



Yukon Legislative Assembly

Number 13

3rd Session

34th Legislature

HANSARD

Monday, October 28, 2019 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

YUKON LEGISLATIVE ASSEMBLY

2019 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

CABINET MINISTERS

NAME	CONSTITUENCY	PORTFOLIO
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

GOVERNMENT PRIVATE MEMBERS

Yukon Liberal Party

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

OFFICIAL OPPOSITION

Yukon Party

Stacey Hassard	Leader of the Official Opposition Pelly-Nisutlin	Scott Kent	Official Opposition House Leader Copperbelt South
Brad Cathers	Lake Laberge	Patti McLeod	Watson Lake
Wade Istchenko	Kluane	Geraldine Van Bibber	Porter Creek North

THIRD PARTY

New Democratic Party

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

LEGISLATIVE STAFF

Clerk of the Assembly	Dan Cable
Deputy Clerk	Linda Kolody
Clerk of Committees	Allison Lloyd
Sergeant-at-Arms	Karina Watson
Deputy Sergeant-at-Arms	Harris Cox
Hansard Administrator	Deana Lemke

Yukon Legislative Assembly
Whitehorse, Yukon
Monday, October 28, 2019 — 1:00 p.m.

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

Prayers

DAILY ROUTINE

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

Introduction of visitors.

INTRODUCTION OF VISITORS

Hon. Mr. Silver: I would like to ask all the Members of the Legislative Assembly to help me welcome some folks to the gallery today for the tribute for Remembrance Day. I will start with former Commissioner and World War II veteran, and also a member of the Order of Canada, Doug Bell, who is here as well with Joe Mewett, who is the veteran legion president. We also have veterans Maurice Cratty, Terry Grabowski, and Red Grossinger here today.

Thank you very much for your service and for being here today.

I also want to recognize the Member for Kluane for his service as well and thank him for that.

I would also like to acknowledge that, in the gallery, we also have Member of Parliament Larry Bagnell.

Applause

Hon. Ms. Dendys: I would like to ask my colleagues to help me in welcoming a number of very special guests here today for the Kohklux Map tribute that we will be doing shortly: Linda Johnson, coordinating committee chair; Sylvie Binette, vice-president; and Georgianna Low from the Carcross/Tagish First Nation. From the Yukon Council of Archives Carolyn Harris and Adam Hicks. From our Tourism and Culture department we have Jonathan Parker, our assistant deputy minister; Christian Thomas, who is the senior projects archeologist; David Schlosser, our territorial archivist; Lesley Buchan, private records archivist; Valery Monahan, our conservator; and Garry Njootli — I think he is here. Then we have also, from the Champagne and Aishihik First Nations Sheila Joe and Robert Joe. We have Michael Gates — I think that most of us know his fantastic work around heritage and conservation — Yann Herry, Doug Hitch, and Janna Swales from the Yukon Transportation Museum.

Thank you so much for coming today.

Applause

Ms. Hanson: I would like my fellow Members of the Legislative Assembly to join me in welcoming many of the friends of Many Rivers, who are here this afternoon with us. They have asked that they not be named, but they are friends of Many Rivers.

Applause

Hon. Ms. Frost: I ask my colleagues to please help me in welcoming the *Child and Family Services Act* committee. It has done exceptional work for us in the many months leading up to today. We have with us: Ray Sydney, who is the deputy chair of the committee; Doris Anderson, who represents very respectfully indigenous rights and indigenous women's issues across the Yukon and across the country; we have Lori Duncan, who is with us today as well, representing health and wellness for Yukon First Nations and her great work over the many years; and Rosemary Rowlands, executive director for the transition home and children in crises, and she has dedicated many years to that.

Welcome today.

Applause

Mr. Istchenko: I do want to recognize some friends who are here today: Jonas Smith, Melanie Brais, Linda Benoit, and Amanda Leslie. I welcome them to the House today.

Applause

Hon. Mr. Mostyn: This afternoon, we have the president of the Yukon Employees' Union, Mr. Steve Geick, in the House. Please join me in welcoming him.

Applause

Mr. Gallina: There are three constituents in the gallery today who I would like members to join me in welcoming: Rob and Cathy Cumming, and Darlene Large. Welcome to the Assembly.

Applause

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

TRIBUTES

In recognition of the Royal Canadian Legion's poppy campaign

Hon. Mr. Silver: I rise today to pay tribute to the Royal Canadian Legion's annual poppy campaign, which began this past Friday. Every year from the last Friday of October to November 11, we wear a poppy to honour our veterans who have fought to protect Canadians and civilians around the world. As civilians, we can only begin to imagine the hardships faced by those who served in wars and conflicts of the past, along with the challenges such as long separation from family for those who continue to serve far afield in dangerous war zones. I also want to recognize the efforts by those in uniform involved with disaster assistance and humanitarian efforts both at home and around the world.

This year's poppy campaign kicked off last Friday with the Whitehorse Legion president, Joe Mewett, presenting the first poppy to Angélique Bernard, Commissioner of Yukon, at the cenotaph at city hall. I was proud to attend the ceremony along with Member of Parliament Larry Bagnell, His Worship Mayor Dan Curtis, and other government and community representatives.

After the ceremony and for the first time ever, a poppy flag was raised in front of our Government of Yukon main administrative building. From now until November 11, we can all look outside to be reminded that our freedom to meet in this Legislature to debate the issues and represent our communities came at a tremendous price. The poppy campaign is an important way for us to remember and to never forget. It is also a way to teach younger generations about our history of conflict so that they can use that knowledge to avoid future wars.

The poppy flag will also be a reminder to donate and to support our local Yukon veterans. Donations to the Yukon poppy campaign provide financial support to veterans and their families as well as injured Canadian Armed Forces members and also to our Rangers and our RCMP.

The local campaign typically raises approximately \$30,000, with all proceeds going to Yukoners. Donations are used to provide meals, clothing, reading programs, and seniors services in communities — and the list goes on and on. Online donors will receive a digital poppy with the option to include the name of an honoured veteran. The digital image can be shared via social media and can help spread the message.

I hope to see Yukoners join me in proudly wearing our poppies together and letting our veterans know how much we appreciate their service. Thank you once again to all our veterans for your incredible work for our country. Lest we forget.

Applause

Mr. Istchenko: Mr. Speaker, the red poppy, a native plant along much of the western frontier in the First World War, has become a powerful symbol of remembrance. It is a principal emblem of the Royal Canadian Legion, which distributes several million each year to be worn by Canadians on Remembrance Day. The familiar symbol of the poppy owes much of its fame to the Canadian poet and soldier John McCrae's *In Flanders Fields*:

In Flanders fields the poppies blow
Between the crosses, row on row,
That mark our place; and in the sky
The larks, still bravely singing, fly
Scarce heard amid the guns below.
We are the Dead. Short days ago
We lived, felt dawn, saw sunset glow,
Loved, and were loved, and now we lie
In Flanders Fields.
Take up our quarrel with the foe:
To you from failing hands we throw
The torch; be yours to hold it high.
If ye break faith with us who die
We shall not sleep, though poppies grow
In Flanders Fields.

The blood-red poppy had long been associated with the fighting armies of Europe, and the flowers often overgrew the mass graves left by battles. During the First World War, enormous artillery bombardments completely disrupted the landscape, infusing the chalk soils with lime, and poppies

thrived in the environment, their colours standing out against the blasted terrain.

In 1921, the Great War Veterans' Association, the largest of several Canadian veterans' groups, adopted the poppy as a symbol of remembrance. The Canadian Legion formed in 1925 continued this tradition. The poppy was worn on the left lapel and close to the heart to recognize the sacrifices of our soldiers in war times. They were initially made by disabled veterans, and the proceeds of sales then and now go toward veterans' needs, like the Premier said.

The poppy remains an enduring symbol of remembrance in Canada, Great Britain, nations of the Commonwealth, and in the United States for those who served or fell in service of their country.

Mr. Speaker, we do owe a huge debt of gratitude for those service members, present and past, so please wear a poppy and contribute to the poppy campaign.

I do want to thank the legion for all their hard work and those in the community who work on behalf of the legion making sure the poppies are out.

Thank you. Lest we forget.

Applause

Ms. White: I rise on behalf of the Yukon NDP caucus to speak of the importance of the Remembrance poppy.

We live in a country envied for our stability, our safety, and our security. As Canadians, we don't face daily attacks on our person and we don't go about our daily lives with a soundtrack of conflict. Although we have access to images of conflict — both real and imagined — through news media or video games, it's easier now than ever before to remove ourselves from the true cost and brutal reality of war simply by changing the channel.

As time passes, our collective memory fades of the actions of the past and the present that got us to this place of stability, safety, and security. This detachment separates us further from our veterans, the very people who have witnessed, experienced, and borne the first-hand true costs of war. It separates us from the tens of thousands of men and women who are currently serving in the Canadian military and all those who came before them to support freedom, democracy, the rule of law, and human rights around the world. It separates us from the families of veterans who have paid and continue to pay the price.

The two weeks leading up to Remembrance Day are about bridging that distance. The symbol and the legend of the poppy was born out of the lived experience of John McCrae, and his beautiful poem, *In Flanders Fields*, has moved generations of Canadians and still symbolizes for us today the loss, the heartache, and the cost of war.

Mr. Speaker, the poppy isn't a symbol that supports war. We can disagree about war; we don't have to like it or support it or even want to acknowledge it. But none of that should ever take away from the importance and the respect of the poppy. The poppy doesn't symbolize those who made the decision to engage in armed conflict; the poppy is a visual cue to remind us to not only acknowledge the sacrifice of those who lost their

lives, but to acknowledge the sacrifice of those who answered the call of duty and walk among us today.

By wearing a poppy, we are saying that we remember, we see you, we honour you, and your sacrifices, and we are thankful for everything you have done and continue to do. The poppy symbolizes the men, women and their families who have personally borne the cost of these decisions. It is to them that we owe a debt of gratitude and it is to them that we pledge to never forget. It is for them that we pledge to remember the costs of the freedoms and the peace that we enjoy today. It is for them that we wear the poppy.

Lest we forget.

Applause

In recognition of Our Trails Bring Us Together conference

Hon. Ms. Dendys: I rise today on behalf of the Liberal government to pay tribute to the Our Trails Bring Us Together conference celebrating the 150th anniversary of the Kohklux Map. In 1869, renowned Tlingit Chief Kohklux, leader of the Chilkat at Klukwan, guided a small party of American surveyors through the Chilkat Valley to view a total solar eclipse. Over the course of the three days, Chief Kohklux and his wives drew and described from memory trade routes, geographic features, and place names throughout Southeast Alaska and Southwest Yukon, from Klukwan to Fort Selkirk.

This detailed knowledge, hard-won through generations of lived experience, was typically passed down orally. Part of why the Kohklux Map is so significant is that it represents the oldest known physical depiction of indigenous authorship in existence for this region. It verifies that indigenous economics were happening long before European contact.

So very accurate and valuable was the mapping of these otherwise unexplored areas that the Kohklux Map would go on to form the basis of subsequent mapping and the understanding of the areas for years to follow. Astonishingly, for over 100 years, the original Kohklux Map was thought to be lost, but in 1984, our very own Yukon archivist Linda Johnson tracked it down in a collection held at the University of California, Berkeley. Since its re-emergence, the map has attracted the attention of researchers across a number of disciplines and offers cultural insights into present-day indigenous knowledge-keepers.

In honour of these fascinating and invaluable documents returning 150 years later, the Yukon Historical and Museums Association, together with trans-boundary First Nations from both Yukon and Alaska, organized a cultural and academic symposium. The kickoff event was a potlatch celebration in Champagne and Aishihik traditional territory, with film screenings, workshops, story-telling, and a feast. It was a true honour to be there and to spend the day in celebration of heritage and traditional knowledge. From there, the map made its way to the Kwanlin Dün Cultural Centre here in Whitehorse to serve as a centerpiece for a wealth of presentations related to the history and tradition associated with the map, the land, and its people.

At all the events, the sense of community and inter-cultural exchange was absolutely evident — Yukoners and Alaskans, academics and non-academics, and elders and youth from multiple First Nations all sharing their expertise and their perspective in common pursuit of preservation and renewal. The map served as the perfect launch pad for presentations on art, astronomy, cartography, genealogy, and conservation.

Coinciding as it did with the United Nations' International Year of Indigenous Languages, the snapshot of the Kohklux Map provides of Tlingit, Tutchone, Han, and Athapaskan place names is especially poignant.

Today in this House, I wish to congratulate and pay tribute to the hard work and vision of all those people who made this celebration come to life — the Yukon Historical and Museums Associations, the coordinating committee — in particular, Linda Johnson and Chilkat First Nation artist and scholar Lani Hotch. From the Yukon, there was a tremendous amount of guidance and support received from the Ta'an Kwäch'an Council, Teslin Tlingit Council, Selkirk First Nation, and Champagne and Aishihik First Nations.

Mr. Speaker, I can think of no better way to honour this piece of northern history than with what has been accomplished here in Our Trails Bring Us Together — the stories that were shared, the knowledge gained, the new partnerships that were formed and those that were re-affirmed, and the overarching sense of looking to the past for the waypoints to guide us as we chart a new course of pride and solidarity.

Applause

Mr. Istchenko: I am honoured to rise in the House on behalf of the Official Opposition and the Third Party to pay tribute to the 150th anniversary of the Kohklux Map.

I'm from the Raven house, and I was honoured many years ago to be adopted into the Hume family at Dalton Post, which is situated along the grease trail — which most of you know now as the Dalton Trail but which is exactly where these maps were plotting.

What made that day so special was that I was getting my First Nation name given to me — but not only me, but my brother Tom Buzzell was receiving our names by our elder, Uncle Chuck Hume. I was named after Uncle Richard Hume — which was Dak'An Thawa — and Tom was named after Uncle Chuck, who was named after his Uncle Charlie Clayton, and his namesake was Kohklux, the Tlingit chief. It was great to see Kohklux's namesake, my brother and friend, travelling with these maps and our elders working with our youth in communities and educating them on the maps and history in the past week at all the different venues.

The First Nation people who travelled in the Yukon did not have maps or compasses back in the day. They navigated many miles by memory. So someone could go to a place they had never been before but recognize it and how to get there because they listened to the knowledge passed down. One such traveller was the chief of the Tlingit Chilkat, Kohklux. He was considered to be the greatest warrior and diplomat of all the tribes in the area, and he and his people travelled far into the

interior of the Yukon from their home on the coast to trade with the people of the interior.

The maps that we're paying tribute to today were to tell of a single trip he had made from Klukwan to Fort Selkirk. In those days, everything was traded for something. Kohklux traded his first smaller map to George Davidson, a visiting scientist, for his freedom, as he had been jailed along with some of his people by General Davis. The second larger map was also traded to Davidson for a board on which he had etched the solar system, the sun, the earth, and the moon, and it explained the science behind an event that was happening, which was a solar eclipse in the area at that time. He and his two wives were able to draw the maps for Davidson. It is the earliest known map of the southern Yukon and the first known map to be committed to paper by a First Nation person in this part of the world. The map is a very valuable resource.

Perhaps its greatest importance, however, is that it is a tangible symbol of the cultural links between the Tlingit of the coast and the Tagish and Tutchone people of the interior. This map tells the story of a trip from Klukwan to Fort Selkirk. It is interesting to note that Kohklux kept the gate closed prior to this time, as generations of chiefs did before him. This was to protect his and their interior routes from the turmoil of the American traders and the Russians that was happening on the coast.

As we heard earlier, in 1994, Linda Johnson — then an archivist with the Government of Yukon — set out on a quest that earns her the honourable title of “history hunter” — when, on a trip to California, she succeeded in identifying the original Kohklux Map as part of the new acquisition at the Bancroft Library. A few years later, the Bancroft Library agreed to loan the original map for display at the Yukon Historical and Museums Association conference held in Whitehorse which the minister spoke of earlier.

Mr. Speaker, our history has always fascinated me. I encourage everyone — if they haven't seen the maps, have a look at them. They're online. It's a great history piece. When I looked at the maps — when they were at the Da Kų Cultural Centre, the big map was beside a modern-day map. It was so interesting to see how accurate those maps were. This would be a great piece of history to have in our school systems.

I've travelled the majority of this map many times over the years, and we still use these trails today. I want to again thank everybody who made these exhibits and the associated events possible, and thank you for the opportunity today.

Applause

Speaker's ruling

Speaker: Before the House proceeds with Tabling Returns and Documents, the Chair will rule on two matters, one respecting the role of the Chair, and the second respecting the tabling and release of confidential committee documents.

