



# Yukon Legislative Assembly

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Number 40

3<sup>rd</sup> Session

34<sup>th</sup> Legislature

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## HANSARD

Thursday, October 1, 2020 — 1:00 p.m.

Speaker: The Honourable Nils Clarke

# YUKON LEGISLATIVE ASSEMBLY

## 2020 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
<b>Hon. Sandy Silver</b>	Klondike	Premier Minister of the Executive Council Office; Finance
<b>Hon. Ranj Pillai</b>	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
<b>Hon. Tracy-Anne McPhee</b>	Riverdale South	Government House Leader Minister of Education; Justice
<b>Hon. John Streicker</b>	Mount Lorne-Southern Lakes	Minister of Community Services; Minister responsible for the French Language Services Directorate; Yukon Liquor Corporation and the Yukon Lottery Commission
<b>Hon. Pauline Frost</b>	Vuntut Gwitchin	Minister of Health and Social Services; Environment; Minister responsible for the Yukon Housing Corporation
<b>Hon. Richard Mostyn</b>	Whitehorse West	Minister of Highways and Public Works; the Public Service Commission
<b>Hon. Jeanie McLean*</b>	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

<b>Ted Adel</b>	Copperbelt North
<b>Paolo Gallina</b>	Porter Creek Centre
<b>Don Hutton</b>	Mayo-Tatchun

### OFFICIAL OPPOSITION

#### Yukon Party

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

### THIRD PARTY

#### New Democratic Party

<b>Kate White</b>	Leader of the Third Party Third Party House Leader Takhini-Kopper King
<b>Liz Hanson</b>	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	Joseph Mewett
Hansard Administrator	Deana Lemke

\*Hon. Ms. McLean changed her name from Hon. Ms. Dendys in September 2020.

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

**Speaker:** I will now call the House to order.

I would like to begin the 2020 Fall Sitting of the Legislative Assembly by respectfully acknowledging all Yukon First Nations and that we are meeting on the traditional territories of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council.

We will proceed at this time with prayers.

*Prayers*

**In remembrance of the Rt. Hon. John Turner**

**Speaker:** Today we mark the passing of the Rt. Hon. John Turner, Canada's 17<sup>th</sup> Prime Minister.

Mr. Turner was born in England in 1929 and migrated as a young child with his family to Rossland, British Columbia. He was an accomplished sprinter who would qualify for Canada's 1948 Olympic team. He attended UBC and ultimately received a Rhodes Scholarship, which led him to obtain a bachelor's degree in jurisprudence from Oxford.

Mr. Turner began his law practice in the late 1950s, but he quickly followed his interest in politics and was elected for the first time as a Member of Parliament in 1962, and he was a Cabinet minister under Prime Minister Lester B. Pearson and later under Pierre Trudeau. Mr. Turner would serve under various governments as Minister of Consumer and Corporate Affairs, Minister of Justice, and Minister of Finance until his first departure from politics in 1975.

After being away from politics and returning to the practice of law, Mr. Turner returned in 1984 and won the Liberal leadership, making him the 17<sup>th</sup> Prime Minister of Canada. He subsequently lost the 1984 election but remained as Leader of the Official Opposition until 1990, retiring from politics for the second time in 1993.

Mr. Turner was awarded the Companion of the Order of Canada in 1994 and more recently, in 2017, among many honours, Mr. Turner was awarded the Gold Medal of the Royal Canadian Geographical Society.

He passed away on September 19 of this year at the age of 91. He is survived by his wife, Geills, and four children. A state funeral will be held for him on October 6 at St. Michael's Cathedral Basilica in Toronto.

On behalf of all Members of the Yukon Legislative Assembly, we join other Canadians in mourning his passing and offer our condolences to his family.

**Speaker's statement**

**Speaker:** The Chair would like to draw attention now to the numerous changes which have been made in the Assembly to maintain a safe workplace and to mitigate the spread of COVID-19.

On the floor of the Assembly, the members have been spread out to allow for six feet of distancing between members' chairs. In addition, members are required to wear masks while

moving about in the Assembly but may remove them when seated or when speaking.

Members of the public and in the gallery and media in the press gallery will note the new seating arrangement to ensure physical distancing. After consultation with the chief medical officer of health, we have identified a lower number of available seats in our gallery. Members of the public and any staff entering the Chamber are also required to wear masks.

Of note is that, unfortunately, for this Sitting, there will not be an operational page program. We certainly hope to be able to reinstitute it as soon as it is possible when it can be done safely. This has led to a number of procedural changes to the way we manage paper in our daily activities. These measures have been put in place for the safety of the workplace and for the safety of the public and the media in the gallery.

I ask for — and I know will receive — MLAs' patience and cooperation in ensuring that we can safely do our work on behalf of Yukoners here in the Assembly.

**Withdrawal of motions**

**Speaker:** The Chair wishes to inform the House of changes made to the Order Paper.

The following motions have been removed from the Order Paper as they are now outdated: Motions No. 19, 153, and 156, standing in the name of the Member for Watson Lake; Motion No. 144 and Motion No. 15, standing in the name of the Member for Lake Laberge; Motions No. 95 and 164, standing in the name of the Member for Whitehorse Centre; Motions No. 136 and 139, standing in the name of the Member for Copperbelt South; Motion No. 142, standing in the name of the Member for Porter Creek North; and Motions No. 160 and 161, standing in the name of the Member for Kluane.

The following motions have also been removed from the Order Paper as the actions requested in the motions have been taken in whole or in part: Motions No. 16, 68, 84, and 148, standing in the name of the Member for Lake Laberge; Motions No. 51 and 104, standing in the name of the Member for Porter Creek Centre; Motion No. 53, standing in the name of the Member for Mayo-Tatchun; Motion No. 54, standing in the name of the Leader of the Official Opposition; Motion No. 125, standing in the name of the Leader of the Third Party; and Motion No. 18, standing in the name of the Member for Watson Lake.

Finally, the amendment moved by the Member for Lake Laberge to Motion No. 31, standing in the name of the Member for Mayo-Tatchun, has been removed from the Order Paper as the action requested in the amendment has been taken in whole or in part.

**Some Hon. Member:** (Inaudible)

**Point of personal privilege**

**Speaker:** The Minister of Tourism and Culture, please.

**Hon. Ms. McLean:** I rise today on a point of personal privilege. During the summer, I was married and have subsequently changed my family name from Dendys to McLean. I am now Jeanie McLean.

*Applause*

**Speaker:** Thank you, minister, and congratulations to you and your spouse.

## DAILY ROUTINE

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

Introduction of visitors.

## INTRODUCTION OF VISITORS

**Ms. White:** I invite my colleagues to welcome a dedicated group of individuals here from the Porter Creek GSA. We have Lou Gulstad, Xander O'Donnell, Shania Domay, Rylee Reed, Brendan Gregory, Mx. Felicity Brammer, and Mr. Jason Cook. Thank you for joining us today on this very important day.

*Applause*

**Hon. Mr. Silver:** Although it is a little bit harder to see who is in the gallery with all the masks, I do want to thank everybody for wearing them. I want to ask my colleagues if they will help us in welcoming Mike Pemberton and also Andrew Cook to the gallery.

*Applause*

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

## TRIBUTES

### In recognition of Yukoners' COVID-19 pandemic management efforts

**Hon. Mr. Silver:** I rise today on the first day of our fall legislative Sitting to thank Yukoners for their efforts to keep all of us safe as the pandemic continues. It has definitely been a draining and stressful situation for all Yukoners, from all walks of life. I see the stress when I meet with the chief medical officer of health and his staff as he carefully considers the recommendations that he gives to our government. I see it when I speak with business owners who have seen their life's work turned upside-down by this virus. In my home community of Dawson City, I see the anxiety in people's faces as they do their best to live a normal life and to look out for one another and the ones they love.

As Yukon's Premier, I recognize that, and I appreciate everything that Yukoners have done to date. To front-line workers in stores, restaurants, and hotels, thank you — thank you for your dedication to serving the public. To staff in our hospitals, the COVID testing centre — formally known as the respiratory assessment centre — and also our seniors facilities, thank you for caring for our most vulnerable citizens and for also being on the front lines.

To the business owners who reinvented themselves to meet the changing requirements, who moved to online stores, who offered curbside pickup, who created takeout menus, thank you — thank you for your incredible ingenuity. Thank you to all Yukoners who bought local this summer. I know that it will

continue, and I do love the renewed sense of community and community spirit that has come out of this pandemic.

To those meeting travellers at our borders and at our airports, thank you — thank you for managing the flow of traffic in and out of the territory every day.

To child care centre employees and early childhood educators who are looking after our children and the children of essential workers, thank you — thank you for your efforts, and they have not gone unnoticed.

To teachers, parents, students, bus drivers, administrative and custodial staff, First Nation liaison officers, LAs and EAs, and everyone else who is keeping our schools open — thank you. Thank you for your dedication to keeping our young people safe.

To public servants across government — from those working in health care to those keeping our buildings clean to those providing the public with the most updated information — thank you. Thank you for your continued efforts.

As we begin this Fall Sitting, I can tell you that keeping Yukoners safe has been our top priority since COVID-19 first reared its ugly head this spring. Make no mistake: We are in a safe space with only 15 cases to date. This has not happened by accident; it is due to the hard work of all of you Yukoners. Thank you for your perseverance under these challenging circumstances.

*Applause*

**Mr. Hassard:** I rise today on behalf of the Yukon Party Official Opposition to give our thanks and recognition to Yukoners.

This pandemic we are facing came on quickly and with great force. In the beginning, things were changing rapidly. We were without answers, we were without information, and Yukoners were looking for leadership. This was hard to come by in the early stages and Yukoners were thrown into a scary situation. For many Yukoners, they didn't know if their job would be there for them tomorrow — for others, not knowing whether they would be in the position to keep a full slate of employees or how long it would be before they could receive an important surgery that had been postponed. For some, the uncertainty about trying to sort out daycare, home education, or working from home kept them up at night. We are working through it. We are persevering and we thank you all.

There's an old cliché, Mr. Speaker, that "not all heroes wear capes", and this is certainly the case here in the Yukon. During the pandemic, we had front-line and essential workers who did not miss a beat in providing services. These services are critical and essential to Yukon individuals and families over these many months of uncertainty.

Cashiers who work day in and day out to ensure we could continue to get our essential services such as groceries while most of the territory was staying at home, we thank you.

Thank you to the owners and operators who have innovated and adapted, doing whatever it takes to keep revenue flowing and support their operations. Many people took pay cuts, gave up hours, or went without pay entirely to ensure that they could keep their businesses open and Yukoners employed.

Again, we thank you. These sacrifices did not go unnoticed by the Yukon Party. We are well aware of how interconnected businesses are throughout the territory. You rely on one another, and when one falls, it is felt throughout your industry and beyond. These are our neighbours, our friends, and our family. The pain of one is the pain of all.

To the teachers and administrators who stepped up to school our kids online and ensure that our children are able to return to a safe and stable school environment, we thank you. The decision to end the 2019-20 school year was certainly hard on all of you and even more so on the students. You adapted and kept them going to maintain some normalcy throughout a year that was anything but normal.

Thank you to the hard-working public servants across many government departments who, overnight, found themselves becoming border guards. Your efforts, your diligence, and your hard work kept Yukoners safe.

To the students, parents, and families who are upset about the decision to move MAD or to only allow for half days for Whitehorse school students, your efforts, your advocacy, and your passion have been important to the conversation about how our society can return to normal, but you were heard loud and clear. Thank you.

To the tourism industry, which has seen its industry decimated this year but which has continued to provide constructive advice and feedback to the government as to what can be done to support its industry — thank you for your efforts, your resilience, and your advocacy for this important sector of our economy and of course our culture.

To the mining industry, which in many respects was essential to keeping our economy alive this summer, we thank you. In a time of crisis, your industry supported grocery stores, supply and service businesses, and many others. It kept Yukoners employed and it helped people pay bills. I am hopeful that, after this summer, more Yukoners come to realize the importance of this essential industry.

We have seen business owners and dedicated employers passionate about their industries rally together and stand up for their beliefs and the livelihoods of their employees and of course our freedom as Canadian citizens. Thank you to these individuals for ensuring that decisions made by the government respect our rights and freedoms.

To all Yukoners who are doing everything they can to get themselves, their families, and their businesses through this, we thank you. We see you and we are with you.

*Applause*

**Ms. White:** Mr. Speaker, today I stand on behalf of the Yukon NDP to offer our thanks and gratitude to all Yukoners.

In December of 2019, when we started to hear rumblings about what was happening on the other side of the planet with an unknown and highly contagious virus, none of us could have anticipated what would happen next.

With horror, we watched as the Coronavirus outbreak expanded to touch every corner of the globe. Millions of people have died. Hundreds of thousands have been sick. Economies and industries have been decimated. Countless jobs have been

lost and lives have changed. We in Yukon haven't been unaffected. The Yukon NDP honour your losses and share your sadness.

Despite everything around us, Yukon has risen to the challenge of the pandemic with kindness, from literal signs of gratitude to the outpouring of support from our neighbours as folks faced unanticipated trials. We have all seen and felt kindness in every aspect of our lives. If I thought I loved where we lived before March of this year, I didn't know anything, because that love has deepened as I've watched our community join together in kindness and rise together to face the unknown.

So, thank you, Yukoners, for your strength, your adaptability, and your patience, but thank you especially for the kindness you directed toward others. Years from now, when we look back on this crisis, I hope we can all remember the kindness.

*Applause*

### **In recognition of Orange Shirt Day**

**Hon. Ms. McPhee:** Mr. Speaker, I am pleased to be here today on the traditional territory of the Kwanlin Dün First Nation and the Ta'an Kwäch'än Council on behalf of the Liberal caucus to pay tribute to Orange Shirt Day. Educating the public about residential schools is essential to us all understanding the intergenerational impacts of the system and the abilities to support healing, truth, and reconciliation.

Often the best way to learn and truly gain understanding is through stories. Imagine a child who was excited about the fall harvest, hunting season, and going to school. She was given a beautiful new orange shirt by her grandmother to wear on her first day of school, but her new school was an Indian residential school. To her shock, her beautiful orange shirt was taken from her when she arrived and replaced with a school uniform. From that day forward, the colour orange always reminded her of her feelings of not mattering and of being worthless, of being separated from her family and being stripped of her culture, her value, and her sense of comfort and family.

In 2013, Phyllis Webstad shared her story when she was part of an organizing committee for the St. Joseph's Mission residential school commemoration project and reunion events that took place in Williams Lake, British Columbia. As part of that project, September 30 has come to be known as "Orange Shirt Day" — a day to acknowledge the generations of First Nation families and children impacted by the residential school system and its shameful legacy.

Annually, across Canada, Orange Shirt Day recognizes the harm of the residential school system and what it did to children's sense of self-esteem and well-being. It recognizes our commitment to ensure that everyone has value and deserves respect.

There were more than 130 residential schools across Canada. They were established in the 1800s, with the object of assimilating indigenous children into Euro-Canadian society. Children were taken from their families, from their communities, and from their language and their culture. Many of them suffered severe physical, emotional, and sexual abuse at school, and some did not return.

The last residential school closed as recently as 1996. Here in the Yukon Territory, there were four residential schools that operated from 1911 into the late 1970s. This story must be told.

In the Yukon, the Department of Education's First Nation Initiatives branch supports education about residential schools. They have developed residential school units for grade 5 and grade 10 and provide training and support to teachers to deliver these units in school. The grade 5 and grade 10 residential school units ensure that all students are able to learn and understand the legacy of the residential school system.

This year, the Yukon government Aboriginal employees forum organized several Orange Shirt Day activities for the public service, including: wearing orange shirts and taking photos to share — and we saw lots of those yesterday; an online workshop to bead an orange shirt pin — I saw several of those and they are truly beautiful; educational videos of influential speakers on reconciliation in residential schools; and a free online screening of the film *We Were Children*.

Yukon schools also participated in Orange Shirt Day activities, including a national online forum entitled "Every Child Matters: Reconciliation Through Education".

Mr. Speaker, let us continue this work to learn about and recognize the impact of this history in the Yukon Territory and in Canada and continue this journey of healing and reconciliation.

Thank you. Shaw nithän

*Applause*

**Ms. Van Bibber:** I rise on behalf of the Yukon Party Official Opposition to recognize September 30 and Orange Shirt Day. This national movement began in 2013 at Williams Lake, BC when residential school survivor Phyllis Webstad recounted her story. We heard Phyllis tell of pride in wearing a gift from her grandmother, and Phyllis had chosen the shirt herself — a bright new orange shirt for her first day of residential school. It was taken and never seen again. She wept for the loss.

After her story was shared, the orange shirt has become a symbol to remember that loss of childhood and the loss of family and community as young children were taken to a place — usually far away — to be taught a new culture — a new better way, according to the authorities. In a perfect world, childhood is meant to be a time of innocence and a time of love and care. It was anything but for many First Nations for decades. This day is a day that is set aside to educate and promote awareness of the Indian residential school system that was set up in other nations but that was very prolific in Canada, even in the remote northern regions.

The history of the residential schools is not pretty, but it must be told. As far back as 1883, the then-Government of Canada came along with the Christian churches and they attempted to absorb a whole population of people — or the Indians — into the general population of Canada to extinguish a culture that was deemed a problem.

Year after year, the recognition of Orange Shirt Day shows steady growth, with more schools recognizing its importance every year. This day allows for meaningful conversation on the

history of residential schools, anti-racism, and anti-bullying. It allows governments, First Nations, schools, and organizations to come together in a spirit of reconciliation and remembrance — and as was mentioned, the last residential school in Canada did not close until 1996.

I leave you with a quote from Nelson Mandela: "There is no keener revelation of a society's soul than in the way in which it treats its children."

Thank you. Every child matters.

*Applause*

**Ms. Hanson:** Mr. Speaker, yesterday, the Yukon New Democratic Party joined thousands of people across Yukon and across Canada tweeting or posting about and wearing orange shirts as a symbolic recognition and honouring of the generations of indigenous children, including many here in Yukon, who attended residential schools — institutions designed not to empower or foster the innate curiosity and intelligence of indigenous kids but to destroy it by severing all ties with their core foundation of family, culture, and language.

