



Yukon Legislative Assembly

Number 99

2nd Session

34th Legislature

HANSARD

Tuesday, October 16, 2018 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2018 Fall Sitting

SPEAKER — Hon. Nils Clarke, MLA, Riverdale North
DEPUTY SPEAKER and CHAIR OF COMMITTEE OF THE WHOLE — Don Hutton, MLA, Mayo-Tatchun
DEPUTY CHAIR OF COMMITTEE OF THE WHOLE — Ted Adel, MLA, Copperbelt North

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

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Yukon Liberal Party

Ted Adel	Copperbelt North
Paolo Gallina	Porter Creek Centre
Don Hutton	Mayo-Tatchun

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Yukon Party

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Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

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New Democratic Party

Liz Hanson	Leader of the Third Party Whitehorse Centre
Kate White	Third Party House Leader Takhini-Kopper King

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**Yukon Legislative Assembly
Whitehorse, Yukon
Tuesday, October 16, 2018 — 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

Mr. Gallina: We have some special guests in the gallery today as we raise awareness for Poverty and Homelessness Action Week. We have a grade 6 class from Holy Family, and I will introduce the students in a moment. We have representatives from the Whitehorse Food Bank and parents and other volunteers whom I would like to make note of this afternoon.

From Holy Family, the grade 6 students with us today are Gage Albertini, Sylvana Allain, Damon and Maddison Andrews, Elsa Gleason, Maria Hernandez, Teja LaLonde, Savvas Lantzou, Britney Lajeau, Demis Matteaux-Sotil, Seth Ninehearns, Geanna Austre, Cal Sacramento, Konrad Simpson and Rayland Stemberg. Parents who have joined us today are Tammy Ninehearns, Aurora Baccudo, Stephanie Robertson, Astra Albertini, and Susan Simpson, a parent of Konrad.

From the Whitehorse Food Bank, we have board members Mike Thomas, Debbie Gohl, Tina Woodland, Krista Prochazka, Helen Slama, Jeremy Norton, Laura and Mae Cabott, and we have the executive director, Tristan Newsome. We also have food bank volunteer extraordinaire Myke McPhee. Brenda Dion, who is retired as a health promotion coordinator and is a Whistle Bend resident, has joined us today. There were a number of other Health Promotion unit employees who wanted to be here but were not able to attend today.

Welcome to the gallery. It's very nice to see you.

Applause

Mr. Adel: Mr. Speaker, I would like the House to join me in welcoming representatives here for the Yukon Anti-Poverty Coalition and Voices Influencing Change — always nice to see faces in the gallery. We have Executive Director of the Yukon Anti-Poverty Coalition, Kristina Craig and one of the co-chairs, Mr. Bill Thomas, and for Voices Influencing Change, Ulrike Wohlfarth-Levins, Jason Charlie, Maureen Johnstone and Kerry Nolan. For those who can't be here, we know that they're supporting us. I would like everybody to welcome them in the gallery.

Applause

Mr. Kent: Mr. Speaker, joining us once again is a constituent of mine, Kim Beacon and her friend, a former constituent of mine, May Blysak.

Applause

Hon. Mr. Pillai: Mr. Speaker, may I also ask the Assembly to help welcome two of my constituents who are here today: Connie Gleason, who is here with her daughter on her school trip, as well as Mike Thomas. Please help me in welcoming them to the gallery today.

Applause

Hon. Mr. Mostyn: I would just like the House to take a second to welcome Ted Hupe. He is a constituent of mine and a principal at the school and I would like the House to recognize him this afternoon. Please welcome him to the House.

Applause

Speaker: Tributes.

TRIBUTES

In recognition of Whitehorse Food Bank

Mr. Gallina: On behalf of the Yukon Liberal government, I am pleased to rise in this House today to pay tribute to the Whitehorse Food Bank and the many volunteers and supporters who take the time to care for fellow citizens as we here in this Assembly raise awareness of Poverty and Homeless Action Week.

During the introduction of visitors, I recognized a number of people here in the gallery today, including those from the Whitehorse Food Bank, along with students from the Holy Family School and those who give unselfishly to serve the needs of others. The students were invited here today because they, along with many classrooms across Whitehorse, recently participated in a successful Whitehorse Food Bank food drive.

These grade 6 students at Holy Family School walked around to hundreds of homes throughout the riding of Porter Creek Centre distributing bags to households, which were later picked up by volunteers and students from the school community and delivered directly to the food bank. In total, approximately 3,500 bags of food were donated through this initiative. I'm paying tribute to these students today because it is important to recognize these individuals. These children are our future leaders, and with this service they are taking positive steps to create a healthy and vibrant community filled with love and encouragement.

Mr. Speaker, food donations to the Whitehorse Food Bank help 1,300 people every month. Between 50 and 80 regular volunteers collectively donate 500 hours of labour every month. Over time, the food bank program has expanded to provide more fresh produce and meat and they recently began distributing wild game to families in need, which is a special source of nourishment for many.

The Whitehorse Food Bank food drive benefits greatly from the support of schools, students and volunteers who

distribute and collect bags of non-perishable food for donation to the food bank.

Mr. Speaker, this tribute also recognizes the good work from many students for their participation in the yearly From the Ground Up fundraiser that also just wrapped up. From the Ground Up is a healthy choice fundraiser where students from Yukon schools and daycares sell boxes of Yukon grown vegetables. Those who purchase them have the option of buying boxes for direct donation to the Whitehorse Food Bank to give directly to a family in need or enjoy themselves. Each box contains 20 pounds of potatoes, carrots, beets and one cabbage, along with a book of recipes to prepare and enjoy this fresh Yukon produce. Schools and daycares receive 40 percent of the profits for every box of vegetables sold and the other 60 percent goes to local famers.

This initiative began in 2012 with two schools participating, and in only six years, the number of schools involved has risen to 2

1. To date over 375,000 pounds of local veggies have been sold and almost 50,000 pounds have been donated — that's over \$450,000 that the kids have been able to keep for their use in school programs and projects.

Trying out new recipes and enjoying new taste experiments encourages healthy eating, which is one of the goals of this fundraiser. It is such a benefit that this program can be sourced by 100-percent Yukon grown produce. We know the demand for locally sourced produce is on the rise.

In closing, please join me in applauding the visitors in the gallery here today — the students, the dedicated teachers, the Whitehorse Food Bank executive director, board members and volunteers who make the food bank a welcoming place.

I'm proud to stand with these individuals who are giving their time, their attention and themselves for the benefit of those in need. Thank you.

Applause

Mr. Cathers: I rise today on behalf of the Yukon Party Official Opposition to recognize the Whitehorse Food Bank during Poverty and Homeless Action Week as they've completed their annual fall food drive in partnership with volunteers from local schools and individuals from across the community. The food bank has been busy filling their shelves with donated goods.

Demands on the food bank continue to rise. A report released in 2017 noted that food bank usage had increased by 44 percent over the five years covered previously. That's a heavy increase over that time period.

I would like to recognize that there are a large number of private businesses and organizations that contribute to fundraising and donate to the food bank as well as many individuals who volunteer their time. The organization makes a contribution to the fight against hunger in the community and it could not be done without the help of the volunteers and donations.

I would also like to particularly recognize another special fundraising initiative in our community that provides families with nutritious, locally grown vegetables, raises money for

local schools and daycares and provides community members with the opportunity to purchase fresh vegetables that originate from the local farms. From the Ground Up began six years ago in 2012 with just two local schools selling vegetables. Since that time, it has expanded to 17 schools and eight daycares, all of which keep 40 percent of the profits from the box sales.

I would like to thank the Yukon Grain Farm here in the Lake Laberge Whitehorse area and Vogt Enterprises in Dawson City which both provide a large amount of cabbages, carrots, beets, potatoes and produce to be enjoyed by families and individuals across the Yukon.

As I close, I would like to thank the Whitehorse Food Bank and its volunteers, as well as all of the organizers and farmers in From the Ground Up and the volunteers who contribute to the success of each.

I would like to close by particularly recognizing the significant contributions of produce that Yukon Grain Farm, owned by Steve and Bonnie MacKenzie-Grieve, has made over the period of the operations of the From the Ground Up program. They have been very generous with their donations as well to this program.

Thank you to everyone and keep up the good work.

Applause

Ms. Hanson: I rise on behalf of the Yukon New Democratic Party to recognize the important role that food banks and the people behind them play here in Yukon, in Whitehorse and in the communities of Dawson City and Watson Lake.

When we talk about food banks, I think it is important to recognize the harsh reality that, in a rich society like Yukon, there is a need to assist people with the very basics of life — with food — and the fact that, in the absence of serious, coordinated government policies to alleviate poverty, we have so many generous people willing to volunteer both time and money to make sure that there is at least a bare minimum of food available to members of our communities.

In Whitehorse, we are talking about 1,300 people a month — a third of whom are children or youth. Think about that. Think about the fact that since the Whitehorse Food Bank opened in 2009, 7,300 different people — almost 24 percent of Whitehorse's population — have accessed the three-day supply of food and basic necessities provided by the food bank.

You know, Mr. Speaker, it has become almost a cliché that, when food banks were established in the 1980s in response to a serious recession and inadequate social assistance and EI rates of the day, food banks were to be a temporary solution to a temporary problem. They have instead become a normal feature of our social landscape. Governments of all stripes at all levels have talked around and about the need to seriously tackle the root causes of poverty and income inequity in this country. While they talk, their inaction puts more pressure on the generosity of spirit and the action of ordinary citizens to try to alleviate some of the worst aspects of poverty through our food banks.

Governments have been happy to applaud the good work of the many volunteers and hard-working staff of our food banks because they shelter us from the harsh reality that governments have failed to address poverty. To be clear, I am not blaming food banks for the government's lack of coordinated and effective response. The staff and volunteers are caring and dedicated, and they work hard to reduce the indignities of charity for those who receive it. Mr. Speaker, if you have ever been on the receiving end, you know what I'm talking about.

Food banks do allow some people to experience less hunger; however, as Elaine Power, a researcher on food security and poverty and a long-time volunteer with food banks, said in a recent article — and I quote: “Food banks also let governments off the hook from their obligation to ensure income security for all Canadians... Giving food to those who are hungry is a simple response that everyone supports. Tackling poverty means wrestling with diverse ideas about causes and solutions.”

As we celebrate the many Yukoners who have so generously supported our food banks, we, as legislators, are charged with tackling the political conversation to collectively find ways to eliminate the need for food banks in our time.

Applause

In recognition of the Yukon Anti-Poverty Coalition

Mr. Adel: Today I rise on behalf of the Yukon Liberal government to pay tribute to the Yukon Anti-Poverty Coalition on the occasion of Poverty and Homelessness Action Week. The Yukon Anti-Poverty Coalition is a volunteer organization that works to promote and improve the well-being of Yukoners.

Mr. Speaker, before I talk about this organization and the good work that it does, I would like to say that one of the challenges about poverty in Canada is that there is no official definition of poverty or consistent indicators of poverty; therefore, it is difficult to capture the full picture when it comes to poverty because of the diversity of experiences for people living in poverty. When we estimate that one in seven Canadians — 4.8 million people — currently live in conditions of poverty, it means 4.8 million experiences. It means that these individuals struggle to meet their most basic needs every day and have to make challenging decisions — for example, should they pay the electric bill or buy nutritious food or buy a transit pass? These are things that we take for granted.

Poverty is, at its core, a violation of the most fundamental human rights and the Yukon Anti-Poverty Coalition has been voicing this violation for Yukoners living in poverty for the past 12 years. They are working with Yukon communities to facilitate the elimination of poverty in Yukon through awareness, advocacy and action.

One of the most impressive strengths of the coalition is that they have formed positive relationships that allow them to pull a large number of organizations, businesses, governments and volunteers together to work toward the same goal. The coalition has more than 400 members, including individuals,

politicians, non-governmental agencies, business people, representatives from the faith community and people with lived experience.

The Yukon Anti-Poverty Coalition is the true example of the Yukon way of doing things — coming up with solutions. When they saw a need, they initiated the downtown garden, the Whitehorse Food Bank and the Mental Health Association of Yukon, just to name a few. We are a small jurisdiction and poverty affects each of us in some way and this is why we all need to be part of the solution.

This week, one of the Yukon Anti-Poverty Coalition's key programs that will be in the forefront is the Voices Influencing Change program that gives participants who want to seek change in their community the skills needed to share with others and to advocate based on their own personal experiences.

I would like to invite all Yukoners to take some action during the Poverty and Homelessness Action Week, October 15 to 19. The theme this year is: “Lived experience — what's your story?” Events this year are listed in the *Yukon News* and *What's Up Yukon*. They include a sock drive, a bake sale, the “Chew on This!” campaign, a CBC book panel on CBC *Airplay* and many more. To get the full calendar, visit the Yukon Anti-Poverty Coalition website.

In closing, I would like to thank the staff and the volunteers at the coalition for their dedication to eliminating poverty in Yukon through awareness, advocacy and action.

Applause

Ms. McLeod: I rise today on behalf of the Yukon Party Official Opposition to recognize the Yukon Anti-Poverty Coalition's Poverty and Homelessness Action Week. This is a homegrown event taking place each October since 2005. The intent of Poverty and Homelessness Action Week is to raise awareness and encourage Yukoners to take action to end poverty and homelessness in the territory.

This week is aligned very conveniently to include two important global dates: World Food Day on October 16 and the International Day for the Eradication of Poverty on October 17.

World Food Day has been recognized since 1981 to increase awareness of world hunger and poverty and encourages discussion on these issues on a global scale.

The International Day for the Eradication of Poverty has been observed since 1992. The theme for this year is: “Coming together with those furthest behind to build an inclusive world of universal respect for human rights and dignity.”

I would like to give my sincere thanks to the Yukon Anti-Poverty Coalition for the work that they do this week and indeed, every week of the year. The coalition goes above and beyond to provide outreach and education to the community through a variety of initiatives and related organizations, such as Sally & Sisters, Food Network Yukon and Whitehorse Connects. I would like to acknowledge the many non-profit organizations and individuals behind them who work

continuously to address poverty and homelessness in our territory.

The work done by an incredible network of people is immense and continues to make small and large differences in the lives of all of our community members.

Applause

Ms. White: I rise on behalf of the Yukon NDP to pay tribute to the hard work done by the folks of the Yukon Anti-Poverty Coalition and acknowledge Poverty and Homelessness Action Week.

A story of lived experience is a powerful tool. It is the evolution of one's life, and when that story is shared, it can influence change. That's exactly what the Voices Influencing Change program aims to do. The program supports people who have experienced poverty or homelessness to advocate for themselves and for others by sharing their own experiences.

The initial storytelling leadership and advocacy pilot project ran last year for four weeks, with participants meeting twice a week. This year, the Yukon Anti-Poverty Coalition recognized the need for people with lived experience to help implement Safe at Home, so the program was tweaked and offered again. This time, the program was even more intense. It was longer, meeting twice a week for six weeks. There is an interview process for applicants, opening and closing interviews and ongoing hard work in a safe, judgment-free space.

Learning these skills isn't an easy process. It's unpacking what has been experienced, learning how to protect oneself when sharing those stories and learning how to share it with others. It can be emotional, it can be exhausting and full of triggers.

Mr. Speaker, the four graduates — including Ulrike Wohlfarth-Levins and Jason Charlie who are in the gallery with us today — deserve our congratulations on the completion of the program. They deserve our thanks as they use their new skills to help the community better understand the issues of poverty, addiction and homelessness.