With respect to the first matter, on October 23, 2019, during Oral Question Period, the Leader of the Official Opposition, in his supplementary questions to the Premier regarding electoral reform, delivered comments implying that the Chair of the Members' Services Board — the Speaker of

the House — acts in a politically partisan fashion on the Members' Services Board. He said, “... the Members' Services Board, of which the Liberals hold the majority...” — and — “As you know, Mr. Speaker, this Liberal-controlled committee is chaired by a Liberal MLA...”

On October 24, 2019, during Oral Question Period, the Leader of the Official Opposition was asking the Premier a question regarding electoral reform and stated, “Yesterday the Premier claimed that the opposition put the former Clerk's letter on the agenda for the Members' Services Board. That is interesting because, as I understand it, the chair sets the agenda, and I guess it would be interesting to know what the chair's response was to a request to have a meeting to discuss this letter.”

The member went on to remark: “... the Members' Services Board is made up of three Liberal MLAs — the Premier, the Justice minister, and the MLA for Riverdale North...”

There are a few points to make with regard to those statements. First, the Speaker arbitrates over debates in the House. Members should not attempt to draw the Speaker into the debate. Referring to the Speaker or Chair in his or her role as an MLA is drawing the Speaker into the debate.

Moreover, reflections on the impartiality or neutrality of the Speaker are not in order. This applies not just to the Speaker's role presiding over proceedings in the House, but also to the Speaker's ex-officio role as the Chair of the Members' Services Board. With regard to the latter, it is the rules adopted by the House — namely Standing Order 45(2) — that provide that the Speaker shall be appointed Chair of the Members' Services Board. It is common across Canada that the Speaker is appointed Chair of this kind of committee.

Furthermore, in the Westminster model of parliamentary democracy, the Speaker may not be criticized in debate or by any means except by way of a substantive motion, and decisions of the Speaker are final and not subject to debate.

In addition, with respect to these recent Question Period questions, I will remind members of Rule 14 of the Guidelines for Oral Question Period, which states — and I quote: “A question addressed to the Speaker is out of order.”

If a Member wishes to ask a question of the Chair of the Members' Services Board, they can place a written question on the Order Paper. Alternatively, a Member can speak to the Chair in confidence outside of the House.

The second part of this ruling concerns the tabling and release of confidential committee documents. Recently, two letters were released to the media, one of which was tabled in this House on October 22, 2019, by the Member for Whitehorse Centre, contrary to Standing Order 50(1). The two documents were: (1) a letter from Floyd McCormick, dated August 2, 2019, and addressed to the Chair and members of the Members' Services Board, and (2) a letter from the Speaker, dated August 23, 2019, to members of the Members' Services Board that was released to the media by an unknown person.

Standing Order 50(1) states: “All documents which come into the possession of a Committee or which come into existence in the course of the conduct of the business and affairs

of the Committee belong to the Committee before it reports to the Assembly and belong to the Assembly after the Committee reports to the Assembly, subject to any direction of the Speaker acting on an order of the Assembly.”

In addition, for the benefit of the members, the annotated Standing Orders offer the following clarification of Standing Order 50(1):

“A member appointed to a committee should note that all documents relating to the work of that committee belong to the committee. This limits the ways in which the member can share these documents and what can be done with the documents once the committee has concluded its business, or the member is no longer a member of the committee.”

It is important to note that, while the Standing Orders provide for the members of a committee to discuss matters that concern the committee with other MLAs, they do not provide for confidential committee matters to be shared with Cabinet or caucus staff, departmental officials, journalists, or members of the public.

The premature publication or disclosure of committee proceedings — whether by way of a release to the media or by a member attempting to table confidential committee material in the House — is a contravention of the Standing Orders and may be found to constitute a contempt of the Legislative Assembly or a breach of parliamentary privilege.

As I noted earlier, some members have been including details of the proceedings of the Members’ Services Board within their preamble to their questions and therefore are breaching the confidentiality of the in-camera nature of the Members’ Services Board. I remind the members that meetings of the Members’ Services Board are in camera and are therefore not open for public discussion.

The recent release of correspondence received by the Members’ Services Board and the release of correspondence sent by the Chair to members of the Members’ Services Board represents an unfortunate departure from the practices of the committees of this Assembly.

Further, in consultation with the Clerk and pursuant to Standing Order 70(1), I have instructed that, in the future, the attempted tabling by any member of documents that form part of the body of confidential committee materials shall be rejected by the Table and returned to the person who is attempting to table it. In addition, I have directed the Clerk to return the previously referenced letter tabled in this House to the Member for Whitehorse Centre. It will not be included in the Assembly’s working papers.

I would also take this opportunity to remind members that, if they wish to change the practices of a committee from in camera to public proceedings, as well as the management of the information that makes up the working papers of the committee, then the proper way to accomplish this is for the respective committee to explicitly adopt rules with respect to documents in its care and whether meetings should be held in camera or in public.

Members of committees should agree prior to the release of documents that make up the working documents of the committee to release them to the public or to table them.

Thank you for your attention.

We will now return to the Daily Routine.

Are there any returns or documents for tabling?

TABLING RETURNS AND DOCUMENTS

Hon. Ms. Frost: Mr. Speaker, I have for tabling the following document: *Embracing the Children of Yesterday, Today and Tomorrow*, produced by the Child and Family Services Act Advisory Committee.

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 2018-19.

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

Are there any reports of committees?

Are there any petitions?

PETITIONS

Petition No. 1

Ms. White: I have the following petition to table, and it reads:

THAT the Government of Yukon was aware that the Many Rivers Counselling and Support Services Society was not in compliance with its financial reporting requirements for the duration of the 2018-19 TPA;

AND THAT the Yukon Government continued to provide funding to Many Rivers despite the organization’s non-compliance;

AND THAT a Government of Yukon financial investigation discovered that the Many Rivers Counselling and Support Services had accrued a significant debt;

AND THAT the newly elected Many Rivers Board Members were not involved in any of the decision making or oversight that led to the accrual of said debt;

AND THAT the Government of Yukon encouraged community members to bring Many Rivers back into compliance and to seek new funding;

AND THAT the Government of Yukon is holding the new Many Rivers Board of Directors responsible for the accrual of said debt;

THEREFORE, we the undersigned ask the Yukon Legislative Assembly to urge the Government of Yukon to release the Many Rivers Board Members elected on and since April 26, 2019 from the liability for the debt accrued under the direction of the previous board.

Speaker: Are there any bills to be introduced?

Are there any notices of motions?

NOTICES OF MOTIONS

Ms. Hanson: I rise to give notice of the following motion for the production of papers:

THAT this House do issue an order for the return of the Government of Yukon’s numbers of people registered to work

as auxiliary-on-call staff and the total hours for auxiliary-on-call employees for every government department.

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

THAT this House urges the Government of Yukon to work with the RCMP, First Nations, the Yukon Police Council, and communities to identify ongoing policing priorities and the funding required to implement them.

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

MINISTERIAL STATEMENT

Carbon price rebate

Hon. Mr. Silver: At the end of this month, Yukoners will receive their first carbon rebate payment, making good on an important commitment made by our Liberal government. As promised, we are returning all carbon-pricing revenues to Yukoners. This rebate is the result of significant discussions with Yukoners, governments, and industry. The rebate system was developed in response to feedback from Yukoners and stakeholder groups. It also meets Yukon's commitment under the *Pan-Canadian Framework on Clean Growth and Climate Change*.

Beginning on October 31, the Yukon government carbon-pricing rebate will provide a rebate of \$43 to each individual Yukoner. Yukoners are automatically eligible for the rebate if they filed a 2018 Yukon income tax return. The Canadian Revenue Agency will issue the payments by direct deposit or cheque. Families receive their rebate as a combined payment per household. For married and common-law partners, a combined rebate will be paid to the person who filed their 2018 tax return first. Yukoners with dependent children will receive a payment that includes a rebate for each child, and in the case of partners, this will also be paid to the first person to file their 2018 tax return. This made-in-Yukon carbon rebate returns more money on average to Yukoners paid as a result of carbon pricing.

The second rebate amount of \$43 will be issued on April 30, 2020. Rebates to Yukon businesses will be issued as a refundable income tax credit with their 2019 tax return. It is a credit based on waiving of assets and will support investment in green technology and equipment. Rebates to Yukon First Nation governments will begin on March 31, 2020, and will be issued as an annual payment.

By coordinating with the Canada Revenue Agency and making use of existing processes, our Liberal government ensured that we are able to provide a rebate to Yukoners without increasing the size of government. The rebate system is also designed to be revenue neutral. As such, it will be responsive to changes over time. If the estimates in the first year prove to be inaccurate, further rebates will be automatically adjusted to ensure that all carbon pollution revenues are returned to Yukoners.

As the price on carbon continues to increase in accordance with the federal government's plan, so too will the rebate

payments. Starting in July 2020, the rebate will increase to \$48 per person and will be issued quarterly. Yukoners living outside of Whitehorse will receive an additional supplement of 10 percent, for a total of \$52.80 per quarter.

We can offer rebates that compensate beyond the average levies paid because tourists, the federal government, and the Government of Yukon are not eligible for a rebate.

The return of revenues directly to Yukoners support us all to make choices for a greener future, while protecting vulnerable Yukoners.

To evaluate the effects of carbon pricing on our emissions, the Government of Yukon will work with the federal, provincial, and territorial governments on an interim report on carbon pollution pricing in 2020 and also a five-year review in 2022. We are already seeing the effects of climate change here in Yukon and Yukoners have made it clear that we need to take action. This is just one way that we are prompting action on this issue.

Mr. Cathers: The Premier left out a lot of details on the Liberal carbon tax scheme. During the election, the Liberals promised that every Yukoner would get every single cent back that they put in. Now we know that the Liberals are breaking that promise. For example, GST is charged on top of the carbon tax. As confirmed by Ottawa, that extra GST on the carbon tax is not coming back to the Yukon. So, this is a tax on a tax. We don't know the exact numbers for the Yukon, but the Parliamentary Budget Officer estimates that the GST will generate over \$5.77 billion from just four provinces alone. That increased GST coming out of your pocket is a direct result of the carbon tax. So, the idea that Yukoners get everything charged by the carbon tax back is false.

With respect to rebates, it is interesting that the Premier characterized them as a gift to Yukoners. This is not his money to give away — he is just giving Yukoners back money that the Liberals took from them. Taking money out of someone's wallet, taking a little more for the GST, and then handing some back is not worthy of praise.

The Premier told media: "... who better to decide how to spend that money to make their houses more efficient than Yukoners themselves?" We agree, but if the Premier actually believes this, then why take money away from Yukoners in the first place? Why not let them keep their money so that they can decide how to spend it?

This entire scheme is a bureaucratic merry-go-round. On top of the \$43 cheque, Liberals claim that this will somehow incentivize Yukoners to retrofit their home or switch to an electric vehicle. How many vehicles or how many solar panels can a Yukoner purchase for \$43? Many Yukoners live paycheque to paycheque, and those people cannot afford to pay extra now and wait for a rebate several months down the road. My bill for home heating fuel included \$33.20 for the carbon tax. Add up the carbon tax on driving to town, and the three-month rebate cheque doesn't cover the cost of carbon tax that I paid this month alone.

For Yukoners with similar bills who are already struggling to make ends meet, this tax is a big deal, and the rebate does not begin to cover it. It is cold comfort to those Yukoners.

In the Premier's statement, he says that rebates for First Nations will begin on March 31 and that rebates for municipal governments will begin in April 2020. Can the Premier explain why these are on different dates and why these levels of government have to wait so much longer to get their rebates?

The Premier has also claimed that the government is able to do all the processing for the carbon tax scheme without hiring new staff or increasing the size of government, but if we take a look at the actual numbers in the Department of Finance, they previously hired 11 new FTEs since the Liberals formed government and moved people in from other departments. The Liberals can claim that this hiring spree in the lead-up to the carbon tax is just a coincidence, but Yukoners know better.

When you are increasing the workload of a department through new activities such as processing the carbon tax and determining that the department needs 11 new FTEs because of a growing workload, it is pretty rich to try to pretend that the carbon tax is not associated with the growth of the department.

Mr. Speaker, the rebate for placer mining requires recipients to keep and submit all of their receipts, so of course that means that staff of Finance are reviewing and auditing these receipts because, otherwise, if there is no one reviewing the receipts, government would not design a program that just increases administrative burden on placer mining as it does.

The Premier also hinted that the carbon tax will be increasing. This is on the heels of Canada's Environment and Climate Change minister saying that the carbon tax could go higher than the currently planned \$50 per tonne. This is concerning to Yukoners. Right now, the tax is \$20 per tonne. So we see that the costs that Yukoners will pay will go up; meanwhile, we have seen that the government has not increased the rates for medical travel, which are at just 30 cents per kilometre and in fact they have implemented a carbon tax on that medical travel.

I will leave the Premier with one last question: Will the Liberals agree to increase the medical travel reimbursement rate to account for the increased costs from the carbon tax on medical travel?

Ms. Hanson: The Yukon NDP acknowledges the re-announcement by the Minister of Finance that the Government of Yukon has chosen to act as a federal backstop for the implementation of the federal carbon price. Despite the recommendations that this government solicited from the Yukon Financial Advisory Panel, the current Liberal government chose not to establish its own framework for carbon pricing, and as a result, there is no clear policy objective for the Yukon carbon-pricing system other than to say, "It wasn't our idea. The feds made us do it, but you will get it all back."

When we asked what the goal of last spring's carbon-pricing legislation was, we were told that it was to comply with the federal requirements rather than, as one would assume, to reduce fossil fuel consumption. The point of carbon pricing is

simple, Mr. Speaker. Carbon pricing is meant to bring about the behaviour we want as a society, which is to reduce fossil fuel use.

Mr. Speaker, Yukon citizens, along with Canadians from coast to coast to coast, have been increasingly vocal about the need for their governments to take real action against climate change. They are looking to the elected political leadership for action. While welcome, universal rebates do little to answer the question of how carbon pricing in Yukon is anything other than another tax, one where you get a guesstimated amount rebated to you. Unanswered is how this — the safe but ineffective approach — does anything to address climate change or to reduce the transportation and home heating carbon footprint. The statement only gives a thin slice of the whole picture with respect to the impact of carbon pricing in Yukon. Without the total projected revenues and the total projected expenditures, it is difficult for us to draw conclusions.

It is unfortunate that the Yukon government did not give serious consideration to the findings of the Yukon Financial Advisory Panel with respect to fuel taxation in Yukon. The report stated — and I quote: that fuel taxes in Yukon are the "... lowest taxed of any jurisdiction in Canada by a wide margin." The panel also stated that "... the primary way in which the carbon tax will affect the territory is on its effect on transport fuel."

The panel offered some pretty specific approaches that one would have thought the Minister of Finance would incorporate into his policy response on carbon pricing, but that would have meant having the strength and the will to say and act on what the federal, provincial, and territorial leaders have agreed — that being that carbon pricing is the key means of addressing, for now, climate change over time.

The panel went on to state — and I quote: "To the extent that there is a strong public policy argument to subsidize any particular industry, a more transparent (and less distortionary) way to do so is by providing a direct cash transfer rather than by incentivizing the burning of fuel." This is with respect to the subsidization that already exists in the Yukon.

We will be looking to both the Minister of Finance and the Minister of Environment to explain how this government's rebate program — on top of already existing fuel tax exemptions for industrial sectors — achieves any of the intended outcomes with respect to building environmental resiliency, reducing fossil fuel consumption, and providing government with any base of own-source revenue to incentivize the transition to renewable energy.

The principles of social equity would see rebates to lower income individuals and families. Carbon pricing is not intended as a bonanza for government revenues. Many citizens thought and expected that governments would use some of the revenue generated from this new tax for serious efforts to transition off fossil fuels, yet this government has decided to do the exact opposite. The Yukon government is foregoing collecting their portion of the revenue, which comprises almost 10 percent of all Yukon emissions and therefore 10 percent of all monies paid into the carbon-price rebate. The fact that the Government of

Yukon is not collecting their portion of the rebate effectively makes this a tax cut, and 10 percent of the fund is —

Speaker: Order. Thank you.

Hon. Mr. Silver: I want to thank the members opposite for their comments.

I don't necessarily need the Third Party leader to explain carbon pricing. I think we've done an awful lot of work on the definition. It's "polluter pay" as opposed to "taxpayer pay" for the price of doing nothing.

I know that the Yukon NDP wanted to keep half and give half away. Then we have the Yukon Party, who really didn't have a plan at all.

Mr. Speaker, I want to talk about how we got here. In March of 2016, the previous Yukon Party government did sign onto the Vancouver Declaration on climate change. That commitment committed Yukon to — and I quote: "... transition to a low carbon economy by adopting a broad range of domestic measures, including carbon pricing mechanisms..."