As we hold in honour and respect those who attended and survived residential schools, we mourn those who died in these institutions of cultural genocide. We hold up our hands to the parents of those children — parents rendered powerless to protect their children. As a parent, I can only imagine the depth of pain, despair, anger, guilt, and self-recrimination that successive generations of parents endured, knowing they were legally prohibited from trying to prevent their children from being forcefully removed from the care of their families and their communities.

You know, Mr. Speaker, it took us as Canadians and as Yukoners far too long to begin the conversation about the impact of government policies designed to destroy Canada's indigenous nations, cultures, and languages by targeting their most vulnerable — their children.

Despite the Royal Commission on Aboriginal Peoples 25 years ago and the work of the Truth and Reconciliation Commission released five years ago, we have a long way to go to move beyond symbolic words and gestures. This is a serious challenge. The attitudes and perceptions that allowed governments of all stripes to establish and maintain Indian residential schools linger. In a time of social, political, and economic upheaval, the backlash against challenges to the systemic racism that is woven throughout our society has become emboldened. As elected representatives, we have a responsibility — a responsibility to talk with and to work with all Yukon citizens as we move along on the journey toward reconciliation. We are obliged to break down the myths that — as the Truth and Reconciliation Commission so powerfully laid out — underlie the fundamental premises of the laws created in this country by settler governments.

There's an irony in tasking our educators with the job of creating a learning environment for our children — indigenous and non-indigenous — to begin to build that bridge toward reconciliation. It brings to mind an article I read several years ago in *Maclean's*. It started out this way — and I quote: "How would you feel, if this happened in your kid's class? Last fall,

a grade 6 social studies class ... was learning about residential schools. A student put up her hand and said, 'I don't have anything against Indigenous people, but my grandpa told me we had to put the Indians in residential schools because they were killing each other and we had to civilize them.

"Her words hung in the air for a moment. And then her teacher responded, 'Well, I don't have anything against your grandpa, but people who are your grandpa's age and your parents' age and even my age didn't have the opportunity to learn the truth. So, we have a responsibility, because we are learning the truth now.'"

Mr. Speaker, if a little girl can cling to the memory of an orange shirt taken from her as a talisman of hope, we as legislators can use the tools of truth to build the bridge toward reconciliation by calling out and eliminating the systemic racism blocking it.

Thank you.

*Applause*

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

### TABLING RETURNS AND DOCUMENTS

**Speaker:** Under Tabling Returns and Documents, the Chair has for tabling the following documents: *Report from the Clerk of the Legislative Assembly on the Absence of Members from Sittings of the Legislative Assembly and its Committees*, dated October 1, 2020. This report is tabled pursuant to the direction of the Members' Services Board.

In addition, the Chair has for tabling the *Report on Subsistence, Travel & Accommodations of Members of the Yukon Legislative Assembly 2019-2020*.

The Chair also has for tabling the 2019 annual report from the offices of the Yukon Ombudsman, the Yukon Information and Privacy Commissioner, and the Yukon Public Interest Disclosure Commissioner, entitled *Working to promote fairness, access & privacy rights, and protect the public interest*.

Finally, the Chair also has for tabling a report of the Chief Electoral Officer to the Legislative Assembly — the 2019 annual report on political party revenues.

Are there any further returns or documents for tabling?

**Hon. Mr. Silver:** I have for tabling three legislative returns.

**Hon. Ms. McPhee:** I too have two legislative returns for tabling today.

**Hon. Mr. Streicker:** I have for tabling today three legislative returns and also a report entitled *Pan-Canadian Survey on Domestic Violence and the Workplace*.

**Hon. Ms. Frost:** Mr. Speaker, I have for tabling today two legislative returns to address questions from November 27, 2019 regarding website and visual identity.

**Hon. Mr. Pillai:** Mr. Speaker, I have for tabling three legislative returns in response to Written Questions No. 9, No. 14, and No. 15.

**Hon. Ms. McLean:** I have two legislative returns regarding Written Questions No. 18 and No. 5.

**Hon. Mr. Mostyn:** So many legislative returns, Mr. Speaker. I have for tabling two legislative returns responding to a question regarding the Yukon government's website and visual identity costs from the Public Service Commission and Highways and Public Works.

**Mr. Cathers:** I have for tabling today a letter to the Minister of Energy, Mines and Resources entitled "Loss of Garbage Service Impacting Farmers and Other Businesses". I also have for tabling a letter to the Minister of Community Services entitled "Loss of Garbage Service Impacting Farmers and Other Businesses".

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

Are there any reports of committees?

### REPORTS OF COMMITTEES

**Mr. Adel:** Mr. Speaker, I have for tabling the 17<sup>th</sup>, 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and 21<sup>st</sup> reports of the Standing Committee on Appointments to Major Government Boards and Committees.

**Mr. Hassard:** Mr. Speaker, I have for tabling the 5<sup>th</sup> and 6<sup>th</sup> reports of the Standing Committee on Public Accounts.

**Speaker:** Are there any further reports of committees?

Are there any petitions to be presented?

Are there any bills to be introduced?

### INTRODUCTION OF BILLS

#### Bill No. 204: *Fourth Appropriation Act 2019-20* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 204, entitled *Fourth Appropriation Act 2019-20*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 204 agreed to*

#### Bill No. 205: *Second Appropriation Act 2020-21* — Introduction and First Reading

**Hon. Mr. Silver:** I move that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now introduced and read a first time.

**Speaker:** It has been moved by the Hon. Premier that Bill No. 205, entitled *Second Appropriation Act 2020-21*, be now introduced and read a first time.

*Motion for introduction and first reading of Bill No. 205 agreed to*

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

## NOTICES OF MOTIONS

**Hon. Mr. Streicker:** I rise to give notice of the following motion:

THAT a Special Committee on Civil Emergency Legislation be established;

THAT the Hon. John Streicker be appointed to the committee;

THAT the membership of the committee also be comprised of one MLA from the Official Opposition caucus selected by the Leader of the Official Opposition and one MLA from the Third Party caucus selected by the Leader of the Third Party;

THAT the Leader of the Official Opposition and the Leader of the Third Party inform the Clerk of the Legislative Assembly of the names of the selected MLAs from their respective caucuses no later than seven calendar days after the adoption of this motion by the Assembly;

THAT the Chair of the committee have a deliberative vote on all matters before the committee;

THAT the committee:

(1) consider and identify options for modernizing the *Civil Emergency Measures Act*; and

(2) make recommendations on possible amendments to the *Civil Emergency Measures Act*;

THAT the committee be empowered to conduct public hearings for the purpose of receiving the views and opinions of Yukoners;

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods;

THAT the committee report to the Legislative Assembly on its findings and its recommendations by August 31, 2021;

THAT, if the House is not sitting at such time as the committee is prepared to present its report, the Chair of the committee shall transmit the committee's report to the Speaker, who shall transmit the report to all Members of the Legislative Assembly and then, not more than one day later, release the report to the public; and

THAT the Clerk of the Legislative Assembly shall be responsible for providing the necessary support services to the committee.

**Hon. Ms. McPhee:** I rise to give notice of the following motion:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

(1) be recognized to speak in debate, notwithstanding Standing Order 17;

(2) be permitted to vote, notwithstanding Standing Order 25;

(3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and

(4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

Mr. Speaker, I also give notice of the following motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

Lastly, Mr. Speaker, I also give notice of the following motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

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

THAT this House congratulates the Yukon T1D support network for their tireless efforts in convincing the government to fully recognize the importance of and securing coverage for continuous glucose monitors for all Yukoners living with type 1 diabetes.

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

THAT this House urges the Yukon government to seek an agreement with the City of Whitehorse that allows commercial waste haulers to resume providing this important service to farms, businesses, and residential customers outside of city limits at rates that are affordable and predictable.

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

THAT this House urges the Government of Yukon to work with the Government of Canada, Champagne and Aishihik First Nations, Kluane First Nation, local communities, chambers of commerce, businesses, organizations, and community members to increase access to the front ranges of Kluane National Park and Reserve of Canada along the Haines Road and the Alaska Highway for the purpose of creating more land- and air-based tourism business opportunities.



I also give notice of the following motion:

THAT this House urges the Government of Yukon to work with First Nations, the Yukon Fish and Wildlife Management Board, renewable resources councils, the Yukon Fish and Game Association, the Yukon Trappers Association, the Yukon Outfitters Association, and individual hunters, trappers, and anglers to improve the management of fish and wildlife populations so as to ensure that healthy populations will sustain hunting and fishing opportunities.

I also give notice of the following motion:

THAT this House urges the Government of Yukon to use its 2020-21 budget to build a school in Burwash Landing.

**Mr. Adel:** Mr. Speaker, I rise to give notice of the following motion respecting committee reports:

THAT the Standing Committee on Appointments to Major Government Boards and Committees' 21<sup>st</sup> report, presented to the House on October 1, 2020, be concurred in; and

THAT the amendments to Standing Order 45(3.2)(a) recommended by the committee, adding to the list of entities for which the committee reviews nominations and recommends appointments, the Human Rights Panel of Adjudicators, be adopted.

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

THAT this House urges the government to explain why they are relaxing enforcement of Yukon's COVID-19 self-isolation requirements at Yukon's land borders as other Canadian jurisdictions are experiencing a second wave of the COVID-19 pandemic.

I also give notice of the following motion:

THAT this House urges the government to provide the date on which changes to the medical travel program's daily subsidy will take effect.

I also give notice of the following motion:

THAT this House recognizes the medical data indicating that all healthy individuals over the age of 50 years should receive the Shingrix vaccination to prevent shingles.

**Speaker:** If all members could please ensure that their motions and other related documents end up in their respective parties' baskets so that the clerks can monitor the flow of documents efficiently. Thank you.

Are there any further notices of motions?

Is there a statement by a minister?

## MINISTERIAL STATEMENT

### Safe Restart Agreement

**Hon. Mr. Silver:** Mr. Speaker, from the beginning of the COVID-19 pandemic, Canadians have come together to support one another and meet this unprecedented challenge. I rise today in recognition of the tremendous cooperation that has

taken place between federal, provincial, and territorial governments to address COVID-19 and to ensure that the health and well-being of Canadians remains at the centre of this response. Since March, I have joined the Prime Minister and premiers on 18 First Ministers' calls and joined my provincial and territorial counterparts on more than two dozen calls of the Council of the Federation.

There truly has been a team Canada approach to this crisis, and I am committed to working with leaders across the country and with First Nations and municipal leaders and governments here in the Yukon as we see this through. The Safe Restart Agreement is an example of this extraordinary collaboration. Initially, the agreement included \$13.5 million in direct federal transfers to support the readiness of Yukon's health system in the coming months. Throughout our many calls, the Prime Minister and my fellow premiers recognize the distinct challenges that we face here in the north. Recognizing the unique needs of the territories, Canada has committed to top up the territories to address these shortfalls in the per capita allocations in Yukon. Additional northern-specific funding supports will go toward addressing the higher cost of delivering equitable services in the territories. Discussions on a northern support package are ongoing and expected to be finalized very soon.

The Safe Restart Agreement will support us to continue operating the economy safely and mitigate the risks from a potential resurgence of COVID-19. These resources will strengthen the capacity of our health care system to deal with cases of COVID-19 within the territory. It will help to keep the most vulnerable Yukoners — including residents of long-term care homes — healthy and protected. It will allow us to enhance mental health and substance abuse services which are seeing increased demand as a result of the pandemic. It will also help fund safe childcare spaces. It will ramp up testing and ensure an adequate supply of PPE. The agreement will also include supports for municipal governments which have faced new costs and challenges as a result of the pandemic.

All of this was made possible by close cooperation between governments. I look forward to building on these strong partnerships that continue to keep our communities safe and healthy.

**Mr. Hassard:** Thank you, Mr. Speaker, for the opportunity to rise today to speak to the Safe Restart Agreement.

Of course, this agreement was first announced on July 16 by the Premier. At that time, he was unable to provide very much in terms of details. As there are many moving parts, we thought that it was fair to wait a bit to see what that information was. This morning when the government informed us that they were going to be speaking about this agreement, I was excited as I was expecting some new details and some new information. However, when we received the content of what the Premier was saying today, I was disappointed to find out that the Premier was providing no new information to Yukoners. In fact, the Premier's statement today is nearly verbatim of his statement on July 16. For example, we were particularly

interested in receiving more information on the northern support package. This will be important as the cost of delivery of services in the north is higher and the per capita delivery of funding to small jurisdictions such as Yukon would simply be inadequate. Of course, this idea of providing additional funding to the Yukon due to northern circumstances is something that the Yukon Party has long been a champion for and was successful in ensuring that the federal government understood. The importance of this is why we were so eager to learn more about this particular northern support package for the Safe Restart Agreement.

The Premier stated in his statement earlier that discussions are ongoing and are expected to be finalized soon, but for reference, almost three months ago, when he first announced this, the Premier stated that the discussions on the northern support package were ongoing and were expected to be finalized soon. This is an unfortunate case of the government once again being unable to move quickly and take action. As I said earlier, Yukoners are willing to provide some leeway for the government, but after nearly three months of being unable to provide any new details on this important funding, I think it just highlights what has become the hallmark for this government: They are unable to be decisive.

Let's be clear, we think that enhanced support to our communities during the pandemic is a good thing; we were just looking for details. We were expecting that the Premier would be able to provide that here today. With respect to the funding re-announced by the Premier today, we understand that just over \$2.6 million has been earmarked for childcare workers returning to the workforce. This \$2.6 million was to be used to support infection prevention and control measures for childcare operators. It was also to go toward daycares in two communities, which I assume are the daycares in Dawson City and Watson Lake. Finally, it will go toward enhancing staff training.

We're wondering if the Premier will be able to provide us today with details on how much of the \$2.6 million for childcare is going toward enhanced infection control, how much of that \$2.6 million is going toward daycares in Dawson and Watson Lake, and how much of that \$2.6 million is going toward enhanced staff training.

**Ms. White:** It is good to see the response to this pandemic by all levels of government. Citizens expect nothing less. We have heard repeatedly that we're in this together and that, by pulling together, the health and well-being of Canadians has remained at the centre of the response. We appreciate that the north has been recognized as having unique needs and costs that cannot be addressed by a per capita distribution of funds. We look forward to seeing the finalized northern support package with the details regarding where this money will be spent. We look forward to seeing concrete action promised to bring in universal child care, to address our health care system responses, ongoing concerns with education, tourism, and businesses that Yukoners are speaking to us about.

Mr. Speaker, since the House adjourned on March 19, we have spoken and heard from hundreds of Yukoners about their

concerns surrounding COVID-19 and its many impacts. We've met with parents, seniors, vulnerable individuals, business owners, NGOs, and others. What is unfortunately missing in the Premier's statement is any mention of collaborating with MLAs from other parties. Admittedly, given that the Premier hasn't spoken to me since the House adjourned in March, it's not surprising. This is a stark contrast with what we've seen in other jurisdictions. It's unfortunate, because I really do believe that government program delivery would have been improved if people from all parties would have been able to study and scrutinize how to best support Yukoners. There are many examples of this, from the wage subsidy program to the supports for disabilities and others.

We are the only jurisdiction — until today — where the Legislature has not sat since the COVID-19 pandemic hit, and the Premier had the power at any point in the last six months to change that.

Mr. Speaker, Yukoners expect their government to listen to all views and collaborate with all elected MLAs. Let's hope the Premier will bring home some of the spirit of collaboration that he has witnessed on the national stage in this Sitting of the Legislative Assembly.

**Hon. Mr. Silver:** The COVID-19 pandemic has presented unprecedented challenges in the territory, in our country, and in the whole world. Our Liberal government responded quickly and decisively. We have been working tirelessly for the past seven months to help our territory stay healthy and stay safe. My colleagues and I have been working closely with our counterparts across the country to ensure that our response efforts are coordinated and effective as the situation has continued to develop. The cooperation between federal, provincial, and territorial governments to address COVID-19 and to ensure the health and well-being of Canadians has been unprecedented in my experience.

It has also been very, very welcome. Promoting the health and well-being of Canadians is at the foundation of government and it remains at the centre of the COVID-19 response effort. Through regular First Ministers' calls and meetings with the Council of the Federation, we have ensured that adequate support is available for Canadians from coast to coast to coast. The Safe Restart Agreement is an example of this extraordinary collaboration, and it does provide \$13.5 million in direct federal transfers to support the readiness of Yukon's health system in the coming months.

I'm very pleased that, throughout our discussions about the Safe Restart Agreement, First Ministers recognized the distinct challenges and circumstances faced by the territories and the need to address these separately. In particular, along with my northern counterparts, I have long advocated that the territories require federal support that goes beyond the per capita allocations. We appreciate the support of Canada's provincial premiers in recognizing the unique needs of the territories, and we're very proud that Canada has committed to providing additional funding on top of the Safe Restart Agreement to address these shortfalls in the per capita allocations in the Yukon. Discussions on a northern support package are in

progress, and I do look forward to sharing those updates as soon as possible.

The Safe Restart Agreement will support us in continued operations for the economy, making sure that things move forward safely, and will also mitigate the risk from a potential resurgence of COVID-19. These resources will strengthen the capacity of our health care system to deal with cases of COVID-19 within our territory. It will also keep the most vulnerable Yukoners — including residents of long-term care homes — healthy and protected. It will allow us to enhance mental health and substance abuse services, which are seeing increasing demand as a result of the pandemic. It will also help to fund safe childcare spaces, ramp up testing, and ensure an adequate supply of PPE.

Mr. Speaker, the supplementary budget I tabled today reflects the benefits of this close collaboration between those governments. The bill includes an increase of \$95.9 million in O&M related to COVID-19 responses, and more than \$52 million is recoverable — that's more than 50 percent. The bill includes economic and social supports as well as expanded health services for Yukoners in response to the pandemic. This spending was essential as part of our Liberal government's early response and it enabled the timely rollout of health care supports as well as targeted relief to individuals and businesses affected by the pandemic.

