those points, addressing the concerns of couples on both side of that situation, with information? I would urge her, if she could, to explain some of it in plain language so that people who are reviewing what has been said are able to understand it without potentially being confused by terms such as intestate, et cetera.

I have misplaced my other note, so I will return to the other point in Committee and ask the minister to address it at that point in time. As I noted, we are generally supportive of this legislation. I would just ask her to address that question and the one that I will address to her later during general debate in Committee.

Ms. Hanson: I thank the minister for her comments with respect to Bill No. 12, *Act to Amend the Wills Act (2020)*. I would like to start by thanking the legislative drafters and policy folks from Justice who provided the briefing for opposition members earlier this month. It was a good, thorough briefing.

I did make the comment to the briefing team — as I have with the other pieces of legislation that came forward — that it would be very helpful for members of the opposition to also be provided with the annotated versions so that, when you see the current — rather than me and any of us sitting here with a bill and the amended bill — and it is one thing when the amendments for the *Wills Act* are 23 pages and the *Wills Act* itself is only about 14 pages.

It is quite another thing when we get to the *Condominium Act, 2015*, where both the amendment and the actual legislation are multi-pages. It would be very helpful to have that similar — you know, in my previous life — where you have an annotation — in a previous Legislative Assembly — like, in the 33rd, I believe — in fact we did have that kind of provision provided for us. It makes it much easier. We are trying to de-politicize the issues around wills, for goodness sake. People need a will.

We want to make sure that we all understand it. Again, as Members of the Legislative Assembly, if somebody asks us a question, we should be able to give them credible fact-based information. I don't think that we are asking for state secrets when we suggest that might be a way of facilitating informed

debate in the Legislative Assembly — that we all work from the same kind of sheet. The kinds of questions that may occur to me may differ from the critic for the Official Opposition or for members opposite.

That being said, I am a fervent believer in the importance of wills. Having been a child when my father was killed at age 38, leaving my mother with an intestate will and almost six kids in her care, I know from real experience that wills are important. I think that I am a proselytizer for it and my daughters are proselytizers for these. For every person they know who is thinking about getting married and having kids, one of their gifts is the form to fill out a will. I look forward to this discussion.

Speaker: Is there any further debate on second reading of Bill No. 12?

If the member now speaks, she will close debate.

Does any other member wish to be heard on second reading debate?

Hon. Ms. McPhee: I appreciate the comments from the members of the opposition. With respect to the details of Bill No. 12 which are now before the Legislative Assembly, I certainly will take note of the annotated version and how that might be of assistance to members opposite.

I will look into how those documents are provided. The briefings, I think, have been successful. As the Member for Whitehorse Centre noted, the officials are extremely well-informed and worked hard — not only the policy folks but the drafters — to bring forward this bill before the House after so many years. We're excited to have it before the Legislative Assembly for the purposes of modernizing this legislation and responding to modern Yukoners — both things.

I note that the Member for Lake Laberge has asked a number of specific questions. I think that they'll best be dealt with — and the appropriate time to do so — will be during Committee. I'm happy to answer those but I think, in this response, it might be better to make sure that we go through those one by one and are able to provide — not the legal advice but the information that's being asked for. I know that those are questions that many Yukoners have — probably about their current situation and about going forward.

What I will say is that, if and when this piece of legislation passes, it will only be with respect to future wills. Any of the current situations — wills that exist now — will be maintained under the current regime. There will be a chance for folks to look at their personal situations and decide what to do going forward. I'm happy to have us finish second reading and move into Committee where we can explore some more questions.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Ms. Frost: Agree.

Hon. Mr. Pillai: Agree.

Mr. Adel: Agree.

Mr. Hutton: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Hon. Ms. McLean: Agree.

Mr. Gallina: Agree.

Mr. Hassard: Agree.

Mr. Kent: Agree.

Mr. Cathers: Agree.

Ms. Van Bibber: Agree.

Ms. McLeod: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Clerk: Mr. Speaker, the results are 17 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No. 12 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Hutton): I will now call Committee of the Whole to order.

The matter before the Committee is general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

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. 12: Act to Amend the Wills Act (2020)

Chair: The matter before the Committee is general debate on Bill No. 12, entitled *Act to Amend the Wills Act (2020)*.

Is there any general debate?