Then the Yukon Party did an about-face and decided to campaign against carbon pricing. But now, let's fast-forward to modern day, because I will give credit to the Yukon Party: they have signed on earlier this month. They signed on earlier this month to the declaration of a climate change emergency, which is good to see. I believe that the Yukon Party should keep on considering being on the right side of history when it comes to putting a price on carbon and when it comes to carbon emergencies as well.

Mr. Speaker, we just had a federal election, and Andrew Scheer was not correct — he didn't win the majority or the popular vote. The environment won the popular vote. I think that every political party that doesn't have a plan to deal with carbon should start developing that. We encourage the Yukon Party to start in that capacity.

Mr. Speaker, in the framework for the *Pan-Canadian Framework on Clean Growth and Climate Change* — which we signed onto — it's written in black and white that 100 percent of the revenues from carbon pricing will be retained by Yukoners and that the Yukon government will distribute these revenues back to individual Yukoners and businesses through rebate.

On this side of the floor, we work extremely hard to work within the framework and to make sure that we maximized the rebates and the exemptions — but also being on the right side and making sure that we do our part. This is a price signal. It is a price signal, not only to Yukon and not only to Canada, but to the world. The more countries that come on board, the more likely we are to have the energy companies of today helping in that transition to make sure that we all pivot to a non-fossil-fuel future. I'm excited to see that future, Mr. Speaker, and I would be very excited to see Canada on the forefront of such a future.

Speaker: This then brings us to Question Period.

QUESTION PERIOD

Question re: Southern Lakes enhancement project

Mr. Hassard: On October 16, Yukon Energy Corporation conducted a presentation at the Marsh Lake Community Centre with residents who would be impacted by the government's proposal to raise the water levels of the Southern Lakes. The government has launched a new round of so-called consultations to move forward with this project despite strong opposition in the previous consultations. This proposal could negatively impact the properties of hundreds of Yukoners along the Southern Lakes. Residents of Marsh Lake are frustrated, as they feel that they said no to this project many times already and they feel that the government is just consulting again until they get the answer that they want.

I will ask the minister a question that I asked him on October 17 and didn't get an answer to: Will the government listen to the residents of the Southern Lakes and pull the plug on this project — yes or no?

Hon. Mr. Pillai: Mr. Speaker, I think it's important that we understand why this consultation is going on and what has brought us to this point.

First and foremost, the members across the way would remember the hundreds of thousands, into millions of dollars that was spent on the Southern Lakes enhancement project. We have two former ministers sitting on the other side of the way, and they would know that this was a project that they felt deeply about. They spent a tremendous amount of money on that.

In taking on this particular role, we brought those costs — the term is that you "bring it to rates". The previous government had not brought any expenditures. The credit card was run up for five years. It was our job to then bring it in to reconcile. At that time — previous to that — when expenditures were brought to rates, we were told to go and do more consultation before they could. That's the first part of this conversation. So they know how we got here.

Now we're doing the consultation that was asked of us. It's underway and I'm waiting to see what is being said during those consultations, and I look forward to question number 2.

Mr. Hassard: It is almost three years to the day since the Liberals were elected, so I think it is time that they stop playing the blame game and be clearer with Yukoners as to whether or not they will be proceeding with this project.

We know that residents are concerned about the negative effects that the increased lake levels will have on their properties. They feel that the government is pitting them against other Yukoners. One resident at the consultation pointed out that the government only promotes the benefits of the project without ever mentioning the negative impacts that this will have on people's homes. In response, the government committed that they would be more transparent about the impacts, yet Yukon Energy is currently running two ads on social media promoting only the benefits, with no mention of negative impacts. This is at a time when they are conducting a survey with Yukoners to see if they support the project. So it is clear that they are trying to push people to give the answer that they want.

Will the government agree to stop these one-sided ads?

Hon. Mr. Pillai: Maybe the Member for Lake Laberge can take a couple of minutes after Question Period to sit with the Leader of the Official Opposition and explain the governance structure between Yukon Energy Corporation, Yukon Development Corporation, and Yukon government. That would be the first thing. I know that he has strong feelings about that.

Mr. Speaker, it's very simple. They spent million of dollars. We tried to bring it to rates. At that particular time, they tried to bring it to rates. They were told to go back to consultation. We are in the midst of doing that consultation. In the midst of all this, we are in a situation where watersheds in Mayo, in Aishihik, and in the Southern Lakes are under pressure from time to time — definitely one of two of our biggest assets.

We are in a position to look at all options for renewable energy. First, we have to go and do the consultation because we have been told that by the Utilities Board. We are going to do that, because my friends across the way spent millions and millions of dollars that we at some point have to reconcile. Second, if we feel that, through these discussions, there are ways to mitigate the potential impacts of a project like that and there is a clean line to do it, I think that is something that we should look at. Lots of Yukoners think that. We are being absolutely respectful to the people who are going to those consultations. They have reached out to us before. We understand that there may be ways to mitigate it, but to put my head in the sand on this is not the appropriate thing to do.

Mr. Hassard: So the government is conducting a survey with 1,200 random Yukoners to see if they support the Liberal government's proposal to raise the lake levels. The only problem is that the government is now spending money pushing ads on social media to promote only the benefits of the project. There is no mention of the negative impacts on the hundreds of property owners who live along the lake. This biased approach to consultation has the effect of pushing Yukoners to give the answer that the government wants so that they can use this to push ahead in spite of concerns.

At the Marsh Lake consultation, resident after resident got up to talk about their concerns about impacts on their properties. Some even worried that their home insurance would double as a result. The Minister of Community Services was in attendance, and one of his constituents got up and asked him if the government will just pull the plug. In response, the minister was silent.

So, will the government stop moving forward with this project — yes or no?

Hon. Mr. Pillai: Mr. Speaker, we will complete the consultation that we are conducting. I am glad to hear today — I think it's good for Yukoners — on the record — that we have a good sense that the Yukon Party believes, on this particular project: (1) that we should just forget about the costs that they incurred and (2) that this is a bad project.

I have had lots of individuals reach out to me on this project — and you know what? When you go through these decision-making processes, you can do one of two things: You can take millions of dollars that you spent and walk away from the

project, or you can look at either a proper path forward or not. We are having the conversations that we need to have. We are doing it in a respectful manner. We are looking at all the options. We are in a very difficult position.

Every MLA in this House signed onto a climate change emergency, including the members across the way. Now what they are saying is to not look at the potential savings of a million dollars a year in thermal and to look at renewable energy that is provided. Once again, I don't see a clean line on values — a little bit mixed up in the direction — but hey, that's the way it has been for the last three years.

Question re: Many Rivers Counselling and Support Services

Ms. McLeod: Last week, the Minister of Health and Social Services made some very serious statements regarding her department's conversation with the RCMP. On Thursday, she implied that her department provided the RCMP with a third-party audit of Many Rivers, but then a couple of hours later, her staff had to e-mail a clarification to media contradicting this.

Of course, this isn't the first time the minister has told this Legislature one thing, only to be corrected by staff a few hours later. This is part of a larger trend of the minister not being fully aware of what her department is doing. The minister's clarification statement last week indicated that the third-party audit alerted Health and Social Services to practices and procedures within the organization that were of significant concern.

Can the minister explain why the third-party audit was not shared with the RCMP?

Hon. Ms. Frost: Thank you for the opportunity to speak again about this today. I would like to answer and to clarify statements made on Thursday.

The Department of Health of Social Services met with the RCMP about concerns raised by previous staff of Many Rivers. The RCMP indicated that more information was required before they could initiate any investigation into wrongdoing. As a result, the Government of Yukon conducted a third-party review of Many Rivers' finances from 2018 and 2019. The result of this financial review did not reveal whether or not criminal behaviour occurred. It did, however, alert Health and Social Services to practices and procedures within the organization that were of significant concern.

The third-party review was not shared with the RCMP as this report did not investigate whether or not criminal activity occurred. To clarify further, the initial concerns brought to our attention by the acting executive director of Many Rivers were shared with the RCMP. We are currently reviewing legal options moving forward.

My priority is and always will be to provide Yukoners with access to mental health services, and I'm proud of the work that the Department of Health and Social Services has done in partnership with the Canadian Mental Health Association and All Genders Yukon.

Ms. McLeod: Mr. Speaker, you know, as we discussed last week, the minister implied in this Legislature that the third-party audit was provided to the RCMP.

Several hours later, the minister's staff had to send a statement to media clarifying that this was inaccurate, raising questions about why the minister can't provide straight answers in this House. But the statement does indicate that a third-party audit of Many Rivers' finances for 2018-19 alerted her department to practices and procedures that were of significant concern.

Mr. Speaker, will the minister publicly release this third-party audit?

Hon. Ms. Frost: I appreciate the many Yukoners who have come forward to advocate for mental health services in Yukon. We share the concerns and we are taking great strides to get Yukoners the services they need.

Mr. Speaker, over the last 12 months, the Many Rivers organization has faced many challenges. My mandate as the Minister of Health and Social Services is to ensure that Yukoners have access to mental health services. I'm very proud of the work of Health and Social Services and their collaboration with our Canadian Mental Health Association, Yukon to provide free accessible counselling services to Yukoners.

The department is also offering services through the mental health hubs across the territory. This took effect in 2018. Prior to that, Mr. Speaker, there wasn't really a lot in rural Yukon communities. Funding was also given to All Genders Yukon so that we could contract counselling services specifically to meet the needs of LGBTQ2S+ community members. The government contracted an investigation on how Many Rivers spent the money it was given and found that the money was not spent in the way that the board originally identified that it would be spent. Therefore, we have some grave concerns and we will work with our colleagues in the Department of Justice to evaluate and review that.

Ms. McLeod: Well, Mr. Speaker, how many times has the minister's department met with the RCMP to discuss this issue? When did those meetings occur, and what information was provided in those meetings?

Hon. Ms. Frost: We agree that there are serious concerns with the financial decisions made by the board of Many Rivers. We are getting information from our legal team about what our next steps are. We are supporting Yukoners by expanding the health care services available to them. Mr. Speaker, we cannot go back in time or change what has happened to this organization, but we can make things better going forward. We will work with our colleagues — we will work with our colleagues in the Department of Justice — to review the reports, and at some point, I am sure we will come back to Yukoners with some more clarity.

At the moment, we have the services and supports needed to ensure that Yukoners have services through our mental wellness hubs, through the Canadian Mental Health Association, Yukon chapter, and through All Genders Yukon. We will continue to enhance and support Yukoners where support is needed.

Question re: Many Rivers Counselling and Support Services

Ms. Hanson: Today, we heard again the minister's walk-back of statements made last week when questioned about a forensic audit of Many Rivers. She stated that the Yukon government had undertaken a third-party review of Many Rivers but that this review did not investigate whether any criminal wrongdoing occurred.

The purpose of a forensic audit is to establish whether or not there is any evidence of criminal wrongdoing. The government either does not understand the purpose of a forensic audit or doesn't want to know the answers. The RCMP cannot move forward with an investigation until they have access to more information, and this government is unwilling to initiate the forensic audit that would uncover that information.

Why is this government opposed to conducting a forensic audit to determine whether or not criminal wrongdoing may have occurred at Many Rivers?

Hon. Ms. Frost: We agree of course that there are many concerns with the financial decisions made by Many Rivers. I will not make a decision on the floor of the Assembly about what kind of audit the department will do. I will work with our legal team to determine what appropriate actions and steps should be taken. We must continue to focus on what is most important in this entire situation. We continue to focus on providing supports to Yukoners who need mental health services.

Ms. Hanson: Throughout the Many Rivers saga, the Government of Yukon continually failed to provide adequate financial oversight. They failed when they continued to fund Many Rivers after the organization stopped submitting the quarterly variance reports required by the transfer payment agreement. They failed when they did not pursue further action after their third-party review could not draw certain conclusions due to informational gaps. They failed when they heard numerous accounts of criminal wrongdoing and refused to request a forensic audit.

The minister was correct on Thursday when she stated that she had a fiduciary duty to Yukoners. Will the minister acknowledge that she failed to properly carry out her fiduciary duty to Yukon citizens when it came to Many Rivers' finances?

Hon. Ms. Frost: What I will admit here on the floor of the Legislative Assembly is that we will work with our colleagues. We will attempt to determine how Many Rivers spent the money, be it appropriate or not — we will ensure that. The financial investigation conducted by the third party that was conducted in 2018 and 2019 provided us with some oversights as to what potentially — how the funds were managed. At that point, we raised the concerns because — let's note that the executive director of Many Rivers brought this to our attention; the board brought it to our attention to say that a misappropriation of funds was going years back. That raised some concerns. Therefore, we brought it forward to the RCMP, and we were informed that we needed to do further analysis. That's exactly what we are doing at this moment in time.

Ms. Hanson: Many, if not most, members in this House have been on boards of non-governmental organizations. Funding is dependent on the due diligence of the board and staff to ensure that reports and financial statements are completed accurately and on time. The minister still hasn't answered why Many Rivers continued to receive funding after failing to submit the required reports. Had the government required and reviewed these reports before continuing to provide Many Rivers money they may have caught the financial irregularities.

This minister told media Friday: no indication of criminal activity, just mismanagement and gaps in information. It is clear that this government failed to conduct their financial oversight role. This is an issue of ministerial accountability and responsibility.

When will this government request a forensic audit of Many Rivers?

Hon. Ms. Frost: I do recall that what we were told in this Legislative Assembly quite some time ago — we are getting some mixed messages as well. What we are obligated to do is to ensure that we provide services to Yukoners. That is exactly what we are doing. We are ensuring that the necessary services and supports are getting to all Yukon communities — all rural Yukon communities. We have done that, in effect.

We undertook a third-party audit to determine if there was evidence of criminal wrongdoing and what a particular focus for a forensic audit would entail. We have taken that step and we will continue to have those discussions with our Department of Justice and ensure that we do follow due diligence and work with all of our NGO groups. In this particular case, we will look at working with our new partners.

Question re: Many Rivers Counselling and Support Services

Ms. White: The reason we have asked these questions about the government's financial oversight of Many Rivers is because they provide important context to the public actions of the Department of Health and Social Services. This government clearly knew that Many Rivers was in bad financial shape. They met with the RCMP to review claims of potential criminal activity within the organization and they also conducted a third-party review that revealed financial mismanagement. At the same time, they were encouraging Yukoners to come together and resurrect Many Rivers by volunteering, attending meetings, and joining the board. The minister even publicly pledged the government's support. If volunteers had been told that they were investing their free time into an organization that was being looked at for financial wrongdoing, they might have reconsidered.

Mr. Speaker, why didn't this government not notify the volunteers working to re-establish Many Rivers of the financial irregularities at the outset rather than waiting until they had put in hundreds of hours getting the organization back on its feet?

Hon. Ms. Frost: Just for clarity on the question that was asked earlier about why the government provided the third-quarter payment. Through the transfer payment agreement and through our collaboration with Community Services, there are two sets of schedules set out in the transfer payment agreement

in particular with Many Rivers. One is for payment and one is for reporting. Quarterly payments are made in advance of each quarter. Quarterly reports are due two weeks after the end of the quarter. Health and Social Services issued the third-quarter payment on October 1, 2018, in line with the payment schedule as set out in the transfer payment agreement.

We have followed the schedule as structured in the transfer payment agreement that existed for many years for Many Rivers. We continued to work with them to bring them into compliance. We worked with Community Services to ensure that we received our financial reports. When the executive director brought the concerns to our attention, we proceeded with what we felt was necessary, and that was to follow through on an internal review of their expenditures.

Ms. White: That was a fascinating answer to why the government didn't let the volunteers know what was going on. It is important that we get a full accounting of what the government knew and when they knew it. This summer, the Government of Yukon very publicly laid the blame of Many Rivers' financial woes at the feet of the new Many Rivers board. The government announced that the board was liable for the debt that Many Rivers had accrued even though they were not board members at the time it was accrued. By their own admission, this government failed to provide financial oversight of the funding that they provided to Many Rivers, and when legitimate concerns about the spending were raised, they failed again by conducting a review rather than a third-party audit. This government knew that they made mistakes, but instead of owning up to them, they laid the blame at the feet of the volunteer board. A few weeks after the government announced that the board would have to cover the debt that had been accrued, the board resigned en masse, and Many Rivers effectively shut down after 50 years.

Mr. Speaker, will the minister apologize for the disingenuous way that it treated the community volunteers who tried to get Many Rivers on its feet?

Hon. Mr. Streicker: I will read from a letter that I wrote to some members writing to me asking about Many Rivers Counselling and Support Services — from just last month. I quote: "I would like to take this opportunity to follow up on concerns raised and to clarify the issue of board member liability. The society is a legal entity separate and apart from its directors and members. So long as the society exists so too do its debt and obligations, regardless of who makes up the members or directors. When a new board assumes office, the new board takes on the task of addressing the society's debts and obligations, but they do not become personally liable for those expenses. We recognize the challenge new board members face when coming forward to get a not-for-profit society back on its feet, and we acknowledge their commitment and efforts."