This year, with the support of those at the Yukon Anti-Poverty Coalition, it was the program graduates who have selected the theme: "Lived Experience: What's YOUR Story?" and planned and are executing this week's activities, from tea at YAPC, where those with lived experience shared their stories with would-be counsellors and mayoral candidates, to a sock drive, bake sale, book panel reviews and more.

Kerry Nolan, one of the co-facilitators who works alongside Maureen Johnstone, had this to say: "I believe that everyone has a story and a voice to tell that story. As a community, it's our responsibility to listen without assumptions or judgment, as these stories will help make change within ourselves, our loved ones and our community as a whole."

Mr. Speaker, I couldn't agree more. It's important that we listen to the stories being told around us and the stories shared with us. It's important that we listen to them as politicians, as

neighbours, as friends and, most importantly, as humans, because the stories shared with us become part of our understanding and, Mr. Speaker, that understanding can influence change.

Applause

Speaker: Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Dendys: Pursuant to section 7.7 of the *Historic Resources Act*, I have for tabling the Yukon Heritage Resources Board Annual Report for 2017-18.

Hon. Mr. Silver: Pursuant to section 9 of the *Public Service Group Insurance Benefit Plan Act*, I have for tabling the financial accounting report for the Public Service Group Insurance Benefit Plan for the fiscal year 2017-18.

Hon. Mr. Streicker: Today I have for tabling the *Canadian Substance Use Cost and Harms 2018* report and a one-page infographic produced by the Canadian Centre on Substance Use and Addiction and the Canadian Institute for Substance Use Research.

Hon. Mr. Mostyn: I have for tabling the Government of Yukon substance use and impairment policy.

Hon. Ms. Frost: I have for tabling public awareness material on fentanyl.

Mr. Cathers: I have for tabling a written question to the Premier.

Speaker: It's a busy day for the pages. They're doing a great job.

Are there any further returns or documents for tabling?

Are there any reports of committees?

Are there any petitions?

Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

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

THAT this House urges the Government of Yukon to work with municipalities, First Nation governments, local advisory councils, businesses, non-governmental organizations and consumers to explore options to reduce the use of single-use plastic.

Ms. Hanson: I rise to give notice to the following motion:

THAT this House urges the Government of Yukon to follow the example set by the federal government in Bill C-83 by eliminating solitary confinement at the Whitehorse Correctional Centre.

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

THAT this House urges the Minister of Education to take action regarding the outstanding request by parents for school bus service in Grizzly Valley subdivision by:

(1) reviewing the information contained in the October 2, 2018, legislative return from the Minister of Community Services, which states: “The Grizzly Valley Subdivision was a project developed by the Land Development Branch of Community Services. The roads meet the necessary Transport Association of Canada geometric design guideline requirements for safe access to the subdivision for school buses, emergency response vehicles and other users”; and

(2) providing school bus service to families in Grizzly Valley subdivision without further delay.

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

MINISTERIAL STATEMENT

Cannabis legalization

Hon. Mr. Streicker: The legalization of cannabis tomorrow, October 17, represents a significant shift, not only in our legal framework but in the societal norms of our country. Tomorrow, the Yukon will be responsible for how cannabis is distributed and sold within the territory.

In 2016, Canadian Health minister, Jane Philpott, stated: “We will introduce legislation in spring 2017 that ensures we keep marijuana out of the hands of children and profits out of the hands of criminals.” Her statements set the guiding principles in developing legislation and regulations for federal cannabis, and those same principles have guided the development of our legislation — to protect public health and safety, to discourage young persons from accessing cannabis and to displace illicit activity.

A little under 70 percent of Canadians have said they are in favour of legalization. Here in the Yukon, that number is a little over 80 percent. Yukoners support legalization.

In April 2017, Canada introduced the *Cannabis Act* to legalize, strictly regulate and restrict access to cannabis. At the same time, it was announced that new offences would be added to the *Criminal Code* to enforce a zero-tolerance approach to those driving under the influence of cannabis and other drugs. The federal government gave the provinces and territories the ability to set rules around how cannabis can be sold, where stores may be located and how stores must be operated. Provinces and territories were also given the flexibility to set added restrictions, including lowering possession limits, increasing the minimum age, restricting where cannabis may be used in public and setting added requirements on personal cultivation.

Understanding the federal government would legalize cannabis in 2018, we set to work creating a new legal framework in order to be ready here in the Yukon for the sale and distribution of this product. The Yukon government undertook three phases of engagement to support the

development of our *Cannabis Act*. Those engagement activities with municipalities, First Nations and the public included a public survey, community meetings, engagement about a proposed framework for cannabis legislation and, finally, the circulation of a legislative summary document with the summary of draft cannabis legislation.

Our new legislation received assent this spring and provided the legal framework for the distribution, retail consumption, possession and personal cultivation of cannabis in Yukon.

Yukon undertook the development of regulations in support of our *Cannabis Act* in three phases: first, regulations required before legalization; next, regulations required upon legalization; and finally, currently, regulations for licensing and private sale. The information we gathered from our engagement effort for the development of the act informed and continues to inform the development of cannabis regulations.

The Yukon Liquor Corporation is striving to provide a high-quality experience to customers while at the same time being socially responsible. Our emphasis will be on responsible sales and distribution.

I want to encourage Yukoners who currently use marijuana to use our new services, either by visiting our retail store or visiting our e-commerce site. Yukoners who choose to purchase cannabis through our newly established legal avenues will have access to a product that is safe and a product that is sold at the lowest possible price. Adults 19 years or older will also have the option to grow their own cannabis — up to four plants per household.

One day, we will have local retailers and producers who will need to find a way to support their success in the same way that we have policies and practices that support local breweries and distillers.

Tomorrow, we are taking a step into a new era, a new time and a place for the territory in the country — a time when government members of the public and private industry work together to provide safe and legal access to a product while simultaneously displacing an illicit trade.

Mr. Cathers: As Official Opposition critic for Justice, I am pleased to respond to this ministerial statement.

The Liberal government has chosen to grow government through a new government-run cannabis corporation and retail store. This unfortunate choice is going to cost taxpayers more than \$3 million that did not need to be spent in this area. At a time when the government is going into deficit and telling departments, including Health and Social Services and Education, that they need to look for cuts of up to two percent, growing government to sell cannabis is the wrong approach.

As we have consistently said, the Official Opposition believes that government should leave retail and distribution of cannabis to the private sector, just like is being done in the Province of Saskatchewan. We believe that the private sector can do this cheaper, with no impact on the taxpayers and do it just as safely, if properly regulated. Pharmacies are privately run across the country and operate and dispense controlled

substances and drugs in a safe manner. To be clear, we are not suggesting a pharmacy retail model, but there are Yukon small businesses that are ready to enter the retail market, once given a chance to do so, and we believe they are capable of selling it just as safely as government.

Operation of pharmacies across the country has proven the private sector can manage, order, distribute and sell drugs and other controlled substances in a legal manner, just as safely as the private sector, if properly regulated.

If the Premier and his colleagues had wanted to not grow government and stay out of the business of doing business, they had a clear option. We also presented alternatives and even proposed legislative amendments that would help the government implement an alternate model, similar to that being used in the Province of Saskatchewan.

The Liberals have chosen to grow government by almost 500 full-time positions, by their own numbers, in their first two years of office. Instead of further growing government in areas like cannabis retail, which could be handled by the private sector, government's focus regarding cannabis should be on safety, enforcement of laws, and education. Unfortunately, the Liberal government chose not to accept the constructive suggestions that we made and chose instead to unnecessarily spend millions of dollars of taxpayers' money on growing government through a new retail store for cannabis.

We want to acknowledge the work done by staff in a number of departments and thank them for all of their efforts on this and acknowledge that the decision in this area — of which model to go with — was a Cabinet decision and not one made by those employees.

Yesterday, the Official Opposition asked a number of straightforward questions of the government regarding implementation. These are all questions that government should be able to provide clear and straightforward answers in response to.

We did not get answers then, so I will repeat some of those questions today. What are the responsibilities and liabilities for employers with respect to potential impairment from marijuana at the workplace? What help will the government provide to help employers determine impairment with regard to legal cannabis? In the case of workplace incident investigations, what tools will be used to determine whether cannabis impairment was a factor? What is the government's plan to ensure accurate, consistent and reliable roadside testing? What is the government doing to ensure the Yukon's RCMP have all the tools and resources they need to enforce the new cannabis laws? How many drug recognition experts are currently in the Yukon, and how many will be added over the next several months and over the next five years? What workplace roles and procedures are being put in place to ensure Yukon government employees operating machinery are not doing so under the influence of cannabis? Will government employees have to submit to a test if they are suspected of being under the influence? Has the government provided any training or information to public service employees about their obligations and rights once

cannabis becomes legalized? These are all reasonable questions and a number of them have come directly from employers.

In closing, we want to thank employees for their work on this and acknowledge that the issues that we have are with certain key decisions made by the Liberal government — where they could have chosen to save taxpayers' money and implement a more effective and cheaper model.

Ms. White: I thank the minister for his statement and the Yukon Party for their thoughts, however different they may be from ours.

The Yukon NDP has always supported and will continue to support the legalization of cannabis. We want to thank the many, many members of the public service at all levels of government who have put in hundreds, if not thousands, of hours to get us where we are today.

Just like alcohol or tobacco, cannabis isn't without health risks. What we believe legislation does is it allows us to have a mature conversation about these risks without criminalizing an activity that many are already pursuing.

As far as where we go from here, we have these concerns. First, we do agree that there is space for the private sector on the retail side. Dispensaries, as we see in other jurisdictions, have their place alongside the government in the distribution of cannabis, but this doesn't mean that it should be a free-for-all. If the model that this government has in mind is similar to the off-sales model Yukon has for alcohol, we will not support it. The lack of emphasis on social responsibility of that model is just not appropriate. We don't believe the current model works for alcohol, and we don't see how it would be any better for cannabis.

We still have concerns regarding the regulations of cannabis paraphernalia. I don't know that a gas station or a convenience store, for example, are the kinds of places where paraphernalia should be sold if we are to put an emphasis on social responsibility.

Secondly, while this is a federal responsibility, we hope that this government will put pressure on their federal counterparts to ensure that those who have been convicted of minor offences relating to cannabis will have their record cleared. It makes no sense to maintain a criminal record for possession of cannabis once this becomes legal — especially when we know that the most vulnerable in our communities were often the people most convicted of these offences.

Lastly, Mr. Speaker, we still have concerns around the location of outlets. Again, if the model follows that of alcohol off-sales, we don't believe that the final outcomes will be the best thing for any Yukon community.

Hon. Mr. Streicker: First of all, I would like to thank all members of this Legislature who spoke and said thank you to the public servants who have been working incredibly hard. I would like to thank them as well, so thank you for that. It has been a lot of hard work over the last couple of years. Tomorrow is the big day and so I know there is a sense of arrival.

I question whether the Official Opposition does support the legalization of cannabis. From their questions today and their comments, I'm left wondering whether they do support it. I note that 80 percent of Yukoners support legalization, and we are moving forward with this legislation, not only because we have to, but also because we want to.

The \$3 million of investment was in purchasing product — sorry, that would happen whether it was private retail or not. By the way, that money will be recouped on the sale of the product.

We too are in support of a private sector model — in response to the Member for Takhini-Kopper King. It won't be a free-for-all. We have a cannabis licensing board that will be in place with lots of regulations. We have worked, and will continue to work, to promote social responsibility. We have never shirked on that.

Private sector stores are coming to the Yukon in the near future. It sounds like we will have our private stores at the same time that the Province of Ontario will have theirs. Mind you, they don't have a store right now.

I will also note that in the interim or temporary government store, which will be opening tomorrow, we have hired contractors and employees on temporary assignment. This is to be a temporary model. We have no intention of being in the cannabis business in the long term. We will always be on the side of displacing illicit trade, promoting health and safety and social responsibility.

I tabled a report today. In that report, it talked about the cost of harms due to substances and it notes that alcohol and tobacco make up nearly 70 percent of the cost of harms of drugs in the country. Cannabis is fourth, at seven percent.

We have had cannabis before now. It has been used illegally. Tomorrow, it will become legal. I encourage all Yukoners to move to purchase that cannabis through one of the legal outlets or to begin to grow their own.

Thank you, Mr. Speaker. I am very happy that we are seeing the legalization of cannabis tomorrow.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: RCMP auxiliary constable program

Mr. Hassard: The RCMP auxiliary constable program used to play an important role in keeping our highways and communities safe. As the Minister of Justice knows, in 2016, the program was effectively suspended by Ottawa. Work by the previous government, our senator and provincial governments resulted in the RCMP agreeing to give provinces and territories the ability to choose from three tiers, setting out the scope of the auxiliary program for their region.

Fully implementing all three tiers would enhance the Yukon's ability to keep our roads safe, including supporting the checkstop program. We have been asking the minister this question for close to a year and a half now and we're still waiting for action. In March, she told us that her government — and I quote: "... absolutely supports the reintegration of the auxiliary policing program." But two years into the Liberal

mandate, we still see no sign of action. Why is the minister being so slow to act on this issue?

Hon. Ms. McPhee: It's not quite two years. I hear the opposition saying "two years" all the time; it's actually not quite 22 months, but it will be two years soon enough, Mr. Speaker.

Some Hon. Member: (Inaudible)

Hon. Ms. McPhee: Well, Mr. Speaker, accuracy is important to me and it's important to our government.

With respect to the auxiliary police program, I agree, as I've said before in this House, that it is a valuable program; it serves Yukon communities well. Our priority, of course, with respect to communities — including Whitehorse and all communities in the territory — is to provide public safety in the best possible way for our communities.

With respect to the auxiliary police program, I have recently requested an update with respect to how the RCMP intends to proceed with the options that are available from the federal government. I look forward to their review of that and to their report to me about how — and if, when — those auxiliary programs are going to be enhanced.

Safety — top priority — absolutely. The RCMP auxiliary officers, Mr. Speaker, play an important role in those functions in our communities.

Mr. Hassard: Mr. Speaker, again we hear ministers talk about top priorities — but it is 22 months rather than 24 months into their mandate and still no action.

The RCMP auxiliary constable program used to play an important role in keeping our highways and communities safe. One of the most important jobs that RCMP auxiliary constables did was to help regular members run the checkstop program, as I mentioned. The ability to do checkstops has been seriously impacted by the delay in re-establishing this program. In the spring of 2017, our Justice critic asked the minister why she has been slow on acting on this important issue. Mr. Speaker, it is now a year and half later and we're still waiting for this minister to take action.

With cannabis being legalized tomorrow, a re-established RCMP auxiliary constable program would be a big help in keeping our roads safe by checking for impaired drivers, so will the minister agree to make this priority actually a priority and immediately take action on this important issue?

Hon. Ms. McPhee: I appreciate the question. I know that Yukoners are concerned about this and have questions about it. As a matter of fact, I recently spoke with some constituents of my own about this program, who have previously been involved — again, supporting it and wanting to review what the conversation with the RCMP has been as far as moving this forward.

With respect to the checkstops, of course, the auxiliary police officers have limited abilities under the *Criminal Code*, but a lot of people help with checkstops. I know that MADD Yukon — Mothers Against Drunk Drivers — is an amazing community organization. The Minister of Highways and Public Works and I were out with them last year and intend to go out with them again to participate in checkstops. Those are important opportunities in the community to not only educate

people about drug and alcohol use and the operation of motor vehicles, but to keep our communities safe. Absolutely, that's one of our priorities.

Mr. Hassard: It is clear that the minister is certainly not on top of this file, as it has taken almost two years into the Liberal mandate now, so will the minister please take action today to reinstate the RCMP auxiliary constable program?