We have also budgeted additional money to ensure that we can continue to be responsive to the pandemic. I would also like to point out that, although this budget is focused on responding to COVID-19, it is smaller than some supplementary budgets that we've seen from previous governments. Our Liberal government will continue to support Yukoners and Yukon businesses during their times of need because we are all in this together.

Thank you very much, Mr. Speaker.

**Speaker:** This then brings us to Question Period.

## QUESTION PERIOD

### Question re: COVID-19 pandemic — support for vulnerable communities

**Mr. Hassard:** Mr. Speaker, when COVID-19 hit us, government imposed restrictions, and direction came for Yukoners to isolate, avoid people, and stay home. While this direction was intended to protect public health while our public health officials worked to address the virus, it did have unintended and negative impacts on Yukoners. Sadly, as people were isolated and saw a decrease in supports or services, we saw an increase in drug and alcohol abuse in our communities. In particular, we saw the number of deaths this year related to opioids double compared to previous years. Mr. Speaker, this is a tragedy and a crisis, so can the Minister of Health and Social Services tell us if the government is monitoring the relationship between COVID-19 restrictions and the increase in drug and alcohol abuse here in the Yukon?

**Hon. Ms. Frost:** I would like to thank the member opposite for the question. Most certainly, we look at all Yukoners and we try to provide appropriate and adequate in-

time services. We have expanded our services to the most vulnerable of our communities. We are working with the chief medical officer of health. Last year, we announced our national opioid strategy; we announced our Yukon strategy. We will continue to monitor and enhance the services that we provide, aligning that with the collaborative models that we have available to us here in the Yukon. Of course, we most recently announced the *Putting People First* report. We have expanded the scope of practice with mental wellness supports, and we will continue to work with our communities.

**Mr. Hassard:** Of course, these are important questions that we would have liked to have asked throughout the summer, but unfortunately the government would not allow for the Legislature to return.

The mental health of Yukoners was also impacted once restrictions came into place. A recent Statistics Canada survey reported that 52.4 percent of Yukoners felt that their mental health was worse off now since physical distancing rules were implemented. This is a problem, because if you don't have healthy coping mechanisms or strong supports, then you may go toward unhealthy or dangerous alternatives.

Can the Minister of Health and Social Services tell us what actions she has undertaken after restrictions were brought in to protect the mental health of Yukoners and to mitigate any negative impacts?

**Hon. Ms. Frost:** Mr. Speaker, I am honoured to say that the staff and the supports that we have available in the Yukon with our partners have, I would say, efficiently met the needs of Yukoners. We are working with our community health centres. We have established mental wellness support centres across the Yukon. We have quickly mobilized virtual care opportunities so that we can continue to provide in-time services and supports for those who have been affected by COVID-19, recognizing that we are under pressures in unprecedented times that require us to take some unprecedented actions. We have mobilized very quickly to do that. I am very proud to say that the department has done a very good job in working with our community partners to do just that.

**Mr. Hassard:** Can the minister tell us if those programs that she speaks of were implemented after the restrictions were brought in to help address potential mental health issues associated with the restrictions, or did they exist prior? If these programs existed prior, how much money has been added to their budgets since the restrictions were brought into place?

**Hon. Ms. Frost:** I would respond to that question by saying that we are still in a crisis, so that requires us to certainly enhance the supports that we have and take some unusual approaches — innovative approaches — to provide services to our communities.

With respect to whether or not these services were available prior, of course they were available prior. We presented it to this Legislative Assembly, and we continue to enhance that. I am happy to say that every Yukon community has a mental wellness counsellor, a social worker — and we have enhanced our home supports. We have enhanced home care, we have enhanced elder care, and we will continue to enhance the services that we have been providing historically.

Going forward, we are currently monitoring and ensuring that we are in time and that we are addressing the pressures that we're seeing in real time as they come to us. That requires, of course, due diligence and patience. We ask Yukoners to please bear with us, work with us, and give us the necessary feedback. If they're seeing shortfalls, let us know, and we will accommodate and do the best we can with the resources that we have available. There are sufficient supports out there. We will mobilize and ensure that Yukoners have the support, Mr. Speaker.

I encourage everyone to please respond and reach out to us.

**Question re: COVID-19 pandemic impact on mental health**

**Mr. Kent:** As just referenced, the pandemic has had significant and negative impacts on the mental health of Yukoners. We have heard many stories of how the pandemic has been especially negative for the mental health of our students.

The closure of in-person learning at the end of the last school year and the stress of only being in class part-time this year for Whitehorse high school students is causing problems for many young Yukoners.

Can the Minister of Education tell us what additional resources she has put into Student Support Services since the start of the pandemic to provide increased mental health support to our students?

**Hon. Ms. McPhee:** I appreciate the question. The member opposite is, I think, well aware that we are currently doing a review of Student Support Services with outreach to Yukon families, to our education partners, and to Yukon First Nations throughout the territory for the purposes of determining how those services can be better provided.

In the meantime, of course, they continue to be provided on, may I say, the "older model". We are working diligently for those improvements to come forward. That process has been delayed somewhat — I am very sorry to say — simply because the individuals who are collecting that information and proceeding with that review want to reach out in person to families and communities. The difficulty is that it has been delayed, but we are modernizing the review and determining how to best be in touch with those folks so that participation can continue and a new timeline can be drafted.

The support services that are provided through schools are continuing. Individual students and families who need support are being asked to be in touch with their administration, with the service providers at their school, with their superintendents — and, as always, we are trying a case-by-case basis so that we can respond to individual families as they come forward. As the other minister has mentioned, we are asking them to please come forward with issues and concerns that they have so that we can, as a team, address those, gather the supports that they need, and provide service to Yukoners.

**Mr. Kent:** Of course, these are important questions that we would have liked to have asked throughout the summer as the school reopening plan was being announced, but

unfortunately, the government would not allow for the return of the Legislature since March 19.

When it comes to seeking mental health support for their children, many families have had to use private providers and pay for it out of their own pockets, or some have needed that support and can't afford to receive it, so, of course, Mr. Speaker, this is not sustainable over the long term.

What is the minister's plan when it comes to supporting the mental health of our students so that their families no longer have to suffer the financial burden due to the restrictions in the school reopening plan?

I hope that she doesn't mention that this is all under review, because this is the reality and it's the lived reality of many Yukon families and those students right now today here in the Yukon.

**Hon. Mr. Silver:** The minister, of course, has the second supplementary to answer, but I see a seeded question in there with a couple of different questions from the opposition about this summer. Mr. Speaker, every jurisdiction is managing a COVID-19 response uniquely and best supporting their citizens during this unprecedented global health pandemic. We must remember that it was the request of the Official Opposition that we close the Legislative Assembly. We have not heard from them as well all summer, despite numerous offers to brief and to discuss the ministerial orders that were passed about COVID-19.

With some opposition members working other summer jobs, our government has been working tirelessly this summer, and we have been here every day, day in and day out, since March when we had unanimous consent to adjourn the Legislative Assembly.

Now, we've also heard here in the Legislative Assembly something that's incorrect and from the Yukon Party as well. There are other places in Canada that have not sat and held a legislative session during the summer. I wanted to officially correct the record.

**Mr. Kent:** I brought forward an important question with respect to student mental health, and then we got that from the Premier. I will leave that alone. I'm sure those parents out there will appreciate the Premier's response to the question that I asked of the Minister of Education.

At the end of August, it was announced that the federal government had created a pot of funding to assist provinces and territories with their school reopenings. Yukon's portion of this funding was just over \$4 million. The day of the announcement, ministers of Education across the country were able to give very specific details on how they would be spending this money to support the reopenings. On day one, Ontario announced the amount that they would be using to invest in mental health supports for schools. BC also announced right away the amount that they would be providing for school-based wellness programs and supports for students, families, and educators, but when Yukon's minister was asked multiple times by media, she refused to provide this information.

Is the Minister of Education able to tell us now how much of the \$4 million that Yukon is receiving will be invested in front-line mental health supports in our schools?

**Hon. Ms. McPhee:** No, I won't be able to give you that figure because we're working closely with administrators, school superintendents, school communities, First Nation governments, and school councils to determine what their priorities are for their school and how they would like the access to that funding to be used to the benefit of their students.

Mental health supports exist in every school in the Yukon Territory and will continue to do so. Enhanced mental supports, if need be — as identified by those education partners — will of course be provided.

Some of the additional COVID-19 costs have been: cleaning supplies; increased custodial services in schools; PPE such as gloves, reusable masks, and hand sanitizer; equipment to support adapted learning spaces such as additional desks or white boards or equipment for classes and students; health and safety training for staff and students, including the teachers on call; additional costs for technology and school bandwidth to support digital and online learning and virtual and in-person study halls; and relocation of the F.H. Collins grade 8 students and the Wood Street programs.

As I said, schools are continuing to identify emerging and ongoing needs for public schools. We are extremely pleased to have their support for Yukon education for Yukon students and the funds will go to benefit them as we proceed through this very unprecedented time.

#### **Question re: COVID-19 pandemic impact on Yukon tourism**

**Ms. White:** A 96-percent decrease in arrivals at the Whitehorse airport; 97 percent fewer people coming through our borders — this isn't just a bad season or just a bad year; this is an unprecedented crisis for the tourism industry — a crisis that's destroying what has taken decades to build and the largest private employer in the Yukon. These are Yukon jobs, and for many tourism owner/operators, it's a life they've built over decades of hard work and sacrifice. This is their entire life savings. Mr. Speaker, does the Premier realize how big of a hit this is for our economy?

**Hon. Ms. McLean:** Thank you for the question to the House today. I'm happy to stand today and speak about tourism in Yukon. I've been saying for years how important this industry is to Yukon. Absolutely — it's devastating to see what has happened in the last six months in our territory.

Our Liberal government is focused on protecting Yukoners and supporting them through these very challenging times. Our government responded early to support local businesses affected by the pandemic. In fact, we were one of the first jurisdictions in Canada to roll out a business relief program — and I thank the Minister of Economic Development for helping to lead that effort.

We know that to date the Yukon business relief program has provided \$5.1 million to 434 Yukon businesses; 165 were tourism and visitor-related businesses, getting approximately \$2.5 million. Under the tourism cooperative marketing fund, we had 161 clients funded out of 223 applicants, for a total of \$1.2 million, Mr. Speaker. So nearly \$4 million has gone to

tourism operators specifically, and we are glad that these programs are there to help businesses survive.

**Ms. White:** Two weeks ago, after their calls weren't being returned and their letters went unanswered more than six months into this pandemic, the tourism industry sent out an SOS, and they held a press conference to wake this government up. If there is anyone who should be on the Premier's speed dial, it is the tourism industry. These folks want to work their way out of this more than anything but for many it is straight up impossible. The COVID safety measures required to keep us safe have eliminated their ability to make a living. The general business relief program by this government was fine in the short term, but it is not adapted to the severity and the length of the crisis faced by tourism operators.

Mr. Speaker, beyond the limited arrangements for outfitters, has this government developed any tourism-specific support programs to help Yukon's largest private sector employer?

**Hon. Mr. Silver:** Absolutely, Neil's and Blake's numbers are on my speed dial, and I have spent hours speaking to both, and I know that the minister and her department have as well — weekly calls, Mr. Speaker — weekly calls ever since March started.

We absolutely know that the government values the tourism industry, and we have done so many things that we can't say it all within the 90 seconds that we have: establishing the Business Advisory Council; Yukon Tourism Advisory Board, working with them to provide advice and expertise; the Yukon business relief program — millions of dollars to advance to businesses in need; we are increasing the funding and scope of the tourism cooperative marketing fund by \$1 million and broadening a wide range of eligible applicants; we're looking at the tourism and culture refocusing marketing campaigns; doubling the advanced artist award funding from \$75,000 to \$150,000; increasing funds to On Yukon Time programming to support artists and organizations — and Mr. Speaker, we are not done.

We know that we are in triage right now with the tourism industry. We know that it is extremely important that seasonal businesses can survive over the winter, and I know that the Minister of Tourism and Culture and the Minister of Economic Development have the best interests of Yukon businesses in mind.

**Ms. White:** The chief medical officer has indicated that travel restrictions are unlikely to change until spring, at best. Destination Canada surveyed Canadians in July and found that only seven percent of Canadians feel that it is safe to travel — seven percent of the entire country are willing to travel — and that was before the second wave started.

We all hope that things will get better by next summer, but it would be irresponsible to assume that tourism will be right back up to normal, even if the second wave is less than anticipated. Tourism operators have put in years of work and investment building their businesses. Yukon's economy will suffer if these businesses close because it will take years to rebuild even once we can open our borders safely to the rest of the world.

When will the government commit to specific, targeted programs that reflect the unique and severe challenges faced by tourism operators in a world pandemic?

**Ms. McLean:** Thank you very much for the question. I am really happy to stand today and talk about the work that's being done. Again, these are unprecedented times. We have never seen a crisis like this in our entire world, so this is not just within the Yukon; it's worldwide.

As I've stated already, we have established a number of really specific programs to help businesses survive. Right now, the goal is to stabilize Yukon tourism businesses by developing relief programs to mitigate the impact of COVID-19 in preparation for phases 1 and 2. We are now in phase 3 of our reopening plan. We will continue to work with all of our partners as we move forward.

We have been working on a tourism recovery plan since March, Mr. Speaker, and we know it's going to take substantial effort from all partners to move through this together. I am really happy that we did the planning when we did on the *Yukon Tourism Development Strategy* and we will continue to work with our partners. Right now, we have four key themes in our recovery plan: instilling leadership; rebuilding confidence and capacity in tourism; preparing operators for recovery; and refining the brand and inspiring travelers to visit again.

**Question re: Living wage and minimum wage**

**Ms. White:** COVID-19 and the last months have made the need for a living wage obvious to all, and especially to those who depend on Yukon's essential workers. Ottawa has provided money to this government for a \$4 top-up to essential workers making less than \$20 per hour. This is a temporary support program that will only last for 16 weeks. This pandemic has lasted far longer than 16 weeks, but after 16 weeks of top-ups, the program ends and workers are back to square one.

They will be doing the same work that they were doing the day before, but they will no longer be making a living wage.

Mr. Speaker, why does this government believe that essential workers only deserve a living wage for 16 weeks in the middle of a pandemic?

**Hon. Mr. Pillai:** Mr. Speaker, just to give a bit of background to the Assembly and those listening, on our Yukon essential workers support program — the essential workers have been providing these very necessary services throughout the pandemic, and we want to thank all those individuals who are in those front-line jobs for their bravery and the supports that they have provided us. To support these efforts, the government launched the Yukon essential workers income support program to provide temporary financial support for lower income workers who deliver these essential services. The program provided businesses, non-governmental organizations, and governments that are delivering essential services a wage subsidy of up to \$4 per hour for each eligible employee, increasing their wage to a maximum of \$20 per hour for up to 16 weeks.

The program is accepting applications up until November 3, 2020, so employers have an opportunity of when they wanted to deploy that program, based on what was

happening. At this point, we are in a fragile state, but early on, I think there were more pressures and we needed to monitor.

It's important to note that the Government of Canada is providing the funding for this program. As of September 29, the program had received 890 applications and approved just over \$1 million in funding.

**Ms. White:** Last spring, this government implemented half-measures on the Employment Standards Board's recommendations on minimum wage. They shortchanged minimum wage workers over \$500 a year. It is understandable that the government couldn't predict a global pandemic. What the government should have been able to see was that folks were struggling to make ends meet before the pandemic started, and that is why Yukon's front-line workers need a living wage. The very existence of the wage top-up program is a recognition that these essential workers deserve a living wage, but after the stop-gap measures supported by Ottawa end, so does the living wage.

Mr. Speaker, does this government believe that a \$13.71 minimum wage is enough to live on for essential workers?

**Hon. Mr. Streicker:** I thank the member opposite for her question. This spring, what we did was we implemented the exact recommendation of the Employment Standards Board. They recommended that we increase Yukon's minimum wage by \$1 per hour, and that is what we did. I look forward to any further recommendations that they bring forward, and I am happy to bring them here to this Legislative Assembly.

**Ms. White:** I would love to have the Employment Standards Board come and appear as witnesses.

The essential workers income support program is a reactionary approach to a problem that has been known, documented, and talked about for a long, long time. The program is a temporary answer to a much larger problem. It tries to tackle the issue in 16 weeks with no thought about what happens into the future. There is a clear gap between the living wage and the minimum wage in Yukon, and this government has failed to address the issue in any meaningful way.

Mr. Speaker, can this government tell us what the long-term answer is to closing the gap that exists between the minimum wage and the living wage in Yukon?

**Hon. Mr. Streicker:** Since we've been here as a government, we have increased the minimum wage each year. The year before, we increased it 75 cents and two percent. We have been increasing the minimum wage. We recognize that the cost of living is significant here in the Yukon, and that's why we have been increasing it. We've been doing it by taking the recommendations of the Employment Standards Board. They have been in conversation with groups like the Yukon Anti-Poverty Coalition and business groups. We appreciate the work that the Employment Standards Board is doing. We're happy to continue increasing the minimum wage as per their recommendations.

**Question re: COVID-19 pandemic impact on Yukon tourism**

**Mr. Istchenko:** COVID-19 has also had a devastating impact on our tourism sector. We've already had a question in

the House here today, but I felt that this was so important for Yukon and especially for all Yukoners.

A recent report indicated that air arrivals at the airport were down 96 percent — we heard that — compared to last year. Hotel occupancy has been nearly half, and in my riding, basically there's no hotel occupancy. Hundreds of people are out of work.

When we first raised the concern about the economic impacts on the tourism sector and asked the government to do more, the Premier said that the opposition members were paranoid, and the Minister of Tourism said that it would be business as usual for the tourism sector.

Mr. Speaker, I wish events had turned out differently and that the minister and the Premier were right, but unfortunately, they were very wrong.

Can the Minister of Tourism please tell us what work — we've already heard in the House today some of the existing programs — but new work. I think the minister highlighted that she has been working on it since March. What is this work that she's undertaking to support the recovery of our failing tourism sector?