By the way, Mr. Speaker, in all this time in talking with the folks from Many Rivers, they have — all the people involved — talked to us about their concerns about the finances of Many Rivers, so I don't think it comes to them as any surprise that there were concerns. I think I have had many conversations with them.

What I would like to say is thank you to all of those folks who have worked to try to get Many Rivers on its feet. It has been a long-standing society that has done tremendous work for the Yukon, and what I want to say is that the Minister of Health and Social Services always has had — and every time I have spoken to any member of the public, the focus needed to be, first and foremost, on making sure that Yukoners had mental health services.

Speaker: Order. Order. One moment, please.

Ms. White: Maybe what I should say is that the surprise was in the tone of the letter that Many Rivers received from the Department of Health and Social Services.

This government has sent a horrible message to volunteer boards throughout the Yukon: “If we screw up, you are to blame.” NGOs and the volunteers who make up their boards are an integral part of Yukon’s health care delivery model and they are increasingly called upon to provide vital services, yet their treatment by the Government of Yukon does not reflect the important role that they play. NGOs have increasingly been feeling the pinch as government moves away from long-term financial agreements toward one-year deals.

Coupled with the way the Many Rivers volunteer board was treated, this government runs the risk of creating a climate that discourages people from coming forward and volunteering.

Mr. Speaker, will the Minister of Health and Social Services apologize to the Many Rivers volunteers and commit to ensuring that the Department of Health and Social Services will treat non-governmental organizations more fairly in the future?

Hon. Ms. Frost: I would like to take this opportunity to thank the many Yukoners who have contributed many years of support and many hours of support to ensure that Yukoners are receiving the supports they need in all of our communities. I want to just take that moment to acknowledge that — because there are many.

Think back to this very morning at the Kwanlin Dün Cultural Centre. There are 270 individuals sitting there to speak about supports that are necessary and that are needed in Yukon communities. Because of the reporting requirements with respect to Many Rivers under the *Societies Act*, some NGOs fall out of compliance from time to time, and we do work with them when there are difficulties in meeting the requirements set out in the transfer payment agreement. The department works with the NGOs and we will continue to do that.

Sometimes this means helping with a specific extension or providing a template to guide the reporting. We have worked with them. We worked with the executive director who came forward with the concerns to provide the reports. They willingly provided us all the details that we needed. In turn, we supported them to bring them into compliance, working with Minister Streicker. As the Minister of Community Services just explained, we have a due diligence that we have to follow through our reporting requirements.

We issued the third-quarter transfer payment in October of 2018, given the long working relationship with Many Rivers, and we expected that we would continue to have ongoing relationships with Yukoners in ensuring that supports are there.

Question re: Whitehorse Emergency Shelter

Ms. McLeod: Today, the Liberals announced several initiatives to address community concerns around the Whitehorse Emergency Shelter. The minister made some of these commitments on Facebook this past summer in response to growing concerns from guests and workers, as well as the businesses and residents in the area. We were happy to see the government finally start to attempt to address these community concerns.

Can the minister tell us how much new money has been allocated in the budget for these new programs, positions, and services that were announced today?

Hon. Ms. Frost: Just to reiterate, the member opposite’s statement “finally start” — that facility was brought into place many years ago with the partner, which at that point was the Salvation Army. The building was built with no programs, no support, no resources, and no programming to address the core needs of individuals in our community.

So my priority and my responsibility, as the Health and Social Services minister, is to ensure and enhance long-term well-being and quality of life for Yukoners — that means all Yukoners. Our government believes that, by investing in people and prevention, we will create happier, healthier lives for Yukoners and we will do it in collaboration with our partners.

That is exactly what happened this morning. We had our Safe at Home community partners at the table talking about moving forward — about identifying programs, services, and supports that we need for our vulnerable communities while working with our business partners and working with our neighbours to address the concerns that are brought to our attention.

Ms. McLeod: You know, Mr. Speaker, what we are looking for is a dollar figure. It is unfortunate that the minister would make an announcement without knowing how much it will cost.

We’re happy to hear about how these programs will attempt to address concerns and how they will better help those who need the services most, but we do not see a line item in the budget or the supplementary budget to pay for the announcements that the minister made today.

Will the minister point us to where in the budget we can find the money that was allocated for this announcement? If the minister doesn’t know, after she receives a briefing on this, will she commit to tabling a breakdown on the budget?

Hon. Mr. Streicker: Part of that announcement today was that we are introducing Emergency Medical Services into the Whitehorse Emergency Shelter for 70 hours a week — so 10 hours a day, seven days a week. There is no increased budget for that because we just reallocated from the existing budget. In fact, what we’ve seen in the first week was that we had a reduction in the number of calls coming from the ambulances and in the number of visits to the hospital. We think that this is a great way to reach out directly.

So, at this point, we don’t anticipate an increase in costs. Of course, we’ve already seen that the supplementary budget in my department is there with many items, but we didn’t

anticipate a change in costs. We just anticipated that this was a better way to deliver a service.

I would like to say thank you very much to the EMS folks who were there today and last week for the opening smudging. I think they did a wonderful job at reaching out to the community, the clients, and the guests of the Whitehorse Emergency Shelter.

So, there are no additional costs at this time from Community Services. I thank the member opposite for the question.

Ms. McLeod: You know, it's not just the programs and services that were announced today. A number of positions were also announced to accompany them — some of which we are told are already in place.

I believe that among the announced positions today were two new mental health positions, a community liaison officer, a social worker, an outreach worker, two additional facility staff, and on-site paramedics who will be stationed at the shelter.

Since the minister can't tell us how much is budgeted overall, hopefully she may know how many new employees the government is hiring as a result of this change. Can the minister tell us how many new FTEs overall were added to government to accompany the new programs and services that were announced today, including any replacement FTEs in EMS?

Hon. Ms. Frost: I would like to thank the member opposite for the question. What I can say is that we are providing supports. We've announced this morning — and I would like to thank the department for doing such an amazing job in bringing the services to the people, and that means bringing a clinical psychologist, a nurse, a social worker — bringing to the core and the heart of our city the supports that are needed for the individuals who occupy and utilize the centre — that, I'm proud of, Mr. Speaker.

Do you put a price on that? Do you put a price on how much it costs to take care of the individuals who have been left and not supported for years and years and years, Mr. Speaker, under the previous leadership?

So, the support and services that are provided are very important. It's important because it's complex, Mr. Speaker. Complex care requires complex consideration and it will involve many partners.

The members opposite committed to and signed off on the Safe at Home plan, the housing initiative — they participated in all of that. In there are key recommendations. The key recommendations that were brought forward were to look at ensuring that we provide services to the vulnerable populations of our society and we will endeavour to that. We will continue to do that in good faith, Mr. Speaker.

Speaker: The time for Question Period has now elapsed.

INTRODUCTION OF VISITORS

Hon. Ms. McPhee: I would just like to take this opportunity to ask my colleagues to welcome a number of visitors that we have from Yukon College: Dr. Karen Barnes, Jacqueline Bedard, Dr. Bronwyn Hancock, Lacia Kinneer,

Michael Kulachkosky, and Irina Bogachek. Thank you very much for being here.

Applause

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

ORDERS OF THE DAY

GOVERNMENT BILLS

Bill No. 2 — *Yukon University Act* — Second Reading

Clerk: Second reading, Bill No. 2, standing in the name of the Hon. Ms. Dendys.

Speaker: Minister of Education, please.

Hon. Ms. McPhee: I move that Bill No. 2, entitled *Yukon University Act*, be now read a second time.

Speaker: It has been moved by the Minister of Education that Bill No. 2, entitled *Yukon University Act*, be now read a second time.

Hon. Ms. McPhee: It is my pleasure to introduce Bill No. 2, the *Yukon University Act*, for the Legislative Assembly's consideration.

Mr. Speaker, our government has committed to supporting Yukon College in its transition to Yukon University. A key step in supporting this transition is to put new legislation in place that provides the legal framework for a university here in the Yukon Territory. The *Yukon University Act* does just that.

Yukon College has a long history of serving the educational needs of Yukoners. It started as the Whitehorse Vocational and Technical Training Centre in 1963 and became Yukon College in 1983. Yukon College has evolved over more than 50 years to meet the career and educational goals of Yukoners. It has also served as a cutting-edge institution for northern research and innovation that investigates northern solutions for environmental, economic, and social questions. Now we are working toward the next stage in its evolution.

To ensure that Yukon University is responsive to the needs of all Yukon citizens, we asked for their feedback on this legislation. We reached out to Yukon College, including staff and students, Yukon First Nation governments, municipalities, the public, and our partners. We gathered many valuable insights and had many important conversations. We heard that it is important for us to ensure that adult basic education, academic upgrading, and trades programming remain a priority and stay in place.

We heard and we continue to hear the unique voices of each community by supporting community education and keeping community campus committees in place. We heard that it was important for us to ensure that Yukon First Nation voices are represented at Yukon University and that meaningful partnerships with Yukon First Nations are supported and continue to grow.

We also heard that it was important for us to ensure that the university provides high-quality programming and services to the benefit of Yukoners. Mr. Speaker, these commitments

are also important to our government, so we have listened and addressed these priorities in this legislation.

I would like to speak for a moment about Yukon First Nations and how this legislation reflects the importance of these relationships going forward. The legislation reflects the importance of our government-to-government relations and relationships with Yukon First Nations and our commitment to reconciliation and to our shared priorities for education.

Yukon College has been a strong proponent of reconciliation and ensuring Yukon First Nation language, history, and culture are a part of post-secondary opportunities here in the Yukon Territory. This legislation aims to ensure that this work continues by including a commitment of the university to honour and support reconciliation with Yukon First Nations — a commitment that the university will honour and support, building capacity within Yukon First Nation governments to implement final and self-government agreements and incorporating Yukon First Nation culture, knowledge, and educational priorities into the university's programming and activities.

We have also included requirements for Yukon First Nation voices in governance of the university and a commitment to measure the performance of Yukon University's partnership within the university and Yukon First Nations.

Mr. Speaker, it is clear to us in speaking to Yukoners that Yukon University must retain its current educational opportunities and programming and should therefore become what has become known across Canada as a hybrid institution. Yukon University will develop and offer new university-level degree programs, but trades, adult basic education, and second language support programming remain very important to Yukoners.

As set out in this legislation, the university must offer a balance of baccalaureate, master's, and doctoral degree programs, certificate and diploma programs — including apprentice and trade programs — continuing education, and adult basic education programming. This balance of educational opportunities is what the Yukon seeks and what is presented here.

It is important that we recognize Yukon communities. This proposed legislation also ensures that, in carrying out its purposes, the university will continue to meet the educational needs of Yukon's rural communities. This was an important piece of feedback that we gathered in discussions about Yukon University.

As part of this legislation, community campus committees will still be required for each community campus. They will function to advise the university's board of governors on the programs, services, and activities of their community campuses and take part in hiring staff for those locations. In addition, the legislation also ensures that there are representatives from rural communities on the board of governors and the senate for the university.

Mr. Speaker, government oversight and university autonomy are an important balance. This legislation aims to balance government oversight and university autonomy. An

important common value across Canadian universities is the concept of institutional autonomy. Institutional autonomy is a core principle for universities and refers to the university's ability to uphold academic freedom and to make its own decisions about programming, operations, and strategic direction.

We have included provisions in this legislation that will uphold the institutional autonomy of our new Yukon University. These provisions include clarifying that the university is not an institution of government. They include the fact that the Minister of Education must not interfere in the university's ability to develop academic policies and standards, standards for admissions and graduation, and the selection of staff. They also include the fact that the university's board of governors will have general authority over the management, administration, and control of property, revenues, business, and affairs of the university. The university's senate has authority and will be designed to have authority over the academic governance of the university — all a breakdown and division of authority that is common in universities across this country.

At the same time, it is important for governments to provide some oversight to ensure that post-secondary education is of high quality, affordable, accessible, and contributes to the social and economic development of our territory. As we gathered feedback on this proposed legislation, key points were raised about ensuring that the university is affordable, is of the highest quality, is accessible to the diverse range of students that we have here in the territory, and benefits Yukoners and Yukon communities.

This legislation includes provisions that allow the government to provide just such oversight. These are just a few examples. To ensure that the needs of Yukoners and Yukon communities are being met, the legislation ensures that, as the university carries out its purposes, it must strive to serve the educational and training needs of Yukon that may be specified by the government from time to time. It must be noted that any new degree programs must be ultimately approved by government. To ensure that the university remains affordable for students, the board of governors must put a tuition fee policy in place that is approved, ultimately, by government. Related to grants, funding grants may be made to the university with certain terms and conditions, and the university may only borrow money with the approval from Management Board. Again, these are provisions that are in the proposed legislation to ensure the balance I have discussed.

With respect to the accountability of the university, a university must always be accountable to the public that it serves. Accountability and transparency are part of a university's responsibility as an autonomous institution. For the benefit of students, staff, and the communities it serves, it must be prepared to measure the performance and quality of its programs and services. This legislation includes provisions to ensure that the university is accountable.

These provisions include a requirement for accountability and performance measures to be put in place through consultation among government, the university's board of governors, and Yukon First Nations. These provisions also

include a requirement for the university to prepare an annual report that reports on audited financial statements and any of the accountability and performance measures that have been established so that the public will be able to be aware of how the university is achieving these goals.

These reports are required to be submitted to the Minister of Education and to each Yukon First Nation, as well as to be tabled in the Legislative Assembly.

With respect to university governance, Mr. Speaker, the legislation also includes provisions that outline the governance model for the university. Many universities across Canada use a bicameral governance model made up of a board of governors and a senate.

As I have noted before, the legislation here includes provisions to establish a board of governors responsible for the administration of the university and a senate responsible for academic oversight.

Mr. Speaker, the proposal includes that the board of governors will be comprised of 17 members. They will be responsible for the management and administration of the university. To ensure that the voices of Yukon First Nations and Yukon rural communities are included, the proposed board of governors includes three persons nominated by at least one Yukon First Nation and at least three persons who reside outside of Whitehorse — although this is the minimum required and there could be more.

With respect to the senate — the other body that makes up the bicameral government model in a university — a senate is responsible for the academic oversight and is typically made up of a majority of faculty members. In Canada, the number of senate members varies and often allows for a flexible number of members.

Mr. Speaker, our proposed legislation aims to allow Yukon University's senate to grow and expand over time as the university sees fit while maintaining at least 60-percent faculty membership. To ensure that the university's hybrid nature is represented in the senate, the provisions in the legislation aim to ensure a balanced representation of faculty from academic fields and trades and technical programming.

The senate must also make its best efforts to include at least 30-percent indigenous representation to ensure that indigenous voices are included in the academic decision-making of Yukon University.

Mr. Speaker, these are some of the key aspects of the legislation that I wanted to highlight here today. They are what makes this piece of post-secondary legislation unique to the Yukon.

As the first university north of 60, Yukon University will be a unique institution in Canada. Yukoners pride ourselves in being special and unique — and in fact we are. Many of the provisions here are common to university legislation across the country, but others are specific to achieve Yukon University and are put into this legislation to ensure that we have a proper legal framework in place to enable Yukon College to take its next steps in its evolution and become Yukon University.

Thank you, Mr. Speaker, for the opportunity to address this House. Thank you to the visitors who are here today to hear our

plan going forward, of which they are intimately aware. I look forward to hearing now from other members of this Legislative Assembly. I certainly look forward to answering questions about this piece of legislation going forward.

Ms. Van Bibber: I am pleased to rise today to speak at second reading of Bill No. 2, *Yukon University Act*.

I too would like to thank the officials from the Department of Education and Department of Justice, the Yukon College Board of Governors, and the faculty at Yukon College who provided us with much input and photo briefings on this act.

We would sincerely like to commend the efforts of everyone who was involved in getting us to this legislation to date and what it means to this new face of Yukon education.

We have hit a milestone that has been in the works for many, many years, and the hard work is shown, as I have mentioned in this document. To change from Yukon College to Yukon University is a huge transition, and we hope it goes smoothly for all those involved in the process.

Some might ask if we are ready, and we think that we have shown, through the enrolment numbers, that all of the courses are well-subscribed to and that adding new university courses will allow northerners to stay closer to home in the future.

A university is a place of the highest level of learning of the liberal arts and sciences and programs of graduate studies. This institution is authorized to confer both undergraduate and graduate degrees, certificates, and diplomas established by the university. The current system at Yukon College offers a general and liberal arts and science education, as well as vocational and technical instruction and training courses. This is the part that Yukoners have stressed — that the vocational and technical portion of the college be maintained and that courses offered in this environment be continued into the future.