If she claims she is taking action, can she provide us a list of exactly what actions those are and provide us with a timeline for when the program will be re-implemented?

Hon. Ms. McPhee: It is not for me to direct what the RCMP should do with respect to auxiliary officers on an immediate or otherwise basis.

I certainly have reached out to them recently about what their plans are with respect to that. I will continue to do so. I look forward to their update and their plans going forward, and we will work with the RCMP in a cooperative way to make our communities safe — including what I hope in the future will be auxiliary officers.

Question re: RCMP detachment upgrades

Mr. Cathers: The previous government completed the design of a new RCMP detachment in Faro and the project had, in fact, even been tendered. It was only due to an issue with their own spending authorities that the federal government insisted on holding off on awarding a bid. The people of Faro wanted this new RCMP detachment. The design is complete and the project was ready. However, the Liberals have now decided to take away this important project from the Town of Faro and put a detachment in Carcross instead, and they did this without consulting the community of Faro.

What does the Premier have to say to Yukoners who look at this decision and see what appears to be a politically motivated decision — cancelling a project in the riding of the Leader of the Official Opposition and putting a similar project in a riding that is held by a Liberal Cabinet minister?

Hon. Mr. Silver: These inaccuracies that we hear from the opposition are truly troubling. To suggest that we are making politically motivated decisions on a build that was the responsibility of the Yukon Party — and they did not fulfill their obligation to that community when they were in power — that is an interesting call by the Member for Lake Laberge.

I am confident in my minister and the work that she is doing with the communities that are affected and in the fact that she has decided that the decisions made in rural Yukon — and even in Whitehorse — have to be made by the communities. I am confident that she is reaching out to all of the stakeholders in the communities to find solutions for builds that have been, in the past, not necessarily a priority.

Mr. Cathers: That is pretty rich coming from the Premier. He should recall that I not only wrote to the federal minister about this but that it was only due to the federal minister's refusal to move the project forward that it didn't happen. In fact, even the Yukon's Member of Parliament assisted us in making that request.

In the absence of proof to the contrary, this looks like a political decision by the Premier and this government. Replacing the detachment in Carcross was in the former government's future plans, so we do not take issue with building a detachment in that community. We do take issue with the fact that the government scrapped plans to replace the detachment in Faro, which was tendered and ready to be built two years ago. The government made a decision not to go forward with an infrastructure project in a riding that happens to be held by the Leader of the Official Opposition, and we were told by the community that there was no meaningful consultation with them. We have been told that the only communication with the Town of Faro was to tell them that the decision had been made.

This government campaigned on the slogans of "Be heard" and "All communities matter". Can the minister tell us why the government didn't consult with the mayor and council of Faro before making the decision?

Hon. Ms. McPhee: The Yukon government and the RCMP, after careful assessments and engagement with the affected communities, have committed to a new operational model in Faro and Ross River in order to create a unified community policing approach and best utilize RCMP resources.

I dare say that it would never occur to me that the motivation described by the member opposite would influence any decision that I would make in this House, in this job or on behalf of Yukoners — apparently it would occur to him.

I would like to take the opportunity to point out that this politically motivated decision he has described resulted in an additional officer being sent to the Haines Junction area as a result of these smart decisions made on behalf of the RCMP, by the RCMP, with careful consideration and creativity to provide services to Yukoners.

Mr. Cathers: The minister, of course, will excuse us for asking that, if this wasn't a politically motivated decision, provide the proof of it.

As reported by the CBC yesterday, the Liberal decision to reduce RCMP service in Faro has become a municipal election issue. They're moving the service from that region to Ross River, making Faro just a satellite office. Meanwhile, the town, in fact, is actually increasing in size. This decision shouldn't be about Ross River versus Faro. We should be looking at how we can support all communities. If the community of Ross River needs enhanced RCMP service, then government should give them the resources they need; if Haines Junction needs service, the government should provide the resources they need, but they should not be cutting services in the Town of Faro.

We raised the issue of the Liberals not properly resourcing the RCMP as early as the spring of last year. This is about public safety and it's about the government following through on their commitments and being transparent.

Will they rethink their plans to reduce RCMP coverage in Faro, while also ensuring Ross River has the appropriate level of resources?

Hon. Ms. McPhee: As I think the former minister might know, the calls for service in Faro have been consistently the lowest in the territory, which is not at all to say that Faro doesn't have matters where they require excellent RCMP services — and they receive it. The new operational model will serve the policing needs of both communities out of the main hub detachment in Ross River. We have worked with the RCMP — it was an initiative brought forward in our discussions with them about creative solutions to provide RCMP services to all of Yukon. In fact, it has been undertaken since January 2018 — some months ago, as the opposition is clearly keen to count days and months. I should note that there has been no adverse effect on the service provided in Faro. As a matter of fact, one of the decisions made going forward was that the housing would be maintained in Faro so that RCMP officers that play a critical role in the communities that they serve would be residing in the Town of Faro as well as serving that town, that area and that region in their police service duties.

This situation is but one in a decision going forward to provide the best service possible to Yukoners by the RCMP.

Question re: Opioid crisis

Ms. White: Yesterday I asked the minister for the most up-to-date number of opioid deaths in Yukon because we haven't heard anything since January of this year. The minister agreed that there is a crisis in Yukon with opioid use and deaths. She acknowledged that we are third in Canada, but the minister refused to provide a number saying that, and I quote: "It's not for me, at this time, to make note of that".

Last January, the minister did provide numbers, and we all know that accurate information helps inform decision-making. A quick Google search allows anyone to find these critical statistics for Alberta and British Columbia, two of the jurisdictions most affected by opioid overdoses and deaths.

Mr. Speaker, why won't the minister provide reliable data on the tragic toll the opioid crisis is taking on Yukoners?

Hon. Ms. Frost: Just to clarify, we provided the numbers that we have from 2016-17 to the Legislative Assembly. There are concerns with, as noted yesterday, verification associated with fentanyl or opioid overdoses — they are to be confirmed and verified. Those are things that we cannot provide in time until that is provided to us by the medical authority.

We do know, of course, that there is a major crisis and I have noted that. We are doing our utmost within Health Services in the Department of Health and Social Services and with hospitals to address the opioid-related deaths. We also realize that we have a significant crisis on our hands and we need to work with the health professions and our partners to promote awareness and address the issue of prevention and preventive measures, working with the Department of Education to ensure that this happens for younger generations as well. We have not really focused on that historically.

Given that we have seen a spike in numbers, we are, of course, increasing our supports and our efforts across the Yukon and, in particular, with rural Yukon.

Ms. White: Mr. Speaker, it's the 10th month of 2018. Surely there must be information available. Yesterday, the minister spoke about partnerships, four opioid working groups and an action plan, but most citizens, including occasional and regular users, would suggest that word is not getting out. People need to know. Having timely information on the opioid crisis and overdoses is an important part of giving people the tools they need to make informed decisions and protect themselves.

When there are drug overdoses or deaths over a very short period of time, regardless of whether we know the exact drug, Yukoners hear nothing. There are no warnings of dangerous drugs being circulated and no suggestion to have your drugs tested. Again, we thank Blood Ties Four Directions and their drug-testing service that is available on a daily basis to any person.

Mr. Speaker, what is this government doing to give timely information about compromised drugs to Yukoners who might be occasional or regular users?

Hon. Ms. Frost: The Member for Takhini-Kopper King has raised some really significant points and those are things that we are certainly taking into consideration — whether it's one or 15, we know that it's a priority. Any life — we need to take into consideration individuals who choose to use recreational drugs, for example, and that they are aware of the major crises that we have on our hands.

Also, we know that the illicit trade of opioids in our communities, especially in rural Yukon communities, is compromised by some very, very dangerous drugs that are out there. We do try to provide support — and thank you to Blood Ties Four Directions, Kwanlin Dün Health Centre and to the medical community. We are working with our partners to address the concerns.

Just today, I tabled a document about fentanyl. As I indicated, we are working to create more awareness with our youth and get the information out about this new trend of mixing drugs and the concerns that we have with illegal drugs, particularly fentanyl. We will continue to do the drug-testing stations in our communities.

Ms. White: People continue to die and any number of deaths is too many deaths. I asked yesterday about the positions that were created by the department to address what was happening in our communities related to opioid deaths and overdoses. The department was to hire a part-time opioid overdose prevention coordinator, and a surveillance officer to collect detailed opioid-related information in the territory was also to be hired through the medical officer's office. Instead of answering the question, the minister spoke about naloxone kits. Mr. Speaker, naloxone kits are important, but they're only one piece of the puzzle.

It was not clear from the minister's answers yesterday so I will ask again: Have the positions of an opioid overdose prevention coordinator and an opioid surveillance officer been filled and are they still in place?

Hon. Ms. Frost: With respect to the positions that have been created to assist the department under the leadership of the chief medical officer of health, my department has

established four opioid working groups focusing on harm reduction, public awareness, surveillance and Health and Social Services systems reform. We have created positions, as noted, to help provide supports. We're now in the process of signing off on an agreement with the federal government to assist the Yukon with education and an education campaign.

We are certainly working with our departments as noted; we have an opioid strategy and we are working with our chief medical officer to implement our strategy. Certainly it's a priority and we are continuing to advance our services to Yukoners.

As well, given that we have had two years to address this and we are getting new information all the time, we will continue to reach out and build on education strategies around opioid and emergency treatment strategies, working with our health professionals and, in particular, our rural hospitals and our partners in rural Yukon.

Question re: Cannabis regulation in Yukon

Ms. McLeod: During a national media interview this past weekend, federal Minister Bill Blair mentioned that, when crossing the border, Canadians shouldn't lie to US customs personnel about their use of cannabis, if asked. He also said that Canadians don't have to incriminate themselves and, if they don't want to answer the questions, they can just turn around and come back to Canada.

Many Yukon businesses have commercial operations that cross the border regularly into Alaska. What would the Minister of Community Services tell those Yukon businesses and their staff?

Hon. Mr. Streicker: I will try to provide some information, but I'm not sure if I will get to the specifics. In a subsequent response, I will get up again.

Our government is concerned that individuals employed in Canada's legal cannabis industry may be refused entry in the United States — across the United States border. Yukon government is working with its partners in other provinces and territories as well as the federal government to understand how Yukoners crossing the border may be impacted. This is an issue for all Canadians working in the legal cannabis industry.

We're monitoring the situation and will keep Yukon government employees, businesses and citizens informed as more information becomes available.

It's important to remember that all Canadians travelling to the US are subject to US laws at the point of entry. Canadian laws do not apply. We recognize that this may be a particular concern for employees of the Yukon Liquor Corporation and the private sector as it gets involved in retail sales as distributors for legalized cannabis in the territory. We continue to work with employees, including the employees' union and the Public Service Commission, and to learn more about the situation.

Ms. McLeod: You know, Mr. Speaker, turning around is not an option for a number of these businesses, such as the trucking industry. However, we know that if a driver who smoked marijuana a few weeks or days ago, if they are asked

by US Customs and admit to it, they might be prevented from entering the United States. I'm sure the minister would not tell anyone to lie to US Customs.

Can the minister tell us: What should those companies whose employees may have used legalized cannabis and must cross the border as part of their work do? What is the government doing to support these companies?

Hon. Mr. Streicker: When I rose in the Legislature yesterday I tried to say — and I'll try to say it again — that up until now, cannabis is used in Canada and in the Yukon. There are people who have gone across the border who have used cannabis in the recent past and there will be tomorrow. I'm not advising anyone to lie.

I am working with the federal government. Through the Liquor Corporation, we are part of a national working group to try to address this issue. I know that I've been working with our own employees because they've raised concerns. In fact, what we've done with our own employees is say: Okay, who is comfortable? If they're not, we'll find them another position. We're not pressuring any employee to work in a field in which they don't wish to work.

I haven't taken the time yet to work with my colleague, the Minister of Economic Development, or others to reach out to the business community. I haven't heard from them yet. When we are talking to the federal government, we're certainly asking the questions about how we should speak to citizens, including employees, across the territory.

Question re: Cannabis retail store

Mr. Hassard: Mr. Speaker, can the Minister responsible for the Yukon Liquor Corporation tell us how much the government has spent on capital improvements and renovations to their government-run cannabis store?

Hon. Mr. Streicker: I will endeavour to get an exact number. Off the top of my head, I believe that the improvements were \$400,000. I will check on that number.

What we did, Mr. Speaker, is we told the president of the Liquor Corporation how that development was going to proceed — for example, we did things like say that, when they build the cabinetry, they should build the cabinetry so that it can be reused or repurposed. We made sure that the types of investments would be ones that we could either recoup or reuse. We used the three Rs, Mr. Speaker — reduce, reuse and recycle. That's how we approached it and we built those costs into our projection about the return on the investment for the territory.

I'll look forward to further questions so that I can follow up.

Mr. Hassard: This is money that is being spent at a time when the government is taking us further into deficit and telling Yukoners that they need to tighten their belts and even look at cuts for the Department of Health and Social Services. After the Liberals were heavily criticized for growing government and squeezing out the private sector, they caved slightly and agreed at some nondescript time in the future to allow private sales.

The minister stood here today and said that the government is in the business temporarily. If the government finally does allow the private sector to get involved, can the minister tell us if the government-run retail store will be shut down or will it be competing against the private sector?

Hon. Mr. Streicker: I will try to give a few responses. The first one is that when we first decided to introduce retail here in the territory, we knew that we were going to have it first. We had concerns about the supply of product. The city has put in zoning regulations where they have said they just wanted to begin in Marwell. We know from talking with the private sector that they are interested in opening downtown. That conversation is ongoing between the private sector and the municipality. I think that is one of the first orders of business that they will undertake after the election. Please vote, everybody, on the day after tomorrow.

We actually put out a bid for the private sector regarding the construction of a new retail space early in 2018. We didn't get good responses back, so we decided to repurpose an existing warehouse space that the government had already used.

Mr. Speaker, there are so many points about — we will certainly be shutting down our own business once the private retail of cannabis is established.

Mr. Hassard: We still don't know how long this government plans on taking to allow the private sector to become involved. The other concern, of course, is the fact that the minister keeps talking about "here in Whitehorse". There are several communities outside of Whitehorse that there has been no consideration directed toward.

I guess another question I would have for the minister is: How long is left on the lease of the building where the temporary cannabis retail store is currently being housed?

Hon. Mr. Streicker: I will get back to the member opposite on that very technical question about the length of the lease that is outstanding on the existing store.

When it comes to our communities, of course, we are considering them. I met with municipalities. We had lots of discussion around cannabis. This was the largest engagement that I have ever seen for the Yukon on any issue. I stand to be corrected; it was a very strong engagement.

We should note that tomorrow, e-commerce will go online and all of our communities will have access to e-commerce. The timing on private retail sales — we are getting the regulations in place this fall for Yukon Liquor Board licensing. We will take an intake early in the new year, as we have been talking with potential private retailers — the Minister of Economic Development and I. We have been saying to them all along that our expectation is that it should happen somewhere in spring 2019. I said today, through my ministerial statement, that I hope we are ahead of Ontario in getting private retail sales in place.

We'll see how it goes, but spring 2019 — there is the answer.

Speaker: The time for Question Period has now elapsed.

Notice of opposition private members' business

Ms. White: Pursuant to Standing Order 14.2(3), I would like to identify the items standing in the name of the Third Party to be called on Wednesday, October 17, 2018. They are Motion No. 328, standing in the name of the Member for Whitehorse Centre, and Motion No. 294, standing in the name of the Member for Takhini-Kopper King.