Hon. Ms. McPhee: I'm going to ask the officials from the Department of Justice to be seated, and I thank them for joining me and all of us here today. I can introduce to the Legislative Assembly Ms. Sheri Hogeboom and Will Steinburg, who are a legislative drafter and a policy person

working on this particular project — and many other projects — at the Department of Justice. I want to thank them for being here today and for their patience in having us get to Committee of the Whole where we can answer some questions regarding this piece of legislation, Bill No. 12. I know that all of my colleagues appreciate their attendance here as well.

In my remarks earlier today during second reading, I began to discuss the changes that our government is proposing to the *Wills Act*. At this stage of the process, I'm pleased to spend a bit more time detailing the proposed amendments to the act for Committee of the Whole. As mentioned in my earlier remarks, the changes that we are proposing to the *Wills Act* reflect the responses that we received during engagement conducted in November and December of 2019.

The proposed amendments are divided into the following components: clarification of the technical requirements for validating a will; powers for courts to correct common errors and save gifts; updates to provisions regarding marriage, including new provisions and definitions concerning spouses, separation, and common-law partnerships; amendments allowing for the validity of Yukon wills in jurisdictions that have ratified the international convention and vice-versa; and a provision enabling a registry of wills to be created in the Yukon in the future.

Mr. Chair, before we discuss these amendments in greater detail, I would like to speak for a moment about the Government of Yukon's priorities, which these changes represent.

As Minister of Justice, the Premier has tasked me with the duty to protect Yukoners while respecting the diversity of our territory and the equality of all citizens. The amendments proposed to the *Wills Act* today in Bill No. 12 demonstrate the hard work of the Department of Justice toward the modernization of our territory's laws. This is certainly a priority of mine in the work that I've done since having the privilege of this job.

Yukoners deserve to know that their final wishes will be respected and upheld and that our legislation wholly reflects Yukon life. The original legislation, passed in 1954, does not represent the lives of today's Yukoners, the diversity of Yukon family structures, or today's social norms. If passed, these amendments will bring Yukon up to speed with other jurisdictions in Canada and ensure that Yukon has relevant, inclusive estate legislation.

Firstly, I would like to turn our attention to the provisions regarding spousal relationships. Yukoners' lives and families look much different from the way they did when the *Wills Act* was first passed 66 years ago. We know that today nearly one-third, or 32 percent, of Yukon couples living together are common-law. This is higher than the national average of 21.3 percent. Since the *Wills Act* was passed, the definition of "marriage" under the *Marriage Act* has changed, and some of the rights of married couples have been extended to common-law partnerships through legislation. We heard through our engagement that Yukoners want updates to the act to reflect today's legal landscape and cultural norms.

Among other changes to provisions, the proposed amendments create a framework for common-law partnerships within estate legislation that did not previously exist under the *Wills Act* or does not exist under the current *Wills Act*.

The amendments proposed today will modernize the act's spousal provisions in three key ways: by repealing the current legislated, automatic revocation of a will when a couple marries, unless explicitly stated in the will; by adding a provision regarding divorce to cancel gifts to a former spouse following termination of the relationship, unless a different intention is explicitly stated in the will based on the presumption that a testator or the person making the will does not intend to benefit their former spouse after the relationship has permanently ended and by implementing legislation that treats married and common-law spouses the same through the removal of the automatic revocation upon marriage; and lastly, by extending the divorce provision to common-law spouses following one year of separation without an intervening period of reconciliation.

These are some of the answers posed at second reading by one of the members of the opposition, and we can go into these more extensively.

Each of these three proposed amendments mirror the best practices and legislation in other Canadian jurisdictions. Updating the act with these proposed amendments ensures that all Yukon families are represented in legislation and reflected in the legislation.

I would like to now turn to another component of the proposed amendments to the *Wills Act*: the requirements for validating a will and powers for courts to correct common errors and save gifts. These amendments include provisions to prevent persons who do not have the mental capacity to fully understand the implications of the document from creating a will or from acting as a witness. A provision will also be added to clarify that no one may sign on behalf of the testator or the person making the will while also acting as a witness, which will safeguard the testator from a self-interested party who may validate the will by acting in both roles.

Further, amendments will be added to allow the court to amend or technically validate wills or gifts that would otherwise fail due to damage, a mistake, or a defect but in which it can still be determined that the testator's intentions are clear — that the intentions of the person making the will are clear.

Provisions will also delineate a system for dealing with failed gifts and set out priorities for their distribution, rather than the current process, which directs them to the remainder of the estate.