They also emphasize the importance of adult basic education, upgrading, and continuing education courses. It looks as though this legislation addresses those concerns, and trades and adult basic education will continue to be an important part of the program. Once passed, the act will establish the purpose and gain the powers of a university and allow appropriate education courses to be introduced in Yukon. There will be changes like new governing bodies and more stringent requirements and accountability measures for a university. We hope that all will be checked and double-checked in proper order before we do become Yukon University.

There are sections that address the First Nation components of the final agreements, which state that the university must respect and honour Yukon First Nation knowledge, world views, cultural and traditional practices, and education requirements necessary to build capacity.

There is also a portion of the act stating that the board of governors will remain consistent and that a new entity called a "senate" will be established, which has the authority over the academic affairs of the university. Within this legislation, there is reference that the senate must make best efforts to achieve a

membership of 30-percent indigenous persons from Yukon or elsewhere in Canada.

We are interested to see how this will be addressed by the newly formed senate and we hope there will be an emphasis placed on Yukoners during the appointment process.

A fact that many people do not realize and was mentioned is that the university is not an arm or an agent of the Government of Yukon. It has an agency relationship created by contract. Therefore, “The minister must not interfere in the exercise of powers, conferred on the university, or its board, senate and other constituent bodies by this Act...”

It is also important to note that there will continue to be community campuses, with each having a local working committee. These local committees will advise the board of governors on the programs, services, and activities of their community campuses, along with the needs of that particular campus. We are particularly glad to see this, as this was another piece that we saw in the “what we heard” document. The document highlighted great support to ensure that there was a requirement to collaborate with the communities about their needs.

This is vital, as Yukon University must continue to serve every community. Each rural community has its specific needs and requirements for educational programming.

Another crucial concern of Yukoners, from what we saw and heard in conversation and was raised in the “what we heard” document, is that Yukon University continue to be affordable and accessible to Yukon students. It has become increasingly more difficult for a number of Yukon students to access education outside of Yukon due to higher tuition costs — before we even begin to account for increased travel costs, living costs, and the high cost of textbooks. Lower costs must be kept in mind no matter the path we embark on in the future.

Yukon students have, for many years, been able to attend Yukon College because of the lower tuition costs, especially for upgrading courses — which many need to be able to attend a southern college or university. This allows many students who may not have taken enough or appropriate courses in high school to also expand their knowledge. With the possibility of continuing their chosen studies at home into the university-level courses, this will be a boon to Yukon.

We will also recognize the benefits of an enlarged campus that will help the local economy and engage students from near and far. The foreign student program is a must for any facility to ensure its viability, and Yukon is no different. We do encourage students from other countries to study here.

There is some concern on our part of the cost analysis of the transition and we hope that this has been taken into consideration as the implementation rolls out in the coming years. Of course, cost will always be a factor and we must make sure that we can afford what we put in place, even if it is a smaller institution.

I agree that we are trendsetters in many ways in the Yukon. I must say that I am very proud of all who worked and nurtured this idea to fruition. As a former Chancellor of Yukon College, I send congratulations as we begin the conversion to the opening of the first university north of 60: Yukon University.

Let’s hope it will be a textbook transition and this will be a proud moment for all who have made it happen.

Ms. White: Today, in speaking to Bill No. 2, the *Yukon University Act*, I don’t think it should come as any surprise to anyone in this Assembly that the Yukon NDP will be supporting this. As a matter of fact, in my first election campaign in 2006, it was an NDP platform commitment — Yukon University — so it has taken us awhile to get here.

Mr. Speaker, we have heard a lot about the ins and outs of the legislation, but the one thing I would like to focus on right now is the care and the work done by the transition team. I can say, in my part of being in the 33rd Legislative Assembly, that there was always a lot of information that was shared. I do appreciate the meetings that we had behind closed doors where we discussed the ins and outs and the intricacies of making sure that communities would still be involved.

I think that the legislation is great, but more than that, I think it’s the trust that I have in the people who have steered this and their faith in the drafters that really makes a big difference. When you can run into someone at the hardware or grocery store and they can gleefully tell you that they are really proud of the legislation coming forward — and you trust them explicitly — it makes it a lot easier to step into the unknown together. I do appreciate the work that was done. I don’t think we can ever thank them fully, because it has been an incredible process.

We are excited to be able to have more conversations about this in Committee of the Whole, but more than anything, I just want to make sure that I thank those who walked me through my concerns early on. As has been mentioned, it is super important that we take into account the need and importance of the community campuses. I don’t think that this has ever been forgotten, because when we talk about education in the territory, we want to make sure that we don’t leave anyone behind.

I think this is also a time that I would like to talk about Yukon and Yukon government’s responsibility around education funding. The minister and I have had conversations previously about Yukon grants and the qualifications for programs, and I think this is actually a really phenomenal opportunity to take a look at that as there are some programs that are offered under Yukon College that, although they definitely meet the requirements of hybrid education and we’re definitely employing people at the end of it, they may not meet the current requirements for the Yukon grant. I would really like to see that changed because I think making sure that any student who graduates from a Yukon high school has the ability to attend the programs that best suits them.

Again, I’m a living example of that. I was able to access \$250 I think from my Yukon grant for my culinary career that cost substantially more than that but I wasn’t designed for mainstream education. That was not my path. I think what we’re seeing under this hybrid model is the ability to recognize people’s strengths and to play on those.

So, again, I just want to thank the folks from Yukon College, soon to be Yukon University, not only for this

legislation, but for the care that they've shown and the dedication they have shown in getting us here. We look forward to conversations in Committee of the Whole, but I will put in a pitch that we take a look at the Yukon grant and what is required for those qualifications.

Hon. Mr. Streicker: It is an absolute pleasure to get on my feet to speak in second reading today on Bill No. 2, *Yukon University Act*.

When we started looking at this — I'm going to think back a little bit, but just to begin with, in my role as minister, one of the things I have heard as I have gone around to all of our communities was that it was so important that, if we were to move from Yukon College to Yukon University, we continue to have and hold our focus on trades and access to education in our communities. That's one of the things that I was looking for in this legislation and in how we move to transition to a university — that it's an addition, not a displacement. I'm very happy to see that. I'm very happy to see that those things which Yukon College has done so well — connecting with our communities, connecting with folks on the land, focus on trades — that those things will continue to be there, but we will be adding.

I myself, prior to being elected in this legislature, worked at the college in various roles for about a dozen years, and in all those times when I was — if I was teaching a class lecturing on climate change in the circumpolar north, every time I can recall — talking to a new class, students were always focused on marks, on degrees. I was always focused on learning. That's the thing that I will continue to focus on as we think about having a university here in the Yukon. It's about how we can move further in our learning.

I think we're going to build on our strengths. That's evident in where we started with First Nation governance. I'm looking forward to where we go with degrees. I don't think we're going to have every degree under the sun; I think it's going to be a select few degrees. I think that it's going to be those degrees which really set us apart — which really provide something quite unique. Like, it might be on northern studies. I'm going to talk a little bit about the University of the Arctic before I get done here. But it could also be on climate change, which is an issue. It could also be on solid waste. I'm not suggesting that as a degree. I know that there will be a whole group of people who come up with it, but I look at the issues that we face as northerners and I think, "Okay, now there's an opportunity to really tackle them more deeply and with an independence, free from a lot of the other ways in which we give a little bit of money to something." It's that ability to think broadly and to draw in the resources from our communities to really tackle problems.

I see the university as a way to support Yukoners with a homegrown option. I thank the members opposite for their suggestions about funding support for students and how we focus on the costs, but I see here this opportunity for homegrown Yukoners to advance through a degree here or maybe a few years and then move on to another university. I'm

sure there are going to be tremendous partnerships. Well, there already are with other universities.

But I also think that what a university is about is to attract, so it's going to attract that research. It's going to attract those people who want to not only study a topic but study it in a place where there's first-hand — where there's traditional knowledge around it — where there's a lot of lived experience with those issues. I think that is what is going to happen. It's going to both retain and attract.

I know, over the years, when we brought researchers into the Yukon — one of our sinister plots is to get them to come up here and then they fall in love with the place and then they meet the members of the community and then they really engage and they really contribute back, and that's how we grow.

I think what a university is going to do is elevate — it is going to act as an economic driver for us as a territory and for the north, for that matter. It is going to act as a social driver. I am also sure, based on my experience, that it is going to act to protect the environment and to foster land stewardship. I think of it as an evolution. As the Member for Takhini-Kopper King mentioned, I have heard this conversation since about 2005 or 2006, so it has been awhile in coming.

My other main job — other than acting as a lecturer at the college on climate change — was as a science advisor for the climate change research group at the college. I want to acknowledge my old boss, Ms. Lacia Kinnear — I don't mean "old", I mean past boss. She is director of Governance and Strategic Initiatives at Yukon College. What does that mean? Really, it means that she has been working on helping to get us to a Yukon university. She has made a yeoperson's effort in doing this, and I just want to thank her and all of the team from Yukon College for all of their work.

Because I had that relationship with past colleagues at the college, I have been able to have some of these conversations over time. What I can tell you is that they are a passionate bunch, and this is coming as a big moment, I would say, in all of our world here in the Yukon. But for them, I just want to say congratulations. I think it is quite a feat.

Let me now just reflect ever so slightly on Dr. Aron Senkpiel. I never got to meet Dr. Senkpiel, but I remember being at the college and feeling his influence everywhere, especially with the University of the Arctic. When he arrived here in the Yukon, his whole notion was about how to benefit northerners. When the Arctic Council formed — and Canada was the original host, if memory serves — Dr. Senkpiel helped to develop this notion of the University of the Arctic to bring together circumpolar nations and to create a virtual university that shared resources, because we are such a huge landscape that is really not that dense in population, and so it really helps when we work together on issues.

The phrase that I recall for the University of the Arctic is: "In the North, For the North, By the North". I was looking up something written about something by Dr. Senkpiel, and it was written by Ms. Amanda Graham, who has been another long-time Yukon College person who has contributed so much — and now I quote from Ms. Graham about Dr. Senkpiel: "All who knew him, worked with him, and benefited from his

extraordinary vision must salute Aron for the path he laid for post-secondary education in the North, and recognize his vitally important role in the development of the college, the territory, and the North Circumpolar region.”

What I would like to add as a postscript to that quote now is: “... and a university.” I think that Aron always had that vision.

When I started having visits both with the University of the Arctic, but also with the Arctic Council, Mr. Speaker — the Arctic Council, in working with all of the eight circumpolar countries of the north — there is only one of us that doesn’t have a university in the north, and that is Canada. Canada, with the longest coastline, is the second-largest Arctic country, and we, as yet, don’t have a university north of 60. I think this step, for us, is just the first step as a nation-building piece. I see that the other territories will follow and that there will be universities north of 60 there as well.

So this is, for me, and I think for all of us here in the Legislature, a moment in time when we move forward. There will be lots of bumps along the way, but overall, I am very happy with this legislation. I am very happy that the moment when we are going to get to share all of this or make it official will be at the first graduation ceremony — it all seems to come together.

I am just tremendously pleased that we have this bill in front of us and I look forward to further debate on the bill.

Hon. Mr. Pillai: Thank you, Mr. Speaker. Thank you for giving me the opportunity to speak to this piece of legislation. I would like to thank the minister for her work on this important piece of legislation, but I would also like to take the opportunity to thank those who are with us here today — having a unique experience and watching the work on the beginning of the concept of the university through to the legislation that’s here in front of us today — an interesting ride that the senior management and senior team and board of governors at Yukon College — soon to be Yukon University — have travelled. What a tremendous amount of effort, work, creativity, and innovation that has had to all come into play to understand the pathway that was needed to follow. It’s interesting.

As I look around the Legislative Assembly today, the individuals here in the gallery, me, the minister at the time of the announcement — or soon after the announcement, who is the member for Copperbelt South — and how that came to be. It’s important to touch on how the initial concepts and construct of the institution or the concept or vision toward the institution — where it started, what was the catalyst — and then of course how a number of people came together to bring this to reality which — what a task, when there is no blueprint — when you look across the north and you see that the other territories had not embarked on such work.

There have been conversations over the last number of decades by a number of people who have talked about Yukon College becoming a university. Some of them were people in our community, some were political leaders, and some were academics who have talked about the concept.

In 2011, I believe, it was announced by the previous government that there would be a Yukon university. The vision to have a university, I commend. The challenge was that there wasn’t a lot of homework done.

The minister of the day, the Member for Copperbelt South — who is very capable — was given a toolbox with not a lot of tools in it. I will not forget those initial meetings. At that particular time, I was in a role as an elected member of the board of directors. I was an employee, but I was elected by employees, so my role was to report back on the happenings of meetings to employees of the institution. In those early days, the discussion was around that there was an announcement made. I think it is important to not get into too much of a challenging conversation on such a positive day, but just to set the tone of how things maybe were done.

When that announcement was made, there was not a discussion with the institution at the time. It was simply a walk into an area that staff and students all tended to congregate in, and there was an announcement made that day that the institution would become a university. Shortly after that, there was an opportunity to meet with the minister of the day. The minister of the day appropriately committed to ensuring that the Department of Education would quickly rally to support the initiatives of the institution as the pathway toward a university was defined, but there was no plan. I think for everyone — whether it was the senior team, staff, or students — it all had come a quick surprise during a political announcement. At the same time, I think that everyone was up for the challenge.

It is extremely important to commend the president, Karen Barnes, for the work that was started on that day through to where we are today and her many strong supporting team members who have got us to this point. You can imagine waking up and finding out that, in the work you’re doing, you are taking a very strong turn to the right or left and that you haven’t really had a lot of time to think about what that looks like, but you have to now have a look around the north at other institutions and come up with a plan that fits the Yukon.

What has happened over the last number of years is that the team at Yukon University has essentially gone into the communities time after time. I think that the Member for Porter Creek North — who, in her modest way, did not touch upon the fact that she’s a former chancellor of the institution and knows it well — went in and spoke to members of the community in life to talk about what the vision for Yukon University was, what a hybrid system would look like, what the things are that should be kept, what the future of the Yukon economy looks like, what the contributions are that an institution of this type can lend to the fabric of our community, what the richness of international students will look like, and what it means for Yukoners to be able to stay home and seek their education or go back to increase the quality of their life at a different point when an educational path is something that fits into their life at that particular point — so all these very, very important things.

I believe that we’re here today with a piece of legislation that truly reflects years and years of work by an incredible group of people who have come together to show us and work with our Department of Education and Advanced Education

team to put a policy together and a framework that will reflect what they've heard and is an accurate depiction of what Yukoners want as a pathway forward.

I would also like to touch on the fact that — I want to commend the university for the work that they're doing around indigenous governance. I had an opportunity, for a small point in time, to work with the president and others on this topic of governance and bringing it here. It's certainly not something — I was just an individual in a continuum of time who got to work on a project such as that. Actually, long before I ever got a chance to do that work, the Minister of Health and Social Services worked on concepts of this in her time at Kwanlin Dün First Nation years before I had an opportunity to work on it. There have been many, many others who have worked around this.

I think it's important to commend Tosh Southwick and her work, because really, as an individual, with the support of the board of directors and the president, she has become the person who people look to in this work. I know there are others here today who I have seen in the gallery who are also key instructors and coordinators on this work, but I think it's important when you think about what she has been able to do with the support of her senior leaders and what has happened with indigenous governance. We have been so lucky to see people with amazing understanding and capacity in their work around 11 self-government agreements in the Assembly. We know that constitutes just under half the total number of agreements that exist in the entire country. We know that there are somewhere around 80 different nations that are seeking some level of modern treaty, and as they move toward that, they will be seeking guidance, capacity-building, and understanding of implementation of the agreements from others. That, until now, didn't exist.

Part of the work that I had an opportunity to do was to meet with First Nation leaders who had signed modern treaty agreements outside of Yukon and to talk to them about: What was it like Monday morning after you signed an agreement? What did it look like?

Part of the work was to define a curriculum that would meet the needs — maybe not just of the indigenous governments but also the work of the public service at both the territorial or federal levels across the country. What you quickly come to understand is that there was no manual on Monday morning. I specifically remember conversations in Tsawwassen where Chief Ken Baird said, "You know, I went to work on Monday morning and there really truly was no template to follow."

When you look to the Yukon and you think about all of the indigenous leaders — but you think about all the amazing people who have worked in different levels — some of them across the way from where I am now — who have worked at the federal level, the territorial level — they have a tremendous amount of experience — all of those people do. Being an epicentre to share that knowledge — I think that is a very valid ambition and something that Yukon University has been doing well and will continue to do well.