Mr. Kent: Pursuant to Standing Order 14.2(3), I would like to identify the item standing in the name of the Official Opposition to be called on Wednesday, October 17, 2018. It is Motion No. 332, standing in the name of the Member for Copperbelt South.

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 27: *Coroners Act* — Second Reading

Clerk: Second reading, Bill No. 27, standing in the name of the Hon. Ms. McPhee.

Hon. Ms. McPhee: I move that Bill No. 27, entitled *Coroners Act*, be now read a second time.

Speaker: It has been moved by the Minister of Justice that Bill No. 27, entitled *Coroners Act*, be now read a second time.

Hon. Ms. McPhee: The government is pleased to bring forward this bill to modernize the legislation governing the administration of the Yukon Coroner's Service.

In late 2017, I asked the Department of Justice and their Policy and Communications unit to perform a legislative review of Yukon's *Coroners Act* and compare it to legislation governing the coroner and medical examiner models found in other Canadian jurisdictions. The current Yukon *Coroners Act* is based on the Coroners Ordinance 1958. It has only seen minor amendments since that time.

I know that some members of this House were born before 1958; many were not. I'm just thinking back to what was happening in 1958 when this Coroners Ordinance was adopted here in the territory. I can tell you that the annual income in 1958 was about \$4,600 a year. Here is one that will probably surprise us: gas was 24 cents. I have a note that says "a litre" but I suspect that was maybe a gallon. At the time, bread cost about 19 cents a loaf. The Whitehorse General Hospital was still downtown. Mr. F.H. Collins himself, Frederick Howard Collins, was the Commissioner of the Yukon Territory. It was eight years after Whitehorse, as a city, was incorporated back in 1950.

All of this is to say that this piece of legislation and its outdated processes and tools for a Yukon coroner are long overdue.

The current act predates modern legislation such as the *Access to Information and Protection of Privacy Act*, also known as ATIPPA, and it predates, of course, the *Health Information Privacy and Management Act*, an act known as HIPMA.

The current act also has certain anachronisms in the legislation, such as section 16(3), which gives a special status to inquests into mining accidents and requires at least three employees of the mine, of whom at least one is familiar with the work in respect to which the accident arose, to be placed on the coroner's jury. Looked at today, this section is puzzling, but presumably it was an effort and was put there to ensure that the jury itself had sufficient expertise in mining procedures to determine what caused the accident leading to an accidental death in those circumstances.

Of course, this is not the practice in courts or other quasi-judicial settings in a modern context. Instead, witnesses and sometimes expert witnesses are brought in to provide information for the jury to assist the jury and help them to make their determinations. In the new *Coroners Act*, this rather specific provision has been removed, but what we have added is a provision that a presiding coroner could ask the sheriff to call a jury that is either representative of a specific ethnic or cultural group or that would have specific knowledge and expertise pertaining to the case at hand. This is an important change. The purpose of this provision is to ensure that any coroner's jury can be sufficiently representative and have the necessary expertise to be able to make a finding that will help prevent other similar deaths and provide the Yukon public with the information it requires.

The new *Coroners Act* defines three types of coroners, Mr. Deputy Speaker: the chief coroner, investigating coroners and presiding coroners. The chief coroner's powers and duties are set out in the act rather than mainly in regulation, as they are now. This is an important change.

Members will note that a chief coroner will have all of the powers at common law that a coroner has been bestowed over the centuries of law that governs coroners. It is centuries, Mr. Deputy Speaker — coroners were among the first legal entities involved in our constitutional democracy. In the new legislation, coroners will be bestowed with these common-law powers incorporated into the act, except as modified in this new act. They are historical powers.

The duties and the powers of the chief coroner have been further clarified under this act, as they were not clear enough under the old act, and they include the duty to administer the act to manage the manner in which investigating coroners carry out their investigations. It includes the requirement that the coroner have the power to establish policies and procedures to which investigating coroners must adhere and the power to establish a code of conduct for investigating coroners. These are all elements of this new legislation that were supported by the coroner's operation here in the territory and are supported by our research with respect to providing a modern piece of legislation — all tools that will assist the coroners.

A simple and essential matter that has not been clearly spelled out before which is in the new act is that there can be an acting chief coroner when the chief coroner is away. It seems like a pretty simple provision but something that has not been provided for in the past. Again, back in 1958, it may not have been needed and wasn't included in amendments

going forward, but it is certainly a practical matter that will assist the chief coroner's operations.

This is an important component of the act for a service that we call upon, without notice, 24 hours a day, for there is no rest for the coroners or the acting coroners in their work, and opportunity must be provided for, because what we ask coroners to do is extremely important and difficult work.

An investigating coroner is a coroner who does the initial death investigation that is prescribed for in the new act. A presiding coroner, in contrast, will preside at an inquest and is to be selected from a roster that the Minister of Justice will be required to maintain. That roster is made up of judges under the *Territorial Court Act* or a senior lawyer whose qualifications will be set out in the regulations.

There is also the opportunity to prescribe other persons who might preside over a coroner's inquiry, such as an experienced coroner or a medical practitioner from another jurisdiction. This is, in the recent past, a codification of the actual practice. We live in a small jurisdiction. The concept of conflict of interest must be respected. This is an opportunity for us to have experts in the area of law, and the complex situations that come before a coroner's inquest now will be well served by those individuals who will conduct inquiries on behalf of families and the Yukon public.

The reason for this modernization is to emphasize and take advantage of the specific expertise at each stage of a coroner's process. It is in the best interests of Yukoners that we ensure that the person carrying out each of the different stages — whether it be investigation, medical examination or presiding over an inquiry — has the specific professional skills required for the task.

I'm proud to say that the policy work and the details that have gone into this new piece of legislation were guided by those principles, which are supported by many Yukoners who engaged in this process and by the other partners — Justice, RCMP, the coroners, et cetera.

The new *Coroners Act* also has new requirements around the duty to report deaths. All child deaths will now be required to be reported to the coroner to bring our law into modern legal context. Such a requirement will trigger, at the very least, an initial investigation into the death.

All deaths that occur while a person is in custody must, of course, be reported. In addition, there is the expansion of the duty in this new legislation to report a death in custody that now includes youth facilities — again, a modernization that is long overdue here in the territory.

The act also provides that an inquest will be held whenever there is a death in custody at either an adult or youth correction or detention facility, or whenever a person dies while in the custody of a peace officer.

With respect to the managing of information, coroner's investigations and their results, either by statute or common law, have not traditionally been specifically subject to privacy legislation. In some cases, information in a death investigation may be highly personal in nature and, even though a family member may be seeking some of this information, the coroner's duty is to the privacy of the deceased.

In the new act, however, there is a disclosure section under part 7 of the act that notes that the Coroner's Service is not a public body under ATIPP and creates a general prohibition on the release of information gathered for and by a Coroner's Service in carrying out the functions described in the act that are related to situations like the investigation and the findings of the death except in certain circumstances. This part goes on to outline the exceptions to the general disclosure prohibition and what types of information can be given to family members, the public or a person with a valid interest in the information, such as the chief coroner's report or an inquest report.

Despite the fact that the old act was silent on this topic, for the purposes of openness and accountability, certainly there are parts of the Coroner's Service that must be subject to provisions like ATIPP privacy protections for that information as well as access to that information by the public. The new act is more specific and expands that responsibility.

Spelling out the exceptions in the disclosure provisions provides transparency for the Coroner's Service because, prior to this modernization — this modern version of the bill, the coroner relied on common law to manage information sought, used and stored as part of the investigation process of the coroner. By spelling it out in legislation, it becomes clearer to both an applicant for information and the investigating coroner how information that comes into the possession of the Coroner's Service may be protected, must be protected and can be accessed.

Families are an important consideration in any death that the Coroner's Service is investigating. I will take a brief opportunity to note that our current chief coroner has exceptional skills in dealing with loved ones and people who are aggrieved, of course, when there is an unexplained death or accidental death. I thank her for that compassion and skill because our Yukon families are well-served as a result. The accidental or unexplained death of a loved one is so very difficult and the grief and the questioning of what has happened are a lot to deal with and a lot to process. As I have noted, our current chief coroner handles those concerns by family members and other loved ones in the most professional and sympathetic manner.

During the summer's consultation, we asked the public a number of questions pertaining to inquests. These included how inquests are called, who should preside over them — which I have talked a bit about already — and if there should be a process for families to request an inquest into their loved one's unexpected or unexplained death when it has been determined that one is not needed after a full coroner's investigation. While a variety of perspectives were voiced in respect of the first two questions, clearly most respondents wanted a way for families to be able to ask for an inquest into a death.

The requirement to make a decision on this is not a job that anyone relishes. I am pleased to be able to tell this House that we have heard Yukoners in this regard and have included, under section 43 of this act, a right to request an inquest by a family member or another interested person. The general

procedure for this is established under this section and is an improvement on the existing act, as there are currently no provisions such as this in our current piece of legislation.

Section 44 goes on to provide a power for the Minister of Justice to call an inquest if they determine that it is in the public interest that an inquest be held. This kind of provision appears in other jurisdictions in Canada. From time to time, there may be a reason to hold an inquest to meet the greater public interest where the minister may have broader systemic knowledge of an issue or of a community concern or interest by the public, which is — the public interest — the criteria the minister will have to use.

This does not mean in any way that there can be political interference in the Coroner's Service. In fact, the criterion that the minister must use is whether or not the matter is in the public interest. I certainly expect it will be a provision that, while available to the Yukon public, will rarely need to be used.

The Coroner's Service is a quasi-judicial, independent body and this should cause any minister who is contemplating overriding a coroner's decision or making a different decision than the coroner to hold an inquest to ensure that there is very good reason to do so and that it is in the public interest and will prevent future similar deaths.

I will close by noting that much of the new act is drafted with the deficiencies of the old act in mind. We have researched across Canada. We have looked for the best possible options. We have looked for the best possible result for Yukoners to make what is such an important service for all of us respectful of Yukoners' wishes, and developed the legislation to protect them and serve Yukon citizens and Yukoners across the territory.

Members will note that this act is — again, not too concerned about page counts — quite a bit longer than the old act. That is clearly because some of the material that was previously in legislation has now been prescribed in the act or in regulation to ensure clarity of the powers and procedures that are required by the Coroner's Service — again, giving the Coroner's Service the tools that are necessary.

Simple things like the addition of an acting coroner in the act, which allows the chief coroner to be away for whatever circumstance, are practical improvements. Further, spelling out the procedures of the investigations and the inquests will allow for greater transparency and certainty. Adding sections to deal with disclosure of records and the protection of privacy give the Coroner's Service both the powers and the guidance that they need to manage requests for information and to serve the Yukon public.

Our government anticipates that the regulation package required for implementation will be completed and in force by mid-2019.

Many people in this House, and perhaps my colleagues, have heard me say ad nauseam that we can pass all the acts we want, we can try to do the best for Yukoners through legislative service, but if we don't manage to complete regulations and bring new pieces of legislation into force and effect, it has no real impact on the lives of Yukoners.

With the anticipation that the regulations will be completed, my direction to the department is always “now”, or “sooner” — or “can we have them now” — probably much to their chagrin. Nonetheless, as you can see, there are pieces of legislation that have been passed by this House and require extensive regulation, not the least of which is the cannabis and control act. Those kinds of projects take a significant period of time for a small but mighty legislative drafting team in the Department of Justice. I will take this opportunity to thank them for their efforts on behalf of all Yukoners and certainly on behalf of us in this Legislative Assembly.

Mr. Speaker, I'll now cede the floor to other members and I look forward to hearing their perspectives on this important legislative initiative. I also look forward to the questions during Committee of the Whole and the debate on this piece of legislation that I am proud to bring to this House.

Mr. Cathers: In rising to speak to this legislation, I would agree with the minister on one point that she made, which was that the *Coroners Act* was in need of modernization. But in looking at this legislation, our primary concern is the process by which government developed it. Based on the responses to the questions that I asked at the briefing with officials, I am concerned and feel the government made a mistake in choosing not to do a broader consultation in developing this legislation.

This is a piece of legislation that is important to Yukoners. It does interact with other areas that people may not be aware of until they are in a situation where a loved one passes away. It interacts as well at an investigation scene with the powers of the RCMP versus the powers of the coroner. There are changes in this legislation to the current powers of an RCMP officer who in certain cases will be potentially replaced by the decision of a coroner.

One of the specific concerns that I had with regard to that is that we were told by department staff that the RCMP were consulted but did not see the legislation before it was tabled. Now, if the minister wishes to correct that point or provide any additional information, I would certainly be happy to hear it. If the RCMP did not have an opportunity to see sections of legislation that directly impact who is going to be in charge in certain circumstances related to an investigation affecting one of the RCMP members — or one or more RCMP members, I should say — that is something that I believe is a significant failing on the part of the minister to not ensure that the RCMP were fully aware of the fine print and had the opportunity to provide comments to the government on whether they agreed with that or whether they had concerns with what those changes are.

As I would hope the minister would agree, the RCMP are fully capable of reviewing the fine print of legislation and providing informed and specific comments to government about where they may have concerns.

The process of development here — from what we were told by officials, it appears that the act was largely developed by four government staff in a siloed, insular approach to government in doing this. Now, I want to state as well to those

who were part of that very small group that we recognize they take direction on who to consult from the minister and/or Cabinet. This is not intended as criticism of them. They were not the ones who had the ability to choose what the process of consultation would be.

There were valuable perspectives from a number of Yukoners who could have and should have been heard in the development of this legislation. I do have to remind the minister that her government actually ran on a campaign slogan of “Be Heard”. To fail to consult with health professionals and others who would have undoubtedly had opinions on this legislation and may, in fact, be affected by it in the performance of their duties is, again, an absolutely unacceptable decision by this government and a significant failure by the minister in making that decision.

We were advised at a briefing when I asked whether the Yukon Medical Association was consulted with — I was told that this had not occurred. I asked whether the Yukon Registered Nurses Association had been consulted with. I was told that had not occurred. I asked whether the Yukon Hospital Corporation had been consulted with and I was told by officials that had not occurred. I asked whether Emergency Medical Services had been consulted with and I was told — and I quote: “Briefly.”

Emergency Medical Services — both the full-time staff and volunteers who are the backbone and the heart of our EMS in rural communities — deal with situations that involve fatality. I should say, a great percentage of the times when the *Coroners Act* would come into place, it would also be a situation where Emergency Medical Services is called to respond. For them not to have an opportunity to understand an act that may affect their responsibilities and has an impact on the role of another person who has authority on a scene when someone has passed away is a failure on the part of government. What perspectives would have been heard from the full-time EMS paramedics in Whitehorse or rural EMS volunteers? I can't speak to that exactly. I don't deal with the day-to-day operations that they do in responding to calls, but I am quite certain that they would have provided thoughtful input to the development of this legislation.

Whether it was broader consultation with EMS volunteers as a whole or through the Volunteer Ambulance Society consulting with rural EMS supervisors, these community members should have had the opportunity to provide their input and either provide their support for the government's proposed approach for the *Coroners Act* or provide thoughtful and constructive suggestions about how to change it.

Another area where the government has failed to hear perspectives is — we were advised that letters were sent to the community coroners but, when I asked whether any had provided input, the government staff at that point in time were unable to tell me whether even a single community coroner had provided their input. I asked whether the then-chief coroner, who is now the former chief coroner, had the opportunity to provide input, and I was told that she also had not had the opportunity to provide input. I'm sure that there

would also have been valuable input from her perspective in that regard as well.