These amendments are consistent with other Canadian legislation and serve to protect testators' wishes while protecting them from fraud or coercion.

Moving on, Mr. Chair — as I mentioned earlier, another component of the amendment is the introduction of legislation that enables a wills registry to be created. During engagement, we heard from the legal community that a wills registry would be welcome. As such, we have included a provision within the amendments that would allow for one to be created in the future.

Finally, I would like to turn to the provisions regarding international wills in the Yukon. I think that this is an important modernization. It is important in the context — as I might have mentioned earlier — for Yukoners who are citizens of the world, although having to stay home just now.

The amendments we are proposing today include a provision that ratifies the international wills convention. These amendments will validate wills created in the Yukon in international jurisdictions that have also ratified the international convention. Ratifying the international wills convention introduces protections of Yukoners' either foreign property or assets. These provisions will also enhance the validity of international wills in the Yukon, a key consideration in a territory as diverse as ours.

Before closing, I would like to again underscore that these changes are applicable only to wills administered following the amendment of the *Wills Act* coming into force and not to wills that predate these amendments. I am pleased to present these changes to the *Wills Act*. The importance of modernized estate legislation here in the territory has been highlighted here today. I want to take one more chance to thank the folks who worked on this — the officials at the Department of Justice, two of whom are here with me today — Will Steinburg and Sheri Hogeboom — for their dedication and true professionalism and expertise in this area. I look forward to further discussions on these important proposed legislative amendments and to answering questions that might come forward.

Mr. Cathers: I would like to thank officials who provided the briefing for the information that they gave us, as well as the information that the minister provided in follow-up letters to questions that I had asked at the briefing.

I do have additional questions. I will just start out with ones that I mentioned earlier at second reading and which I would appreciate if the minister could elaborate on — those were with regard to common-law couples.

Part of the reason I'm asking that is that there are assumptions sometimes made by people about what they think the legal status would be if one partner of a common-law couple were to pass away — or perhaps they may be living together, but not really think of themselves as a common-law couple, since they just might have a different perspective on that.

So, in those cases — particularly in the first case, there's the question of — if there's a common-law couple and there's a will in place and one member of that common-law couple passes away — if the minister could explain what the situation would be with regard to the estate and inheritance. In the second situation, for a common-law couple without a will — if one of them passes away, what would be the default situation in that case? If one partner in a common-law relationship were to pass away without a will — if the minister could provide some information on both those points, that would be useful.

As I mentioned during second reading, if she could explain that using some plain-language terms in addition to the legal terms, I think that it would be helpful for people who are trying to get information about this new legislation and what it does, since some of the legal jargon is not immediately clear to people who might be looking for this information later through the

Legislative Assembly website and may not be really clear on all of those legal terms.

Hon. Ms. McPhee: Thank you, Mr. Chair. I think this will cover the situations asked about by the Member for Lake Laberge both in context — we're talking about in the context of Bill No. 12. The amendments made in Bill No. 12 to the *Wills Act* do not change the rights of a common-law spouse and the rights that they have under the express terms of a will. So, the first question was about — if there is a will and one of the parties passes away, nothing that will occur in these amendments will affect anything that is currently in that will or that is in that will — or the express terms or how that will should be dealt with.

Legislation governing the property of spouses is in effect — and I will come to that in a moment. There are two ways that the amended act would apply to common-law spouses, Mr. Chair. If the will includes a gift to a former common-law spouse, these would be cancelled if there was a permanent separation. So, if the couple is no longer together, unless the will said, “Even if we don't live together, this is the gift that I wish to give.” — gifts to the common-law spouse of a witness or a person who is signing a will on behalf of the person making the will, will be voided because of the changes — but that's going forward in relation to the changes that are here.

It's also important to note that these changes will not apply to any wills made before the amendments come into force and effect. So, only wills made after the legislation comes into force and effect will be affected.

With respect to the first question, if there is a will between a couple who are common-law spouses currently and one of them passes away or in the future one of them passes away, then the will will be followed. It will be complied with, and the executors of the will — or the people charged with carrying out the will — will be responsible to make sure that those wishes are met.

If there is no will in a common-law relationship and one of the parties dies, there is other legislation in the Yukon that deals with how that person's estate is distributed. Those will continue to apply in that situation. There is the *Dependants Relief Act* and the *Family Property and Support Act* might be applicable. Changes in Bill No. 12 are in compliance with those two pieces of legislation.