**Hon. Ms. McLean:** Mr. Speaker, again, our Liberal government is absolutely focused on protecting Yukoners and supporting them through these very challenging times. I've already spoken today in the House about some of the relief programs that we've put in place. We are really, at this point, trying to help businesses survive and get through. We absolutely need to have our infrastructure and visitor experiences in place when travel is safe again and when we can have domestic travel and then ultimately international travel.

Of course, we recognize the devastating impact. I heard today in the House already talk about the impact on individuals, families, and businesses that have dedicated their entire lives to providing experiences and sharing the Yukon with the world. I can tell you that our Department of Tourism and Culture shares that grief. Some of them have worked decades alongside industry. It is because of the investment of businesses in Yukon — in terms of why and how we have had the tourism success that we've enjoyed.

I hold my hands up to all of those businesses that have put their lives into this. We are working on a recovery plan. As I've stated, we are working alongside industry stakeholders, and we are working toward a fulsome tourism recovery plan that will pivot off of our *Yukon Tourism Development Strategy* that we worked really hard on for a number of years. We are proud of that work, it has built relationships, and we are going to continue to do the good work and be there 100 percent with industry.

**Mr. Istchenko:** Mr. Speaker, I think we heard this earlier. Of course, these are important questions that we would have liked to have asked throughout the summer, but unfortunately, the government wouldn't allow us to return to the Legislature. During the summer when the Yukon opened its borders to British Columbia, there were significant complaints raised by the tourism industry and the Business Advisory Council that the Minister of Tourism did not have a marketing plan to promote our tourism sector to British Columbia. Just

days before the opening of the border, the Tourism Yukon website made no mention that our border would open to British Columbia. It was only after the industry and the Business Advisory Council went to the media that the minister finally took action and updated the webpage and launched a marketing campaign. Unfortunately, the minister's delays had negative economic impacts for the early days of reopening to British Columbia.

Can the minister tell us why there was a delay in launching Yukon's tourism marketing campaign to British Columbia this summer?

**Hon. Ms. McLean:** All the way through the pandemic, we've worked alongside the Chief Medical Officer of the Yukon. In response to a decision by the chief medical officer of health to create the BC bubble, the Department of Tourism and Culture implemented a marketing campaign targeting British Columbians to travel to the territory during the summer months. The total of this campaign cost \$225,000. I know that's not part of the question, but I think it's relevant and that Yukoners would want to know the cost of that marketing campaign. It included advertising on Global Television in British Columbia and digital advertisement. The campaign featured: "Why staycation when you can vacation?" The messaging went out and was well-received. We did receive some uptake from BC. We in fact had to work alongside the chief medical officer and ensure that the marketing campaign was launched at the right time in terms of our reopening plan, and that is what we did.

**Mr. Istchenko:** Perhaps if the government didn't call those asking for action paranoid or claim that it was "business as usual", they would have been able to get the marketing campaign out sooner.

Over the last decade, a growth of share of Yukon's tourism product has been winter tourism. On August 24, the Tourism Industry Association of Yukon wrote to the Minister of Tourism and Culture requesting an expansion of the existing travel bubble. The tourism operators who I have met with have said that even if the border opening does not expand, they would prefer to just have a clear answer from the government. They just want certainty so they can start making informed decisions about their finances.

I'm wondering if the minister has responded to the August 24 letter from the Tourism Industry Association of Yukon asking if the border openings will expand for the winter tourism season yet. What was the response?

**Hon. Ms. McLean:** Thank you for the question. We have been in contact of course with the Tourism Industry Association of Yukon throughout the planning through the pandemic. We were asked for this response. We've had specific meetings with the Tourism Industry Association of Yukon and we established weekly meetings with them going forward. However, we did have staff, myself, and many of the other ministers on their weekly webinars throughout the pandemic, and the communication has been strong. Again, I know we mentioned today the Yukon Business Advisory Council — which includes a member of TIA — and also the Yukon Tourism Advisory Board, which includes members of TIA. I know that our communication has been strong with them.

Again, we take our recommendations from the chief medical officer and the government makes an informed decision about these matters — about the reopening. We met with the chief medical officer — I reiterated in a meeting with TIA the criteria for reopening the borders and considering other bubbles. We did follow up in writing with them. You are welcome to have a copy of that letter.

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

## ORDERS OF THE DAY

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

### Unanimous consent to move without one clear day's notice Motion No. 213

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

### Motion No. 213

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2020 Fall Sitting, any Member of the Legislative Assembly who is unable to attend sittings of the House in person due to COVID-19 symptoms, illness, or protocols may participate in the sittings of the House by teleconference, notwithstanding Standing Order 8 or any other Standing Order, and by teleconference shall:

- (1) be recognized to speak in debate, notwithstanding Standing Order 17;
- (2) be permitted to vote, notwithstanding Standing Order 25;
- (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*; and
- (4) be considered to have attended the sitting of the Legislative Assembly with no deduction of indemnity required under subsection 39(5) of the *Legislative Assembly Act*.

**Hon. Ms. McPhee:** Thank you very much, Mr. Speaker. The House Leaders have spent some significant periods of time over the last number of weeks speaking to one another and having conversations about how this Sitting would proceed.

We have turned our minds to a number of specific situations that we hope may never come to pass, but nonetheless, this addresses one of them in which members of this Legislative Assembly may not be, for various reasons — either illness or symptoms of illness or by application of a protocol that requires them to be not at work or not in this room — that they would be able to participate by way of teleconference. I am assured by Mr. Clerk, by the Speaker — yourself — and by the very talented staff at the Legislative Assembly Office that this is a possibility and that there are in fact opportunities for teleconferencing into this room. We have turned our minds to the operation of that should an individual — or more than one individual — be required to stay out of the Legislative Assembly by operation of the notes here in the motion.



I think the purpose of this motion is clear. We have had conversations regarding the ability to make sure that individuals who might need to be out of this Chamber for health protocol reasons but are able to participate have that opportunity. We have noted in the numbers delineated in this motion that they could be recognized to speak during debate, that they could be permitted to vote by virtue of Mr. Clerk indicating and calling their name in recording a vote that would be verbally spoken over the telephone. They can constitute a quorum by virtue of a situation where, at the beginning of the Legislative Assembly each day, the *Yukon Act* requires 11 members, including the Speaker, to constitute quorum. That's the quorum under the *Yukon Act*, but of course there is a separate quorum required under Standing Order 3. Individuals on the telephone could constitute that number of quorum. I believe, from the conversations that I've had with my colleagues, that would be satisfactory to the other parties as well, but of course they will speak to this motion.

Fourth, being on the telephone would constitute being in attendance in the Legislative Assembly and not require a deduction of indemnity as is required under the *Legislative Assembly Act*, section 39(5). I would like to take the opportunity to thank both of my colleagues — the other House Leaders — for their dedication to this topic and the other topics that are here before this House today, for their dedication to our conversations and the ability for us to come together with what we hope is a solution that will allow all members of this Legislative Assembly to participate, despite the unusual circumstances that we currently have.

Of course, we all hope that people will be able to come in person, but realistically, we also know of individuals in all of our lives who have had to either stay away from work or a gathering or stay away from other obligations that they may have as a result of symptoms or actually being ill or being tested — or a period of time when they are not permitted to be somewhere or they are self-isolating. Those are the circumstances that we are attempting to deal with.

**Mr. Kent:** As Official Opposition House Leader, I would like to thank the Government House Leader for outlining the intent of the motion and what we arrived at.

I too would like to thank the Third Party House Leader — the Third Party leader — for her work with us over the past number of weeks in dealing with these procedural circumstances.

I would also like to thank my colleague, the Member for Lake Laberge, as the deputy House Leader on this side. He also attended a meeting that I was unable to attend.

I appreciate everyone's involvement in finding solutions to these circumstances, not least of which, Mr. Speaker, is the involvement of yourself, the Clerk, and staff from your office. We appreciate your guidance and advice as we have moved through these deliberations as well. Of course, the Official Opposition will be supporting this motion here this afternoon.

**Ms. White:** Just the acknowledgement of my colleagues as we have worked together to make sure that elected members

are guaranteed their privileges no matter their health going forward due to pandemic reasons — making sure that we don't run into the same problem that happened in the spring and that we have a plan in place.

I appreciate the work. I hope that we never have to activate the plan. With that, Mr. Speaker, the Yukon NDP will be supporting this motion.

**Speaker:** Is there any further debate?

I just have a note from the Clerks. I would just advise of a minor amendment that is proposed. The motion currently reads: "... (3) contribute to constituting quorum in the Legislative Assembly, notwithstanding Standing Order 3 of the *Yukon Act*..." (1) and (2) really are notwithstanding existing Standing Orders, but what you are saying in (3) is that, by virtue of your attendance in the teleconference, it constitutes quorum under Standing Order 3 and under the *Yukon Act*. So it's not a "notwithstanding" situation; it's just that the presence by teleconference is compliant then with the creation of quorum. Does that make sense? Yes.

So I'm not sure procedurally how — does that become a drafting change, then? I'm sure you want to hear the entire motion again. I'm in the House's hands. I can either read the entire motion with the proposed change or just subsection 3. Just subsection 3 — is there consent to do that?

**All Hon. Members:** Agreed.

**Speaker:** Thank you. So, then, the teleconference shall exist — the preamble — and then under (3): "contribute to constituting quorum in the Legislative Assembly under Standing Order 3 and the *Yukon Act*".

Does any other member wish to speak to the motion?

*Motion No. 213 agreed to*

**Speaker:** Thank you for the members' indulgence with that clarification.

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Unanimous consent to move without one clear day's notice Motion No. 214**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### **Motion No. 214**

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2020 Fall Sitting:

(1) the Clerk shall keep a daily list of paired members, in which any member of the Government and any member of an opposition party may have their names entered together by noon on that date to indicate that they will not take part in any recorded division in the Legislative Assembly held on that date; and

(2) following each such division held, the names of any members entered on the list of paired members for that date shall be printed in Hansard and the Votes and Proceedings.

**Hon. Ms. McPhee:** I won't speak too long on this. Again, this is part of the conversations with the other House Leaders prior to attending today's session. We have had extensive discussions about the opportunity for parties to pair, and ultimately, this change is really about having that information provided to the Clerk during the early part of the day on which that might happen and, more importantly, having the recording of those names in Hansard and Votes and Proceedings for that day. We anticipate that there will be a number of recorded votes during this Sitting, Mr. Speaker, because some members might — maybe not for obvious reasons but for reasons regarding COVID-19 and the pandemic — need to be out of the Chamber, out of the House, or participating by telephone.

It seemed like an appropriate move for us to have those recorded so that, in the event that members of a particular party were not permitted to vote as a result of pairing, those records would be kept with respect to indicating that, while the issue might still be incredibly important to them, we are all

cooperating for the purposes of making sure that individuals who cannot attend are not causing undue concern for any of the parties.

**Mr. Kent:** We in the Official Opposition will, of course, be supporting this motion. As the Government House Leader mentioned, it was part of deliberations of House Leaders and representatives of yourself and the Clerk's office.

Mr. Speaker, this is one of those issues that we brought forward as temporary for the duration of the 2020 Fall Sitting, but it's an issue that I'm hoping we can refer to the Standing Committee on Rules, Elections and Privileges — or SCREP — to take a look at, perhaps adopting in a permanent fashion or adopting into the Standing Orders permanently, because I think it does provide some assurances to members who are paired for one reason or another. Obviously, this is to deal with what's happening here in the pandemic in this Sitting, but I hope that perhaps SCREP can take a look at this and take a look at adopting it over the longer term.

**Speaker:** Is there any further debate on the motion?

*Motion No. 214 agreed to*

**Hon. Ms. McPhee:** Mr. Speaker, I request the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

#### **Unanimous consent to move without notice Motion No. 215**

**Speaker:** The Government House Leader has requested the unanimous consent of the House to move, without one clear day's notice, a motion:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

Is there unanimous consent?

**All Hon. Members:** Agreed.

**Speaker:** Unanimous consent has been granted.

#### **Motion No. 215**

**Hon. Ms. McPhee:** I move:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative

Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

**Speaker:** It has been moved by the Government House Leader:

THAT, for the duration of the 2020 Fall Sitting, if the Legislative Assembly stands adjourned for an indefinite period of time, the Government House Leader and at least one of the other House Leaders together may request that the Legislative Assembly meet virtually by video conference, with all the Members of the Legislative Assembly being able to participate remotely, notwithstanding any current Standing Orders regarding members' physical presence in the Chamber.

**Hon. Ms. McPhee:** Again, this came as a result of our conversations between House Leaders prior to today's session, and as a result, I think it speaks for itself. We hope that this is a situation that never occurs, but in the event that there has been an adjournment, the precursor would be for an indefinite period of time. House Leaders — I would certainly think that it would be the three of us, if that day comes — would be making a request that the Legislative Assembly meet virtually in the event that there is business to conduct and in the event that the concerns are in place — either through an order or through the advice of the chief medical officer of health — that it is not safe for us to be in this Chamber.

I would like to thank again the other two House Leaders for their work on this particular motion and on all of the motions that we have had conversations about — all with the view of making our work together as smooth as possible going forward and in an attempt to think about worst-case scenarios and hope that we never need to use them.

**Mr. Kent:** I too would like to advise the House that the Official Opposition will be, of course, supporting this motion. Once again, I thank everyone involved for their work in arriving at it. We do have some additional procedural issues to deal with, and I am hoping that we can reach consensus on that to bring them forward to the House as soon as possible.

With that said, Mr. Speaker, I want to thank you and thank the House Leaders for their time and effort — and all members of the House through various meetings — to bring these three issues forward so that we could deal with them here today on the first day of the 2020 Fall Sitting.

**Speaker:** Is there any further debate on this motion?  
*Motion No. 215 agreed to*

## GOVERNMENT BILLS

### Bill No. 9: *Sexual Orientation and Gender Identity Protection Act* — Second Reading

**Clerk:** Second reading, Bill No. 9, standing in the name of the Hon. Ms. McLean.

**Hon. Ms. McLean:** I move that Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, be now read a second time.

**Speaker:** It has been moved by the Minister responsible for the Women's Directorate that Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, be now read a second time.

**Hon. Ms. McLean:** I'm very eager to move forward with this bill. I'm really pleased to stand today on behalf of our Liberal government to bring forward legislation banning conversion therapy.

We tabled this bill, Bill No. 9, in March 2020, and it was with a very heavy heart that we had to leave it incomplete to, of course, respond to the COVID-19 pandemic. This is our very first opportunity to recall it, and I'm really happy today, given our first opportunity to recall this bill, that we are doing exactly that.

I want to also acknowledge the young people and their teacher who are here today — from the students of the Porter Creek Secondary School Gender and Sexuality Alliance — so thank you, Mr. Cook, for bringing your students here today.

I also know that — because we have limitations in terms of folks being allowed in the gallery — we also reached out to Queer Yukon, All Genders Yukon, and other NGOs fighting for LGBTQ2S+ folks' rights. They may be listening, and I just acknowledge them today and hope that they were able to tune in and listen to the debate today.

Mr. Speaker, let me be clear: Yukon government does not support conversion therapy. We are committed to implementing a legislated ban in order to prevent this harmful practice from ever happening in the territory. This is not only about protecting Yukoners today but also protecting the generations to follow us. In the past three years, our government has made several changes to legislation, policies, and practices to support our goal of a diverse and inclusive society that promotes LGBTQ2S+ rights and gender equality. This legislation represents one more step to making our community safer for lesbian, gay, bisexual, transgender, queer, and two-spirited Yukoners.

As Minister responsible for the Women's Directorate, I have been mandated to take a leadership role in working with my ministerial colleagues on LGBTQ2S+ inclusion. We are currently developing a full action plan to this effect. One of the first concrete items emerging from this action plan is legislation to ban conversion therapy.

Conversion therapies are interventions aimed at changing an individual's sexual orientation, gender identity, or gender expression. These practices may include counselling and other kinds of treatment and also medication. Conversion therapy represents an incredibly homophobic, transphobic, and harmful practice. It can lead to distress, anxiety, depression, negative self-image, a feeling of personal failure, difficulty sustaining relationships, and sexual dysfunction, just to name a few of the potential negative impacts.

Our government has heard clearly from Yukoners that conversion therapy should be banned in the territory. The

gender and sexuality alliances of Porter Creek Secondary and F.H. Collins Secondary schools organized a petition last year asking for this Legislature to ban conversion therapy on minors. Their involvement with the democratic process was inspiring. They stood up for each other and for the safety of their peers knowing what is right.

I want to take a moment to commend the incredible work of the Yukon high school gender and sexuality alliances. I had the absolute privilege of being invited to meet with the gender and sexuality alliance at Porter Creek Secondary School this past fall. My colleague, the Minister of Health and Social Services, and I were absolutely inspired by the support that these students and faculty show each other, each and every day. We heard their voices loud and clear. The Yukon that they want to live in does not include homophobia or transphobia. They told us clearly that there is no place for conversion therapy in our Yukon Territory.

We have also received letters from multiple Yukon organizations, including members of the Yukon women's coalition, Yukon Teachers' Association, psychological association of the Yukon, and the working coalition consisting of all Yukon LGBTQ2S+ societies. These organizations echoed the call to ban conversion therapy. They stated their concerns about the real and tangible negative impacts that conversion therapy could have on someone.

The federal government has also recognized this. Last summer, they sent out a letter to all provincial and territorial jurisdictions urging us all to take steps to ban conversion therapy. Legislative bans on conversion therapy have now become law in three other Canadian jurisdictions. The Government of Canada tabled legislation on March 8, 2020, banning and criminalizing conversion therapy, which they reintroduced just today.

The timeline for amendments to the *Criminal Code* becoming law remains unclear. We cannot wait for the federal legislation to become law while Yukoners' lives may be negatively impacted. We will monitor the progress of this legislation going forward.

We committed to ban conversion therapy in the Yukon, and we intend to do just that with this bill. We will ensure that a fulsome ban on conversion therapy is in place in Yukon. We will ensure that a ban contains what is right for Yukon's unique needs. We are not slowing down. This legislation is still a priority for the Government of Yukon.