There are also families who have had experience with the *Coroners Act* and inquests held under the *Coroners Act* and who have perspectives on how well that worked or did not work. While, again, I can't speak to exactly what input those people would have provided, I do believe that Yukoners who have been affected by this area of law would have had some thoughtful, valuable input about the development of this legislation and that the Liberal government should have lived up to their campaign commitment of "Be Heard" and, in fact, consulted with the public in this area, considered the input that came in and, ultimately, after hearing from health professionals across the territory and from RCMP — both at the senior level in Whitehorse and members placed in Yukon communities who have to often be the person upon whose shoulders certain decisions rest for whether — RCMP members who are placed in Yukon communities across the territory, as well as the EMS personnel in those areas and the community coroners, shoulder the responsibility of making the initial decisions when there is a highway accident or other tragic incident in the community, including those that result in a death. The fact that these people were not given an opportunity individually to look at what government was considering is quite unfortunate.

Again, with no disrespect to the very small handful of staff who were involved in this, the decision on whether or not to reach out and consult with these people is a decision that is made either by the minister or by Cabinet collectively, and in choosing not to reach out to all of these people across the territory who I have mentioned — including RCMP members, health professionals and so on — the government failed to live up to their own election commitments and has left this legislation not as strong as it could have been if government had given health professionals, RCMP members and others an opportunity for meaningful input on this legislation.

As the minister mentioned, the age of this legislation dates back quite a ways — the basic model dates back. The legislative model on this certainly is older than I am, and I don't disagree that modernization was necessary. But Yukoners, including the groups and individuals whom I mentioned, should have had the opportunity to provide their thoughtful input on this legislation. Government could have easily left this until the Spring Sitting and taken the time to hear the perspectives of all these citizens. So it's very difficult for me to support this legislation simply because of the government's failure to consult with Yukoners.

Ms. Hanson: I thank the minister for her introductory comments this afternoon at second reading of Bill No. 27, the *Coroners Act*.

As she said at the outset, 1958 is a very long time ago, and I can tell you where I was in October 1958. My mom and dad had just about finished building their new home. My father's income was approximately the same as the average income that the minister had outlined. They had a mortgage outstanding at the time of about \$8,000. It doesn't sound like a

heck of a lot today in 2018, but I can tell you that then it was. They were pregnant with their sixth kid. On October 8, 1958, he was killed in a plane crash — flying a couple of guys home from an exploratory — they were oil guys. He was flying them home. I can tell you, Mr. Speaker, that the legislation — and there was an inquiry into the deaths of those three men who were killed. It changed the lives of three different families.

Just one anecdote in terms of legislation and perhaps its intended or unintended consequences — back in the day, workers' compensation defined "survivors" as those who were extant, so even though — the one was not born until the next spring, so he wasn't a survivor, so she got workers' benefits for five kids, not six kids.

The legislation from 1958 is dated, and we know that over the centuries since the notion of a coroner — and it goes back to one of the first functions of government, going back to King Alfred's time. It is a long-outstanding function. As the minister said, it is our duty to make sure that we are bringing these pieces of legislation forward, modernizing them and making them appropriate to the circumstances of the day.

I do thank the officials for the briefing that they provided to us. It was thorough. We raised a number of questions and we will be raising those questions in more detail as we go through this piece of legislation in Committee of the Whole.

Again, I can't say it often enough — I said to the minister when there was an indication that they were going to be working on this legislation that this was one that we really strongly felt, and feel, needs to be modernized. We have raised in this Legislative Assembly, on numerous occasions, concerns and issues with the current legislation and the significant barriers that it places before individuals affected by the death of a loved one, a family member or a colleague. We believe that the new act reflects many of the concerns that we have raised, but we do have a number of questions and a number of issues that we would like to see raised.

We have reviewed the "what we heard" document. Maybe the government is getting tired of these or the process, because I would note that this particular "what we heard" document, even though the legislation is much more comprehensive — and the minister will recall that when the survey was being done, we had sent a reply back saying that at least one of the questions was contradictory and required changes. There was a note in the "what we heard" that there was an error in one of the response fields, so one of the sets of questions was withdrawn. Even at that, it was difficult to find it. We were told at the briefing that it was going to be online shortly and I can tell you that we finally found it — today.

It's just that you want to make sure that if you are relying, to a large extent, on these public engagement tools and they appear to be the main tool being used to gauge either public interest or response to options being placed before the government as it modernizes legislation, then they need to be able to be subjected to a fair degree of scrutiny. I would suggest that this particular one does not.

Notwithstanding that, I think that we do agree with most of the changes that are being proposed. This act, and the

regulations that will follow, are important to every community in the Yukon.

We raised and will look forward to further discussion with the minister on the issues of the model being chosen with respect to the chief coroner. We recognize and acknowledge that, as the minister did, there are four jurisdictions in Canada where there are medical examiners or investigating officers and eight with a coroner kind of model.

We believe, as we see increasingly in the Yukon — and we've already experienced challenges with the current model — that when we have complex toxicology cases, it does raise legitimate questions about utilizing physicians as coroners to the degree it's compatible with the Yukon jurisdiction and how that can be made to work.

We will look forward to that conversation. We raised, during the briefing, questions with respect to the fact that it appears the legislation is completely silent on what a chief coroner is — what kind of qualifications? What do we expect a chief coroner to bring to the job that gives us comfort that they actually have the expertise and the background to do that job? We do know that the legislation says that they have to be a public servant — so they are drawn from the body of public servants — but what does that really mean? We'll be looking forward to having that conversation, as well as conversations about prerequisite training and ongoing training that is provided to both the chief coroner and community coroners.

In order to get a coroner's inquest, the requirements in the current act are incredibly narrow, and we are pleased to see that this legislation provides some expansion. We would have liked to see more — including any child in care, or any adult who is under care or supervision.

Mr. Chair, as I'm going through questions that have been raised and reviews that have been done across the country, there are a lot of different criteria or circumstances under which an inquest — a coroner's inquest — can be triggered.

I was curious — the minister made reference to the fact that, in 1958, the only requirement for an inquest was if there was a death at a mine site. Maybe I misunderstood that; it was one of the ones. Right now, it appears that this has been eliminated. So we're just curious if it is just considered as a fatality — or what? We look forward to getting that clarified because I can see from the member opposite that I've misrepresented that or misheard that. I look forward to having that clarified.

There are a number of other areas too. It seems reasonable to consider that, when a death occurs either in a hospital or where the delivery of health care is in some way connected — for example, a death in an ambulance en route to a hospital, or a death in an ER, an operating room or a recovering room — they should have the ability to be covered by a coroner's inquest. The coroner should be involved in that.

I raise that because of the very clear example of the coroner's inquest that wasn't going to happen but did eventually happen under a huge amount of pressure, anxiety and stress — a family in Watson Lake. To the point of the Member for Lake Laberge, the two most recent, significant coroner's inquests that I've been involved in in the Yukon —

those families don't live here. All of the people who are dead lived here, but their family members wouldn't have been involved in a consultation because they don't live in the Yukon. We have to be mindful of the fact that the impact of deaths by accident or, in one case, where you have a situation where unsafe living conditions in a home — there are consequences to that and you can't expect that the families are going to be following legislation across the country.

They certainly hoped at the time that there would have been opportunities. We shouldn't have to go political — we shouldn't have to use the Legislative Assembly to offer the citizens or offer families the opportunity to have their voices heard and to hear how to avoid future deaths under similar circumstances. We're pleased that there has been an expansion of those criteria, and we'll look forward to having a further conversation with the minister about that.

With that comes the fact that the minister can make a determination and we will want to hear a bit more about that because, from the way I read it, the minister's decision is final whether or not it's a yea or a nay. We would like to know — under what circumstances — how you would appeal that. Is there an appeal mechanism? For example, can an individual go to court to request that the minister's decision be overturned? Is there a public interest override? I don't know, and I can't read it in the legislation.

We're interested in talking in the Committee of the Whole about judgments and inquiry because, at one time, these were not available, and then it's our understanding and our experience as members of the opposition — and because of our engagement with individuals and families trying to sort through the process with the coroner's office over the last five or more years — that the process of posting judgments of inquiry and inquests began in August 2013.

It is our experience that this has changed again in the last couple of years, and now we're only seeing a small proportion of the judgements of inquiry being completed and posted.

What we will be looking forward to hearing in Committee of the Whole is: Will the public be able to access these unpublished judgments of inquiry? We believe, in our read of the new act, that the posting of reports will be limited and really subject to the discretion of the chief coroner as to what will be published based on a number of factors that, from our perception, are not clearly defined. We will be looking to hear why and what criteria will be followed and basically what is the rationale for the change. We know that in some other jurisdictions all reports are publicly available, so why is it proposed not to have them publicly available here and, most importantly, the recommendations — if there are any — coming from those reports? Because that's how we inform the future. We learn from the sad lessons of the past.

These recommendations, which are often to a department — we would be looking to know and to hear from the minister in Committee of the Whole what powers this act provides for the chief coroner to follow up and whether or not the chief coroner can enforce any implementation of recommendations.

We're really keen, based on what we've seen over the last few years in the territory, on making sure that the public and

the families have a right to know and to ensure that there is openness and accountability, particularly to those who are most directly affected. I note that, for example, in Alberta, not only do they post their reports, but they have put in place an online system that will publicly track fatality inquiry recommendations and the responses to them. It's only by doing this that we improve accountability and can perhaps help prevent future deaths.

As I said earlier, there are a number of other models that are used in other provinces. We will want to talk about the choice of model in terms of the descriptor of the officiant — the person who is going to be doing this, whether it is a chief medical examiner. We have talked about a chief coroner. We have talked about somebody with some medical background versus not. We understand some of the challenges that may bring to a jurisdiction the size of the Yukon.

We also raised, in the briefing with officials, questions with respect to the removal of the chief coroner — what are the provisions? It's one thing if a chief coroner is an officer of this Legislative Assembly — there is an appointment office and there is legislated — or supposedly, not always followed, as we have seen — but there is supposedly a process that is set out, for example, for the office of the Public Service Commissioner — if you are a deputy minister, you serve at pleasure. It's not clear in this legislation, so the provisions for removal of or investigating a coroner — if there are concerns — which we don't expect, but you always have to have those kinds of fall-back provisions.

I was very pleased to hear the minister speak to the importance of ensuring that the regulations are brought forward in a timely manner. We would encourage the minister to maintain her pressure to bring these regulations into force as quickly as possible, because we absolutely agree with her that, until that is done, it's basically an empty vessel: It's nice, but it's just on the shelf and it doesn't do much.

We didn't talk during the briefing; we didn't ask questions during the briefing with respect to any additional costs this new legislation may bring with respect to any additional O&M costs. One would think that, after 60 years, there may be some legitimate additional costs associated with modernizing the legislation, but we will want to hear from the minister about that.

There will be many, many, many questions when we go into Committee of the Whole. On the whole, we are very pleased to see a modernized *Coroners Act* being introduced to this Legislative Assembly. The devil is in the details. We will wait and see if there are things that will crop up here that we think are blatant oversights. If that is the case, we will, of course, bring them to the attention of the minister.

Mr. Adel: I am pleased to rise today to speak to Bill No. 27. I would like to begin by thanking my colleague, the Minister of Justice, and the Department of Justice for their hard work and diligence in bringing this piece of important legislation to the floor of this House.

As the minister has mentioned, our existing *Coroners Act* has had only minor changes since it was introduced in 1958.

Mr. Speaker, I was introduced in 1953 and I have undergone serious changes.

The 60 years since have brought about many changes, including changes in legislation, technology, investigative practices and procedures. Bill No. 27 proposes to modernize the *Coroners Act* by removing the arcane and out-of-date provisions. It will also clarify the duties and responsibilities of the Coroner's Service, including who has the authority to call inquests and who can preside over them. The Coroner's Service is responsible for investigating the cause of unexpected and unexplained deaths and making recommendations to improve public safety and prevent deaths in similar circumstances.

This bill incorporates best practices around investigative procedures that promote professional, efficient and impartial investigations that will ensure the Coroner's Service continues to serve the public's interest into the 21st century.

Modernizing a piece of legislation takes a considerable amount of time and effort. This work takes place behind the scenes and it involves evaluating how policies within legislation have become ingrained into case law, assessing the relevance of acts within current technological frameworks, undertaking a public engagement process and compiling, discussing and revising data, feedback and information to shape the final proposed revisions.

A significant contribution to revisions to the *Coroners Act* was input from Yukoners with a public engagement survey provided to Yukoners in July and August of this year. We also heard from the RCMP, from First Nation governments and from the public throughout the territory, who provided feedback about the existing *Coroners Act*.

Mr. Speaker, responses to the engagement, as well as information brought forward to the department by Yukoners in various capacities, included input from stakeholders, such as the RCMP and the coroner's office, whose practices are shaped and informed by this legislation, and individuals, families and others who have been affected not only by the death of their loved one but by the investigation into that death.

The review of the *Coroners Act* and regulations, public engagement and subsequent recommendations have resulted in an updated act that is thorough and provides an all-encompassing framework for the coroner's office that will inform their practice moving forward. Mr. Speaker, modernizing the act will support the coroner's office to access and utilize the appropriate professional resources to oversee each stage of a death investigation case, and the independence and impartiality of the Coroner's Service will be protected under the act. The proposed amendments to the act will make it consistent with the current Coroner's Service processes, best practices and the technological advances.

Mr. Speaker, it's important that the Coroner's Service has operational independence from the government when undertaking investigations of unexplained deaths. The proposals under this revised act provide the Minister of Justice with the discretion to order an inquest at the request of the family.

In summary, the modernized *Coroners Act* provides the coroner's office with the ability to deal with realities in the current digital information age, expanded powers of investigation and the ability to appoint impartial adjudicators over inquests. Mr. Speaker, the revisions to this act are necessary and relevant to those who have been or will be in the situation of losing a loved one under circumstances requiring a coroner's investigation, to the professionals we entrust to investigate these deaths and to all Yukoners living throughout the territory.

Mr. Speaker, updating the *Coroner's Act* is just one example of our Liberal government's efforts to modernize Yukon's laws, programs and services so that they meet the needs of Yukoners in today's society and going forward. A modern Yukon requires no less.

Mr. Speaker, in summary, I'm happy to support this bill and the broader effort to modernize the laws and operations of this government. Thank you.

Hon. Ms. Frost: Thank you, Mr. Speaker. I'm pleased today to rise to support the modernization of the *Coroners Act*. I would like to take a moment to acknowledge my colleague, the Minister of Justice, and the many public servants who have contributed the time and energy to modernize and review this act thoroughly to ensure that it reflects current times.

As others have said — and some really great points raised by the Leader of the Third Party on the legislation as being somewhat contradictory and somewhat antiquated — in fact, I wasn't born in 1958, but others were, and there is a lot that has happened since then and a lot of really great feedback received — most recently, in some of the current cases that we've heard through judicial processes and through other processes in the Yukon that address the out-of-date act.

The current *Coroners Act*, as noted, is extremely outdated and long overdue for amendments. It is no longer consistent with current processes, nor does it reflect best practices. It clearly has significant barriers that have become pretty evident to all of us in this Legislature and to all Yukoners. Our laws must respond to current conditions and practices. It is important to note that aspects of this new law are to help inspire confidence in the quality of the investigations into unexplained or unexpected deaths in our territory. One should not have to go through a public process or a political process to trigger an investigation. The new act ensures that inquests are presided over by senior lawyers, coroners or judges. It is triggered and it therefore should proceed as addressing the major concerns that should come forward through an unexplained or unexpected situation. It includes a process for families to ask for an inquest into the death of a loved one. It also provides a mechanism to reopen investigations when new evidence is found.