Also, we'll continue to see, besides that, the trades that are so important — not just here — we see across Canada the need for people in the trades. It's a very important route for many of our youth. I'm excited. This week, I just received an e-mail from Porter Creek that the grade 12 class will be attending next Wednesday to have a session and they can do a tour afterwards. I know lots of young people there. I'm hoping that not just some of the programs on the art side or the science-based side — but also that some of them will be looking to undertake educational enhancement or work toward a red seal. There are so many — the institution did such a great job of offering so many of those different trade routes.

Also, it's so important — but I think it's an opportunity for us today to just talk about a couple of other things that they do. The institution — the university — has done such a phenomenal job on providing master's degrees, whether it be previously from time to time in social work, MBA — master's in business administration, education — these partnerships. I still think that is something that will be very important for as we move on to see those opportunities where individuals want to go back and increase specific educational understanding and the university of course will be able to continue that. It will build off of their own as they grow and evolve and having those strategic partnerships has been extremely important.

On the research side — and there's some of the research team here today — I know that the Minister of Community Services talked about his former boss. I'm going to get in trouble with some of my former colleagues, but I also want to touch on an individual named Clint Sawicki. I can still remember — many can — when research at Yukon University was two people, first of all, who were in the administration, sitting at a desk. I may be off a bit, but I can always remember seeing Clint and usually a couple of people who worked with Clint in his role. What an individual — he just continued to take on opportunities and to grow the research side of the institution. He had a vision and he aligned and executed the vision of multiple presidents to lead to what it is today.

For many in our community who haven't had an opportunity to walk around the campus — they sometimes have preconceived ideas about what happens on the campus. It is so important. I urge individuals — if they've been there — to go and walk the institution or to educate others about what happens.

One statistic I always get excited to look at — every year, Canada's top post-secondary institutions put out a list of statistical information. In 2018, Yukon College was — they have the top 50 research colleges. They also do one for universities. If you take the amount of research that is done at Yukon College and you apply that to where universities are, they rank really high as well. Yukon College ranks 15th in the entire country. They have 50 here that are listed. This is about research dollars being brought in and really amplifies the success that the institution has had.

In that list — when you think about it — schools such as Humber College — just to give you an example — has 31,000 active students, 6,000 international students, 220,000 alumni, and graduates 10,000 students a year. Yukon College ranks

higher when it comes to research. When you think about institutions such as Camosun in British Columbia where there are 18,500 students — but that team in the gallery outmaneuvered — strategic in what they do — and ensures that the entire country, if not globally, understand the important, unique, and significant work that happens at the institution.

I want to also take a moment to thank Shelagh Rowles for her work around the Centre for Northern Innovation in Mining, which is an initiative started a number of years ago under the previous government. It is an important initiative. Now, I'm excited about the conversations that we have that are evolving that into not just thinking about extraction, but also where we go when we think about reclamation. The challenge becomes — in the world of extraction — an exciting, major input into our economy, but we also know that we have — for sure, whether a commodity goes up or down — at least in the short run — \$1.3 billion allotted to the Yukon for cleaning up and reclaiming mines. That is important work, and the Centre for Northern Innovation in Mining continues to see that, and they pivot to ensure that the work they're doing is relevant and also continue to work with their advisory board on the mining sector.

Innovation and tech — I am excited about the Cold Climate Innovation Centre and their work now and re-focus on innovation and entrepreneurship. Their team — again, another extremely talented group of people coming together — taking a look at the entire ecosystem of entrepreneurship and understanding where there are potential gaps in place and where they can fit in and ensure that people can scale up, they can expand, and they can commercialize — and so making those adjustments. I know that the Department of Economic Development is fully behind them and excited about those particular changes as they focus on supporting research, development, and troubleshooting unique problems facing Yukon's cold climate, but also working with innovators and entrepreneurs to take their ideas from concept to market, as well as a strong focus on working with women and First Nations.

I was happy to hear the opposition talking about the international student population and how it is an extremely relevant part of anybody's business plan as a post-secondary institution, but also what it can bring to us. So, I am excited about a number of things.

I think, just in closing, I want to thank and congratulate the team that is here. What a phenomenal, phenomenal job. I am also going to pick on Jack Hébert, because I still remember the first day that you walked in — I got to sit next to you — and you started telling the story for the team who is there, who have led on research — all of you — congratulations. I look forward to us passing this monumental legislation.

Ms. Hanson: I hadn't really intended to speak much to this bill because my colleague has ably done so, but I am just reminded by the Member for Mount Lorne-Southern Lakes — in his comments — that we forget the cycle of debate that goes on in this Legislative Assembly. I recalled then, when he was speaking, that on December 10 — which is the International Day of Human Rights — 2014, five years ago — we had a

debate in this Legislative Assembly that centred around what if — maybe — the university kind of idea.

I recall that, at that time, I had just finished reading what I still think is a pretty amazing book by John Ralston Saul called *The Comeback*. As a typical John Ralston Saul book, *The Comeback* has neither a simple title nor a simple premise. The title itself — this is the whole title — is actually: *For the last hundred years, aboriginal peoples have been making a comeback — a remarkable comeback from a terrifyingly low point of population, of legal respect, of civilizational stability. A comeback to a position of power, influence and civilizational creativity... The Comeback*. Anybody who has seen Dr. Saul speak will know that he is fairly theatrical in how he presents.

The reason I was intrigued by the comments that the Member for Mount Lorne-Southern Lakes made was that it reminded me of one of the chapters in that book that John Ralston Saul wrote that spoke to the very issue of our presence in the Arctic and what Canada says or doesn't say about those things. In that book, he talks about how the comeback is basically a comeback from the sympathy of outsiders and the sympathy of racism. He talked about the challenges and some of the opportunities that we have. As you will recall, his wife is the former Governor General, Adrienne Clarkson, and they had a huge passion for the north and for the Arctic in particular. Their particular focus during her tenure as Governor General was on circumpolar issues and the Canadian Arctic in particular.

I am just quoting here from the book *The Comeback*. He said, "Canada was also the leading force in the creation of the virtual circumpolar University of the Arctic, but then, early in this century..." — the 21st century — "... the circumpolar world came on board and we were faced with the threat of having to take responsibility for our idea. Worse, we might have had to demonstrate our commitment by hosting the university in Canada."

"My God!" — he said — "Money might have had to be spent on strengthening our northern society. So of course we backed off as fast as we could, and Finland, so much bigger, so much richer than Canada, took over the leadership." This was a bit ironic.

Mr. Speaker, one of the challenges is that — just as the Member for Mount Lorne-Southern Lakes said — which is what reminded me — he said: "Worse still, Canada remains the only circumpolar country without an Arctic university." I can remember using this argument several times over the course of the 33rd Legislature — as to why it made no sense for us not having a northern university and of course for that northern university to be located in the Yukon.

He said, "Why is there no Arctic university? Apparently, we can't afford one. Greenland can, population 56,840. Iceland can, population 324,000. Norway can, population 5 million. Finland can, population 5.5 million."

"Besides, we don't have a large enough northern population..." — is his arguments made — "... to justify a university. Except that our northern population is one of the largest among the circumpolar countries..." when you look at the north and what they define by that.

“The real difference...” — John Ralston Saul says, Mr. Speaker — “... seems to be that the southern-based leadership of the other circumpolar countries actually believes that their north is an integral part of their country. It’s a small detail, but one worth considering”.

It seems to me that one of the challenges that has been overcome over the last five years is getting an understanding that our northern perspective is worth considering — not only considering but investing in it.

Mr. Speaker, there are many, many challenges to establishing a university but it’s not because of the small nature of our population. We all have seen universities across Canada, whether you’re in Wolfville — which, sure to heaven, is much smaller than Whitehorse and has hosted a very successful university — Acadia — for many years — or the alma mater of several across the way in terms of Antigonish, which is also very small.

Mr. Speaker, size isn’t the issue here; it’s what we’re willing to do in order to ensure that the focus of this university is on the north, for the north, by the north. From that, I’m hoping that the expanse of what we define by that is not constrained by the borders of the Yukon but the circumpolar.

We will be looking forward to the evolution of Yukon University. It’s early, early days, but it has a good start.

Speaker: Is there any further debate on second reading of Bill No. 2?

If the member now speaks, she will close debate.

Does any other member wish to be heard?

Hon. Ms. McPhee: Thank you very much to all of our colleagues who have spoken to Bill No. 2 today.

I have heard some amazing comments and I look forward to of course more debate, but today is a day for more general comments and an opportunity to thank everyone who has spoken here today, as well as those who have been involved in getting us to having Bill No. 2 on the floor of this Legislative Assembly — all at the Department of Education, the Department of Justice, and of course at Yukon College. I really want to take this opportunity to thank the countless — maybe I should say thankless — hours that have been put into getting us here today. All of them know how much work it has been, but it really is an exciting opportunity here to bring this legislation to the House, the next step in the evolution of Yukon College.

I won’t take too much time, but it’s important to recognize that this bill and Yukon College becoming Yukon University really represents opportunities for all Canadians and all students who may want to come here. I note the comments about our sinister plots — I hope that’s not the headline that we end up having — that Yukon College has sinister plots — and I expect that this will not be the case, because I will correct it quickly. But certainly the beauty and importance of the Yukon Territory do bring people here for all kinds of reasons, and the Yukon College — soon-to-be Yukon University — will be a major piece of that draw.

It does represent opportunities going forward for everyone in all parts of the world to do part or all of their post-secondary

education here in the territory, to learn the pieces of the north and about the pieces of the north and to bring their perspectives, which is very exciting.

Yukon College, Mr. Speaker, is already a leader in Canada. We have heard lots of reasons why. We have also heard from the former Leader of the NDP about why this is the time. I certainly agree with her. One of the privileges and pleasures of the role that I carry both as Minister of Education and Minister of Justice come together on certain pieces of legislation — this is certainly one of them. It is an extraordinary experience.

It is one of the highlights of the honour and privilege that I have in having this job to be on the floor of this Legislative Assembly with a former chancellor, former students, and former educators and lecturers from the Yukon College to debate and discuss this important step in Yukon history. To be in this House and to have all of the depth of experience and knowledge as we go forward to debate this opportunity and this piece of legislation to be the next step in the evolution of Yukon College in its evolution that has been more than 50 years is truly a privilege and opportunity that I cherish.

I’m really so proud to be part of this process and I know that those of my colleagues who work at the Department of Education and the Department of Justice who worked on this legislation are so proud as well of the work that has come to fruition here in Bill No. 2. It’s really an opportunity for me to say thank you to all those who have brought us to this place — one stepping stone in this long journey as we go forward.

I will note — as quoted by the Member for Whitehorse Centre — the importance of the north in this context, and I certainly appreciate Mr. John Ralston Saul’s views of it because I think we’re catching up. The importance of the north is being recognized here in Canada, Mr. Speaker, and in the world, not only the circumpolar, but in Canada’s north, and it is time for us to take this step — to step into these shoes and let all of the world know how unique and special Yukon College — soon-to-be Yukon University — is. I certainly look forward to further debate on the floor and I appreciate everyone’s time and comments today.

Speaker: Are you prepared for the question?

Some Hon. Members: Division.

Division

Speaker: Division has been called.

Bells

Speaker: Mr. Clerk, please poll the House.

Hon. Mr. Silver: Agree.

Hon. 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: Agree.

Mr. Kent: Agree.

Ms. Van Bibber: Agree.

Mr. Cathers: Agree.

Ms. McLeod: Agree.

Mr. Istchenko: Agree.

Ms. White: Agree.

Ms. Hanson: Agree.

Chair: Mr. Speaker, the results are 18 yeas, nil nays.

Speaker: The yeas have it. I declare the motion carried.
Motion for second reading of Bill No. 2 agreed to

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

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

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Deputy Chair (Mr. Adel): Order. Committee of the Whole will now come to order.

The matter before the Committee is continued clause-by-clause debate on Bill No. 5, entitled *Liquor Act*.

Do members wish to take a 15-minute recess?

All Hon. Members: Agreed.

Recess

Bill No. 5: *Liquor Act* — continued

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

The matter before the Committee is continued clause-by-clause debate on Bill No. 5, entitled *Liquor Act*, continuing debate on clause 30. Mr. Streicker, you have 17 minutes and 46 seconds.

On Clause 30 — continued

Hon. Mr. Streicker: Thanks, Mr. Deputy Chair. I certainly won't need that amount of time. I just want to welcome back the officials — Ms. Groenewegen and Ms. Markman — to talk to us today. I'm looking forward to continuing debate remaining.

I will add one small piece of information. When we were last speaking in Committee of the Whole, there was a question which was raised about hours of operation and how that will work. I have clarified with the corporation. So the hours of operation — how it sits today, for example — the licence goes until the hours in which they serve alcohol. That's the time in which the hours of operation end. There is a one-hour period after the end of that operation when they're still able to allow their customers to finish up their drinks or their food, at which time they have to vacate. That's how it is also being prepared here in this bill. But it will also depend on how we write the

regulations. But I just wanted to indicate to everybody here that there was no intention of trying to change that.

So, I just wanted to make that clear. I won't worry about a legislative return now based on that question earlier. With that, I look forward to further clause-by-clause debate.

Ms. Hanson: I appreciate that reply with respect to that extra hour.

I have a question with respect to 30(g) — “liquor may be sold at licensed premises only during the prescribed hours of operation.” What criteria are used to establish the process for determining what the prescribed hours are?

Hon. Mr. Streicker: In the language of the act, “prescribed” means that it will be set in regulation. The question from the member opposite was: What goes into setting those? Again, I turn back to the purpose of the act and those pieces, but I will also say — as I mentioned last time here in the Legislature — that we have been in conversation with, for example, the advisory committee and also there is a hospitality group — or a food and beverage group — with the Chamber of Commerce. We have been in discussions with them. We have also reached out directly to our licensees to talk about — so if we are speaking here under the off-premises — what, in plain language, I will call the “offsales” hours of operation — we are contemplating setting those by regulation. As I indicated earlier, I think that part of this is that we will look at those hours to reflect the purpose of the act and to complement the primary businesses, whether that is as a bar or as a restaurant selling alcohol.

Ms. Hanson: In addition to the businesses and those who have a vested interest in selling, is there any provision for outreach to, say, the umbrella organizations of NGOs — like Safe at Home — which represent the social side of the implications of prescribed hours?

Hon. Mr. Streicker: The answer is yes. Let me explain it this way: Through all of our engagement around the act, what we had discovered was — and through the advisory group — they made recommendations to us to reduce the offsale hours somewhat. We took that advice, and we began doing some of the groundwork. The way we did that was to check in with the licensees to see whether they would be supportive of reduced hours. That was how we proceeded.

So it was based on the initial conversation by those groups — Safe at Home, et cetera — about their suggestions — and the advisory group which sat down and had both licensees and groups that were dealing with health and wellness. That was the overall direction that I took out of that group, and that was what prompted us to start to reach back to the licensees to see whether they would be comfortable with some of those options.

What I will also say is — always try to remain open to those groups and hope that, if they have any suggestions at any time, whether or not it is here — in the development in the act — if there are concerns, I just always encourage those folks to reach out to the corporation because I think that we do want to hear from them.

Ms. Hanson: With respect, ministers are transient. It is good to hear the intentions of the current minister, but that is not 10 years or 15 years from now.

It is difficult to suggest that, if my money-making machine is making me money, I am going to voluntarily say that I am going to give up making that money.

I guess what I am looking for is that — the current government has heard expressed views, but how does that carry forward in terms of setting some parameters around how future decisions will be made in determining the hours of operation for selling of alcohol beyond what would be considered normal business hours?

Hon. Mr. Streicker: Again, I will point back to 30(c) where we say that the conditions of the off-premises licence — they need to complement the main business. That is the first place. Again, what we're trying to say here is that here we have the tie-back to the overall direction of the act.

What I will say for members opposite is that of course any future government may choose to write a new regulation — for example, they may also choose to amend the legislation through this House. We are not quite there, but I will say that, by reaching out to the licensees, I actually got back a favourable response on adjusting the hours of operation for offsales.

I am not trying to say that everyone was in favour of all things. What I am trying to say is that, in the balance, it looks pretty good to reduce the hours. I can recall the Chief Medical Officer of Health suggesting that this was an important piece and this was shared at the advisory group table. It was also discussed in balance of both licensees and those folks who work on reducing the harms of alcohol. That is the first piece and there was a good conversation there. It led us to reach out to licensees. I had a somewhat favourable response.

The other thing I want to say is that, while regulations can be changed in the future, under the conditions here, they are still going to have to overlap with the primary business. So, you can't run a restaurant for two hours and then run offsales past those hours. There needs to be that overlap. So there are some parameters that will hold through the act, but of course it is very difficult to talk about future governments and what directions they choose to take.