The purpose of this act is to protect minors from harm, as well as adults who have substitute decision-makers or guardians appointed. Harm could be caused by practices, treatments, or services that are provided with the intent of changing a person's sexual orientation or gender identity.

The ban that we are proposing ensures that conversion therapy cannot be practised at all on minors or adults who have a court-appointed guardian. In addition, a substitute decision-maker is not able to give consent for conversion therapy. A guardian or substitute decision-maker is someone who has been appointed to manage an adult's personal affairs. This legislation also clarifies that conversion therapy is not an insured health benefit. Again, let me be clear: Conversion

therapy has never been included as a service to be provided or funded by insured health. This legislation just provides further clarity of the current state.

We also wanted to make sure that this ban does not limit the ability of LGBTQ2S+ Yukoners to access appropriate support or health care as they explore or affirm their gender identity. The legislation makes it clear that conversion therapy does not include existing practices that help someone with the support they need or the professional guidance around identity exploration. It also does not include gender-affirming surgery.

This legislation ensures that we have a penalty in place for conversion therapy that recognizes the severity and negative impacts of this practice. Mr. Speaker, banning conversion therapy is part of the Government of Yukon's LGBTQ2S+ inclusion action plan that is currently being developed. This action plan is being developed to strengthen LGBTQ2S+ inclusion in Government of Yukon legislation, policies, programs, services, and practices.

Our government has committed to the principle of "nothing about us without us". We will work closely with the LGBTQ2S+ community, organizations, and Yukoners as we develop and implement the action plan. We will also be informed by the comprehensive LGBTQ2S+ public engagement that took place from November 2018 to the end of June 2019 to guide the development of this action plan. Reports and results from this engagement are available to the public at [engageyukon.ca](http://engageyukon.ca). The reports include feedback from LGBTQ2S+ Yukoners and their allies, with 70 recommendations and best practices for LGBTQ2S+ inclusion.

Prior to this comprehensive public engagement, the Government of Yukon conducted a review of legislation, policies, and services with a view to modernizing them to be inclusive of LGBTQ2S+ Yukoners. To date, a number of acts have been updated, including the *Vital Statistics Act*, the *Human Rights Act*, *Gender Diversity and Related Amendments Act*, *Equality of Spouses Statute Law Amendment Act (2018)*, and the *Public Service Labour Relations Act*, and the *Married Women's Property Act* was repealed.

Mr. Speaker, this is a great start, but that is all it is: It's simply a start. We must do more. We are proposing a bill today because we know that conversion therapy is a health and public safety issue. We have determined that this is the best course of action after our public engagement and research. We are committed to protecting human rights through banning conversion therapy.

Currently, conversion therapy could be openly practised in the Yukon without legal repercussions. That is not acceptable. This bill reflects how the law should be in 2020. People should be able to live freely and safely in Yukon. With all these initiatives, we are making steady headway in our goal of making sure Yukon is on the way to becoming a leader for LGBTQ2S+ inclusion. Everyone should be able to grow up here expressing who they are without fear or lack of acceptance. We should all be able to raise a family, work safely, and enjoy a quality of life without facing fear of harassment or violence. I want to live in a community where all people are treated with dignity and respect, not be forced to change who

they are. I know that our work to create an inclusive society isn't done. This is just the beginning.

In closing, Mr. Speaker, changes with bills like this do not solely benefit the LGBTQ2S+ community. All Yukoners benefit from a more inclusive society.

It is our duty to ensure that everyone feels safe and included in being who they are. This is a human rights issue. It is time for us to take action and help lead the way in Canada. This should not be difficult. The choice is very clear.

**Ms. McLeod:** I rise to speak on Bill No. 9, the *Sexual Orientation and Gender Identity Protection Act*.

I would like to begin by thanking the representatives from the public service who provided a briefing for us earlier today.

This legislation will prohibit conversion therapy from being provided to all minors or adults for whom there is a court-appointed guardian. It sets out that a substitute decision-maker does not have the authority to consent to conversion therapy for a person and clarifies that conversion therapy is not an insured health service.

As we know, there appears to be no scientific evidence that conversion therapy is effective, and several national organizations, including the Canadian Psychiatric Association, have expressed concerns about conversion therapy. It's our understanding that conversion therapy has not occurred in Yukon nor has it been contemplated.

In part, this legislation comes about following a petition to the Legislature that was organized by students at both Porter Creek Secondary and F.H. Collins. In particular, the work to organize the petition was led by the school's gender and sexuality alliance.

My colleague, the MLA for Kluane, had the opportunity to meet with the gender and sexuality alliance from Porter Creek Secondary in the school's Rainbow Room last year and was quite impressed by their leadership and fearlessness in tackling this issue. He has expressed to our caucus how much he appreciated meeting with the GSA and the concerns, issues, and hopes that they expressed to him. I would like to thank those students as well, on behalf of the Yukon Party, for their courage and leadership in bringing this forward.

I would also like to thank the Leader of the NDP for working closely with these students to bring forward their petition and for advocating on their behalf in the Legislature.

Beyond the petition, the Yukon government was also urged to take this action by the federal government, who wrote a letter to two Yukon ministers in July 2019. In that letter, the federal government urged the Yukon government to take this action. Since receiving the petition from Yukon students and the letter from the federal government, the Yukon government has responded with this bill.

Since that time, the federal government has launched its own initiative related to this issue. This initiative included an amendment to the *Criminal Code* to prohibit unwanted counselling seeking to change a person's sexual orientation to heterosexual, gender identity to cisgender, or reduce non-heterosexual behaviour nationwide.

While this federal bill was interrupted by COVID-19, I understand that a bill to amend the *Criminal Code* will be tabled in Parliament very soon. Now, as such, some of what is in this Bill No. 9 is already being addressed at the federal level in the *Criminal Code*, so with the changes coming at the federal level, some of this bill has been superseded.

Nonetheless, we recognize that there is value in signalling to Yukoners that the practices that this bill seeks to address are dangerous and harmful. Again, we would like to thank the GSA students who have petitioned for this bill and the organizations like Queer Yukon that have lent their support to this bill. The Yukon Party will be voting in favour of Bill No. 9.

**Ms. White:** It is a pleasure to rise today, obviously in support of this bill.

I was just thinking about the fight that got us here. As an example, we have students in the gallery right now who have been sitting there with masks, physically distant — which is not any fun — for the last few hours, but this goes back to the spring of 2019 when I heard two students on CBC telling Elyn Jones that conversion therapy was possible in the territory. This was in the same week that I got an e-mail from one of them asking if I knew that was possible. Of course, I had no idea. Why would I know? That started my education. For the last number of months and years, I have had the pleasure of hanging out with this fantastically diverse group of students in Porter Creek and F.H. Collins. One of the young people who was on the radio has actually gone off to university and isn't here anymore, but they started this work in the beginning of 2019.

As we talk about our queer history, we know that it goes far, far back to the bath house arrests in Ontario and it goes back farther and farther, because queer folks have been among us forever. It is about time we started respecting that, so this is a big step.

When I first went up to talk to the students at the GSA — I like to tell the story that when I first went there, no one could make eye contact. I was in the room and everyone was sitting in their designated spaces at the time. They hadn't fully colluded to become a group. The first time I was there, there was no eye contact and it was hard to introduce myself. We started off with introductions, and I said, "What are your pronouns?" I was told what their preferred pronouns are. I said, "No, no, not your preferred pronouns. What do I call you? If my pronouns are 'she', 'her', and 'hers', what are your pronouns?" In the last year and a half to two years, I have watched this group of young people grow. We no longer talk about our preferred pronouns; we talk about our pronouns. We introduce ourselves with our name, and we are respected when we go out and we see people, and we offer that same respect.

When the petition was created — so if you think how when I met these students and we couldn't make eye contact — in less than a month, they had a petition that they were circulating publicly. They went to an event that was held at the Kwanlin Dün Cultural Centre, and it was to give a voice to young people, being able to ask decision-makers questions, and they circulated this petition in a room with a couple of hundred people — going up to tables and saying, "Will you sign our

petition?” and explaining the petition. It has just kept going, and it is beautiful.

When we were talking about this, I understood that we didn't know that things were happening. I tried to bring across that, in the absence of law, it means that things are possible, and I appreciate that it was heard by government. I appreciate that you all recognized that, without the laws to say no, what we are saying is that it could happen. For the students who I met, the fact it could happen — that they could be told that they were wrong, that who they were wasn't right — it was really important. That is important.

When I would talk to the students and we would talk about different things — I can easily say that the Rainbow Room is not just about anyone who identifies on the rainbow; it is also about allies and it's about anyone who ever thought they were different or anyone who was looking for a place. So, what this group has done — what this space has done — it has changed the way Porter Creek Secondary School feels. It has changed how it feels, and that is a really big deal. We have talked all the time about how if you see something that you can't stand behind, if something happens that you know is hurting someone, or you see an injustice, you can either be a silent bystander — which means that in your silence you say that it's okay — or you can stand up. We have talked a lot of times about how, you know, sometimes you just need someone to stand beside you and you can fight your own battles. Sometimes you need someone to stand behind you so you can fight that battle, and sometimes you need them to stand in front of you because you just can't fight that battle.

I don't know if other members got these letters — I don't know what everyone else gets in their e-mail, but Mr. Speaker, when we have talked about lobbying and we talk about all those things, I got letters. I got letters against this bill. I was explaining today because I warned the students that I was going to read this letter — because I got this letter and how I wanted to respond was not parliamentary. The way I wanted to respond to this letter — my initial response — and if I put it on letterhead, it would not have been parliamentary. I would have signed it because that was how I felt. I was so mad that I had to walk back from this letter. I was so mad that I couldn't even think about it. Then the hard part for me was that this is a religious leader who sent me this letter. It was a person who has a public platform and who guides people. It hurt even more. I was so mad; I was so mad for a lot of reasons. I did share my anger with a couple of people because I couldn't even believe that he would write this down and this is what he would send.

So I reached out to Beverly Brazier who is a pastor of the United Church because I needed someone who could explain — who could help me. It was quite funny because her initial response was a lot like mine, and she said that I couldn't send that because that was unparliamentary, and it wouldn't do us any good in this argument. I said, “Okay, you're right.” We spent some time. We discussed different things. I did finally craft a response.

What I'm going to do right now is not something that I would typically do, but I'm going to read you the letter that I got that I had to respond to because this is what people in our

community face still. We can paint all the crosswalks we want and we can change laws and we can change things, but until we don't recognize people as “other”, this is still what people face. I'm going to read you this letter right now. I want you to know that I didn't leave it. I didn't just get this and not respond because I didn't want my silence to say that I approved. So I'm going to read this letter. If anyone wants me to send it, I can e-mail it to you. I've sent it to Hansard.

It says, “Dear Dear Ms. White,

“I am very deeply concerned about Yukon Territory's ‘conversion therapy’ ban, Bill 9.”

It's important that you know that conversion therapy is in parentheses the entire time, so it's given special attention.

“A ban on ‘conversion therapy’ represents a dangerous and unprecedented political intrusion into matters related to science, medicine, health, spirituality, and personal autonomy. The Yukon government has no business telling people who want to experience change that they are not allowed to do so. The government has no business telling qualified doctors and psychologists that they cannot help their patients. The government has no business telling churches and spiritual counsellors that they cannot nurture their adherents.

“According to Christopher Wells, a militant LGBT activist and government advisor” — I'm quoting — “The ultimate goal is to ensure that conversion therapy is put into the Criminal Code of Canada, so no matter where you practice it, and if you're practicing it, whether that's in a basement or in a church, you're going to go to jail because of this.”

Testify, brother.

“Yukon's Bill 9 would fall lock-step into line with Christopher Wells' brutal LGBT enforcement tactics.

“I do not believe anyone should go to jail for helping someone overcome unwanted gender dysphoria or same-sex attraction. It is absurd and totalitarian for any government to attempt to do so. It is also a violation of the fundamental human rights of those who want to change.

“Will you vote against Bill 9?”

“Can you end your 48 with the rest of her quote, then: It is also a violation of the fundamental human rights of those who want to change. Will you vote against Bill No. 9? To help you make the so important commitment to everyone's right to change, please watch this short video testimony from a former homosexual practitioner who recovered his true identity and found peace and freedom at last...” — there's a YouTube link if anyone wants it.

“Please respond with your position on this terrible bill. Thank you.”

I didn't click the YouTube video. I didn't watch it. I swore quite a bit, if I'm honest. Then I worked on it, and I had a conversation with someone who could help me. I have my friends here who I understand and conversations with others.

This is how I responded:

“Dear Sir,

“Until your April 8<sup>th</sup> letter opposing Bill #9, the only controversy surrounding the banning of conversion therapy was that it was taking too long.

“The Canadian Psychological Association opposes any therapy with the goal of repairing or converting an individual’s sexual orientation, regardless of age. Scientific research does not support the efficacy of conversion or reparative therapy.

“The goals of conversion therapy do not represent freedom for the individual; rather the goals of this therapy are clearly to convert individuals to heterosexuality. Therapies that respect and honour individual freedom don’t have a preconceived goal in mind.

“Full abundant life for people involves true freedom; the freedom to be who they are, to seek help that will not harm them when they need to, and to grow into the human beings that they were created to be.

“The Yukon NDP stands proudly behind, beside and in front of the young people and community members who helped Yukon get to the point where Bill #9 Sexual Orientation and Gender Identity Act was tabled in the legislative assembly. We fully support banning the practice of conversion therapy and my vote will reflect that.”

Mr. Speaker, I’m so proud of us for getting here. We have further to go. This is our 14<sup>th</sup> step out of maybe 652. I’m so proud of the people who are here today who have nudged us in the right direction. I look forward to getting to the point where we’re at the end of this, and thanks to the minister for tabling it.

**Mr. Gallina:** Mr. Speaker, in 1967, the former Prime Minister Pierre Trudeau introduced Bill C-150, which passed in 1969, decriminalizing same-sex sexual activity in Canada.

Since then, LGBTQ2S+ acceptance has been on the rise across our nation. Yet, despite the increased support between 1969 and 2020, the community built on diversity still combats discrimination on a daily basis.

To some, existing is treated as a crime in and of itself. Perhaps it is a perceived issue of moral or ethical superiority, or perhaps those who judge others for their personal lifestyle or identity choices are quite simply ignorant or cowardly. In any case, protecting our vulnerable youth and adults from those who would intend to do them harm is the priority behind this bill.

Conversion therapy, sometimes referred to as “reparative therapy”, is a long-standing issue that has plagued the LGBTQ2S+ community for far too long. Participants are exposed to shaming and emotionally traumatic or physically painful stimuli in an attempt to make them associate the stimuli to their LGBTQ2S+ identity. Conversion therapy is a pseudoscience with no reliable evidence to prove its effectiveness. In fact, it has been found to be more destructive than helpful overall. It can lead to severe psychological distress and leaves victims with increased depression, anxiety, self-destructive behaviour, and disassociation. Studies have shown that transgender people who have been exposed to conversion therapy efforts at any time in their lives have more than double the odds of suicidal attempts compared to those who have not been exposed.

Mr. Speaker, the legislation before us today will be the broadest in effect in Canada, as it bans anyone from performing

conversion therapy on a minor. This action reflects on this government’s commitment to inclusion and consideration for the mental and physical well-being of our growing LGBTQ2S+ community and is supported by many individuals and organizations across Yukon, including All Genders Yukon, the Yukon Teachers’ Association, Northern Gender Alliance, LesEssentiElles, Queer Yukon Society, Yukon Status of Women Council, Yukon Queer Film Alliance, Yukon Aboriginal Women’s Council, Help and Hope for Families, Victoria Faulkner Women’s Centre, the Yukon Women’s Transition Home Society, Dawson Women’s Shelter, and many, many more.

The government continues to employ a democratic process that focuses on the needs and desires of our community members at large. To ensure that the Government of Yukon meets the needs and priorities of LGBTQ2S+ Yukoners, this Liberal government initiated a territory-wide public engagement process in the fall of 2018. The purpose of this engagement was to identify ways to strengthen Government of Yukon legislation, policies, programs, services, and practices.

The engagement process provided multiple methods for LGBTQ2S+ Yukoners and allies to participate safely and with dignity. The purpose of this engagement was to address health, mental health and wellness, justice, safety and employment, and LGBTQ2S+ culture and community building.

In total, participation included three community dialogues, 110 attendees among 12 focus groups, four one-on-one interviews, 11 online submissions, and consultation with the gender and sexuality alliance at Porter Creek Secondary School.

Mr. Speaker, the overall feedback from this engagement speaks to providing education and training in LGBTQ2S+ cultural competency, a cultural shift toward more acceptance, services provided to rural and remote communities that are person-centred, creating more low-barrier access to facilities like businesses, schools, hospitals, and government buildings, and to the elimination of conversion therapy.

What is important to note is not only the important feedback received by this engagement, but the message to the LGBTQ2S+ Yukoners that this government is listening to the needs and challenges faced by this community here in the territory.

Attempting to change someone’s sexual orientation or identity through counselling, medication, or behaviour modification against their will is detestable. Being gay, trans, queer, or ascribing to whichever pronoun brings you comfort in your identity is not abnormal or something that can or should be cured. I say this today not as your MLA or elected official, but as your fellow human. You have a right to feel comfortable in your own skin. You have a right to be respected for the decisions that you make regarding your future, and you have the right to be free from persecution for your personal lifestyle and identity choices.

Mr. Speaker, this government does not support conversion therapy in any way. This legislation will ensure that conversion therapy is not an insured service for anyone, period.

While we believe that conversion therapy is not to be practised at all, we do recognize that, in a free society, adults who are able to consent to the practices should have that freedom. Conversion therapy amplifies the shame and stigma that so many members of the LGBTQ2S+ community already experience.

When members vote on this bill, I hope they consider those who are unwillingly subjected to trauma imposed upon them through conversion therapy, because we know, for instance, that the federal Conservatives have refused to condemn the practice of conversion therapy and that Conservative Leader Erin O'Toole has stated that he has concerns about the federal legislation brought forward to condemn this practice.