Furthermore, the new act places specific obligations on certain government institutions to report all deaths that occur in, or are caused by, the institution, requiring a coroner to investigate these deaths. Under the proposed changes, if an individual dies in an institution or mental health facility, in an

ambulance, for that matter, or in an RCMP cell, an internal investigation into the death will automatically be triggered. The duty to report deaths has also been expanded to include youth facilities and youth and adults in custody at correctional or detention facilities.

Additions to the act now include a note that coroners should have knowledge of Yukon First Nation culture, which is really very important, given that we have 14 First Nations in the Yukon and 11 self-governing First Nations that have a voice and have traditional practices and methodologies that need to be incorporated and respected. These changes are incredibly important and are meant to reduce barriers and improve communication with families following the death of a loved one.

It is always unfortunate when we are faced with the passing of a loved one and, at certain times in our lives, it is important to know that we are supported and this modernization of this *Coroners Act* will allow for that and will reduce barriers that we have obviously seen in the antiquated act. Reducing the barriers is an important way of making improvements. These amendments are extremely important to all Yukoners and it is important to bring them forward in a timely manner and not years from now — not 30 or 40 years — but in months and days. We are really looking forward to further discussion and certainly support the amendments.

Speaker: Is there further debate on Bill No. 27 at second reading?

If the member now speaks, she will close debate.

Does any other member wish to be heard at this time?

Hon. Ms. McPhee: Mr. Speaker, I don't intend to be long in reply. I have an excellent indication of where our conversation should happen here in the House — in the debate in Committee of the Whole.

I am saddened, however, that the Member for Lake Laberge unfortunately spent a significant portion of his time today in the House criticizing the process rather than providing any comments. I appreciate he's concerned about the process — and that's a legitimate question as well — but unfortunately, he hasn't had any comment on the substance of this bill. It is certainly something that our government is interested in — from the Yukon Party. Presumably Yukoners are also interested in a fair and open debate with respect to substantive concerns about making these changes after so much time. The opportunities for input were sought specifically and generally. Unfortunately, again, the Member for Lake Laberge has not presented accurate information here today. I take his criticisms, but Yukoners deserve accurate information.

The RCMP, in fact, was consulted. They provided extensive comments and all of their concerns or suggestions — some of each — were incorporated into the final version of this bill. Their comments, of course, are critical and they brought excellent suggestions to the table.

I personally met with a few community coroners that were interested in doing so. I met with the current chief

coroner, of course. I met personally with the former chief coroner and had the opportunity to receive written submissions from a number of those individuals, which were also taken into consideration — this is a team effort. I personally met and received written submissions, but, of course, they were brought to the drafting team to provide further advice and to take all that information into account with respect to all of what was being brought forward. We sought input from Yukoners, community coroners, the RCMP, First Nation governments and government departments on the ways we could better serve the public interest in presenting a new *Coroners Act*, while maintaining the integrity of coroner's investigations.

I will also just take a brief moment to mention that there was opportunity for the public also to more generally participate. There was an online public survey available to all Yukoners. I take the point of the Leader of the Third Party, but it was available to all Yukoners for a 45-day period. We sent targeted letters to all the community coroners. Of course, we engaged with the chief coroner, who was on the committee dealing with this matter going forward at every step of the way — generally weekly meetings with respect to that. It took a significant amount of effort and time from her schedule as well and the RCMP, of course, was contacted in addition — there were weekly meetings of the drafting group, of which the chief coroner was a part. We also engaged internally with vital statistics and policy staff at Health and Social Services on a more informal basis.

I hope there are some answers to the questions with respect to process. Again, the substance of this piece of legislation will be the subject of debate in Committee of the Whole and I look forward to that.

I'm thankful this afternoon for the careful consideration by the Leader of the Third Party. I appreciate her comments here today. It really shows, in my view, the purpose of this kind of exchange and ultimately the Committee of the Whole debate because she has presented excellent questions. I look forward to our discussions of them and any others that come forward from any members during Committee of the Whole.

I just want to take one last chance to thank all the Yukoners who participated in this process, provided comments and spoke to me outside of this formal process and any of the individuals who worked on this because their comments are always top of mind.

I also will take the last chance — not the last chance, during Committee of the Whole we will have some officials here — to thank all of the individuals and professionals, the Department of Justice and departments of Community Services and Health and Social Services that provided comments, input and guidance with respect to coming to this point in time here today where we have presented this bill for debate in the Legislative Assembly and, on behalf of Yukoners, for the improvement of the services of their Coroner's Service.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. Ms. McPhee: Agree.

Hon. Mr. Pillai: Agree.

Hon. Ms. Dendys: Agree.

Hon. Ms. Frost: Agree.

Mr. Gallina: Agree.

Mr. Adel: Agree.

Hon. Mr. Mostyn: Agree.

Hon. Mr. Streicker: Agree.

Mr. Hutton: Agree.

Mr. Hassard: Disagree.

Mr. Kent: Disagree.

Ms. Van Bibber: Disagree.

Mr. Cathers: Disagree.

Ms. McLeod: Disagree.

Mr. Istchenko: Disagree.

Ms. Hanson: Agree.

Ms. White: Agree.

Clerk: Mr. Speaker, the results are 12 yea, six nay.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No. 27 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

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

The matter now before the Committee is clause 57 in Bill No. 20, entitled *Societies Act*.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

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

Recess

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

Bill No. 20: Societies Act

Chair: The matter before the Committee is clause 57 in Bill No. 20, entitled *Societies Act*. Mr. Streicker, you have 18 minutes and 45 seconds.

On Clause 57 — continued

Hon. Mr. Streicker: I certainly won't take 18 minutes. I will take a minute to give a few introductory remarks that my colleagues yesterday reminded me that I didn't give, so I will today. First, I would just like to once again welcome to the Legislative Assembly Louise Michaud, the ADM of Corporate Policy and Consumer Affairs, and Ms. Bhreagh Dabbs, who is from the Legislative Counsel office, and Sephora, of course. It is always a pleasure to have Sephora here too.

I'm just going to give a few introductory remarks and then I will finish speaking on clause 57.

Just as a reminder to get us back into this debate, the purpose of this bill — the *Societies Act*, Bill No. 20 — was to provide a clear governance and operational framework for about 800 societies that are registered in the Yukon. The current *Societies Act* was created more than 30 years ago when the Yukon's population was smaller and the role of societies in the Yukon was much more limited.

Last fall, when we opened up engagement on this act, almost 100 Yukoners assisted in the development of this proposed new act by providing input at our public engagements. I want to thank them.

Those people who participated expressed their concerns and outlined their challenges with the existing act. Today, as we go through clause by clause, I will just try to highlight a few of those things so that they hear their voices on the record. They provided suggestions on how to streamline processes and offered insight into what they want in the new legislation.

Generally speaking, societies will be responsible for the content of their own constitution and bylaws and for filing them in the registry, but they will no longer require approval by the registrar. I think the Member for Porter Creek North was asking what issues were raised and that was one of the most significant.

Under our new *Societies Act*, the society's members and directors will be responsible for resolving disputes regarding its constitution, bylaws, governance and operations. We will provide societies with resources and training to assist with the transition to the new legislation.

Those are just a few opening remarks. I want to again thank the departments for all of their work in bringing this forward.

The clause that I wanted to talk about right now, Mr. Chair — clause 57 — talks about the duties of directors. One of the concerns raised to us when we talked with folks about societies was that they were concerned that there was nothing in the legislation that talked about ensuring that directors had integrity or honesty and diligence. Section 57 sets out the basic duties of directors and articulates that they have to act in good faith and exercise care, diligence and skill.

These are things, of course, that are rather subjective measures and challenging but, under the encouragement by Yukoners who are members of societies, they wanted us to put that out there so that, when people turn to the act, they can see that there is a responsibility — more than just a fiduciary responsibility — to act with integrity when they are representing that society.

That's all I wanted to do for introduction there, Mr. Chair.

Clause 57 agreed to

On Clause 58

Clause 58 agreed to

On Clause 59

Clause 59 agreed to

On Clause 60

Hon. Mr. Streicker: Again, thanks to the members opposite. I'll just pop up here and there. Clause 60 is talking about directors and disclosure of conflicts of interest.

One of the things that we wanted to make sure of here is that we acknowledge — especially in our smaller communities — that there are lots of people who wear many hats, and there are going to be times when directors potentially have some conflicts. We wanted to — and we were asked to — put into the act some discussion around those issues and to set out specific conflict-of-interest guidelines for directors, officers and managers. For example, there is always going to be a time when someone is the snowplow operator, they are a director on a society, and the society needs some snow clearing.

These are things that we think we can manage, and so what we are doing here in this section of the act is just making it clear how people disclose that information and making sure that everyone is aware and they don't find themselves in situations where decisions could benefit them personally and they would remove themselves from debates that might happen around them where decisions that would benefit them are being taken.

This is just the section that allows us to navigate when we are in smaller communities and, inevitably, land with volunteers who come forward who have multiple roles within their community.

Clause 60 agreed to

On Clause 61

Clause 61 agreed to

On Clause 62

Hon. Mr. Streicker: Along with the notion of conflict of interest — just one second, Mr. Chair.

Let's say that there was a contract entered into with a third party by a society, and let's say that, at some moment, we discover, after the fact, that a director did not disclose a conflict of interest and there was some benefit to that person. We were talking about, with our societies that exist today, that they didn't want to have the third party — as in the private sector — put out by that and that, if there were consequences that resulted due to undisclosed conflict, that could be dealt with internally by the director and the society without necessarily having to involve the third party and that the contract could be honoured.

Section 62(1) sets out that a conflict of interest involving a director does not automatically make a contract void. Section 62(2) sets out that a court may make an appropriate order in such a conflict-of-interest case. It is trying to protect the society if it entered into a contract to allow it to continue, especially with a third party, in particular the private sector.

Clause 62 agreed to

On Clause 63

Hon. Mr. Streicker: This is a clause where we're talking about if there is good faith for directors and whether they are protected if they were acting or making decisions based on information they reasonably believed was correct or was true but turns out to be incorrect.

Section 63, and later section 65, sets out the good-faith protection provision of the statute for directors who have exercised appropriate due diligence. This is to provide clarity for our societies that shows them that, if they are making decisions in good faith and based on documents or expert opinions that turn out not to be true later on and have harmful consequences, then the directors themselves would not suffer personal consequences from those decisions.

Clause 63 agreed to

On Clause 64

Clause 64 agreed to

On Clause 65

Clause 65 agreed to

On Clause 66

Hon. Mr. Streicker: One of the challenges with the current legislation is that there are no guidelines on who can be hired to help administer a society. This section is talking about those people.

The term within the act is "officers" — officers are going to range from managers or executive directors up to even the executive officers, which would be people like the president and the treasurer, et cetera.

This section of the act is establishing rules that show societies how they can employ those people in a way that is appropriate and especially where those functions are delegated by the board of directors itself. The society forms, there's a board of directors that is responsible for the society, but they want those activities to be carried out.

Sometimes those will be paid positions; sometimes those will be voluntary positions — that depends, again, on the bylaws of the society. When we set this out in this section of the act, it is to provide clarity for those societies so they understand how to do it in a way that is onside with societies. It's one of the places where, in the past, we've seen some conflict inside societies and they expressed concerns. The purpose of this section here is to help provide clarity around that conflict.

Clause 66 agreed to

On Clause 67

Clause 67 agreed to

On Clause 68

Hon. Mr. Streicker: We have had lots of conversation with our societies about insurance and indemnification. It is a complex area. In discussion with my colleagues, as they were

explaining to me how this will be introduced here or dealt with here, it is that we are enabling. It is this section where we enable, or set out, the options for insurance and/or indemnification for directors.

Mr. Chair, we talked earlier about directors acting in good faith and working with the information that they have in hand. There are instances when some funding organizations may require that there be indemnification insurance, directors' and officers' liability insurance in place, but it's not within the scope of this legislation to require it.

If there are questions, I am happy to respond to them. The notion is that we will, through this act, enable it and then we will work with our societies, as we often do, providing training and best practices and things like that to assist them in navigating this issue. As has been explained to me, it is not the right thing to do to force it, because there may be situations where it's not the correct fit for a society.

Clause 68 agreed to

On Clause 69

Clause 69 agreed to

On Clause 70

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 70 through 90 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 70 through 90 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 70 through 90 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 70 through 90 deemed read and agreed to

On Clause 91

Hon. Mr. Streicker: In the past, we have had some real issues with societies being able to form, group together and morph over time. Dissolution — I will stand up as well when we reach that discussion. It has been very challenging for our societies.

Yesterday in the Legislature, there were some great questions from the Member for Porter Creek North. A question was around capping societies, where I said no, but what I talked about was the ability to try to encourage societies to work together and this would be one of those ways.

The challenge is that, under the current act, you would have to dissolve both societies and then form a new society. In that moment when you dissolve, suddenly things can change on you and you're not quite sure. It can be unnerving, unsettling and challenging for societies to work that way. A better solution is to provide some clear rules for how societies can amalgamate. The rationale here is that if there are two or more societies that wish to amalgamate without having to

dissolve and reincorporate, the formal process is set out here in the act and allows this to happen more efficiently.

Chair: Is there any further debate on clause 91?

Clause 91 agreed to

On Clause 92

Ms. White: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 92 through 102 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 92 through 102 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 92 through 102 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 92 through 102 deemed read and agreed to

On Clause 103

Hon. Mr. Streicker: Mr. Chair, I do have a couple of things I want to say. If you could just give me a second to catch up with my papers, I will be right up.

One of the major changes — and it might be one of the most fundamental changes to this act — is this notion that now the constitution and the bylaws move into the hands of the responsibility of the directors of the society and the society itself. The registrar is not the gatekeeper on those things and not seeking to provide legal advice to the society, so the registrar is holding those things and sharing them.

What happens when there is a concern within a society where some of the members have a concern? I think almost all of those concerns, Mr. Speaker, are going to be resolved right away by the members themselves. When they identify a problem that's within a bylaw — or something like that — they will hold a meeting that would be properly convened in order to consider bylaws and resolve that issue by debate and a vote.

Of course, the act itself talks about how that is done appropriately and the bylaws also will talk about what constitutes quorum and what constitutes a duly constituted meeting to consider bylaws.

If that's not how it's going to work out and if there remains a dispute, here is where we articulate how the society can proceed. We as a department will, of course, work through things like model bylaws and those templates to provide them with examples of bylaws that tend to work well and give them some direction, providing them with best practices. The society will have at its disposal many tools and those will be shared with them through those best practices. They can include things like mediation or arbitration, but if there is a situation where a society is not able to resolve its internal dispute or concerns or there are members who believe that there is something that is not appropriate, there is the ability ultimately for the society to turn to the courts to assist them in resolving those disputes. These sections here

underneath the complaint by members will talk about how that should unfold.

The act itself doesn't say how we will do the best practices. That is, of course, how the department will work — so it's not laid out, but the overall move here is to empower societies to allow them to deal with these issues internally and to support them with tools to be able to do that in a fashion that is effective but also to not be silent in the act — to articulate in the act if there is a case where it's not resolvable how they can ultimately use the courts.

Chair: Is there any further debate on clause 103?

Clause 103 agreed to

On Clause 104

Clause 104 agreed to

On Clause 105

Hon. Mr. Streicker: This about the disposal of assets. Pardon me, Mr. Chair; one moment. This is just one of the tools that are available if there is a dispute.