Ms. Hanson: I don't want to belabour the point, but I'm going to — just because we have already shown through the conversation last week, Mr. Deputy Chair, that we have situations where, for all intents and purposes, the food primary licence is not connected in a material way with the off-premises sales — distinct physical plants — not the same. So, are the pub and the liquor store expected to have the same hours of operation?

Hon. Mr. Streicker: I misspoke a moment ago, so I want to just first of all correct that. It is possible under the new act that we can get to offsales hours which extend beyond. So, I was incorrect when I said that you can't be beyond those hours. Let me just correct that for the record first.

Let me come back to a point. The member opposite is talking about situations that we see today in the community.

What we have contemplated in development of this act is not to create stand-alone liquor stores. Okay. So there are basically two places where we're working on this. The first place is here. We didn't create a licence, for example, for stand-alone liquor stores, and we also say, within the act — and I'll

get the appropriate clause — that in order to create a new class of licence, you would have to go out and consult with the public. You can't just do it directly through an OIC. Under section 30, what we're saying is that the offsales must complement the main business. Okay. Then we will work through regulations to get some parameters around that to shape it.

I want to be careful. I appreciate the criticism or the observation that the member is raising in the Legislature, but it's under the existing and current act, not the bill that's in front of us. Part of where we get to with this dialogue is to say that it's in the regulations that are to come. To date, I don't have those regulations in front of me. I have given some indication of where we're heading, based on the conversation we have had with the advisory group — and for that matter, licensees — but the place where I'm pointing to under the act is that it needs to complement the primary licence — whether that primary licence is a restaurant that serves alcohol or a bar, the offsales must complement that.

Just for clarity's sake, what I'm referring to is a new class of liquor licence. It's under section 25(2) that a new class can be created, but under section 25(3), we would require that there is public consultation before doing such a thing.

We did not put in a liquor store as a class of licence. We said here, under this section, that if there's going to an offsales, it must complement the primary business.

I'll answer more questions as we go.

Ms. Hanson: Then my question is: Will those operations that are clearly running contrary to what the intent of the new legislation is be allowed to be grandfathered in? For example, when an operation has the so-called food part open 11:00 a.m. to 10:00 p.m., but the offsales are open 9:00 a.m. to 2:00 a.m., how does that complement the food part? I don't get it. Are they going to be grandfathered in?

The separate website that's currently up again, which I understood says that the pub hours are such and such and the liquor store hours are such and such — that's under — I'm presuming — I'm not sure how that complies with existing licences — but if we're not talking about this in the context of the future, are those operations going to be grandfathered in and allowed to do what they can't do under the future act — what they're doing now?

Hon. Mr. Streicker: It's a great question that the member opposite is asking. I get that the answer that is being sought is clarity today on where this is all heading in terms of what the existing situation is. I will also say that, because it's part of the regulatory approach and it is part of the transitional approach, we haven't answered all of these questions yet, and so I'm not able today to give an answer in the legislation that we're debating about what will happen in the transition of those regulations.

But I will say that I have had conversations, for example, with the business that is right across from the emergency shelter and I will say that we've been looking for a solution to that situation. So, I can see that there are specific places where this issue arises.

What we anticipate — the question about whether a business that exists today can continue to exist — we anticipate that there will be some elements that will be grandfathered in. For example, there are some aspects that we think might be grandfathered in, but there are other aspects which we believe will be transitioned out and that's why we will develop those transitional regulations. For example, I believe that — in my remarks in either Committee of the Whole introductory remarks or my Second Reading speech — that we were going to go through to March 2021 on the current licence types, but that we would transition everybody to April 1, 2021.

Because we haven't yet resolved what elements will be defined in regulation, I am not able to answer the question today. What I will say to the member opposite is that this is a very pertinent question that we have been working through all along in the conversations both internally with the corporation and with our advisory group — this very conversation.

Ms. Hanson: If the corporation received an application from a proponent, would it be considered to be consistent with the proposed section 30(c) — a complement to the main business — if the operation offered food from 10:00 a.m. or 11:00 a.m. to 10:00 p.m. and offered alcohol from 9:00 a.m. to 2:00 a.m.? Does that satisfy the legislative requirements of complementarity? I would argue no, but I am very interested in hearing what the position of the minister is with respect to this legislation.

Hon. Mr. Streicker: I will try to give a few pieces of information to add to this. For example, if people are coming forward with a new application today, we are already talking to them about our intention to introduce the new act by April 2021 and that people coming in today will be expected to work under the new act — presuming we pass it here in this Legislature — and the regulations that are to come. So we are in that conversation with them already. I have already said that, through the conversation that we have had through the advisory group, we are working to generally reduce offsale hours, and we have been in conversation with licensees about that.

The example for me is not a good one — the one that the member opposite gave — it's a hypothetical, I get it — but we are already trying to say — and I have indicated already here today — that we will look to reduce offsale hours generally. But if I take the spirit of the question, which is: Suppose someone came to us with even those reduced offsale hours generally for the territory, but still didn't want to operate their business — their restaurant, for example — for the same amount of hours — maybe it was a lesser amount of hours — would we see it as complementary?

What I have been trying to say is that is the whole conversation that we are in right now — is what does “complementary” mean? How will we define it?

The problem is that this conversation is an ongoing conversation at this moment, and it hasn't resolved. I don't have the concrete examples other than those that I have already shared about, for example, offsale hours, and because it is a live conversation, I am not able to give an answer here today. I am saying that “complementary” is where this all hangs and we are in the middle of these conversations at this moment — about

how we will create regulations that will complement the primary licence, whether that is a bar or a restaurant.

Ms. Hanson: Then the question would be: Why wouldn't the government have chosen to use the words “same as”, as opposed to “complement”? If the intention in terms of — you get an offsales licence if you are ostensibly doing it in conjunction with food service and having a food primary — because you have a restaurant that incidentally serves alcohol — but what you have done is facilitated the creation of just another marketing opportunity.

That's a question and a statement. Rather than wasting Question Period time, I will ask the minister — because I pointed out two or three examples of current websites that clearly advertise that they are a restaurant or a pub and a liquor store. What actions will the government take under the current legislation? Or is that okay? I guess the first question is: Is that okay? Secondly, if it's not okay, then what is done to modify or change that so it accurately reflects what the provisions of the act — and the licence, I would guess — provide for?

Hon. Mr. Streicker: I'll give three, I hope, brief answers on three separate points. The first one is why use “complementary” and not “same as”? First of all, they are different things — the offsales and whether it's a restaurant serving liquor or whether it's a bar — they are slightly different things. As I have already just stated, we have been working to see those hours reduced. You wonder, if you would say “same as”, whether they have to stay open for the same number of hours, and that's not what we're thinking; that's not what we're contemplating. The word “complementary”, I think, is the preferred word, just generally.

The second one is — I thank the member for raising the concerns about the ads today and when we were last speaking here in Committee of the Whole. The corporation is following up to try to address those ads. I have been in contact with the president of the corporation to try to address it. I can try to follow up with the member opposite directly. When we see these things, we do want to address them.

They're sitting under the current act, not this bill that we're proposing. Under this bill, as it's proposed in front of us, there are all sorts of new, explicit conditions about advertising built into what will become the act — we hope — that are not there under the current act. This is one of those things that we're trying to clarify to make sure that there is more explicit language around advertising to make it easier for our enforcement officers to enforce and to make sure we get this public communication right about alcohol.

Those are the three issues as I see them, and I'm happy to answer further questions.

Ms. Hanson: I appreciate the minister's answer; however, the discussion we had with respect to advertising largely revolved around ensuring compliance, as I recall it, with the CRTC's regulations and requirements around advertising — and it was enhancements or things that would entice or whatever — but when you simply have a blatant statement or the two words “liquor store” — the CRTC isn't going to say anything about that. It's pretty clear. It's how you might advertise or entice people to get into that liquor store. I'm not

asking that question; I am just asking the simple question about a liquor store/restaurant.

Hon. Mr. Streicker: Again, we have seen the advertising. The corporation is working to address it. We are not, through this legislation, trying to create liquor stores. I hope I am making that clear — private liquor stores, pardon me. I appreciate the concern being raised and we are working to address it.

Mr. Deputy Chair, this bill in front of us does not contemplate a private liquor store; therefore, if someone today or in the future advertises for a liquor store, we will work to correct that.

Clause 30 agreed to

On Clause 31

Ms. Hanson: In reading the conditions of a manufacturing licence, I just had a question with respect to 31(b). It says, "... the licensee may sell liquor to individuals for consumption elsewhere than at the licensed premises that has been produced under the manufacturing licence..." — so we look at one of the local breweries — "... sold to the liquor corporation and purchased from the liquor corporation."

I am just looking for clarification. So a Yukon brewery can't sell the beer to the bar, they have to sell it to the Yukon Liquor Corporation and they have to buy it from the Yukon Liquor Corporation? That is my question. Is that what this is saying?

Hon. Mr. Streicker: Yes, that is correct. It's a paper transaction, not a physical transaction. In other words, in order for us to track all sales and monitor all sales, we have this record of transactions. So effectively, what is happening is, if someone is going by one of our local breweries and they're getting a growler filled, that's deemed to have been sold to the corporation and then sold to the customer. The difference is that we don't add any cost of service to that product, so that is a way where we don't have to handle the product, so that is an ability to support those local manufacturers.

Ms. Hanson: I have a question with respect to section 31(d)(ii) where it says: "... the licensee ensures that drinkable water, or one or more other liquids that are suitable for drinking and do not contain liquor, is available for sale or service..." I saw this in a previous section, and it just raises the question — it implies that a bar or a licensed premise could charge for water. I thought that one of the expectations was that bars — any licensed premises, any premises — should give water to anybody for free, and basically, if you're talking about selling it, that presumes that you're looking at containers, which then goes back to the whole issue of zero waste — and why would we be encouraging that? I'm questioning the way this sentence structure is and why we wouldn't be clear that we expect potable water to be available to all for free.

Hon. Mr. Streicker: What it's saying is that we want to make sure that customers who are at, in this case, a manufacturer's establishment, just probably as it is in all the others — and I'll look back — in all of these conditions, we want to make sure there is access to some food and some water or other non-alcoholic drinks. We're not telling the licensee whether or not they — we're not requiring them to sell it if they

don't wish to sell it. They can just serve it. It just has to be that it is accessible for customers.

We have left it to the private sector to make their decisions about whether they provide water — tap water, potable water — free of charge or not. Most establishments that I have seen offer water from the tap as just water from the tap, at no charge. I have not seen that. We haven't contemplated the question, I think, that the member opposite is posing, but neither do we force the licensee to charge. It is their discretion. They could, for example, provide some sort of carbonated water or something, and they may then charge for that. I don't know. That is their discretion.

Ms. Hanson: The minister would know that the next part of that question is that — in terms of social responsibility in many places — the expectation is that — in terms of encouraging safe drivers or having a safe driver among the party or whatever — bars and other establishments are encouraged not to charge for non-alcoholic beverages to ensure that we are not increasing the likelihood that everybody who is in that vehicle is going to be drinking. Why wouldn't we be building some provisions in our legislation that talk more overtly about encouraging that social responsibility piece as opposed to sort of saying, "Well, maybe you may have to have it?" It doesn't indicate that we are encouraging anything other than the sale of non-alcoholic beverages and water.

Hon. Mr. Streicker: I thank the member opposite for the suggestion. Typically, I think of this as a good business practice, and it is not one that we have attempted to regulate in the past. We understand that, under the act, we can introduce future conditions through regulations, should we wish. I thank her for her suggestion.

In my experience, this is generally happening out there in the private sector, and I thank them for it. I hadn't yet contemplated trying to regulate where it is already a good business practice.

What I can say is that we have the ability to regulate it should we find that there seems to be a creeping issue where it is not very accessible. We could work that direction. We just hadn't contemplated it at this time.

Clause 31 agreed to

On Clause 32

Clause 32 agreed to

On Clause 33

Ms. Hanson: I have a couple of questions here, I think.

When I was looking at 32, which outlines the duties of the president on the receipt of an application for licence — and it talks in subsection 7 of 33: "The president may, for the purposes of informing the board's consideration of an application, arrange for one or both of the following..." — it talks about an inspection. So (b) is: "... an investigation that the president considers necessary for those purposes to be carried out."

My question is: What would be an example of a motivation behind an investigation? I'm wondering whether or not the president has — we've seen in other jurisdictions where, say, the Hells Angels get involved in operations of bars — and is it related to those kinds of concerns that may be out there or

criminal activity, for example, that may be behind an application? What would be an example of — or would it be concerns about where the source of funds is that are — what's the derivation of the investment that is backing this organization or this proponent? I'm curious as to what would be a trigger for that kind of an investigation.

Hon. Mr. Streicker: The type of thing that might be typical here is sort of the layout of the proposed establishment, whether the fire regulations are correct around the seating capacity, whether there is — so they might get the fire inspector to come in and look at the seating capacity and what's going on and make sure that there is enough egress. It might be with environmental health — issues around washrooms, again, around seating — things like that. So they are issues that are technical in nature that the president might request more detailed information about in order to support the board in their analysis of the suitability of the applicant on the application.

Ms. Hanson: So it's really the infrastructure issue — it's not really looking at any of the aspects of proponents. Following on that, section 8 talks about: "Section 30 of the *Access to Information and Protection of Privacy Act* does not apply to personal information (within the meaning of that Act)..." — so the information that is — "... collected under paragraph(7)(b)" — that the president has an investigation that he thinks is necessary. So, he can do that and the investigation is not subject to section 30, which is really all about the collection of information. It talks about how personal information is to be collected and only outlines that it is supposed to be collected from the individual, unless it is authorized by the commission under section 42 or an act of Parliament or the Legislature. So, what we are doing is putting that in this act here.

My question is: How is that information to be collected, and is there a positive duty to inform the applicant that personal information is being collected?

Hon. Mr. Streicker: The answer is yes, Mr. Deputy Chair. We are just sort of a little bit ahead here. I will beg your indulgence, Mr. Deputy Chair. So, under section 36 is where we have the consideration of the application — and you will see that under 35.1 — "... the president must give the following documents to the chair, and serve a copy of them to the applicant..." There is information which is collected and the applicant gets to see it and so does the board. The president is collecting the information and gives it to the board and then, once we get to 37, that is when the board will use the information that is collected and take its decision. The answer is yes — it is shared with the applicant.

Clause 33 agreed to

On Clause 34

Ms. White: I am trying to read the cannabis legislation at the same time off of my very small phone. One of the questions I have — and the minister will know this because we also had conversations about the cannabis legislation, and one of the points that I brought forward is my hope that the liquor legislation would be as strong as and have the same requirements as the cannabis legislation.

So, looking at the public notice of application, is this similar in time frame to the cannabis legislation?

Hon. Mr. Streicker: Generally speaking, we built from the *Cannabis Control and Regulation Act*, but I wouldn't say that it's always the same, because at times we even tried to strengthen some things. In this instance, we said that there needs to be some sort of advertisement on the site as well. We think that's a good practice. I hope that, as we leapfrog with these pieces of legislation, Mr. Deputy Chair, one of the things we will be doing when we go back and do the review of the *Cannabis Control and Regulation Act* is seeking to try to update, through our experience, this act as well. I am hopeful that it is the same or better. In this case, I think that this is the case.

Clause 34 agreed to

On Clause 35

Ms. Hanson: I just have a question. This is about an individual who wishes to object to the granting of a licence and must do so in writing, but there's nothing to indicate what objective criteria might make a valid objection. How do you determine — so I don't like it. Are all objections treated the same, or is there weighting in terms of validity? I don't understand. This is a very blunt statement and it doesn't sort of get to what could be vexatious or what could be a very valid and serious concern.

Hon. Mr. Streicker: The validity of the objection is at the discretion of the board itself. You will see that coming up under section 38(1) where the board would hold a hearing.

If, for example, we get what we might call "nuisance objections" — where people are just objecting in order to try to obstruct or something — there are ways in which to introduce regulations that would say, "Okay, here are some criteria around that." At this point under the act, that is not there. The objection is at the discretion of the objector — what they deem to be objectionable — and they issue that in writing. The board considers it, and the board makes a determination about whether or not that is a valid concern — or maybe even shades of gray — whether that concern would affect their decision.

Clause 35 agreed to

On Clause 36

Clause 36 agreed to

On Clause 37

Clause 37 agreed to

On Clause 38

Clause 38 agreed to

On Clause 39

Clause 39 agreed to

On Clause 40

Clause 40 agreed to

On Clause 41

Clause 41 agreed to

On Clause 42

Ms. Hanson: I would appreciate it if the minister can explain the mechanics of clause 42, which speaks to licensees and premises. It talks about a licence being valid only for the licensee and in respect of the premises for which it is granted.