Mr. Speaker, I hope that all members of this Assembly will advocate for children to have the freedom to explore and develop their own social identity. Thank you.

**Hon. Ms. McPhee:** Mr. Speaker, conversion therapy is reprehensible — so-called “treatment” to convert or change a person from being their authentic self. Can we imagine a more harmful practice? Conversion therapy or so-called “gay cure” therapy aims to change an individual’s sexual orientation to heterosexual, to repress or reduce non-heterosexual attraction or sexual behaviours, or to change an individual’s gender identity to match the sex that they were assigned at birth. It harms and stigmatizes lesbian, gay, bisexual, transgender, queer, and two-spirited persons. It undermines their dignity and negatively impacts their equal rights. It reflects myths and stereotypes about LGBTQ2S+ persons — in particular, that sexual orientations other than heterosexual or gender identities are somehow wrong.

It reflects myths about counselling and behaviour modification. Conversion therapy is by definition at its very core harmful. Often titles of things in our world are ambiguous or unclear but the name of this practice makes its intentions very clear. The definition of “therapy” is a treatment intended to relieve or heal a disorder. It is the treatment of disease or disorders by some remedial, rehabilitating, or curative process, and the intention of the word “conversion” is also clear: to change or to make different.

It is critical, Mr. Speaker, that we recognize the evil done by discrimination and the practice of conversion therapy — the collective idea that a human must be other than their true selves. There is very strong evidence that discrimination occurs in our communities and at home. Queer and trans people experience significantly higher stress levels due to hostile social environments, leading to disproportionate rates of mental stress and illness. We have heard some of this already during this debate, but it bears repeating.

According to the interim results of the 2019-20 community-based research centre’s Sex Now survey, one in five sexual minority men have been subjected to sexual orientation, gender identity, or gender expression change efforts. It sounds a bit innocuous — “change efforts”; it is not. In 2011-12, results of the same survey also showed that low-income, indigenous, and trans persons are disproportionately represented among those exposed to conversion therapy.

Further, and related to this, 40 percent of homeless youth are queer or trans. That is a conversation that we have to keep having.

Conversion therapy practices have resulted in tragic rates of depression, anxiety, self-hatred, and suicidal behaviours among queer and trans change-effort survivors — and they are survivors. It is estimated that up to 20 percent of queer and trans men in Canada experience change efforts in some form, including conversion therapy.

Over 30 percent of the thousands of queer and trans people in Canada who have experienced conversion therapy have attempted suicide and many have actually taken their lives. In contrast, three percent of all Canadians attempt suicide.

Health organizations, including the Canadian Psychological Association, which you have heard about already, have dismissed the practice of conversion therapy as a treatment, saying it has no efficacy. They have also warned that the effects of such therapy can be harmful, resulting in distress, anxiety, self-harm, and suicide. In fact, there is absolutely no evidence to suggest that conversion therapy works. In fact, data suggests that the practice is dangerous and most medical communities have denounced it as unethical.

As noted above, the word “therapy” is misleading and there is no scientific basis for conversion therapy. Practices often vary widely and are not regulated. It is not medically certified.

One young man who now works as an advocate for LGBTQ2S+ rights talks openly about his past: “When I was 16, the social pressures to be straight and masculine were too profound for me to navigate or fight back. I was conditioned by my family, friends and community to think that my only option was to change, or take my life. I had no access to safe spaces for queer youth, inclusive health education, representation in any aspect of suburban life or exposure to queer values. This social milieu established conversion therapy as a viable or even necessary option to me.”

Not only does conversion therapy fail to change someone’s sexual orientation or gender identity, it also is likely to worsen feelings of anxiety, self harm, and low self-esteem. It is a cure for an illness that does not exist.

It is absolutely the business of government to provide safe places, safe communities, and ban harmful practices. Societal change, obliterating discrimination, and true equity can be slow to come and must be the result of combined and sustained efforts. One way we signal that change and acceptance is by changing our laws.

City and town councils, legislative assemblies, and Parliament have the power to determine if something is harmful and to make laws that encourage community and societal change. I certainly agree with the member opposite and champion her response to a letter that I am sure we all received.

In March 2020, the Government of Canada proposed legislative amendments to the *Criminal Code*. As a result of the prorogation of Parliament, they had to be reintroduced. That was done, as my colleague said, today — quite coincidentally.

The legislation proposes five new *Criminal Code* offences related to conversion therapy. These will include causing a



minor to — it will be a criminal offence to cause a minor to undergo conversion therapy. It will be a criminal offence to remove a minor from Canada to undergo conversion therapy somewhere else. It will be a criminal offence to cause a person to undergo conversion therapy against their will. It will be a criminal offence to profit from providing conversion therapy and it will be a criminal offence to advertise and offer to provide conversion therapy. The legislation would also authorize courts to order seizure of conversion therapy advertisements or to order their removal from computer systems or the Internet. It is far-reaching.

Criminal law reform is an important step toward protecting LGBTQ2S+ persons and promoting their rights. But as my colleagues have all said, more remains to be done.

The Government of Canada has committed to working with provinces, territories, municipalities, and stakeholders to ensure that Canada is a country where everyone — regardless of their gender expression, gender identity, or sexual orientation — can live in equity and freedom. These new offences would not apply to those people who provide support to people questioning their sexual orientation, sexual feelings, or gender identity — places where particularly youth go for support and to talk — individuals like teachers and school counsellors, faith leaders, doctors, mental health professionals, friends, or family.

So far, Mr. Speaker, four provinces — Nova Scotia, PEI, Manitoba, and Ontario — have all adopted measures to bar the practice from their health care systems. At least three major cities — Vancouver, Calgary, and Edmonton — have also blocked the therapy. In the United States, 20 states have banned this harmful practice. It is not near enough.

Back in the spring of 2020, Hon. David Lametti, at the time and still Minister of Justice and the Attorney General of Canada when he introduced the legislation, said this: “Conversion therapy is a cruel practice that can lead to life-long trauma, particularly for young people. The approach we are proposing today demonstrates our Government’s strong commitment to protecting the dignity and equality rights of lesbian, gay, bisexual, transgender, queer and two-spirited Canadians, by criminalizing a practice that discriminates against them and harms them. If passed, this bill would make Canada’s laws on conversion therapy the most progressive and comprehensive in the world.”

It is critical that other levels of government also pass legislation within their jurisdiction to make and support our society’s progress to reduce harm. As I have noted, some provinces have done so already. Ontario has made the practice illegal for minors by initiating an outright ban. Nova Scotia has made it illegal for health professionals to provide conversion therapy for minors. Some jurisdictions, like Manitoba, have implemented non-legislative measures where they issued a position statement indicating that it expects health professionals to ensure that conversion therapy is not practised in the province. Luckily, some Canadian municipalities — such as Vancouver, Calgary, Edmonton, St. Albert, Strathcona County, Lethbridge, Wood Buffalo, and Spruce Grove in Alberta — are banning the practice and promotion of

conversion therapy within their city limits. That’s their jurisdiction, and they’ve done what they can. Vancouver and St. Albert in Alberta are the two cities with a complete ban on conversion therapy.

As you’ve heard from others during this discussion, Mr. Speaker, and from the minister, our proposed Yukon legislation is leading edge and will protect the rights of our youth and those who have substitute decision-makers. It will also protect those individuals seeking information and counselling about their personal lives.

There has been much discussion in the developing of this legislation — and certainly in the conversations about it in other places in Canada — about a possible Charter challenge. We are confident and satisfied that, in the event that someone brought a challenge — or individuals who are trying to seek out therapy and potentially challenge this legislation, or even the federal legislation under section 2 of the Charter of freedom of religion argument, or under section 7 where an individual might argue about security of the person and their ability to undergo conversion therapy — we are confident that, despite those potential challenges, which are not likely, the law and government will prevail.

Mr. Speaker, change efforts harm lives. The addition of conversion therapy to the *Criminal Code* is a good first step, but it must come with education efforts and changed structures and social attitudes to underlie such practices. A ban is only a start to repairing the damage that has been done and continues to occur. We need to acknowledge the poor social supports for queer and trans people, particularly youth, and the limited positive representation and social and health inequities that they face.

Conversion therapy in all of its forms threatens our health and human rights. This is one of the very first files — I think ever. It certainly feels like it’s hard to remember back that far now that the Minister of Health and Social Services and I, as the Minister of both Justice and Education, and the Minister responsible for the Women’s Directorate worked on it together. We met with community members. We met with youth. We’ve been to the Rainbow Room. We’ve spoken to the students at F.H. Collins. We have very close personal experiences in our own lives — all of us — and feel deeply about all of the changes that we have made and that our government has worked on to make equality, equity, and diversity a priority for this government.

It is not even possible for me to express the gratitude that I have for the students who have been so brave in bringing these matters forward and in expressing themselves in a community that has, I think, supported them in expressing themselves. It has not always been easy to do that — I understand. Thank you for doing it. Thank you to all of the students who signed petitions, thought of petitions, and came here every time that we have had a piece of legislation that we think is making improvements and supporting those. Thank you for being who you are in your communities because when you speak out, communities change.

Mr. Speaker, diversity and inclusion are among Canada’s greatest strengths. Canadians must feel safe in their identities

and be safe there, and they must feel free to be their true selves. Yukoners must be supported to be who they truly are and live full, healthy, and safe lives.

I am so proud of the work that our government has done and that this Legislative Assembly has supported — and I expect it will support it today — to make our community more inclusive, more diverse, more safe, and more positive so that everyone can be who they truly are.

**Mr. Cathers:** In rising to speak to this proposed legislation, I want to begin by noting that, while there is no evidence that conversion therapy has ever been practised in the Yukon, I acknowledge that some people are worried that it might be in the future. It should also be noted that some of the matters addressed in Bill No. 9 are already being covered by proposed federal legislation that will amend the *Criminal Code* to prohibit conversion therapy against a person's will, prohibit causing a child to undergo conversion therapy, and create several other offences. Some of the matters in this bill can therefore be addressed at the federal level, regardless of what happens here.

As a reporter mentioned at a press conference with Minister Lametti this morning regarding the federal bill dealing with this issue, some people are worried that the proposed legislation, as currently worded, may impact interactions between parents and their children. I want to talk about what I have heard from Yukoners.

I strongly disagree with the government's decision not to do public consultation on the details of this legislation. I have had concerns raised with me by constituents and other Yukoners about some of the details in Bill No. 9.

As an example, some citizens are concerned about how undefined terms might be interpreted down the road, especially as they relate to people's rights and freedoms. We are seeing an increasing trend by this Liberal government of rules being imposed autocratically without public consultation. This trend has become substantially worse over the last six months. Their imposition of over two dozen ministerial orders under the *Civil Emergency Measures Act* without public consultation has upset many Yukoners.

**Some Hon. Member:** (Inaudible)

### Point of order

**Speaker:** The Minister of Community Services, on a point of order.

**Hon. Mr. Streicker:** I'm just having a tough time hearing the member opposite. I don't know what it is, but I am hoping that we can fix it a little because it's challenging, and I really want to hear what he's saying. Thank you.

### Speaker's statement

**Speaker:** So, just to the console operator in general — if you could make best efforts to ensure that all MLAs are heard. I think that, generally speaking, I'm the furthest away from some members. I think it has been quite good over the course of the last almost three hours, but there have been some glitches. I know it is day one, so I certainly understand that

we're still making modifications and adjustments, so we do the best possible to ensure that all MLAs can hear each other. Thank you.

**Mr. Cathers:** Thank you, Mr. Speaker. Since the Minister of Community Services indicated that he was having trouble hearing what I had just said, and he would like to, I'll just briefly repeat some of what I said and try to raise my voice a little bit so that hopefully members can hear better.

Some of the matters in this Bill, therefore, will be addressed at the federal level regardless of what happens here. As a reporter mentioned at a press conference with Minister Lametti this morning regarding the federal bill dealing with this issue, some people are worried that proposed legislation, as currently worded, may impact interactions between parents and their children. I want to talk about what I've heard from Yukoners.

I strongly disagree with the government's decision not to do public consultation on the details of this legislation. I have had concerns raised with me by constituents and other Yukoners about some of the details in Bill No. 9. As an example, some citizens are concerned about how undefined terms might be interpreted down the road, especially as they relate to people's rights and freedoms. We are seeing an increasing trend by this Liberal government of rules being imposed autocratically without public consultation. This trend has become substantially worse over the last six months.

Their imposition of over two dozen ministerial orders under the *Civil Emergency Measures Act*, without public consultation, has upset many Yukoners. Even people who generally agree with many provisions of the orders under CEMA have told us that they disagree with the lack of public consultation.

In Canada, we have enjoyed our democratic freedoms for so long that it is easy to become complacent and forget that democracy must be defended by every generation. During the pandemic, we have seen unprecedented restrictions put on our civil liberties. While some of these measures are needed for public health reasons, there is no reason why those decisions have to all be made in isolation by government instead of being subject to public consultation and the democratic process. While there are times when government may need to move quickly to respond to changing public health risks, over half a year into the pandemic, there is simply no excuse for the lack of public consultation on so many sweeping restrictions imposed by government. Similarly, there is no good reason why Bill No. 9 should not have been subject to public consultation on the details.

I have heard from Yukoners who are concerned by the details of Bill No. 9 and how they believe that it may be interpreted, notably as it pertains to freedom of speech. Freedom of speech — and indeed all our rights protected by the *Charter of Rights and Freedoms* — matter to Yukoners. The lack of clarity on what is considered "counselling" under the bill is a specific concern that has been raised with me by Yukoners. That term is not clearly defined in this proposed legislation. The question of when talking may become illegal is

worrisome to some Yukoners. The fact that section 7 of this proposed legislation would allow the seven members of the Liberal Cabinet to define that term in regulations at a later date without any public consultation is not comforting to concerned citizens.

While most people agree that the right to freedom of speech is subject to some reasonable limitations — such as not permitting inciting violence, threats of violence, and hate speech — I personally believe that anytime legislation that infringes on Charter rights is being considered, the public has the right to have their views heard. Whether any proposed limits are indeed — and I quote: “reasonable limits” that can be — and I quote: “... demonstrably justified in a free and democratic society”, as stated in the Charter, is always the public’s business. The Liberals even ran on an election promise in 2016 that Yukoners would be heard, yet time and time again, we have seen them forget that promise since forming government.

People want their elected representatives to listen to them and respect their views and values. Whether or not this legislation would have changed significantly if it had been subject to public consultation and if people’s views had been heard on the details of it is something I don’t know, but I think it is fair to predict that listening to public input probably would have resulted in some changes being made to this bill. Government should have at least given people the opportunity to be heard. Government does not need to be afraid of public consultation.

Mr. Speaker, while I have highlighted some of the concerns raised by Yukoners who are concerned about this legislation and its details, I have also heard from Yukoners who support the bill as written. I respect the views and values of all the people who have contacted me about this bill.

Our society is becoming increasingly polarized. While this polarization is more dramatically evident south of the border in the United States, it is growing in Canada as well. Part of the job of government — and indeed, of every elected representative — is to listen to people. Listening to people and respecting their views, values, priorities, interests, and concerns — even if you don’t always agree with each other — is an important step if you want to avoid polarization in society. As I have said before in this Assembly, it’s important for everyone to remember that we need to respect what our fellow Canadians value. People who are concerned that this legislation may impact their Charter rights should have had the opportunity to have their views, concerns, and suggestions heard before this legislation was finalized by government.

To remind members, the Charter says this:

“(1) The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

“Fundamental Freedoms

“(2) Everyone has the following fundamental freedoms:

“(a) freedom of conscience and religion;

“(b) freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;

“(c) freedom of peaceful assembly; and

“(d) freedom of association.”

When limits on any one of those rights or freedoms is being contemplated, in my view, the public always has the right to have their views on whether that is a reasonable limit fully considered.

In conclusion, I want to make it clear that I believe all elected representatives have a duty to stand up for the rights and freedoms of every person. I also believe that the people elected us to listen to them and represent them, not sideline them when important decisions are being made. The Liberal government could have easily asked the public for input on a draft version of this legislation. They simply chose not to do that.

**Speaker:** If the member now speaks, she will close debate on second reading of Bill No. 9.

Does any other member wish to be heard?

**Hon. Ms. McLean:** Thank you, Mr. Speaker. I listened of course with great interest to all the speakers today, but I’m still processing the final speaker here today.

I am gathering my thoughts. I have listened with an open mind and open heart to the remarks of my colleagues in the House today on this topic, and I thank them for their contributions and the discussion of this bill. I note that the Member for Watson Lake talked about our government having been somewhat pushed in this direction. We were going in this direction since we took on the file, and I know that our Minister of Justice spoke about that — that this is, in fact, one of the first joint matters that we addressed together, and so we were always going in this direction. We heard very, very clearly from Yukoners that this was a priority. I will speak a bit more about that.

Our intent is to get into a deeper discussion for sure in Committee of the Whole, but I want to acknowledge the Member for Takhini-Kopper King for her heartfelt words today and the work that she has done to advocate and to work toward equality in Yukon.

We, too, of course, have had letters lobbying us against tabling this bill — the Premier and me, for sure. We are replying to those Yukoners, and some non-Yukoners, around their concerns with the bill that we tabled in March. I’m not sure why the Member for Lake Laberge hasn’t, over the last six months since this bill was tabled, brought forward the concerns that he has expressed here today. I think that it would have been potentially helpful for us as we considered this bill.

That being said, at its heart, we are talking about the future of what we want to create in our territory — a future that I think most of us agree should be more inclusive.

I know that when we tabled the legislation in early days under the vital statistics bill and human rights, there were members within this Legislative Assembly who voted against that bill, and I recognize and hear that same sentiment today.

This is a human rights issue for Yukoners, and our debate and conversation in the Legislature are very important to help us make sure that we're on the right track to create a future that is inclusive. Our government has a vision to support healthy and vibrant communities. It's one of our key priorities. Part of having a healthy community is ensuring that it is safe for all Yukoners to express who they are and who they love without fear.