Again, for a common-law couple with no will and one of the parties dies, then the distribution of property or the estate of the person who passes away would be dealt with under the *Dependants Relief Act* or the *Family Property and Support Act*.

I think I will stop there. I think there are more questions about common-law situations. I will stop with those two specific answers and move on.

Mr. Cathers: I do appreciate that information. The minister made reference to other pieces of legislation, but perhaps if she could just — for the ease of anyone reading Hansard later — clarify. In the case of a common-law couple where one partner passes away without a will — those other pieces of legislation that she referenced — what priority would be set in the event that one member of a common-law couple

died without a will and they had children who would also potentially be obvious heirs to the estate?

Hon. Ms. McPhee: For reference to Hansard, the *Dependants Relief Act* and/or the *Family Property and Support Act* might apply in respect to the situations noted by the member opposite.

With respect to a spouse of a person who dies without a will — whether they are common-law or married, any rights that person has to the deceased person's estate would be under other legislation, as I said. The *Family Property and Support Act* and the *Dependants Relief Act* would apply in many of the cases, but for any situation where there is no will, there is also the *Estate Administration Act*, and it might determine how the deceased person's estate is distributed. Again, those pieces of legislation act in the absence of a will.

These acts are not changed by Bill No. 12, the *Act to Amend the Wills Act (2020)*, that is before the Legislative Assembly. I hope that's responsive.

Mr. Cathers: That does answer it. There have been issues in the past, including, at one point — I'll just speak to the issue at a high level so as not to compromise personal privacy — a situation where someone who had been in a long-term common-law relationship had contacted me after their partner had passed and let me know the fact that they were quite surprised, considering the many years they had been together, that when their partner passed away, in the absence of a will, there were no automatic rights being conveyed to them as a long-time common-law spouse.

I appreciate the minister clarifying that this legislation isn't really changing those provisions of the *Estate Administration Act* or of the other legislation that she referenced. That would lead one to the conclusion that, if that matter was to be addressed in some way, shape, or form, it would have to be considered separately in another legislative amendment.

I would also ask if the minister could just clarify, as it relates to common-law couples under Bill No. 12, the definition of “spouse” includes “... a person with whom a person is cohabiting as a couple and has done so for a period of at least 12 months.”

In looking at the information that the minister did provide in response to my questions at the briefing, I noticed that a number of other Canadian jurisdictions have longer terms after which somebody is deemed to be “common-law”. For example, in the case of British Columbia, it appears that two years is chosen as the length of time for a common-law couple; three years in the case of Alberta; two years in the case of Saskatchewan; two years in the case of Nova Scotia — with some others, according to the information the minister provided, not clearly stating a length of time there. Nunavut, as well, is a two-year period.

Could the minister just explain, since it looks like — from reading this — that the norm in Canada is to go longer than 12 months — it appears that the median choice of other jurisdictions is a standard of two years. Why was the decision made to put 12 months as the number in Yukon legislation, instead of going with a number closer to that two-year mark that seems to be more of the Canadian norm in that area?

Hon. Ms. McPhee: I thank the member opposite for the question; it's a great one. Looking at cross-jurisdictional scans is something that is done quite regularly in determining legislation and policy going forward, but the definition of "common-law spouse" here in this bill is designed to dovetail with other Yukon legislation that governs estates, including the *Dependants Relief Act* and the *Estate Administration Act*. Both of these acts define "common-law spouse" as "a person who has co-habited with another person, as a couple, for at least 12 months." So, matching the definition was designed to avoid conflicts or confusion, where more than one act might apply to a particular family or situation.

Mr. Cathers: My next question is with regard to handwritten wills under this legislation. The Yukon, under our current law, does accept a handwritten will that someone has prepared and hasn't had witnessed. Is that continuing to be the case going forward? Can the minister just please clarify whether there are any significant changes to what the legal status of a handwritten will would be — of course recognizing that this would apply to wills that are made out and signed after this legislation takes force?

Hon. Ms. McPhee: That is another great question. This is certainly something that Yukoners will be keen to know going forward with respect to these kinds of wills. To be clear, they are also known as "handwritten wills", which is a great description. They are also referred to as "holographic wills". I am not sure how that came about, but nonetheless, a holograph will is a handwritten will. There are no changes in this bill or anything in this bill that will change the current situation. Holograph wills are often a more accessible and affordable option for many people, especially in areas where legal services are not easily available. There are some of those, of course, in the territory.