What I am trying to get at is: Can somebody sell the business and still have the licence?

Hon. Mr. Streicker: The answer is that, if the premises are sold, the licence does not automatically transfer to the new owner. There is a clause coming up — clause 48 — called the “Application for transfer of licence approval”. Basically, what we have said in here — and similarly under the *Cannabis Control and Regulation Act* — is who the owner is and the directing minds are an important factor in this. What you’re saying is that you’re welcome to sell your business, but the new owner would have to go through a licence application as well.

Much of that, we’ll try to expedite. If the business isn’t changing its operation generally — if the staff are not changing, et cetera — all those sorts of things — I think that can be moved through pretty quickly, and we can focus on those elements that are new. In this case, it would be the ownership.

Mr. Istchenko: It also says, in clause 42, if “... the licensee dies” — so my question is — it sounds like the answer might be the same as the one the minister just gave to the member of the Third Party. But I’ll just give you an example: If something were to happen to the licensee today and they have a big event tomorrow, does the bar lose its licence and everything is cancelled?

Hon. Mr. Streicker: My apologies. I missed the question. If I could just ask the member opposite to repeat for us please?

Mr. Istchenko: In section 42(2), it says, “A licence is void by operation of law if

“(a) the licensee dies;

“(b) the licensee sells or otherwise assigns the business...”

The minister was talking a little bit about selling, but if the licensee dies, the way I read it is that it’s void and they cannot operate. My question is — god forbid if the licensee just happens to pass away, but there’s a big event coming up on the weekend — automatically the bar must close, or the premises must close?

Hon. Mr. Streicker: So just a little ahead, under section 44, there is an interim licence which contemplates these types of situations where there is an unexpected transition. So, there is a period of time — I believe it’s up to six months — that would be provided for that transition period for the licensed establishment, should something unfortunate arise.

Mr. Istchenko: I thank the minister for that. But I’m not sure if most licensees put it in their will, but if something happens and you must get an interim — or what — in section 44. So, I’m just wondering — most people will be in shock if something like that were to happen and they probably wouldn’t think that they need to go back to the Liquor Corporation to apply for an interim — and/or whatever. I just wonder how that would be managed. It would be pretty insensitive if an inspector came in and closed them down because they have wind of that.

Hon. Mr. Streicker: My understanding is that this is actually the same under the current act as is proposed here under this act. Our inspectors — they work to guide families or businesses through estate processes. So they’ll be there to try to assist. I really — I don’t want to give the impression that someone’s out there with some chains to put on the door or

something. I think it’s the other way around — that when there is a tragedy, I think that the staff are working to try to assist the families to address — to keep everything working as best they can.

I’ll just wait and see if there are further questions.

Mr. Istchenko: I’m just not sure how the Liquor Corporation or the inspectors would know of this. So, if somebody passes away today in the middle of the night and the bar opens up today, they’re actually not in compliance with the way the act is written right now.

Hon. Mr. Streicker: The member opposite is correct; that is what it is right now. So how would the inspectors know? The inspectors would know if they were informed — that’s all. What I’m trying to say is that my understanding of the inspectors is that they are working with and respectful of the conditions that families find themselves in. I have seen the inspectors work back when they were with the previous government — it was not me who was minister — and I’ve watched them do a good job of trying to work when there was something that was unplanned with an event or a licence. I have seen them try to do their best to assist.

All I’m trying to say is that the legislation — in how it is currently written and how it is drafted here — is merely trying to balance this notion of control for liquor and, as we have been discussing all along, social responsibility and the economic benefits to survivors. The technical point that is here is that, whenever there is a change of ownership — whether it is the sad circumstance of when someone has passed away — we really just want the licensee or the establishment to please reach out to the Yukon Liquor Corporation. We will work to try to help them work their way through it.

Mr. Istchenko: I totally understand that and I get it, but I just don’t think that most of the servers have taken the BARS course and many of them are apt at doing their job. They probably don’t realize this. I don’t think that any of the inspectors are going to go in there looking to shut people down, but I see that there could be times — not following through with it and it should be closed, but they are still open. I guess it’s just something that will have to be dealt with.

Clause 42 agreed to

On Clause 43

Clause 43 agreed to

On Clause 44

Clause 44 agreed to

On Clause 45

Ms. White: This is very similar to section 39 of the *Cannabis Control and Regulation Act*, except the time frame is different. I just wanted to know why, in 45(1), it talks about: “A licensee who wishes to renew their licence must, not earlier than six months nor later than two months immediately before the end of the licence period...” — and then it gives the conditions.

Why is it that cannabis says “not earlier than three months” and liquor says “not earlier than six months”? What is the difference between the two?

Hon. Mr. Streicker: The answer, I guess, is because there are a half-dozen cannabis licences and there are 300 or so

liquor licences. So, it is just an administrative challenge to churn through them all. That's all.

Clause 45 agreed to

On Clause 46

Clause 46 agreed to

On Clause 47

Clause 47 agreed to

On Clause 48

Ms. Hanson: Section 48 speaks to the application for transfer of licence approval. In reading through this, it talks about the various steps that the various parties to this licence may take. My question for the minister is — I don't see any reference to a prohibition of charging for fees. I will just use an example — back in the day, a long, long time ago, I was a cab driver, and taxi licences in some parts of the world are prohibitively expensive. It is plausible — perhaps not probable — in the Yukon that certain liquor licences might be worth a lot of money at some point — perhaps depending on regulations that are put in place.

So, does the act speak at all to prohibiting some sort of a markup on the transfer of a licence?

Hon. Mr. Streicker: I don't know how it works for cab drivers in other parts of the world or the country, but I do understand that sometimes they're very valuable things — fishing licences, other licences. In this instance, you're not selling your licence to someone. You might sell your business, but the licence — sorry — is not transferring over. The new owner will have to apply.

Now, as I have said already, if the new owner is the only thing that is changing in a business, we'll do our best to try to focus on those areas that are new, not necessarily having to go through all the steps. Generally speaking, the application fees are there trying to recover some of the costs that are incurred through the application process itself. Some of that is still to be ironed out — it's not explicit within the act. Again, we'll work from the *Cannabis Control and Regulation Act* and the regulations that followed as a result, and we will then work on how we're going to set those fees.

Just to be clear: You're not selling the licence.

Clause 48 agreed to

On Clause 49

Hon. Mr. Streicker: I will just have to look ahead — I'm just trying to catch — 49 — just a bit of a clarification, and I'll stick it in here under this clause — but also with respect to the last one. When someone re-applies — sorry, if someone sells their business and they have a licence associated with it, what is happening is you're going to be transferring the remainder of that term of the business, but you're not selling the licence.

Clause 49 agreed to

On Clause 50

Clause 50 agreed to

On Clause 51

Clause 51 agreed to

On Clause 52

Ms. Hanson: Clause 52 speaks to warnings to licensees: "The president may issue a warning in writing to a licensee if

the president believes on reasonable grounds that... they have contravened this Act..."

So how many warnings can a licensee receive before other provisions in this legislation kick in, up to and including cancellation of their licence? It basically says that, if the president believes that it is not appropriate to vary the conditions or to suspend or cancel it, they can give him a warning — or they think that the licensee is likely to be able to carry on business without further contravention.

So, is it *mea culpa, mea culpa*, you're out? Is it three strikes? What are the essential expectations around somebody who is maybe a small-time bad operator — not a big-time bad operator — but cumulatively, it is not reflecting that well on the business?

Hon. Mr. Streicker: The answer is, it could be zero. If the issue at hand is a serious breach or if it represents a significant risk to the public, well, no — you don't have to issue a warning. There isn't a fixed number. It is going to be entirely dependent on the situation at hand. I get the question from the Member for Whitehorse Centre — and the way she framed it — I am trying to recall her exact wording — but a small or large problem — that is exactly how we have to weigh this, I think. It also depends — as we see under 52(c) — whether: "... the licensee is likely to be able to carry on business without further contravention." If, for example, it is something that can be corrected — if it is something that is set up and it's a real problem and we have to deal with it and that contravention is going to continue — a warning won't help, in other words — then no, we are going to move past a warning.

So, it is really quite dependent on the situation. I am not able to give explicit parameters around it because it will be context-sensitive.

Ms. White: I'm just wondering if the minister can give us an example of what — and this is mostly really asking the officials who will support the minister — for an example of what might earn a warning — just because the minister has pointed out that it does escalate. So, in section 53, we see about sanctions — and it goes on from there. So we're just trying to figure out the context of what a warning could be. I do appreciate that there might not be a warning and it might just go right into sanctions, but what might constitute a warning?

Hon. Mr. Streicker: Just to note — this is new law, so it's difficult to know for sure, but we will build up some practice. But here are things that colleagues from the corporation have contemplated: suppose that someone is open 15 minutes late, 20 minutes late — well, that is something that might be a warning. How about that there are too many people in the establishment? Well, if it's a few too many, okay, but if it's a lot too many, well, that's dangerous. So, there are things — and you can sort of see as we start to get into more serious ones. How about serving minors? Well, that might go straight to sanctions. Okay. So I don't want to say, "This is what it will be." I'm giving you examples from talking with colleagues at the corporation and their contemplation, but "minor" would be of that level where they're open late or there are a few too many people but not a lot too many people.

Ms. White: Does the president need to be informed by an inspector in order for there to be a warning? It just talks about how the president may issue a warning in writing, and it doesn't talk about how they would come to that. So could it be a public complaint that could lead the president to writing it, or is it solely the inspector going into the premises that has too many people or driving past at 1:15 when it was supposed to be closed at 1:00 and there are still people inside? How is the president able to make that? Is it with reports through inspectors, or are there other avenues the president can take to issue a warning?

Hon. Mr. Streicker: There are two things I want to point out, Mr. Deputy Chair. The first one is that, wherever the president gets information — it could be from inspectors; it could be from complaints, from the public — wherever that direction comes from, the president can issue this sort of escalating set of responses to sanctions of licensees. But also, under section 59, if an inspector sees something that they deem to be an immediate contravention of the act, there is the ability for them to issue an immediate suspension for up to 14 days. We'll get there in a couple of sections from now.

My answer to the question is that it depends. If the issue is minor in nature, then the inspector will be reporting to the president, and the president will then choose from the list of escalating options and take context and history into account. Secondly, if there is something that is immediate and of concern to that liquor inspector, they are able to suspend the licence right away.

Ms. White: I'm just looking for clarification. So, the president will only issue a warning if the recommendation comes from an inspector. If the minister can just say that on-mic. I'm just trying to figure out how that works — whether or not it could be a member of the public who has contacted the liquor inspectors or something to have flagged concerns. I'm just trying to figure out how the president can issue that warning — whether it has to be solely through the recommendation of an inspector or if there are other ways they can issue that warning.

Hon. Mr. Streicker: The answer is that it's however the president receives that information — it is not solely on the recommendation of an inspector, but it's probably pretty true that if the president receives some information and it is maybe not corroborated, I think the president would often ask inspectors to go inspect. Just one more reminder for all of us here: The RCMP are considered inspectors under this act as well.

If the president receives information from the public and perceives that information to be credible and of concern, the president can issue a warning or a sanction, et cetera — escalated, as needed — and it does not require there to be an inspector involved. The president can ask an inspector to go off and look at something and to report back. Inspectors can be both liquor inspectors and RCMP.

*Clause 52 agreed to
On Clause 53*

Ms. Hanson: Section 53 builds on section 52 and then, as the minister outlined, the ability of the inspector to issue an immediate suspension for up to 14 days.

I am curious as to how section 53 works in terms of what is immediate and what takes time. I think I heard the minister say — and I would just like him to confirm — that a president may serve the notice imposing one or more of these sanctions if the president believes, on reasonable grounds, that they have done this contravention. Are those sanctions set out in 53(2)(a), (b), and (c) — would the president be able to impose those sanctions — "... (a) variation of one or more conditions of the licence additional to the statutory conditions; (b) imposition of a monetary penalty that does not exceed \$7,500; (c) suspension of the licence for up to 12 months, which may include a requirement that the licensee forfeit the liquor in their possession..." — without a hearing or anything? Does it escalate? How does it work? I am just clarifying how the process works, because it is "and" — not that you can do one or the other. This sounds like you can have a cumulative series of sanctions in place.

Hon. Mr. Streicker: The way to think of this is in escalation, as I've been describing it, and also, it's about risk-based enforcement. It increases based on the severity or the risk. If there is increased risk, the president — he or she — can choose from this group.

I think one of the questions asked was: When does this take effect? We have to look ahead to subsection 4, which says that the suspension takes effect right away, but if it's a monetary penalty under subsection 5, it will wait for the appeal, which goes to the board. So, if there is a monetary penalty, then the licensee has the opportunity to put in an appeal to the board. Then the board will take a decision about whether or not to uphold the penalty or suspend the penalty. At that point, it will take effect. That is how we anticipate those sanctions coming forward.

What I really want to emphasize today is that we see it as a spectrum of sanctions and the president has the discretion about how far to go along that spectrum based on the risk that they perceive. I will also just note for everyone here that this is the same as we put forward through the *Cannabis Control and Regulation Act* last year, Mr. Deputy Chair.

Ms. Hanson: So out of curiosity then, under sanction 2(c): "... suspension of the licence for up to 12 months..." So if the president has some reasonable grounds and something awful has happened there, does he say, "I shut it down for 12 months," and then is it shut until or pending the outcome of an appeal? What happens here?

Hon. Mr. Streicker: The sequence, Mr. Deputy Chair, is that if the president deems that it is a suspension of a licence for 12 months, at the moment the president issues that, it comes into effect. Then, if the licensee appeals that, the board works to deal with that expeditiously — because clearly there is a contention about that suspension. The board will then hear on that suspension and make a decision about whether that suspension is upheld or cancelled.

The suspension comes in from the moment that the president issues it. That's just based on risk. If the president —

if he or she deems that the risk is significant, then that's the moment when it stops, and then there is an opportunity for the licensee, and we work as quickly as we can to hear their concerns and their perspectives.

Clause 53 agreed to

On Clause 54

Clause 54 agreed to

On Clause 55

Clause 55 agreed to

On Clause 56

Ms. White: Just echoing the minister's comments about liquor inspectors — having run more than one event for a not-for-profit or fundraising or participating in anything where liquor was sold, my experience with liquor inspectors has always been incredible, because it starts in education as opposed to a punitive thing.

I just really want to highlight my respect for liquor inspectors and the hard work that they do. I wanted to know if this has been strengthened at all from the previous legislation.

Hon. Mr. Streicker: So there are a couple of subtle differences here. I thank the members opposite for waiting for us to just track down those differences.

The first one is that, under the current act, it just says that inspectors can go on licensed premises, but actually there are times when we have other things. For example, someone might be storing alcohol off-site which is not the premises, but is a problem because it's illegal. So, we've expanded the inspector's scope about where they can go.

Then, under the current act — the proposed bill in front of us does all this work to talk about the president and how they can do these escalating sanctions, whereas that wasn't there previously. So there were some pieces similar to that under inspectors under the current act, and that's removed now because we now put it under the role of the president and how we escalate based on the risk.

We're going to see just in a second up ahead here the powers of the inspectors under 57(1)(c), I think. So we'll get into some of this conversation about where the inspector can go to look at things.

Clause 56 agreed to

On Clause 57

Ms. White: I will have questions when we get to clause 57, but Mr. Deputy Chair, seeing the time, I move that you report progress.

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

Motion agreed to

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

Deputy Chair: It has been moved by the Government House Leader that the Speaker do now resume the Chair.

Motion agreed to

Speaker resumes the Chair

Speaker: I will now call the House to order.

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

Chair's report

Mr. Adel: Mr. Speaker, Committee of the Whole has considered Bill No. 5, entitled *Liquor Act*, and directed me to report progress.

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

Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried.

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

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

Motion agreed to

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

The House adjourned at 5:26 p.m.

The following sessional papers were tabled October 28, 2019:

34-3-13

Embracing the Children of Yesterday, Today and Tomorrow — Child and Family Services Act Advisory Committee (Frost)

34-3-14

Financial Accounting Report — Government of Yukon — for the period of April 1, 2018 to March 31, 2019 — Mercer Marsh Benefits (September 19, 2019) (Silver)

Written notice was given of the following motions October 28, 2019:

Motion No. 71

Re: Membership of the Standing Committee on Public Accounts (McPhee)

Motion No. 72

Re: Membership of the Standing Committee on Statutory Instruments (McPhee)

Motion No. 73

Re: Membership of the Members' Services Board (McPhee)

Motion No. 74

Re: Membership of the Standing Committee on Appointments to Major Government Boards and Committees (McPhee)