If there is a situation where a society is carrying on activities that are inconsistent or contrary to the purpose of the society, there is the ability for the complainant to make an application to a court to ask for a restraining order for that activity.

I think that these types of remedies are going to be in the extreme, but I am just noting them here, because one of the things that we were reminded of often is that the act doesn't outline how to take care of these situations, should they arise. This is about ensuring that we have full information in the act without expecting it to be the normal course of action.

Clause 105 agreed to

On Clause 106

Ms. White: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 106 through 113 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 106 through 113 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 106 through 113 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 106 through 113 deemed read and agreed to

On Clause 114

Hon. Mr. Streicker: I am not going to say much more here. Again, with clause 114, if there is a complaint and/or a situation where we have gone through all the other best practices to try to resolve those concerns, this is a time when we would end up looking into a society to make sure that there is a fair assessment of it in terms of trying to resolve the concern that is there. There is one thing that I want to note here. This section sets out that the registrar or complainant may apply to a court for the appointment of an inspector. The

inspector would then investigate the matter and report. The court can then, if necessary, make the appropriate order.

Clause 114 agreed to

On Clause 115

Ms. White: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 115 through 135 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 115 through 135 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 115 through 135 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

*Clauses 115 through 135 deemed read and agreed to
On Clause 136*

Hon. Mr. Streicker: Earlier, I talked about how societies can join together and amalgamate. This is now the question around how a society can dissolve.

There have been some challenges with our societies in the past decade around this issue. This whole next part talks about how we deal with the assets, how we make sure that this is done in a fair way and in a way that isn't advantaging specific individuals and how there can be restoration if a society has to cease to exist — either because they voluntarily choose to do so or it was based on a court order — so how they can reform if they wish to.

One of the challenges with the existing act is that things move somewhat into limbo because no one is quite sure. Again, one of the notions here is that we are providing a lot of clarity around this. The notion is that we are setting out specific rules about the ways in which a society ceases to exist, how it is dissolved and how those assets are liquidated.

What we have within this section — and again, one of the comments that I heard and we've all noted is how long the act is, but we chose to address the most common scenarios and that will provide some clear guidance. It won't answer every question in every case and there will always need to be context for the particular situation, but it's attempting to provide as much clarity as possible so that we can help our societies end gracefully and phoenix gracefully, if they wish.

Clause 136 agreed to

On Clause 137

Clause 137 agreed to

On Clause 138

Clause 138 agreed to

On Clause 139

Clause 139 agreed to

On Clause 140

Ms. White: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 140 through 183 of Bill No. 20, entitled *Societies Act*, agreed to.

Unanimous consent re deeming clauses 140 through 183 read and agreed to

Chair: Ms. White has, pursuant to standing order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 140 through 183 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

*Clauses 140 through 183 deemed read and agreed to
On Clause 184*

Hon. Mr. Streicker: I wanted to stand up and talk about these member-funded societies for a couple of reasons.

As I've described them — I think the easiest way to talk about them is like a book club. This is a group of people who are getting together, want to open a bank account but don't wish to form a formal society — we make it very easy for them to do this. If they're coming in as a member-funded society, they're not the type of society that we are looking to fund or support — they're independent and they're self-run.

One of the things that makes this act longer is that we have these parts that deal with these differences. It is an enabling thing. It allows these groups to exist and to be able to create a bank account but isn't necessarily trying to add to the length of the act that a society might need to look at. As I described it yesterday, the notion will be that, because it was written in a plain language, you are able to move to the section of the act that is important for you and get the information in a fairly accessible manner.

The other thing that I wanted to point out about the member-funded societies is that it is addressing one of the concerns that we heard, and I described it yesterday — the need to provide flexibility. The current act is trying to deal with a range of issues that societies want to address, but we don't want a one-size-fits-all sort of category. This is an example where we can have a type of society that will be supported to do its activities but is not one that will receive government funding or really be of much interest to most folks. I think that it's just to be enabling for them.

Chair: Is there any further debate on clause 184?

Clause 184 agreed to

On Clause 185

Ms. White: Mr. Chair, pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 185 through 193 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 185 through 193 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 185 through 193 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 185 through 193 deemed read and agreed to

On Clause 194

Hon. Mr. Streicker: Just as we talk about the registrar here — in the current act, the registrar has a lot of oversight. I don't want to say "coddles", but when a society that is doing good work comes forward with a bylaw amendment, I know that it's really backed up within the department, because we had been given legal advice that we had to do legal reviews of all bylaw amendments. That created a huge backlog and some real concerns for members of the community who had been doing great work, amending their bylaws just in the way that we all expect them to, and there was a real backlog.

I know that the department did a lot of work to try to make sure that the backlog moved through. I want to acknowledge that work, but ultimately, we could see that this wasn't the right approach to the registry and the registrar. That was one of the things that really motivated us to seek to amend this act and modernize it. Now the registrar has a much different role, and we as a department will be sure to provide supports for our societies.

There are still some remedies that are left in here under clause 195. There are still powers — that if the registrar, as they look at the constitution, notices an issue, they will certainly flag it. They will request the society to correct it if they deem it to be a significant problem, and they still have the authority, if there is an outstanding problem, to refuse to register the society if it's something that is considered significant.

It's not that the registrar won't be there in a supportive capacity. It's that we are empowering our societies because we believe — and this is the trend across the country — that the societies have the ability to manage their affairs, especially when it comes to their constitution and bylaws.

Clause 194 agreed to

On Clause 195

Clause 195 agreed to

On Clause 196

Clause 196 agreed to

On Clause 197

Ms. White: Pursuant to Standing Order 14.3, I request the unanimous consent of Committee of the Whole to deem clauses 197 through 225 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Unanimous consent re deeming clauses 197 through 225 read and agreed to

Chair: Ms. White has, pursuant to Standing Order 14.3, requested the unanimous consent of Committee of the Whole to deem clauses 197 through 225 of Bill No. 20, entitled *Societies Act*, read and agreed to.

Is there unanimous consent?

All Hon. Members: Agreed.

Chair: Unanimous consent has been granted.

Clauses 197 through 225 deemed read and agreed to

On Clause 226

Hon. Mr. Streicker: Mr. Chair, this is the clause that talks about extra-territorial societies. By the way, I would like to thank colleagues from the opposition benches. Yesterday,

when we were here, I had not prepped them with areas where I was planning to try to get up so I had not prepared to try to clear a lot of this. There are a lot of clauses. We're nearly there, Mr. Chair. Today we are working constructively to try to get this House through all of this.

I just heard questions raised around extra-territorial corporations, so the reason I flagged this one was to just check and see whether there were any more questions. If I hear none, that's totally fine — if there was any clarification that we were seeking on extra-territorial societies.

Clause 226 agreed to

On Clause 227

Clause 227 agreed to

On Clause 228

Clause 228 agreed to

On Clause 229

Clause 229 agreed to

On Clause 230

Clause 230 agreed to

On Clause 231

Clause 231 agreed to

On Clause 232

Hon. Mr. Streicker: This is probably my second-to-last time popping up, Mr. Chair. This is the part where we deal with consequential amendments. I just want to clarify that when we are dealing with extra-territorial societies, because of how they are going to form, we are addressing them under the *Business Corporations Act*, so this is where we are amending the *Business Corporations Act*. I will pop up in a moment just to talk about the *Cooperative Associations Act*, but I think that is my last one, Mr. Chair.

Clause 232 agreed to

On Clause 233

Hon. Mr. Streicker: When we had a conversation about societies — you always get groups that are sort of societies and sort of not, and you start morphing out — social enterprises, corporations that aren't just about profit and cooperatives. As we move across there, we're trying to make sure that we're placing things in the right place. Cooperatives are one of those groups. The only thing that we have as an amendment here is making sure that we can appoint a specific named individual or we can appoint a position — for example, the director of the Corporate Affairs branch — so that if there are temporary assignments and people moving out, we don't have to swap those people in and out.

The amendment that is here is really just a housekeeping piece, but I'm happy to have a conversation at some point with societies or with members of this Legislature around all those other groups that move in transition. We used to think of the spectrum as rather distinct, and I think what we are finding now is that the spectrum has a lot of grey area across many groups.

The place where we chose to draw the line is that social enterprises would be dealt with under the *Business Corporations Act* — and cooperatives as well — so wherever it is more business-like, we moved it away from societies.

Clause 233 agreed to

On Clause 234

Ms. White: I think clause 234, which talks about the ability for a member-funded society to not get a lottery licence, is an important one to discuss, so I would like to give the minister an opportunity to talk about clause 234.

Hon. Mr. Streicker: This just follows with the point that I had raised earlier about member-funded societies. They really are here just to enable them to exist, but we're not thinking of them as a group where we're going to go off and start funding book clubs — but also that they are not acting as a charitable organization. They are not fundraising under the *Lottery Licensing Act*. Member-funded societies are groups that are dealing with their specific interests, and societies more broadly tend to be groups that are focusing on issues or more societal-based interests. It could be health, it could be recreation, but it's not about themselves. That's why we don't want to allow here that they could be deemed charitable organizations and become eligible to try to fundraise under the *Lottery Licensing Act*.

Clause 234 agreed to

On Clause 235

Clause 235 agreed to

On Clause 236

Clause 236 agreed to

On Clause 237

Clause 237 agreed to

On Clause 238

Clause 238 agreed to

On Title

Title agreed to

Hon. Mr. Streicker: Mr. Chair, I move that you report Bill No. 20, entitled *Societies Act*, without amendment.

Chair: It has been moved by Mr. Streicker that the Chair report Bill No. 20, entitled *Societies Act*, without amendment.

Motion agreed to

Chair: The matter now before the Committee is continuing general debate on Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

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. 207: *Second Appropriation Act, 2018-19* — continued

Chair: The matter before the Committee is continuing general debate on Bill No. 207, entitled *Second Appropriation Act, 2018-19*.

Is there any further general debate?

Mr. Kent: I would like to welcome Deputy Minister White back to the Chamber to provide support and assistance to the Premier and his ministers.

When we left off the discussions — I think it was last Thursday — I was asking some questions about the PA systems in a couple of schools in particular — Elijah Smith Elementary School, where I had information that the PA system was in need of repair, as well as the installation of a PA system in the Teslin School.

I am just wondering if the Premier or the minister have had a chance to get any updates on those questions since we talked about them last Thursday.

Hon. Ms. McPhee: I appreciate the question by the member opposite, and I am happy to also take the opportunity to remind Yukoners and members of this House that there is no supplementary budget for the Department of Education at this Sitting. The question is regarding public announcement systems in schools. Of course, I agree with the member opposite in his conversation from the other day, in which he stated that the health and safety of students and staff is always a key priority for the Department of Education and that public announcement systems play a key role in that. It is important that school staff are able to communicate effectively during emergencies and during regular programming.

We are currently replacing the public announcement system at Elijah Smith Elementary School. The work is scheduled to be completed in November. In the interim, the school has alternative communication plans in place — although if they are, I don't have detail about what they may be and I certainly have confidence in the administration of the school to be able to manage the issue internally and within the school, as apparently they have been for quite some time. It was a surprise to me, and I know to the Minister of Highways and Public Works, that this was continuing to be a problem at Elijah Smith.

I can also say that, as we modernize school learning spaces over the coming years — not only driven by the curriculum, but in modernization of learning techniques and the ways in which children and young adults learn going forward — we also plan to upgrade the aging public announcement systems in schools, because they play, as we've said, a key role.

Details of that will be forthcoming. I will ask for more information from the department so that I have up-to-date information as we go forward.

Mr. Kent: Thank you very much, Mr. Chair. I appreciate the response from the minister. So November for the repairs to be complete for Elijah Smith Elementary School — and she has indicated she'll get back to us with respect to the PA system in the Teslin School and when that will be installed.

Mr. Speaker, I want to turn to capital projects that were contained in the mains and some of the plans that were in the mains for Education. Obviously we have had some discussions during this current Sitting about the unsuccessful tendering of a portable for Golden Horn Elementary School, but then we obviously didn't see any reflection or a decrease

in the capital budget for Education. I just wanted to check in with the Premier or the minister to make sure that the tendering of that portable is still scheduled for this current fiscal year.

Hon. Ms. McPhee: That might be one option, Mr. Chair, but I'm sure the member opposite will appreciate that the difficulty going forward is that to just put out another of the same tender without the exploration that I've described in answers to previous questions or the work being done for creative options would maybe not get us any further ahead.

So that's one option — absolutely — to place another tender out for a school portable. The department is currently working on an option where we might — as I've said before in this House — be able to take advantage of putting out a tender for more than one portable. But, of course, as the members opposite know, that requires appropriate budgeting process and application of the budgeting rules and the procurement rules going forward. It is a topic that is discussed, if not daily, certainly more than once a week in my world with the Department of Education.

It is a top priority for us to figure out how to deal with the growing enrollment in Yukon schools. Not quite at capacity — but certainly there are some schools, in particular Golden Horn, that are feeling it more than others. Going forward, we fully intend to engage, not only the department but the school itself and the school community, including the school council, in coming up with these creative solutions.

Mr. Kent: I know that it's obviously an important topic for the Golden Horn School community in particular, as they're in a space crunch. They have families wait-listed; some are home-schooled and some are attending schools out of the catchment area.

I wanted to talk for a while about the school seismic mitigation program and the 10-year capital plan that the minister has referenced during this Sitting and I believe towards the end of the Spring Sitting as well for schools.

On the Highways and Public Works website is a three-page document entitled *School Seismic Mitigation Program*. "The School Seismic Mitigation Program, initiated in 2010, recognizes the importance of schools to our communities and commits to providing safe educational facilities for our children."

Of the schools where it was deemed there was work required — there was Kluane Lake School in Destruction Bay, which we understand is part of the five-year capital program to have that school replaced and built in Burwash Landing. There is the Nelnah Bessie John School in Beaver Creek, St. Elias Community School in Haines Junction, Wood Street Centre School here in Whitehorse, Christ the King Elementary School in Riverdale, as well as Selkirk Elementary School in Riverdale, Takhini Elementary School and Whitehorse Elementary School.

Obviously there were a number of different phases. The seismic screening was done. The seismic evaluation was completed. There was some short-term mitigation, but then there was some planning as well for long-term mitigation. There was to be some life-cycle assessments completed for

each facility and then a 10-year financial plan was to be developed to identify how best to address the seismic risks for each of these facilities.

The budget, according to this document, was estimated at around \$20 million for all of the eight schools combined. That was in September 2013. Does the minister or the Premier have any updated numbers? Obviously inflationary pressures and some of the building material cost escalations would have affected that.

I'm curious if the minister or the Premier has an updated budget for those upgrades at this point.

Hon. Mr. Mostyn: As has been noted by my colleague, there is no supplementary budget for Education, but I am more than happy to answer this question as well.

The member opposite is well aware of what has happened with the seismic screening that was completed in October 2010. The purpose of that seismic screening was to identify medium to high seismic risk buildings for which we wanted further evaluation. The screening was based on the methodology and screening tools contained in the manual for screening existing buildings for seismic investigation, which was prepared by the National Research Council of Canada.

There was a review of available building documents and drawings, site visits, seismicity and soil conditions. All sorts of things went into this and 27 schools were included in the original assessment. Five newer schools were not assessed due to the relatively young age of the facilities.

Of the 27 schools that were a part of the screening, 19 were deemed to be at low risk. Eight schools were identified as medium to high risk, requiring a comprehensive evaluation. Phase two actually began immediately — it was completed in September 2013 — and the purpose of the evaluation was to identify seismic deficiencies and possible retrofit concepts at eight schools identified as medium and high seismic risk in the 2010 report that was conducted by a previous government.