Holographic wills continue to be accepted in all jurisdictions except British Columbia and Prince Edward Island. In those provinces, a holograph will can still be validated by the courts so that there is a process for that. That will not be necessary here. Nothing in Bill No. 12 will change the current state, which is, as the Member for Lake Laberge describes, an opportunity for individuals to have handwritten wills and describe what their wishes are in that form.

Mr. Cathers: Could the minister just clarify — using common language wherever possible for people who are trying to read this and understand it themselves — who under this new legislation will be able to witness a will if someone has chosen to go with a non-handwritten will and requires a witness? Who would be eligible to witness that will to have that will considered valid?

Hon. Ms. McPhee: I'm going to draw a reference to Bill No. 12, section 5. It makes reference to the fact that, in section 5(a) — "... the following subsections are added..." So, there is the wording there in Bill No. 12 that will be added to the *Wills Act*. It will describe that a person who signs a will on behalf of somebody who is making the will will be eligible to sign as a witness but to not also be an individual who benefits. So, a person who signs the will on behalf of the person making the will and at their direction may not also act as a witness. There's

a distinction there, but more specifically to answer the question asked, a person can be a witness to a will or to the signature on a will. They must be 19 years of age or older, and they must have the mental capacity to act as a witness. Those are both in that section 5.

Mr. Cathers: Just to clarify again for the record and for people trying to understand this area, I think it would probably be a fairly common thought that some people would think that they might prepare a will and have a family member witness it. Am I correct in understanding that, if the family member is also a beneficiary in the will, under the new legislation, they should look for someone who isn't receiving something from the will to sign it instead of a family member?

Hon. Ms. McPhee: I think that has always been the case. Again, we're not giving legal advice here but information. In the event that the member opposite is answering that question for someone, it has always been the case that caution should be taken that the person witnessing the signature — which is all that they're doing as a witness — to say, "I saw that person sign that document" — that they also not be a beneficiary under the will. It would be the cleanest way and the safest way for that to be the case. So, looking for someone other than a beneficiary would hopefully do away with any challenges in the future.

Mr. Cathers: I appreciate the information. Could the minister please indicate — for Yukoners who are considering making a will or who are considering revising their will — what resources are available to them, both online and in person, to assist them with that — particularly those that are available at no charge? Where can they look to find information about how to make a will and protect the interest of their chosen beneficiaries after they pass away?

Hon. Ms. McPhee: I would thank you again for another great question on behalf of Yukoners and the ability for us to provide some information in this format.

November — fast approaching — is Make a Will Month in Canada. During that period of time and that month, there are often particular programs or outreach to citizens to encourage them to make a will. Often the Canadian Bar Association has workshops or puts names forward of local bar members who are able to help individuals with that activity. There are resources at the Yukon Public Legal Education Association. They have informational booklets and resources. They're available both online and in print for individuals who would prefer that. There are other Canadian resources. I think it's incredibly important to make sure that individuals who are using some online tools are making sure that they are looking at Canadian resources. I encourage them to be sure about that.

The Yukon Public Legal Education Association is often known by the acronym "YPLEA". I think you should be able to find it very easily.

They also have an office here in town where you can visit and seek legal information from qualified lawyers who work there — again, not necessarily advice, but certainly information and help with finding resources going forward.

I'm happy to take the opportunity to encourage Yukoners to make a will. This will hopefully be in the news and people

will turn their minds to it, both because we're debating Bill No. 12 and because we're bringing long-awaited amendments to modern Yukoners for the purpose of having wills be responsive. It's so important for estate planning, for conversations with your family, for family planning going forward, and an expression of your wishes, as an individual, to your family members upon your passing.

It's a topic that many people don't like to have conversations about or that they do avoid, but hopefully speaking about the *Wills Act* and the changes that are being made here in a positive way — on the doorstep of Make a Will Month here in Canada and in the Yukon — will encourage many people to do that.

If there are other resources that come to mind over the time of us debating this, I will bring those forward — or if I have the opportunity for something that I haven't mentioned here today, I will provide that to the member opposite at a later date, but those are the resources that come to mind immediately.