LGBTQ2S+ Yukoners deserve the same rights and protection that we all enjoy. That is why this legislation is so important. We have heard from LGBTQ2S+ communities that banning the harmful practice of conversion therapy is long overdue.

I know that the Minister of Justice and I have both stated that there are three other jurisdictions in Canada that have already banned conversion therapy. We know that banning conversion therapy is the right thing to do. As the fourth Canadian jurisdiction to implement a legislated ban, we are sending a message. We must always stand up for what is right. We must use the tools at our disposal to protect all Yukoners, including those who are marginalized.

I think of those members of our community who have been working toward equality for so long. I continue to learn so much from the members of the LGBTQ2S+ community and the tireless advocacy work that they do in Yukon. Thank you for all of your hard work and dedication. You have been critical in the development of this legislation but also in pushing governments, employers — all of us — to recognize your rights. Thank you to the Women's Directorate, Justice, Health and Social Services, and all of the folks who worked on this bill in bringing it forward. Thank you once again to the students who signed the petitions, wrote letters, and organized protests calling for the ban on conversion therapy. This is exactly what your role in a democratic society should be.

The time and energy that you put into advocating equality did not go unnoticed. This bill is part of a broader approach to creating a more inclusive Yukon through the development of this government's action plan on LGBTQ2S+ inclusion. We are developing ways in which our programs, policies, and services can be more inclusive for LGBTQ2S+ Yukoners. We are working collaboratively with the LGBTQ2S+ community and organizations that have provided us with the guidance we need to take our next steps.

In terms of the consultation that we did prior to tabling this bill, again, it was the first time that this work had been done in the Yukon. I have spoken about it already — that it will form a path-forward action plan that will reflect the kind of Yukon we want. We stand behind the bill as tabled today, and we really look forward to further debate. We'll be talking more extensively around some of the ideas and concerns that you brought forward today. I look forward to that discussion.

I would like to thank all members for their thoughts and their contributions on how to make our laws more inclusive. I know that it's an emotional topic for a lot of us. As the Minister of Justice has stated, there are a lot of folks who are close within our lives who are directly impacted by this. I want to let all Yukoners know that we are absolutely committed to an

inclusive Yukon that protects the rights of all. Let's continue to move forward and make lasting changes together.

**Speaker:** Are you prepared for the question on second reading of Bill No. 9?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Ms. Frost:** Agree.

**Hon. Mr. Pillai:** Agree.

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Ms. McLean:** Agree.

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. McLeod:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** 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. 9 agreed to*

#### **Bill No. 10: Act to Amend the Employment Standards Act (2020) — Second Reading**

**Clerk:** Second reading, Bill No. 10, standing in the name of the Hon. Mr. Streicker.

**Hon. Mr. Streicker:** I move that Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, be now read a second time.

**Speaker:** It has been moved by the Minister of Community Services that Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, be now read a second time.

**Hon. Mr. Streicker:** It is my privilege and honour to introduce Bill No. 10, entitled *Act to Amend the Employment Standards Act (2020)*, back to this Legislature. You may recall that we previously amended the *Employment Standards Act* in the spring 2019 session. Those updates align parental leave, compassionate care leave, leave related to critical illness of a child, and leave related to critical illness of an adult with federal employment insurance programs.

The amendments protect the jobs of Yukoners who need this to support their family and loved ones. This particular bill was originally tabled in the spring 2020 session, but it did not

move beyond first reading, as session ended early due to the COVID-19 pandemic. The importance of these amendments has increased in the past six months due to increased domestic violence rates.

I am pleased that the Legislature can continue our discussion and debate of Bill No. 10. These amendments will provide access to paid and unpaid leave for victims of domestic or sexualized violence working in territorially regulated industries and professions.

Yukon and Nunavut are the only Canadian jurisdictions without domestic violence leave, and yet Yukon has the dubious distinction of rates of gender-based violence that are three times the national average. The Northwest Territories developed legislation that offers five paid and five unpaid days of domestic violence leave, and their leave provisions came into effect January 1 of this year.

I am following the directive of my latest mandate letter to develop unpaid leave options to support victims of domestic violence. This leave addresses the mandate given to me and my colleague, the Minister responsible for the Women's Directive, in conjunction with the ministers of Justice and Health and Social Services, to improve services for victims of violence and sexualized assault in the Yukon. Mr. Speaker, this leave aligns with work being done to support missing and murdered indigenous women and girls and two-spirited Yukoners, as well as the work of the Yukon sexualized assault response team, that aim to improve services like this leave and reduce barriers for victims. It confirms this government's commitment to a people-centred approach to wellness that helps Yukoners thrive.

We are joining six of the 11 Canadian jurisdictions that provide combined domestic violence and sexualized violence leave. This will allow victims of sexualized violence perpetrated by anyone — including intimate partners, family members, acquaintances, and strangers — to access this employment leave. The needs of victims of sexualized violence and domestic violence are similar. The nature of these crimes, the fact that they are often under-reported, and systemic barriers to support often result in victims being left dealing with complex trauma. Paid leave provides a way to significantly lower one barrier for victims by minimizing financial hardship and providing victims the time to access medical, legal, and other supports.

This leave will provide employees time to get the support they choose if they, their children, or people for whom they are caregivers or close friends experience domestic or sexualized violence. For instance, the victim may need time to go to the police or to meet with lawyers or child protection workers. They may also need time for counselling or simply to heal from physical or psychological injuries. If they are working through a separation, they may need time to deal with countless details, such as changing bank accounts or getting new identification documents.

The employment and economic security this leave will provide is an important and necessary support when dealing with domestic or sexualized violence. Employment and economic security are even more important, given the effect of COVID-19 on working people, employers, and the economy

which is still recovering. As people work to get back on their feet, victims in particular need even more support to change and improve their situations.

Mr. Speaker, this leave will provide five days of paid leave and five days of unpaid leave which can be taken in increments. If required, a longer term leave of up to 15 unpaid weeks can be taken. This leave must be taken consecutively unless the employer consents to it being taken non-consecutively.

Paid short-term leave and unpaid long-term leave will be available after 90 days of employment. Unpaid short-term leave will be available immediately. The amount of leave that we are providing is consistent with most jurisdictions that provide a combination of paid and unpaid leave.

Mr. Speaker, domestic violence impacts the workplace as well. Canadian employers lose nearly \$78 million annually because of direct and indirect impacts of domestic violence. The cost to individuals, to families, and to society of course are even higher. The COVID-19 pandemic has made matters worse. Since the pandemic, the number of open police files in the Yukon for domestic violence-related charges increased by more than 25 percent over the same period in 2019. Unfortunately, this appears to be the trend across Canada and around the world.

At this point, I would like to take a moment to talk about the definition of “domestic violence” for this leave. We are aligning the definition of “domestic violence” in the *Employment Standards Act* with the corresponding definition in the *Family Violence Prevention Act*. It is a broad definition that includes all forms of violence — specifically sexualized and physical violence, psychological violence, stalking, as well as threats. It may be perpetrated by partners or family members without the requirement of cohabitation. This definition recognizes that domestic and sexualized violence can occur in many intimate relationships, including same-sex and familial relationships. This broad definition includes all forms of domestic and sexualized violence to reduce the risk of unintentionally excluding victims from accessing leave. Our definition of “domestic and sexualized violence” aligns with those used in Saskatchewan, Prince Edward Island, and Newfoundland and Labrador.

The eligibility for this leave extends to employees when their child or other person for whom they are a caregiver is the victim of domestic or sexualized violence. This eligibility more accurately reflects the concept of kinship for indigenous people, for whom broader definitions of “family” and “caregiver” are common.

Mr. Speaker, people with a history of domestic violence have a more disrupted work history, so the impact on their wages is greater. They may have to change jobs more frequently. They often work more casual or part-time jobs as compared to their peers who are not dealing with domestic violence.

The first Canadian survey on domestic violence was conducted by the University of Western Ontario and the Canadian Labour Congress in 2014, and I tabled that study for information here today. The parameters were broad. Domestic violence for the purpose of the survey was defined as “any form

of physical, sexualized, emotional, or psychological abuse". This included financial control, stalking, and harassment.

Of those who reported domestic violence, nearly 40 percent said that it impacted their ability to get to work. Nearly 10 percent said they lost their job because of it. Overall, nearly 82 percent reported that domestic violence negatively affected their work performance. The survey report is entitled *Can Work Be Safe, When Home Isn't?*

It is a sad fact that women are far more likely to be victims of domestic violence or sexualized violence. Rates of violence against indigenous women are up to four times higher than those against non-indigenous women. Studies show that many victims of domestic violence experience barriers to accessing supports or removing themselves from their situation.

Every circumstance is unique, with different complexities. This leave will be another resource for victims to respond to their situations. We know that removing "job" or "financial insecurity" from the list of barriers victims face may help to support their long-term healing and stability. Domestic and sexualized violence is often under-reported due to many complex and systemic barriers, which sometimes include a lack of support in the workplace. If victims ask for work, they may be worried about how their employer will respond. They may even be worried about losing their job.

COVID-19 has further impacted if and how victims come forward. Many support agencies have had to limit or modify their services. Many victims may still feel reluctant to come to a public space or access a transition home.

I want to remind all Yukoners that services for victims of domestic and sexualized violence are still available. Government and community agencies have done an incredible job, alongside businesses, of balancing accessibility with safety. In addition to the barriers facing victims, we know that some employers might also be uncertain about how to effectively support or speak to an employee who is experiencing violence.

Mr. Speaker, we recognize that operational requirements and staffing for private sector businesses may be impacted if or when employees access this leave. However, studies show that long-term productivity increases when the threat of domestic violence is removed as it affects employee focus, retention, and absenteeism. For this reason, we believe that this bill will help to improve the situation for both employees and employers over the long term.

Mr. Speaker, we want to ensure that victims who wish to access this leave, and their employers who provide it, have the supports they need. We learned from other jurisdictions that implementation has been a particularly critical facet of the leave. To that end, the Women's Directorate and Community Services will be engaging with stakeholders on how best to implement this leave for the Yukon. Each stakeholder group will contribute their specific expertise and valuable knowledge. This will be vital to effectively supporting victims of domestic violence or sexualized violence as well as employers.

We anticipate that stakeholder engagement will begin this winter. The Women's Directorate and Community Services will be asking for input on a number of areas, including: the

education resources needed by employees and victims; the education resources and training needed by employers; strategies on how to make information on the leave easily accessible to victims and caregivers; identifying what it can be used for and when; processes to ensure a low administrative burden to accessing the leave; and communicating the rights and responsibilities of an employee and employer when this leave is accessed.

We will be talking with stakeholder groups representing women, including indigenous women. Among them are: Dawson City Women's Shelter, Help and Hope for Families Society in Watson Lake, Yukon Aboriginal Women's Circle, Whitehorse Aboriginal Women's Circle, the Yukon Women's Transition Home Society in Whitehorse, and the Victoria Faulkner Women's Centre. Because violence also occurs in same-sex relationships, LGBTQ2S+ groups will also be engaged, including Queer Yukon and All Genders Yukon.

To understand what supports employers will need to implement this leave, the Women's Directorate and Community Services will also engage with the business community, including First Nation development corporations and the Yukon and other local chambers of commerce. We recognize that businesses will have operational requirements. In their engagement, the Women's Directorate and Community Services will be exploring how best to help employers support their employees who are experiencing violence, how government should make information regarding the leave available to business owners, what to include on an optional leave form, and what types of materials and training should be made available to employers.

As well, we will contact organizations focused on health, including the Council of Yukon First Nations health commission, First Nation health departments, and the Whitehorse Emergency Shelter.

Implementation is anticipated to be the most complex part of this proposal. While other jurisdictional examples are available, we need to put them into the context of the Yukon. For example, privacy issues might be more prevalent due to Yukon's small population, especially in the communities outside of Whitehorse. Focusing engagement on stakeholders may reduce privacy issues while ensuring that voices are still heard. As victims are in a vulnerable time in their lives, we do not want to create the potential for re-traumatizing them through a request for leave. Through education and resources, we will support both employers and employees to reduce the possibility of this occurrence. After engagement on implementation is complete, we will be able to develop and provide support materials through the employment standards office and online at yukon.ca.

Mr. Speaker, we are bringing this legislation forward now in advance of our engagement. We will work diligently to put in place the materials and supports to implement this leave for domestic violence and sexualized violence. Once we have developed implementation materials and processes that are informed by talking with key stakeholders, we will make the leave available. We hope that this leave will help support victims of domestic and sexualized violence in their journey to

heal and create a better, safer and supported life and, in particular, in our private sector.

I thank the officials from the departments of Community Services, Justice, and Health and Social Services, and the Women's Directorate for their work in preparing this bill.

I look forward to hearing, from all members of this House, their thoughts on the bill before us.

**Ms. Van Bibber:** I rise to speak to Bill No. 10, the *Act to Amend the Employment Standards Act (2020)*. I would like to also thank those individuals who have worked on this piece of legislation.

We were provided with a very informative briefing this morning. This legislation will enable those who are subjected to sexualized and domestic violence to access leave to deal with emotional, physical, legal, or other repercussions. This will include those who have personally experienced these types of violence and those who are supporting an individual going through this. We are satisfied that providing five days of paid leave to employees after three continuous months of services is complementary to other benefits allowed to many employees in the workplace. Providing five days of unpaid leave to those with under three months of employment is also very important as sometimes the newer employees may feel that they have the most to lose by taking days off so early in their employment, regardless of the reason.

The fact that individuals are able to access longer term, unpaid leave up to 15 weeks is equally important as many complex situations may require time to work through them. People who experience domestic violence have historically separated their experiences and situations from their employment. Domestic or sexualized violence is rarely brought up in the workplace. The stigma associated with it is just too real. People facing these types of violence would struggle to hide their experiences among what options they had to leave. Some use sick days here and there — some having to do this so often that they would leave themselves short when it was needed for illness. Some do not have paid sick leave or any paid leave. Many employees facing such ordeals will continue waking up and heading to work, keeping silent about their struggles.

Bringing leave such as this into the workplace allows individuals who have experienced domestic or sexualized violence to take the time they need to heal from visible and non-visible wounds. It also provides the chance to open up about their experience if they so wish. This leave allows employees to take time without being penalized. It gives them time to get medical care, if needed, get counselling, work with Victim Services, relocate, or get legal help if necessary.

This is another step to assisting in this process. It's not just a personal issue that affects one person; it does have a ripple effect that can harm a whole family unit, a whole workplace unit, and so on. The very fact that this leave is being added to the lengthy list of various types of leave points to the notion that it is a widespread issue, it is recognized, and there should be no stigma attached to using it.

On behalf of my colleagues in the Official Opposition, we will be supporting this bill. Again, I would like to thank all those who have worked on bringing forward and implementing this important addition to the *Employment Standards Act*. We hope it moves forward expeditiously.

**Ms. White:** In speaking to Bill No. 10, *Act to Amend the Employment Standards Act (2020)*, I don't think it will come as a surprise to any that the NDP will of course be supporting this legislation and this change.

When you know anyone in the territory, you know someone who has been affected by domestic or sexualized violence and what it can mean to a person or their family and how hard it can be to put the pieces back together. We appreciate that this bill makes sure that people are supported and are able to take the time when they need it.

I think that the part I was told today that resonated the most with me was that, in order to access this leave, there is no need to have any kind of proof because it was not about re-traumatizing victims. I think that when we talk about harm reduction or sensitivity, this is an important part of that — making sure that we are not asking someone to get the verification from a third party, whether it is a women's organization or a doctor or whatever. I think that is really important and just shows how far we've come when we talk about thinking outside of ourselves toward others.

I did also appreciate today in the briefing how it was explained as to how it was going to work. One of my concerns though was the timeline or lack of maybe a concrete timeline. I say this only because — I've seen legislation come here, and waiting for the regulations to be developed — it can go on in perpetuity. I mean, I use the *Residential Landlord and Tenant Act* as an example because it passed in 2012 and didn't come into force until 2017. It was five long years.

I appreciated today in the briefing where we were told that, once it passed this part, the conversations would start with women's organizations and queer organizations — the organizations — for feedback, but I struggle to understand why those conversations couldn't happen ahead of time. I mean, it's very rare that legislation is able to be amended on the floor of the Assembly. Again, we have a majority government and so unless there was a glaring error that everyone agreed to, it's not something that could change here.

I appreciate that, in the COVID world, things getting together has been harder but Zoom and Jitsi and other online platforms exist, and today we were told in the briefing that's how it would be done. It would be done in a remote way — that people could contribute their feedback.

So I just highlight my concerns that we're just going to pass this and we're going to wait. Really, the reason why people are speaking in favour of this legislation is because it's so important — because it's about supporting people in really tough spots. None of us wish that anyone needs to access leave like this, but if they need it and they're in that kind of crisis, I want them to be able to access it. We look forward to having the minister tell us how that's going to go — the steps and maybe even a ballpark guideline of when it could be in place

— because really, these changes are critical. It's not about us passing it in the fall of 2020 and it not coming into force until 2022. Heaven forbid it should be on the books for that long.

So we look forward to going into Committee of the Whole and having questions with the minister with his support here.

**Ms. Hanson:** I just want to echo the comments made by the Leader of the New Democratic Party. I too stand in support of the principles outlined in the *Act to Amend the Employment Standards Act (2020)*. I listened carefully to what the minister outlined when he made his opening comments and talked about the timeliness of this — the importance of this now, because we have seen the rise of domestic violence during this pandemic in the last six months. I guess I was just taken aback when — I am; not “guess” — I am taken aback.

I absolutely expect the minister to be able to say to this House when this legislation will come into effect; otherwise, this is a sham because we are saying to people who are suffering violence — who are enduring domestic or sexualized violence — that there is some help for you, but guess what — it is not available yet — and guess what — we don't know when it will be available to you because we won't commit to when it will be available.

I say that based on the experience — as the Leader of the New Democratic Party has just pointed out — that there are numerous pieces of legislation that have been passed by this Legislative Assembly since 2016 where we are still waiting for regulations to give them effect. I am not going to enumerate them here this afternoon — members opposite know what they are.