The evaluation consisted of a review of available building documents and drawings, site visits, et cetera. The evaluation was completed in September 2013 and provides a list of recommended structural and non-structural mitigations to reduce seismic risks. Total recommended upgrades are estimated at almost \$20 million for all these schools.

Short-term mitigations were done until June 30 — I assume it was 2014 — and then they planned for long-term mitigations from November to June 30, 2015. At that point, once the life-cycle assessments had been completed — I asked for that information and they hadn't been done. I'm not sure why that's the case.

The Department of Highways and Public Works is now going through and has evaluated all of the buildings in its stable. There are many billions of dollars — hang on; let me just find that information. The building portfolio is valued at about \$1.6 billion and that building portfolio is now being managed through a digital tool that allows us to assess what work needs to be done and then dole out that work in a methodical manner.

That is where we are at the moment. I haven't got the information at my fingertips about how much in today's

dollars that \$20 million worth of work will cost, but I can endeavour to find that information for the member opposite and report back.

Mr. Kent: In the first Education annual report that the Minister of Education tabled, which I believe was for the 2016 year, it referenced the school revitalization plan, which was to be completed in the summer of 2017 — I think we talked about this either last fall or in the spring — and the minister mentioned the eight schools. Is the Minister of Highways and Public Works saying that this work wasn't completed in 2017? Sorry, if he could clarify that for me, that would be great. From his previous answer, I think he mentioned that some work wasn't complete that he asked about — but again, these life-cycle assessments and the school revitalization plan was referenced in the 2016 Education annual report as having been completed last summer. I'm assuming it was because we talked about these eight schools — again, it was either last fall or in the spring — so could I get the Minister of Education to clarify that for me?

Hon. Mr. Mostyn: As the member opposite knows, there have been very few schools built in the last 20 years. F.H. Collins was a replacement build. Many of these buildings are now near the end of their life cycles, and we're working with Education on long-term facility planning, which includes prioritizing based on hazard-level assessments. These plans will determine the work to be undertaken.

As I have stated, the Department of Highways and Public Works has generated some cost estimates and I will get back to the member with those costs.

Mr. Kent: Is the minister saying there was no school revitalization plan done in 2017 that informed the initial phases of the five-year capital piece that the government tabled with part of the spring budget? I'm wondering what informed the five-year plan then, which has, obviously, the work being done at Kluane Lake School. I think Christ the King Elementary is in there, as well as Holy Family, in that five-year plan.

Again, my thoughts were — when we talked about this last year — that revitalization plan informed the five-year planning, but the Minister of Highways and Public Works — I'm just curious if that work wasn't done that we talked about last fall, or is that school revitalization plan complete?

Hon. Mr. Mostyn: I didn't actually say that. I said that we are working with the Department of Education on — most of these schools are aged. They're at the end of their life cycles and we are working with Education to find out how best to replace this aging infrastructure that we have inherited. Long-term planning will continue to evolve and improve with each year — I have said that as well. Plans will change as community needs change and as planning continues with community partners.

The five-year plan is going to become — I mean, this is the first five-year plan the government has ever tabled. This government made good on that promise. I'm very pleased with the work that was done with the Department of Highways and Public Works as its first draft, and I can tell

you that plan is going to get more detailed and a lot more robust as the years progress.

The five-year capital plan and capital planning process was introduced to make the government's construction plans for all sorts of capital infrastructure projects more transparent for Yukoners and for those in the private industry. From what I have heard, the private industry is pretty happy with the work we have done on that front.

The capital plan that this government has tabled is realistic and achievable and meets the goals of being open and transparent for Yukoners. Communicating our plans can form a basis for shared decision-making and more collaborative processes as we go forward. We're working with Education. We're working with Community Services. We're working with the private sector and municipalities to try to make the most of the money that we have. It's not endless — the money that we have is not endless. We have to be careful with how we spend it. We have to make sure we maximize the benefit that we get inside the territory.

This government is doing that. We tabled the five-year capital plan as part of that process and it fulfills two goals: to combine a more detailed five-year capital plan with tendering forecast to meet the commitment made by the Legislature to have more seasonally dependent construction contracts tendered earlier. We did that as well, Mr. Chair. As you will note and the members opposite will know, we had a record number of contracts tendered earlier this year than in the past. It has helped with the contracting community. Right now we have three-percent unemployment. That is, I think, still the best in the country. Part of the reason why is that we have done much more robust and methodical capital planning that has helped our contractors plan for these things.

I have already pledged to get the information on the modern costs of these school projects to the member opposite. As we actually do the planning between the Department of Education and the Department of Highways and Public Works on the replacement of these aged schools that haven't been replaced for many decades, then we will come forward with more information.

Mr. Kent: Absolutely — I know that some of these schools have been around for awhile. I went to a couple of them early in my public school career here. We understand that it is going to take some time. You can't replace all of these schools at once. There is aging infrastructure, there are seismic upgrades that need to be done and there are also enrollment pressures, as we have discussed, at some of the schools that need to be taken into account.

When I look at this document, part of the work that was to be done — some of the eight schools that were identified in the seismic study were nearing the end of their life cycle. A life-cycle assessment was to be done to determine whether to complete the seismic upgrades in conjunction with other required maintenance or to replace the school. Has that work been completed?

The other questions that I will ask and give the minister a chance to answer are: When does she expect the 10-year education plan, or financial plan for schools, to be completed?

Will it just be for those schools that have seismic difficulties or will there be other schools considered as part of that 10-year plan?

Hon. Ms. McPhee: I don't have the report in front of me that you made reference to back in 2010 and I think again in 2013, but the seismic report is one factor that is being taken into account. The member opposite is correct: it was taken into account when we were developing a revitalization plan for schools. That is, of course, now — as he properly stated — being developed and progressing into a 10-year capital plan for schools.

All of those factors are being taken into account. We have also spoken about a design and functional plan and the conceptual plan stages going forward.

The department is actively working on the completion of what will be this version of a capital plan with respect to school facilities, and that will feed into — as I said recently here in the House and publicly — the budgetary process going forward in the fall and spring of 2018-19.

Mr. Kent: I apologize to the minister if she said this and I didn't hear it. One of the questions that I asked of the Minister of Highways and Public Works was when that 10-year financial plan will be developed. If she is able — obviously not today — to table a copy of the initial school revitalization plan that was completed in the summer of 2017, that would also be helpful for us when we are talking to constituents, especially families who have children in these particular schools that are on the list.

Hon. Ms. McPhee: I will respond, Mr. Chair, by saying that I will certainly take that request into account. I'm concerned about releasing a document that is only one piece of a larger puzzle, but certainly I'll take the suggestion into account and determine whether or not there is information that remains current in that to the point where it would inform the members opposite and, ultimately, Yukoners and their constituents.

If we, in the development, as I've said — the revitalization plan is changing and developing into the 10-year capital plan for schools — it would be most responsible to have that completed before we issue it publicly — but something that is imminent, in my view.

Mr. Kent: When I go on the tender forecast site, which is part of the tender management system for Yukon government, the first project that pops up is the francophone secondary school. It has an estimated tender date here: July 31, 2018. We know, of course, that the tender just closed today. On here, it says that the estimated start date is October 26, with completion on November 6, 2020. I guess that begs one question for the ministers.

When was the last time that this tender forecast site was updated, given the fact that it appears to be two and a half months out of date with the very first project that pops up?

Hon. Mr. Mostyn: I'll look into that for the member opposite.

Mr. Kent: Sorry, Mr. Chair — if the minister could repeat that. I didn't hear his response.

Hon. Mr. Mostyn: I committed to the member opposite that I'll get that information for him — when it was last updated. I'm sure they are updating on a regular basis, but I'll get that information and get back to the member opposite.

Mr. Kent: Previously — not during this Sitting, but either in the spring or last fall, I believe — I brought to the minister's attention and to the House's attention that one of the contract directives states that the tender forecast site is supposed to be updated regularly and it is to reflect projects that are to be tendered in this current fiscal year. Again, looking at the site — including the francophone secondary school, there are only 17 projects listed on here. I think one of them that I saw actually was cancelled, so there are 16.

When the minister is getting back with the last updates — I assume there would be more than 17 projects to be tendered between now and the end of the fiscal year.

Let's take a look at the francophone school. It closed today. It's a design/build that's under a negotiated RFP. There were three bidders — one from Whitehorse, one from Yellowknife and one from Port Moody. We obviously recognize that it will take some time to evaluate the bids under this type of process.

Does the minister have any idea on when an award date might be forthcoming for that, given that we're two and a half months behind what the tender forecast says as far as tendering this project?

Hon. Mr. Mostyn: I appreciate the member opposite's excitement on this issue. I share his jubilation at the close of the tender and the fact that we're going to actually award a contract, provided that all the tenders meet the guidelines and pass muster.

I can tell the member opposite that those evaluations will be done as soon as possible, and we'll come forward with that information once they're done. I am not going to rush the department. They're going to do their job and they will do it well. They will take the proper time to evaluate the three bids we have.

Mr. Kent: Again, I appreciate that the minister is going to give us an update on the tender forecast, and we've asked a couple of times about the completion date and occupancy for the francophone school. Here it says there is an estimated completion date of November 6, 2020, and so, looking at this as being two or three months behind already, it looks like it will be into 2021 before this is done.

I don't think we have ever had an answer in Question Period about when they anticipate students moving into this facility, but if the minister has that information right now, we would appreciate it so we can communicate that to members of the francophone community who are interested in that occupancy date.

Hon. Mr. Mostyn: There is a lot of excitement and a lot of interest in this project. I'm very happy that we're on the cusp of the next stage of this project, but there is a lot of work to be done before we can come forward with a timeline. We're in the middle of a negotiated design/build. Once this contract gets awarded, we're going to sit down and actually start to work out the finer details of the project. In the course of doing

that, we will find efficiencies or knots. There is a lot of work left to be done. At this point, the move-in date hasn't changed, to my knowledge. I think we're still shooting for that date, and we will see what happens as we work with the design/construction team and see what sort of magic they can work in the execution of this project.

Mr. Kent: Another project on the tender forecast that caught our attention — and it is being managed by Highways and Public Works so, rather than wait for Health and Social Services, we will ask the minister here — is a group home replacement at 22 Wann Road. I will just give what the tender forecast says about this: an estimated tender date of October 1, start date of November 5 of this year, and completion date of April 30 next year. It has a cost estimate of \$500,000 to \$1 million. Obviously this is the property that was recently purchased by the government for a group home, but I will just let the minister explain what Highways and Public Works means by “a replacement”.

Again, we're asking these questions on behalf of contractors that rely on this site to determine future work plans and that type of thing. It's a tender forecast site. So again, it is a group home replacement at 22 Wann Road. What is envisioned for the \$500,000 to \$1 million? If we have missed these tender dates and start dates — if the minister either has them today or can get back to us with revised dates, that would be great.

Hon. Mr. Mostyn: I am more than happy to plumb the depths of the questions of the members opposite this afternoon when we are in the midst of this supplementary discussion. The member opposite is bringing questions forward in good faith and I will find answers from the department to these highly technical questions and report back. As he can see, I don't have my officials here with me. This isn't Highways and Public Works supplementary debate, but I know that we are in the midst of talking budgets. I am more than happy to get that information to the member opposite, so I will ask and we will find out.

Mr. Kent: We will appreciate that because, as I mentioned, this is a site that contractors rely on. When they are planning their future work, they will go to this site and take a look at it and determine what projects they could potentially bid on going forward or if there is work that they can look at.

The fact that it appears not to have been updated for some time is a concern, I'm sure, to contractors who rely on this. It is on the tender management system. There are open tenders, closed tenders and forecasts. The forecasts, unfortunately, are not up to date. Again, we will appreciate an answer on that and the other questions we have asked with respect to this from the minister.

A question that my colleague, the Leader of the Official Opposition, wanted me to ask was with respect to the geotechnical report for the Ross River School: if the minister is willing to make that public — or perhaps we could find it on the Highways and Public Works or Education websites. I thank the minister for that.

Hon. Mr. Mostyn: I am more than happy to talk about the Ross River School this afternoon. It will take a few minutes, but it's an important subject to the community of Ross River, with which I'm sure the Leader of the Official Opposition is well-acquainted.

As the members opposite know, the Ross River School has been settling due to freezing and thawing of the permafrost under the school. Over the years, many structural repairs and interventions have been made to the school. In May 2018, we had a series of engineers visit the site and confirm the school remains structurally stable and safe for occupancy. I have talked about this during Question Period.

I have talked about it because it's very, very important to this government that this school remains safe for occupancy and that we keep on top of this and make sure that the students and staff of this facility are safe. That remains to be the case.

We will ensure that school is properly maintained and safe for continued use until we have properly worked with the community to find out how and when to replace the facility.

We had budgeted more than \$500,000 in each of the next five years to ensure the structural stability of the school. We have also scheduled a roof re-shingling in 2021 for approximately \$600,000 and the installation of a paved sidewalk in 2022-23 for about \$55,000 is sort of on the books.

However, the member opposite was asking about a study that was done. I have reviewed that study personally. We want to talk to the community about it and, once we have actually given the study and talked to the community about that report, we're going to be making it public.

Mr. Kent: Obviously we had hoped to get a copy and have the minister commit to make that report public. He has committed to reviewing it with the community, which would be great, so we'll look to see a copy of that report sometime in the not-too-distant future, hopefully, so that we can review it or have it reviewed.

I wanted to ask a quick question to the Minister of Education about the Yukon university. I believe one of the government private members tabled a motion recently encouraging the House to support the establishment of the Yukon university — I don't have the exact wording — but if the minister can provide us with an update on progress and an update on estimated costs for the establishment of Yukon university, that would be great.

Hon. Ms. McPhee: I do have some information. I don't believe I have updated information on costs; of course, that's a main budget issue and will be for the next number of years going forward. I also do not have a copy of the main budget with me. Again, I don't have a copy of the supplementary budget because there isn't one for Education, I'm happy to say.

However, the Government of Yukon is extremely pleased to be working with Yukon College as it becomes Yukon University. Again, this is a topic about which there is much work being done, both in the Department of Education and at Yukon College in conjunction with our partners — really, across Canada.

Yukon College is a leader in their world of what will soon be a hybrid university. It will offer more university-level programs and still provide programs such as diplomas and certificates in career and trades training, second language support and upgrading.

This also gives me the opportunity to note that a Bachelor of Arts in Indigenous Governance degree will be the first stand-alone degree offered by Yukon College. It began this September, which is truly an amazing feat and accomplishment at the college.

We are extremely proud and working with all of our partners across the north, across Canada and here in the Yukon Territory to envision and to make a reality the first university in the north, by the north and for the north. We are extremely pleased to be working on that project.

Mr. Chair, seeing the time, 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. 20, entitled *Societies Act*, and directed me to report the bill without amendment.

Committee of the Whole has also considered Bill No. 207, entitled *Second Appropriation Act, 2018-19*, 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.

The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. tomorrow.

The House adjourned at 5:30 p.m.

The following sessional papers were tabled October 16, 2018:

34-2-75

Yukon Heritage Resources Board Annual Report April 1, 2017 - March 31, 2018 (Dendys)

34-2-76

Financial Accounting Report — Government of Yukon — for the period of April 1, 2017 to March 31, 2018 (August 29, 2018) (Silver)

The following written question was tabled October 16, 2018:

Written Question No. 28

Re: ATIPP requests related to the Yukon Coroner's Service (Cathers)