Mr. Cathers: I do appreciate the minister's answer. In wrapping up my questions and remarks here during general debate on this legislation, I would like to thank the department staff of the day who suggested the establishment of Make a Will Month. That was something that started when I was Minister of Justice, but is an idea that I cannot claim the credit for. I would like to thank those who did suggest it for doing so, and I'm pleased to see the minister of the department continuing it.

In wrapping up my remarks, I would like to thank the minister. We have had a constructive debate on Bill No. 12, and I wanted to give credit where credit is due. The minister and the department have been helpful in responding to requests for information about Bill No. 12. As the minister and her colleagues know, we have had difficulty getting answers and financial information in debates on other pieces of legislation, including spending days in debate in the Sitting trying to get it.

I would just like to provide the notation to her colleagues that, if the government were as forthcoming with financial information as the minister has been in response to questions about Bill No. 12, we would not be criticizing them for the lack of transparency as we have been, and they would find that — like this afternoon — debate would go much, much smoother here in this Legislative Assembly when government is forthcoming with that information.

With that, I thank the minister and the officials for the information they have provided in the answers, and I will turn the floor over to the Member for Whitehorse Centre.

Ms. Hanson: I welcome the officials also to the Chamber for a few minutes, before we break for the day.

I would like to go back to section 3 — so just looking at the act — “Section 4 replaced” on page 1 — and this has to do with the age at which somebody can make a valid will. It replaces the section on infants' wills or something.

My question for the minister — it says that the current age that somebody can make a will — you have to be 19 years of age or older. My question is — I understood from the briefing that there were exceptions in certain circumstances — if she could outline for the House what those certain circumstances might be.

Hon. Ms. McPhee: I am making reference to — as the member opposite noted — section 4 in Bill No. 12. It notes that: “Section 4 is replaced with the following...” The ability to make a valid will — I am paraphrasing here — the ability to make a valid will — a person who, at the time the will was made, is 19 years of age or older and has the mental capacity to do so. There are, in that section, a number of exceptions and I think that this is what is being asked about. It notes that, despite 4(1)(a) — which I have just noted in paraphrasing it — a person who is under the age of 19 can make a will if they are a member of the regular force of National Defence Canada — regular forces under that act; if they are a member of another component of the Canadian Forces and, at the time that they are making the will, they were placed on active service under the *National Defence Act*; and individual members who are active duty service members in the Canadian Forces could make a will under the age of 19 if they are a member of the Royal Canadian Mounted Police or if they are a mariner at sea or in the course of a voyage — and if they, of course, have the mental capacity to do so.

Those exceptions are presumably based on the danger of the job or the opportunities that they have undertaken through their work. They might do so under the age of 19, and so it is appropriate to recognize that they could make wills for the purposes of setting out their estate.

Ms. Hanson: Those provisions sort of echo in more modern language the provisions under the previous legislation, I think. Someone can get married at age 18. What if they have a child? What if they have an estate? How is that dealt with in terms of wills?

Hon. Ms. McPhee: I think that the question — so that I am understanding it — is: What about individuals who are under the age of 19 and who don't fit into one of those categories? Are they not entitled to make a will? If they aren't, what are the repercussions of that for perhaps their spouse or children?

The *Dependants Relief Act* in the Yukon Territory that we mentioned earlier today in response to some other questions carves out a piece of the estate for the support of dependants, whether they be spouses or children. There is no age requirement with respect to that, so if someone had a child or a spouse under the age of 19 and did not have a will because they weren't entitled to make one under the *Wills Act* — or for whatever reasons didn't have one — and passed away, the *Dependants Relief Act* would be responsible for administering — or being the piece of legislation that's the authority for their property and estate to be carved out for the dependants. Those are defined in that piece of legislation.

Seeing the time, Mr. Chair, I move that you report progress.

Chair: It has been moved by Ms. McPhee that the Chair report progress.

Motion agreed to

Hon. Ms. McPhee: I move that the Speaker do now resume the Chair.

Chair: It has been moved by Ms. McPhee that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Hutton: Mr. Speaker, Committee of the Whole has considered Bill No. 12, entitled *Act to Amend the Wills Act (2020)*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

Hon. Ms. McPhee: I move that the House do now adjourn.

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

Motion agreed to

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

The House adjourned at 5:29 p.m.

The following sessional paper was tabled October 22, 2020:

34-3-51

Advocacy Trails — 2020 Annual Report — 10 Year Review
— Yukon Child & Youth Advocate Office (Speaker Clarke)