But it is one thing to say that we're doing the right thing, but if it's not in force and effect, what good is it? Will it sit on the shelf for the next three years? That would be very disturbing, so I hope that is not the intent, and I hope that this minister will say to us that before spring there will be regulations — because otherwise, what was the purpose of identifying the reality that people are living every day with increased incidences of violence and domestic abuse?

**Hon. Ms. McLean:** I rise today in support of Bill No. 10, *Act to Amend the Employment Standards Act (2020)*. I know that this government is committed to supporting victims of violence in all forms. Like the Minister of Community Services identified, this bill directly aligns with the mandate given to me, the Minister of Justice, and the Minister of Health and Social Services to improve services for victims of violence and sexualized assault in Yukon. This leave provides employees the time to get the support they choose if their children or people with whom they are close friends or who they are caregivers for experience domestic or sexualized violence.

Our goal is to improve the social response to victims at all levels so that they feel believed, honoured, and supported within the justice system, support services, and their own communities. We know that our services and systems must support the dignity, well-being, and healing of victims. We are committed to improving these responses wherever possible. This is why we are working to amend this legislation. My hope

is that this legislation sends a clear message to victims: We support you.

These paid and unpaid leave provisions were created to be victim-centred and limit the re-traumatizing of victims. We aim to break down barriers for victims and to create space in which they can pursue the supports they may need without financial burdens limiting them.

Mr. Speaker, many of our colleagues across the country have already put in place this type of legislation. In fact, all 10 provinces have enacted some form of legislation supporting victims of family violence, domestic violence, or sexualized violence leave. I'm proud that Yukon's legislation is quite ambitious, both in terms of the leave provisions available as well as who can access the leave. The eligibility for paid and unpaid leave is intentionally broad to cater to the nature of what relationships look like in the Yukon and to be inclusive of the diversity of the family unit in Yukon. It is not unusual for someone's support network to be outside their immediate family. The leave is flexible in who can use it — whether you need to take the leave for yourself or to support a family member, child, or friend.

Our legislation also intentionally includes sexualized violence, which is not the case in every jurisdiction. We knew that it was critical to be inclusive in the scope of this effort since the rates of violence here are unacceptably high. This leave will provide five days of paid leave and five days of unpaid leave which can be taken in increments. This aligns with the Government of Canada, Saskatchewan, Manitoba, Ontario, New Brunswick, and Northwest Territories. If required, a longer term leave of up to 15 unpaid weeks may be taken.

Yukon's long-term leave provisions align with what is currently being offered within BC, Northwest Territories, and Ontario. These opportunities for paid and unpaid leave will allow victims to pursue their chosen supports. This might mean reporting to the police, meeting with a lawyer, accessing counselling, or any other form of traditional healing. This also allows the victims' families time to be the support system the victims need without the fear of income insecurity.

This type of legislation is becoming the new norm throughout Canada. Governments around the nation are recognizing the importance of supporting victims in the workplace. Yukon is committed to this as well.

I would like to take a moment to point out the gendered impact domestic and sexualized violence has within our community. Sexualized assault is a persistent form of gender-based violence that is rooted in gender inequality.

The Minister of Community Services has discussed in his comments how we know that people in the Yukon are three times more likely to experience gender-based violence than the national average. Further to these already high numbers, it is reported that rates of spousal abuse and homicide are three times higher for indigenous women than for non-indigenous women. That is in the territory. I know that there was another statistic that talked about it being four times higher for indigenous women, but that's overall in Canada. So, again, it is three times higher in Yukon and then three times higher yet for indigenous women.



As we are all aware, indigenous women and girls in Canada are disproportionately affected by violence and are over-represented in the rate of women who are impacted by domestic violence and sexualized violence. As the Minister responsible for the Women's Directorate and a co-chair of the Yukon Advisory Committee on Missing and Murdered Indigenous Women, Girls and Two Spirited Yukoners, this bill falls in line with our government's unwavering commitment to supporting indigenous women, girls, and two-spirited individuals in Yukon.

As we move toward finalizing the Yukon strategy on MMIWG2S+, it is clear that support for victims of gender-based violence is a priority. We heard from family members of missing and murdered indigenous women and girls that the systems that are meant to support victims sometimes unintentionally end up re-traumatizing them. These leave provisions are one step in changing that story, Mr. Speaker.

This legislation also complements work we are doing with the sexualized assault response team, or SART. SART provides coordinated victim-centred, low-barrier services to victims of sexualized assault. New services within SART include a 24/7 confidential support line for victims to call, a website, weekend SART support workers on call, specially trained medical providers, specially trained RCMP officers, and priority access to mental wellness care. SART also builds collaboration between existing services, including the Crown witness coordinators, Victim Services, and many other supports within the territory.

Providing access to paid and unpaid leave is another step to providing supports. This leave is an essential option for victims of domestic and sexualized violence to seek support and feel safer within their workplace. It takes an enormous amount of bravery for victims to come forward and even more to pursue the healing that they need.

There are many reasons a victim may not come forward: a fear of not being believed, a deep sense of shame, feeling powerless, distrust in the criminal justice system, guilt and shame in questioning their own actions, fear of children being removed from the home, loss of relationships with friends or family, loss of income, or feared retaliation from their abuser. Victims of domestic violence and sexualized violence can be at an increased risk of further violence after they report the crime, leave a violent relationship, or access supports.

Our culture has become accustomed to victim blaming rather than keeping abusers accountable, which often leads to victims staying quiet. These barriers can be especially pronounced in rural or remote communities as a result of limited access to support sometimes, like transition homes and legal services.

Both domestic and sexualized violence are vastly under-reported across Canada. More than 80 percent of cases of domestic violence go unreported. Sexualized assault is the most under-reported crime, with 95 percent of victims not reporting. This legislation acknowledges the barriers in reporting domestic and sexualized violence and allows employees to access the supports that best suit their needs.

We all know that COVID-19 has impacted gender-based violence. During the pandemic, domestic and sexualized violence rates have risen considerably everywhere around the world. A Canadian survey of those working in various support services for victims found that 82 percent of respondents noticed an increase in domestic and sexualized violence incidences and 50 percent noticed an increase in severity. Researchers believe that this could be due to the combination of much more time being spent at home, income insecurity, and the difficulty of securing new housing during the pandemic. Sexualized violence often affects more than one aspect of one's life, including their mental and physical health, job security, and housing stability.

As my colleague mentioned, domestic and sexualized violence also have, without question, an impact on the workplace. If an employee is trying to respond to violence in their life, there is no question that their work performance will be negatively impacted.

I know that the pandemic has impacted many businesses in Yukon. I hope that this leave can help businesses to effectively retain employees by providing them with some options to get the support they need. This bill continues our government's commitment to a victim-centred approach in our legislation. Violence touches all of our lives, Mr. Speaker, whether we experience it directly or support a family member or friend. I know that these amendments are the right thing to do for our territory. With this bill, we want to support victims and help them feel empowered to find the help and healing that they deserve. We want victims to know that the Yukon government supports them on whatever path they choose.

Thank you very much for the opportunity to comment on this important piece of legislation, Mr. Speaker.

**Mr. Cathers:** I just would like to briefly speak to this legislation. I am pleased to see this amendment brought forward to the *Employment Standards Act*. It's very important to have the appropriate safeguards in place for people, including, in this particular case, the amendments dealing with people who are victims of domestic or sexualized violence. I do thank the government for bringing forward these changes. It is, as the minister mentioned, something that is common in other jurisdictions, but the Yukon's legislative structure had not yet caught up. I think that it is valuable and important that these changes be made to strengthen that support structure.

**Speaker:** If the member now speaks, he will close debate on second reading of Bill No. 10.

Does any other member wish to be heard?

**Hon. Mr. Streicker:** I would first of all like to thank all members who rose to speak to this legislation because all expressed support for it. There were, of course, some concerns that were raised, and I look forward to discussing those through Committee of the Whole.

I will say a couple of things. I believe that we are very keen to see this legislation not only pass this House but also be implemented.

I will work hard to make sure that there are resources put toward achieving that implementation. I want to, of course, respect the need to have the dialogue with all of the groups that I listed off when I rose previously.

I do think that we have been having much informal conversation — for example, when we passed amendments to the *Employment Standards Act* last year. That initiated much conversation between employers and employees around the act. We also, here in the House, have passed legislation around the *Workers' Compensation Act* to talk about trauma, and we've been working on how to deal with that trauma around the workplace. This spring, as has been noted, we got up and running the sexualized assault response team, which we hope is helping victims of domestic and sexualized violence. That is its goal, and I think that shows strong intent to address this issue, and this is another step along the way.

Again, thanks to all members for, in general, their support with the intention of this act. I look forward to further dialogue in Committee of the Whole in order to answer some of the specific questions that were raised.

**Speaker:** Are you prepared for the question?

**Some Hon. Members:** Division.

#### Division

**Speaker:** Division has been called.

#### Bells

**Speaker:** Mr. Clerk, please poll the House.

**Hon. Mr. Silver:** Agree.

**Hon. Ms. McPhee:** Agree.

**Hon. Ms. Frost:** Agree.

**Hon. Mr. Pillai:** Agree.

**Mr. Adel:** Agree.

**Mr. Hutton:** Agree.

**Hon. Mr. Mostyn:** Agree.

**Hon. Mr. Streicker:** Agree.

**Hon. Ms. McLean:** Agree.

**Mr. Gallina:** Agree.

**Mr. Hassard:** Agree.

**Mr. Kent:** Agree.

**Mr. Cathers:** Agree.

**Mr. Istchenko:** Agree.

**Ms. Van Bibber:** Agree.

**Ms. White:** Agree.

**Ms. Hanson:** Agree.

**Clerk:** Mr. Speaker, the results are 17 yea, nil nay.

**Speaker:** The yeas have it. I declare the motion carried.  
*Motion for second reading of Bill No. 10 agreed to*

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

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

*Motion agreed to*

*Speaker leaves the Chair*

#### COMMITTEE OF THE WHOLE

**Chair (Mr. Hutton):** Committee of the Whole will now come to order. The matter before the Committee is general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*.

Do members wish to take a brief recess?

**All Hon. Members:** Agreed.

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

*Recess*

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

#### Bill No. 9: *Sexual Orientation and Gender Identity Protection Act*

**Chair:** The matter before the Committee is general debate on Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*.

Is there any general debate?

**Hon. Ms. McLean:** I would like to welcome our officials to the Legislative Assembly today: Valerie Royle, Deputy Minister responsible for the Women's Directorate, and Bhreagh Dabbs from Justice. Thank you for being here today and assisting with the Committee of the Whole.

In my earlier remarks on second reading, I briefly reviewed the legislative changes that we have embarked upon in the last three years to make Yukon a more inclusive place for all genders and sexualities. These legislative changes, as well as public engagement, a petition, and much more, have led us to the *Sexual Orientation and Gender Identity Protection Act* that we are currently considering.

I will now discuss some historical context, talk about the bill in depth, and consider our present and future directions. I know that Yukon laws are living documents; they are not set in stone. Like all of us, they must be responsive to changes in society.

Here is an example. After years of rallying and fighting for safety and equality, homosexuality was decriminalized in 1969. That was only 51 years ago — one generation.

Later, society moved slowly toward recognizing same-sex marriages. It took the *Canadian Charter of Rights and Freedoms* and a number of high-profile court cases and changes in the law for same-sex marriage to be legalized across the country. These examples may feel like they were a long time ago, but we are living through another similar example right now. We are living in a time when it is not illegal to subject people who identify as LGBTQ2S+ to harmful practices with the intent of changing their gender expression or sexuality. We must be an example for positive change, not for exclusion. That is why we are proposing this bill. Those who identify as LGBTQ2S+ and their allies are demanding equality before the law. They want to feel safe in their community. This ban is one

important part of that. Not only does it limit a harmful practice, but it sends a message that their safety is important. We are telling LGBTQ2S+ Yukoners that they can be who they are.

In my second reading speech, I detailed the progress that our government has made toward making our legislation more inclusive for LGBTQ2S+ Yukoners. The bill that we are considering today marks the next step in this process. Now I would like to go through the bill in a little more detail. As a reminder, conversion therapies are interventions aimed at changing an individual's sexual orientation, gender identity, or gender expression. Conversion therapy is harmful and can have negative impacts and outcomes.

In this legislation, it is defined as “counselling”, “behaviour modification techniques”, “the administration or prescription of medication”, or “any other practice, service or treatment”, with the objective of changing the person's sexual orientation or gender identity.

We want to be sure that this legislation does not interfere with someone's ability to access helpful and safe support services — to ensure that the definition of “conversion therapy” in this legislation does not include a practice, treatment, or service that provides acceptance or that helps with coping, social support, or identity exploration and development or gender-affirming surgery or any practice, treatment, or service related to gender-affirming surgery.

This act protects minors as well as adults who have a substitute decision-maker or a guardian appointed from harm caused by services that try to change a person's sexual orientation or gender identity. The ban ensures that conversion therapy cannot be practised on minors or adults who have a court-appointed guardian. A substitute decision-maker is not able to give consent for conversion therapy. This legislation provides further clarification that conversion therapy cannot be insured by Health Services. In no instance will the Yukon government pay for conversion therapy.

Unfortunately, we have run out of time. I move that you report progress, Mr. Chair.

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

*Motion agreed to*

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

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

*Motion agreed to*

*Speaker resumes the Chair*

**Speaker:** I will now call the House to order.

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

### Chair's report

**Mr. Hutton:** Mr. Speaker, Committee of the Whole has considered Bill No. 9, entitled *Sexual Orientation and Gender Identity Protection Act*, and directed me to report progress.

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

Are you agreed?

**Some Hon. Members:** Agreed.

**Speaker:** I declare the report carried.

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

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

*Motion agreed to*

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

*The House adjourned at 5:28 p.m.*

### The following sessional papers were tabled October 1, 2020

34-3-32

*Report from the Clerk of the Yukon Legislative Assembly on the Absence of Members from Sitzings of the Legislative Assembly and its Committees* (October 1, 2020) (Speaker Clarke)

34-3-33

*Report on Subsistence, Travel & Accommodations of Members of the Yukon Legislative Assembly 2019-2020* (Speaker Clarke)

34-3-34

*2019 Annual Report — Working to promote fairness, access & privacy rights, and protect the public interest — Yukon Ombudsman, Yukon Information and Privacy Commissioner, Yukon Public Interest Disclosure Commissioner* (Speaker Clarke)

34-3-35

*Report of the Chief Electoral Officer to the Legislative Assembly — 2019 Annual Report on Political Party Revenues — Annual Revenue Returns — Contributions Made To Political Parties — January 1, 2019 to December 31, 2019* (Speaker Clarke)

34-3-36

*Seventeenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (April 1, 2020) (Adel)

34-3-37

*Eighteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (April 30, 2020) (Adel)

34-3-38  
*Nineteenth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (June 24, 2020) (Adel)

34-3-39  
*Twentieth Report of the Standing Committee on Appointments to Major Government Boards and Committees* (August 19, 2020) (Adel)

34-3-40  
*Twenty-first Report of the Standing Committee on Appointments to Major Government Boards and Committees* (October 1, 2020) (Adel)

34-3-41  
*Standing Committee on Public Accounts Fifth Report — Yukon Public Accounts 2018-19* (May 2020) (Hassard)

34-3-42  
*Standing Committee on Public Accounts Sixth Report — Kindergarten Through Grade 12 Education in Yukon — Department of Education* (May 2020) (Hassard)

**The following legislative returns were tabled October 1, 2020:**

34-3-18  
 Response to Written Question No. 2 re: carbon price exemption for farm propane (Silver)

34-3-19  
 Response to Written Question No. 22 re: website and visual identity costs for the Executive Council Office (Silver)

34-3-20  
 Response to Written Question No. 11 re: website and visual identity costs for the Department of Finance (Silver)

34-3-21  
 Response to Written Question No. 8 re: website and visual identity costs for the Department of Education (McPhee)

34-3-22  
 Response to Written Question No. 12 re: website and visual identity costs for the Department of Justice (McPhee)

34-3-23  
 Response to Written Question No. 16 re: website and visual identity costs for the Yukon Liquor Corporation (Streicker)

34-3-24  
 Response to Written Question No. 23 re: website and visual identity costs for the French Language Services Directorate (Streicker)

34-3-25  
 Response to Written Question No. 17 re: website and visual identity costs for the Department of Community Services (Streicker)

34-3-26  
 Response to Written Question No. 13 re: website and visual identity costs for the Department of Environment (Frost)

34-3-27  
 Response to Written Question No. 19 re: website and visual identity costs for the Yukon Housing Corporation (Frost)

34-3-28  
 Response to Written Question No. 9 re: website and visual identity costs for the Department of Energy, Mines and Resources (Pillai)

34-3-29  
 Response to Written Question No. 14 re: website and visual identity costs for the Department of Economic Development (Pillai)

34-3-30  
 Response to Written Question No. 15 re: website and visual identity costs for the Yukon Development Corporation (Pillai)

34-3-31  
 Response to Written Question No. 18 re: website and visual identity costs for the Department of Tourism and Culture (McLean)

34-3-32  
 Response to Written Question No. 5 re: website and visual identity costs for the Women's Directorate (McLean)

34-3-33  
 Response to Written Question No. 20 re: website and visual identity costs for the Public Service Commission (Mostyn)

34-3-34  
 Response to Written Question No. 21 re: website and visual identity costs for the Department of Highway and Public Works (Mostyn)

**The following documents were filed October 1, 2020:**

34-3-27  
 Loss of Garbage Service Impacting Farmers and Other Businesses, letter re (dated September 8, 2020) from Brad Cathers, Member for Lake Laberge, to Hon. Ranj Pillai, Minister of Energy, Mines and Resources (Cathers)

34-3-28

Loss of Garbage Service Impacting Farmers and Other Businesses, letter re (dated September 8, 2020) from Brad Cathers, Member for Lake Laberge, to Hon. John Streicker, Minister of Community Services (Cathers)